Peter DiBiase, a Providence criminal-defense lawyer who represented people investigated by Truslow, calls him ''a worthy adversary and an honorable man.''

''He played hard and he played fairly,'' recalls DiBiase. ''He's the most diligent FBI agent I ever met.''

ON JAN. 19, 1996, the tug Scandia caught fire in a storm and ran aground at Moonstone Beach with the barge North Cape, causing the worse oil spill in Rhode Island history.

Truslow led a team of state and federal investigators in piecing together hundreds of boxes of ship records and interviewing crew members who had concealed problems with the boats.

The result was a groundbreaking 1997 agreement in which the boat owner, Eklo Marine Corp., agreed to pay $9.5 million in damages.

''Some agents are good with paper and some are good with people there aren't many agents like John who are good with both,'' says Belkin.

Truslow had a patient, methodical style of interviewing that broke down many a target into confessing criminal wrongdoing, associates say. In one fraud case, Belkin recalls, a suspect being questioned by Truslow raised his hand and, to the dismay of his lawyer, said, ''Guilty.''

Last Aug. 11, while delivering subpoenas to Newport, Truslow suffered a seizure and blacked out, crashing his car into a tree in Middletown. He came to in an ambulance.

Hospital tests found seven tumors in his brain and three more in his lungs. Following 10 days of radiation treatment, doctors at the Dana Farber Cancer Institute in Boston found that the tumors had grown. Last October, they estimated that he had six months to live.

''We were beside ourselves,'' recalls Dianne Truslow. ''We sat there and wept.''

Agents continued to drive Truslow to Boston for treatment. His hair fell out, his body grew gaunt, and he suffered painful side effects from the chemotherapy. Still, he kept working. His job helped distract him from the cancer, and the cancer drove him to push hard to finish cases.

Truslow worked on a Plunder Dome case involving lawyer and long-time State House insider Angelo ''Jerry'' Mosca Jr. In January, Mosca pleaded guilty to delivering $25,000 in bribes to city tax officials; one of the bribes involves allegations that $10,000 was intended for an unidentified high-ranking city executive.

Truslow also sat at the table with a federal prosecutor in March, when Providence tax collector Anthony E. Annarino pleaded guilty to taking bribes in another Plunder Dome case.

Truslow's wife says that he set milestones to keep himself going: his 50th birthday in November, which was marked by a surprise party attended by about 75 FBI agents and other friends; Christmas, his children's birthdays, his 20th anniversary with the FBI.

On April 5, the day after marking his 20th anniversary, Truslow was back before a federal grand jury, presenting evidence that led to the indictment of former Rhode Island traffic-court judge John Lallo on bankruptcy fraud charges.

In the preceding months, Truslow had continued to build the case, interviewing witnesses at Foxwoods casino in Connecticut, where Lallo had piled up gambling debts.

On April 17, Truslow appeared in court for Lallo's arraignment. One week later, on April 24, he came to work for the last time. After a few hours, however, it became apparent that he had taken a turn for the worse: he struggled to speak in complete sentences, and had to be taken home.

He died nearly two weeks later. On Thursday, Truslow's wife and children, following his wishes, scattered his ashes from an airplane over a favorite spot overlooking Narragansett Bay.

Dianne Truslow recalls her husband's pride back on April 4, when he was honored for his 20 years of service in the FBI. Barry W. Mawn, the head of the FBI's Boston office, hailed Truslow as ''a profile in courage.''

As the 200 people there wept openly, a sobbing Truslow thanked them.

''I don't know how much longer I have,'' said Truslow, ''but I will continue to work every day and do my best.''

AGRICULTURAL RISK PROTECTION ACT OF 2000—CONFERENCE REPORT

Mr. LUGAR. Mr. President, I submit a report of the committee of conference on the bill (H.R. 2559) to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance programs and for other purposes and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H.R. 2559, to amend the Federal Crop Insurance Act have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the conference report. (The conference report is printed in the House proceedings of the RECORD of May 24, 2000.)

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, as a parliamentary inquiry, my understanding is that unanimous consent has been reached that this Senator controls 1 hour of debate, the distinguished Senator from Iowa, Mr. HARKIN, 1 hour of debate, and the distinguished Senator from Minnesota, Mr. WELLSTONE, controls 1 hour of debate.

The PRESIDING OFFICER. The Senator is correct.

Mr. LUGAR. I yield to myself such time as I may require.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I rise to speak about the Agricultural Risk Protection Act of 2000. I am very pleased this legislation is before the Senate today for final consideration after a great deal of work by Senators of both parties and both sides of this Capitol. I am here to testify that there is proud bipartisan support for this legislation, highlighted by the fact that all members of the conference committee for this legislation signed the conference report after our meeting yesterday.

This conference report contains several titles. Title I pertains to crop insurance important to so many agriculture producers throughout the country. The fiscal year 2001 budget resolution provided $8 billion over 5 years for crop insurance legislation. This conference report increases premium subsidies to make crop insurance more affordable. The bill also tightens program integrity provisions to limit abuse. It also helps producers of non-insured crops, predominantly specialty crops, by making the non-insured assistance program more readily available to them. Finally, the legislation encourages farmers to adopt a broad array of risk management activities beyond crop insurance alone.

Title II of this conference report provides $7.14 billion in economic assistance to farmers as provided in the fiscal year 2001 budget resolution. Included in this conference report is $5.466 for a market loss payment for farmers in this fiscal year based on last year's AMTA payment rate. Five hundred million dollars is provided for oilseed producers. Funds are also provided for specialty crops including funding for purchases of crops that have experienced low prices in 1998 or 1999 and loans for apple producers who are suffering economic and income loss. Finally, funding is provided for purchases of commodities for the school lunch program which benefits school children as well as farmers.

Title III of the conference report contains the Biomass Research and Development Act, a bill which I originally introduced in the Senate last year. This legislation establishes a focused, integrated, and innovation-driven research effort to develop technologies for the production of biobased industrial products. The bill also authorizes a biomass research and development initiative to competitively award grants to carry out research and development of low cost and sustainable biobased industrial products.

Title IV and V of the conference report consolidates and streamlines existing statutory authorities for plant protection and authorizes civil penalties for harming or interfering with animals used for USDA inspections. Senator CRAIG had originally introduced this legislation in the Senate.

I thank Senator HARKIN, the ranking minority member of the committee, and Senator ROBERTS and Senator KERREY for their hard work and that of their staff in finalizing the crop insurance legislation. All members of the conference committee and their staff are thanked for their important contributions to the process.

Finally, I also want to thank Congressman COMBEST, the chair of the House Agriculture Committee, and Ranking Minority Member STENHOLM and their staff for their hard work in the past few weeks on this legislation.

I am pleased to report the House of Representatives took action on this conference report this morning and passed it unanimously. I am hopeful that we may have a result similar, if not exactly the same as that, this afternoon in this body.

Let me simply add that this legislation is of enormous importance to American agriculture. I have tried to summarize as succinctly as possible these five titles. But the consequences of this bill are very substantial. The dollars involved I have outlined. But the confidence, the hope that comes to producers who have had great discouragement in terms of low prices, in terms of export markets that have been withheld due to economic conditions in Asia, biotechnology disputes now in Europe, very great problems in negotiating trade agreements, whether it be the Seattle scene or the Washington scene more recently—this has been a very tough time.

The Chair comes from the State adjacent to my own, a State which, like Indiana, must export half of the soybeans we produce and about a third of the corn we produce. There can be no prosperity in American agriculture without vigorous negotiations to knock down these trade barriers and to open up prospects for our farmers to realize the benefits of having the best—the best in terms of quality, the best in terms of price.

These economic circumstances do not pertain if there are barriers to exports. But in this interim period, it is appropriate that Congress has understood these unusual international problems and understood we are in transition to more market-oriented farming. The crop insurance title in particular recognizes the possibility of farmers becoming much better marketers, much better business people, which all of us will have to become if we are, in fact, to succeed over the coming generation.

I know many Senators will want to speak on this issue. I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Who yields time to the Senator from North Dakota?

Mr. CONRAD. I yield myself time off the leader's time.

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

Mr. CONRAD. Mr. President, as a member of the conference on the disaster bill and the crop insurance bill, I am pleased to give strong support to the conference report.

First, I thank the chairman of the Senate Agriculture Committee, Senator LUGAR, for his leadership, his patience, and his very gracious treatment of all of our colleagues. All of us understand this particular bill was not Senator LUGAR's first preference. Once again, he responded to the concerns of colleagues on the Senate Agriculture Committee and in the larger body and did so in a most gracious way. For that, I thank Senator LUGAR. He has once again demonstrated the way we ought to do business in the Senate. He has certainly set a high standard.

I also thank our ranking member, Senator HARKIN, who has been indefatigable in advancing the cause of American agricultural producers. Senator HARKIN has been a forceful advocate. Time after time, he has stood in the breach and insisted we do what is right by farmers and ranchers all across the country. I thank Senator HARKIN for his exceptional leadership. We would not be here today without him.

I also thank Senator KERREY and Senator ROBERTS who were the primary sponsors of the legislation before us. Without their steadfastness right to the bitter end, we would not be here today. We faced a threat as late as last night when it was proposed we put the bankruptcy bill on this legislation. All of us know what that would have meant. That would have meant endless delay. That would have meant sinking into a bog of controversy that extends not only to the bankruptcy bill, but unrelated issues attached to it. Special thanks to those who stood firm and said, no, this needs to be a bill that deals with the critical problems facing farmers and ranchers in the United States.

I also thank my close friend and colleague, Senator GRASSLEY, who, as a member of the Budget Committee, worked with me to secure the $8.2 million in the budget that makes possible crop insurance reform.

Finally, I recognize the work of the House committee chairman, Congressman COMBEST, for conducting what was a very fair and open conference committee. That is the way a conference committee should function. It was give and take, it was a debate, it was discussion, and at the end, it was a coming together around legislation that is, I think, outstanding. I again single out the House committee chairman, Congressman COMBEST, for his leadership.

We have developed, I believe, the right bill at the right time with the required budget support. In one bill, we have managed to bring together emergency farm relief for the families who are faced with the lowest prices, in real terms, in 50 years and a reform of the crop insurance system to make it more affordable at every level.

In addition to that, we are righting a wrong done to Durum farmers a year ago. This bill provides emergency relief in the form of 100-percent AMTA supplemental payments. For wheat farmers, that means instead of getting 64 cents a bushel, as they did last year in an AMTA payment, they will get 64 cents in addition to the regular AMTA payment, which this year will be 57 cents. So they will get an AMTA supplement—this is on wheat now—of 64 cents a bushel that is equivalent to last year's AMTA payment, married to the AMTA payment we will be getting this year.

In addition, we have a crop insurance reform bill that is a dramatic improvement. When I go home and have meetings all across North Dakota, one of the most agricultural States in the Nation, what I am told, and told repeatedly, is that crop insurance is not working. It does not work because we do not have the right levels of support at the levels of coverage that farmers are buying, and they have a very serious problem if they have multiple years of disaster.

Oddly enough, the way the formulas work, when farmers have multiple years of disaster, the base that calculates the support they receive is diminished—it is reduced, and it is reduced dramatically. The irony is, at the very time farmers need help the most, we have a formula that gives them the least help. It makes no sense. We have adjusted that in this legislation.

I know there are those who are critical of using the AMTA payments as a basis for the economic disaster assistance. I understand that. AMTA payments are not countercyclical. That is, they are not designed to help those commodities that are the exact ones that are being hurt by this downturn.

In addition, AMTA payments are not based on current production. AMTA payments, as a result, can go to producers and landowners who may no longer be producing the crop on which their payment is based or who are no longer growing a crop of any kind. Those are legitimate criticisms. Most of us recognize that.

The question is, Do we make the perfect the enemy of the very good? I say to my colleagues, could we have done better? Yes, we could. We could have adopted a countercyclical program. But I say to my colleagues, at some point we have to make a decision: Are we going to delay support for producers who are in very deep economic trouble, faced with a circumstance in which USDA informs us, absent our action, farm income will drop $8 billion this year; or do we act?

I urge my colleagues to join us in acting. Let's not delay. Let's not wait. Let's not make the perfect the enemy of the very good. The fact is, this package is going to make the difference for tens of thousands of farm families all across America between economic survival and economic death. That is the reality. That is what motivates the urgency of our action.

I am very proud of the package that is before us. Many people labored hours

and hours to produce this result. I salute not only the Members who worked hard and provided the leadership, but I thank the staffs on both sides who exhibited a dedication to public service because they did not work just 9 to 5. I know there are some people who think the Senate is kind of an easy-going place and people work leisurely hours. That is not the truth.

The truth is people here work very hard. No one works harder than the staffs. The staffs in this circumstance have given us a perfect example of how to function to produce a result. They worked together harmoniously—well, not always harmoniously. Sometimes there was friction, sometimes there were real differences of opinion, but they kept at it, and they produced a result, and it is a result that is good for the country. They worked very long hours, many times late into the night, through the weekends repeatedly, to help achieve this result. I salute them today on both sides of the aisle because this was a bipartisan product. That happens, unfortunately, not as frequently as it should happen in this Chamber. I can tell you, this package is a product of coming together in a bipartisan effort. I salute all those who helped produce it.

In addition to the disaster package we have, in addition to the crop insurance reform which is wide sweeping and incredibly important to America's farmers and ranchers, this bill also includes provisions that effectively resolve a lawsuit brought by an unfair action by USDA regarding the 1999 durum crop revenue coverage level in contracts that were offered in various parts of the country. This means that both parties to that lawsuit—farmers and USDA—have a reason to settle that lawsuit, with every policyholder who received a claim getting additional per-bushel assistance.

More importantly, the bill language makes it clear that actions on the part of USDA that change the conditions of crop insurance policies retroactively are not acceptable for any commodity.

Whatever were they thinking of, to put out a contract—however flawed that contract might be—to have farmers sign up to it, and then to withdraw it? These contracts are contracts. That means there is a two-way bargain. You cannot have a circumstance in which the Federal Government puts out a contract, gets people to sign up to it, and then changes its mind and withdraws it. That is not fair. That is not right. In this legislation, we have sent that clear signal.

I close by suggesting to my colleagues that we now have a moment in time that we can act together in the best interests of the farmers and ranchers of America. I urge my colleagues to support this conference report. I again say how proud I am to have been a part of this conference that functioned the way a conference should in a bipartisan effort to produce a result that is good for America.

I thank the Chair and yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I note that Senator HARKIN was going to come out on the floor. I will try to be relatively brief. I did not want to precede him. Let me just take a few moments, and then I will reserve the remainder of my time for later on. I know my colleague from Idaho wants to speak as well.

Mr. President, I am speaking on my hour right now, though I will not take up all the time, and I will reserve the remainder of my time.

At the beginning, Mr. President, before I thank some of my colleagues for their work and then be honest in some of my criticism, I will very briefly, with the indulgence of my colleagues, just point out on the floor of the Senate that yesterday—all of us have to deal with this in our States—Sheila and I received some unexpected news that has devastating consequences for the people of part of Minnesota—an area I love, the Minnesota Iron Range. The steel company LTV announced it is going to close the taconite plant in Hoyt Lakes. They employ 1,400 people, I say to my colleague from Idaho. For Hoyt Lakes, Aurora, and other communities in the Iron Range, this is just devastating news.

It just makes me sick to my stomach because these workers are friends and their family members are part of our family. I have always been honest that the Iron Range in Minnesota is a second home for me. It is all so unexpected.

Jerry Fallos, who is the president of the steelworkers local, got a call yesterday at 6 a.m. in the morning. The company said: We want to meet with you. He had absolutely no inkling there was any trouble. LTV said: We are closing the Erie plant.

I know that the steelworkers are asking for an accounting of the closing. They are pledging to do whatever they can to keep it open. In whatever way I can help as a Senator, I certainly intend to do it.

By way of concluding these remarks and getting on to the conference report, I want to say this.

Tomorrow, I am going to leave early to go home and meet with county commissioners, workers, union representatives, company people, small businesspeople, and all the rest. I know we will be talking about how to get assistance to people and how to have more economic development and the need to figure out yet other ways to diversify the local economy. But the one thing I want to mention, because the Iron Range is so special, is that sometimes I do not think we focus enough on community.

I think this should bring Democrats and Republicans together —a place where people live, where people go to church or synagogue or mosque, or wherever people raise their families, where people know one another, people love one another, and people support one another.

I truly do believe sometimes these capital investment decisions in this new global economy, that get made over martinis, halfway across the world, can have devastating consequences for the people in our communities. I think we need to put more of a premium on community, especially on our smaller communities. I hate it when we are put in the position of picking up the pieces as a result of the communities being devastated by policies that are needless and should not be supported in the first place.

Again, we have seen a torrent of dumped steel imports coming into our country that has made our industry vulnerable. We now have 1,400 people—much less their families and communities—who are very much at risk.

As a Senator, I am going to do everything I can to help these people.

In some ways this is like the farm crisis.

Mr. President, I ask my colleague from Idaho how long he intends to take?

Mr. CRAIG. I thank my colleague.

I would speak probably no more than about 5 or 6 minutes.

Mr. WELLSTONE. Mr. President, I did not want to precede Senator HARKIN, who is the ranking member on this committee. I ask unanimous consent that Senator HARKIN be able to speak, after which Senator CRAIG would be recognized for 5 minutes, and then I be recognized to follow Senator CRAIG. Would that be all right? I would be pleased to do that. I ask unanimous consent that that be the order. I say to my friend from Iowa, I did not intend to precede him.

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

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I thank Senator WELLSTONE for his consideration. I do appreciate that very much.

Mr. President, I come to the floor this afternoon, as most of us do, to speak about the crop insurance conference report that is now before us and to thank those conferees—the chairman of the full committee, Senator LUGAR, Senator ROBERTS, and others on our side, certainly, who were engaged, as they should be, to produce this conference report, and thank them for the hard work they have rendered in bringing about crop insurance reform.

It is a challenging process at best. They have done an excellent job in balancing the interests we have in agriculture, and to have crop insurance

that reflects the diversity of agriculture itself.

With the passage of the farm bill, Congress—we—promised crop insurance that would work. I am pleased to see that we now are living up to that promise by passing sweeping legislation to bring some normalcy back to our Nation's farm economy and to expand the risk management tools available to our farmers and ranchers.

The crop insurance conference report addresses several concerns farmers from my State and I have about the current Crop Insurance Program. The conference report provides increased subsidies for greater buy-up of crop insurance, funding for research and development of specialty crop insurance, and the removal of the NAP area trigger, just to name a few of the improvements.

This legislation is a very balanced approach, containing meaningful and sweeping reforms that all of us would admit are long overdue.

As we all know, the agricultural economy has been in a dramatic slump for the last good number of years. USDA reports that overall conditions in the economy in early 2000 are largely a replay of last year. Agriculture is a part of the world economy, and farmers across the board are facing very difficult times.

For the past 2 years, though, we here in Congress have tried to respond to the agricultural crisis by providing over $15 billion in emergency economic aid. I do not stand back from that. I think it was appropriate and necessary to keep our agriculture economy out of bankruptcy.

The need this year is not much different than last. I am pleased that there is $7.1 billion in economic farm aid in this conference report. This funding includes $5.5 billion additional AMTA payments, or market loss payments; $200 million for specialty crops; $500 million for oilseed payments; $11 million for wool and mohair maintenance; loans for producers who were affected by the AgriBioTech bankruptcy that impacted my State and other States dramatically, including Oregon, Washington, Montana, some 30-plus States that were involved in both grass clover and alfalfa seeds.

I have worked for and supported the funding because I believe it is what our farmers need to stay in business in the short term. We must help them deal with this if we can; and I think we are. USDA reports that global economies are now improving. Of course, we know that many of our products sell openly in the world market. As that economy improves, so does the demand for agricultural commodities from this country and the improvement of price.

The conference report also includes the Plant Protection Act, a bill I have been working on for nearly 2 years. What is it? It is a weeds program. That is what it is all about. I think those of us who are familiar with agriculture recognize that we have not been good at dealing with weeds. Those of us who live near large tracts of public land recognize that our public land neighbors have been less than good stewards of their land by allowing major increases in noxious weed populations on our public lands. This is a major step in the direction of improving that. It follows the President's initiative that was taken a couple of years ago with the legislation Senator AKAKA and I have worked on for some time. I hope we can meet the other needs that Senator AKAKA has, and I will work with him in the agricultural appropriations that will follow to see if we can make that happen.

This legislation will organize and expand the function of the Animal and Plant Health Inspection Service. APHIS currently gets its authority from 10 different statutes, some of which are outmoded and conflicting and complicated. As a result, it simply has not provided us with the kind of consistency we need to deal with commercializing technologies and the use of biocontrols in the area of weeds.

The PRESIDING OFFICER (Mr. ALLARD). The Senator's time has expired.

Mr. CRAIG. Mr. President, I ask unanimous consent for no more than 2 minutes.

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

Mr. CRAIG. This bill has broad support from the American Nursery and Landscape Association, National Association of State Departments of Agriculture, the National Christmas Tree Association, the National Potato Council, and many others that for a long time have recognized the need to reform this area of the law.

Again, I commend the conferees on both sides of the aisle for the hard work they have undertaken in producing this conference report in a way that will produce reform in crop insurance that I think is now functional, workable, and becomes the kind of risk management tool we promised American agriculture some years ago. With that is the supplemental program for emergency purposes that will go a long way toward stabilizing the agricultural economy as we move through this year and into next.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, Senator ROBERTS is here. He worked so hard on the crop insurance bill, which is a fine piece of legislation. I ask unanimous consent that Senator ROBERTS be recognized for about 15 minutes, and afterwards I follow him, and then Senator HARKIN.

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

Mr. ROBERTS. Mr. President, I rise today in strong support of H.R. 2559, the Agriculture Risk Protection Act of 2000.

As has been indicated by my colleagues, this legislation provides what we believe are very dramatic reforms to the Crop Insurance Program. It also marks the final product of a legislative initiative Senator BOB KERREY and I began working on nearly 2 years ago. Senator KERREY and I decided to undertake this task at the same time Congress was passing the first of several large agriculture assistance packages in 1998. The problems we experienced in 1998 and again in 1999 exposed many of the holes in the current Crop Insurance Program. We agreed that changes needed to be made and that we must work together in a bipartisan manner to achieve program improvements. In fact, this is one of the reforms that was promised as an integral part of the 1996 farm bill. Obviously, those reforms did not take place, but here we are, finally, in an effort to achieve those reforms.

Senator KERREY and I did not just set out to write a bill based upon what we thought needed to be done. Rather, we wanted input from those who were most directly affected by this program. We asked virtually every producer, every farm organization, every commodity group, every crop insurance company, every insurance agent group in the country for input on this legislation. We traveled throughout the country. We held, literally, hundreds of hours of listening sessions here in Washington to get the input both from the organizations and the producers.

The responses were overwhelmingly clear: Major changes were needed in regard to the Crop Insurance Program. These groups recommended more affordable crop insurance policies at higher levels of coverage, equalization of the subsidy on something called revenue insurance, provisions to deal with multiple years of disaster, a better program for new and beginning farmers, changes in the product approval process, and, finally, the removal of the regulatory roadblocks that had stifled new product development.

Senator KERREY and I took these recommendations very seriously, and this legislation achieves each of these goals. The process has not been easy. We began our meetings on this issue in September of 1998. We introduced our first legislation, S. 529, the Crop Insurance for the 21st Century Act, last February. We then introduced a second bill, S. 1580, the Risk Management for the 21st Century Act, in September. In March, the Agriculture Committee and the Senate approved the crop insurance legislation that was based largely upon our original bill. Since passage of the Senate bill, we have spent nearly 7 full weeks in conference with the House. There have been many surprises, many

bumps in the road, to say the least, sometimes arising at the last minute. I believe those unexpected bumps, however, were appropriate because they helped remind us of the often unexpected, unpredictable risks that our farmers and ranchers face on a daily basis, the same risks that this legislation works to help them manage.

The task was difficult and the hours were often long, but in the end we achieved a bipartisan bill that was supported by all 18 members of the conference committee between the House and the Senate. That is no small achievement.

Exactly what does this bill do? It makes it easier for producers to purchase the higher levels of coverage by increasing the premium write-downs and reducing the farmer's out-of-pocket expenses. By allowing the producer to produce these higher levels of coverage, I believe we will reduce the need for future disaster bills, those disaster bills that are always a disaster to pass, a disaster to implement, and always seem to come during even-numbered years. The legislation makes the revenue insurance policies that have become enormously popular for producers more affordable as well. This is risk management. These are risk management tools that, hopefully, will lessen the reliance on disaster bills and all of the expenditures that those entail, usually under emergency legislation.

The legislation also provides adjustments to something called the average production history, the APH, for those farmers who have experienced a year or years of significant crop losses and disaster. It provides for a new assigned yield system that will benefit new and beginning farmers.

The legislation also restructures the board of directors to provide more producer and insurance expertise. The product approval and the research development processes are greatly improved. This will result in the development of new and improved products that will provide our producers with the additional risk management tools they need.

We have also strengthened the fraud and abuse penalties in the program. Farmers and ranchers should pay attention to this; critics of the farm program should pay attention to this. Under this legislation, the producers and insurance representatives who would abuse the program face fines of up to $10,000 and possible disbarment from all USDA programs for up to 5 years. Those who would try to destroy the integrity of the program are going to be punished, and they are going to be punished big time.

I also comment on several provisions that do not necessarily affect my State and producers but which I know are very important to other Members in this body.

In recent years, there have been many complaints that specialty crop producers and certain areas of the country have been ''underserved'' by the Crop Insurance Program. This legislation takes major steps to address these concerns.

First, it provides nearly $500 million over 5 years for changes to make something called the Noninsured Assistance Program, or NAP. NAP will work better for these producers. It requires the RMA to undertake studies and report to Congress on ways to better serve these areas. And more than $200 million is provided for expanded research and education to develop new and better risk management products for these producers.

Mr. President, in addition to the important crop insurance reforms included in this package, we have also provided $7.1 billion in agriculture assistance for farmers and ranchers who have not enjoyed the booming economic times experienced by the rest of the U.S. economy. Approximately $5.5 billion of this amount will go out as market loss payments, through the AMTA payment mechanism established in the 1996 farm bill.

Now, while I understand some of my colleagues believe this is not the best way to distribute these funds, it is the quickest guaranteed manner by which the USDA can make these payments. I remind my colleagues who wanted to develop a new payment formula that in the past 2 years it has taken the Department of Agriculture at least 9 months to make these payments through the disaster and assistance programs that were not paid to producers through the AMTA payment mechanism.

I also point out that after a lot of real criticism regarding the AMTA process, the department or the administration came forward with a plan, only to be roundly criticized by virtually every farm organization and commodity group. So I think this is the way to do it. These are emergency payments.

As long as we don't have our export markets back, as long as farmers are not experiencing the kind of farm income at the country elevator, and market prices are depressed, I think this is appropriate, and doubtless this will help. We are doing it early. We are doing it early in the spring. It is in the budget. No Social Security money. No emergency money. The farmers, ranchers, and the lenders can sit down, and under consistency and predictability, know what they are getting this fall.

I am also pleased that $15 million is included for carbon sequestration research. The preliminary research indicates that agriculture can and will play an important and positive role in the debate regarding global climate change, and this funding is an important downpayment on this research. Senator KERREY and I worked hard to include this research money. It will enable farmers, again, to play a positive role in taking carbon out of the atmosphere and to mitigate the global climate change problems we have.

I could continue to discuss the merits of this legislation, but I will cease and desist. However, I do have a few closing comments.

First, this legislation has been a personal priority of mine for many years. It was nearly 20 years ago that my predecessor in the House of Representatives, Congressman Keith Sebelius, cast the deciding vote to create the Federal Crop Insurance Program. Since that time, I have been committed to strengthening this program and making it work for our producers. We promised this in the 1996 farm bill. In addition, an improved Crop Insurance Program has been an underlying promise ever since that bill has been passed. It was a promise I personally made, and today I consider it a promise, hopefully, fulfilled.

It has been a pleasure to work with my colleague from Nebraska on this issue. Senator KERREY is retiring from the Senate when this session ends, and I know passage of this bill before leaving the Senate has been one of his top priorities. We could not have done the job, the committee could not have done the job, the staff could not have done the job, we would not have had this bill without the support, leadership, advice, counsel, and hard work of Senator KERREY. Furthermore, I thank the distinguished chairman of the committee, Senator LUGAR, for his assistance in working with us to get a strong bill out of the conference between the House and Senate. Without his leadership as well, obviously, we would not have this package.

Finally, I thank the staff of the Senate Agriculture Committee. The Senate legislative counsel and the Congressional Budget Office spent considerable time on this legislation. As a matter of fact, maybe even too much time. It has been a Herculean effort, and all Members and staff involved deserve to be commended. I would be remiss if I did not mention specifically Bev Paul, who works for Senator KERREY; Mike Seifert, who works for me; and Keith Luse, the distinguished and able staff director of the Senate Agriculture Committee. They basically did the work and reported to us, and we reported to them to go back to work and they finally produced a bill. They persevered.

I close by stating that this is a good and fair bill. For the first time, it is a truly national crop insurance bill that serves all regions of the country. I remind my colleagues that it is a bipartisan bill, supported by all 18 members of the conference committee. It represents a real investment in our farmers and ranchers and the agriculture sector of our economy. I am proud of our efforts on this legislation.

I thank my colleagues for their support. I urge its quick passage. It is my understanding that it passed by unanimous consent in the other body, which has a lot of difficulty deciding when to adjourn, let alone passing things by unanimous consent.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I come to the Senate floor today to speak of my profound disappointment regarding the way in which the Senate is conducting its business. I am outraged that these payments have been attached to a conference report without any consideration in the full Senate.

Mr. President, without any public debate and with no hearings in the Agriculture Committee some of our colleagues have attached $7.1 billion to this conference report, and have unilaterally decided to continue the failed farm policy of the 1996 farm bill.

First of all, I want to be very clear that I am pleased there was some recognition in Congress that the Freedom to Farm bill, or as I call it the Freedom to Fail bill, has not provided an adequate safety net to our nation's family farmers. Furthermore, I am pleased that the Budget Committee recognized that after spending over $16 billion the last 2 years on emergencies, family farmers were in need of an economic safety net.

But I believe this emergency assistance package only relieves the apparent symptoms of the economic crisis in agriculture. This assistance will help some farmers to continue their operations for the immediate future, but this direct cash infusion cannot sustain farmers for the long term.

I am deeply concerned about simply attaching this money to a conference report without any debate or possibility of amendments. And as a Senator from Minnesota, with thousands of family farmers in my state who are suffering economic convulsion, I am completely opposed to continuing this disastrous farm policy passed 4 years ago.

Mr. President, this is very much an extension of the debate we began last week—it's a debate about our right to be legislators. It is about being able to offer amendments to improve legislation—that is what the people of Minnesota elected me to do. The people of Minnesota and the thousands of Minnesota family farmers certainly didn't elect me to be silent, and accept the status quo in Washington, DC.

At times Senate procedure can seem a bit arcane to many people—let me explain what has happened with this legislation. We are now considering the crop insurance conference report—this is great. The legislation passed 95–5, and I voted for the bill. The crop insurance bill passed by the Senate will, in fact, make crop insurance much more affordable for thousands of family farmers who have experienced years of crop losses—like the Red River Valley in Minnesota. I will do everything in my power to pass this important piece of legislation—I have no objection there.

However, what has been done behind closed doors in a conference committee, with absolutely no public scrutiny, is completely different. What the conferees have done is to attach $7.1 billion in emergency farmer relief payments to the crop insurance bill. They have not asked the full Senate. They have not consulted with the House of Representatives.

And conference reports are privileged which means that Senators cannot offer any amendment. Nor can Senators engage in extended debate. In essence, we as Senators have been left with no options to alter the conference report in any way.

Mr. President, as a Senator from Minnesota this is one of the most egregious maneuvers I have witnessed in the Senate. And the one thing that greatly concerns me about this road we seem to be heading down is that back home in Minnesota I meet with people, and they really believe that I will make a difference in their lives—that I can in fact help them.

However if, as a Senator, I cannot at least offer amendments, to what is probably the most important agriculture bill, I am shut out. In fact all Senators are shut out. I don't claim to agree with everyone, and I welcome having debates about what is the best way to spend $7 billion, but the Senate must have those debates.

And for Minnesota farmers time is not neutral. That was evident when nearly 4,000 family farmers from Minnesota, and all across the country, came to Washington, DC, to demand a change in the failed Freedom to Farm Act. People really believe when we meet with them that we can do something right now about the abysmally low prices, whether it is the livestock producers, or whether it is the corn growers, or dairy producers. With what is going on in farm country with crops, people are in such pain. They still come out to meetings because they still believe in us as their Senators, and by meeting with us and talking about what is happening to them, somehow since we are their Senators we can do something to help.

But I am left with very few options. The majority has insisted on attaching a vital piece of legislation to a conference report without any public debate, or amendments. And that is to say nothing about the substance of the legislation they are attempting to ram through the Senate.

However, I am glad that Minnesota will benefit from the emergency package. And, although I have significant reservations that AMTA is not the best mechanism to provide income assistance to producers, it will at least keep farmers going for another year. I preferred and pushed for a mechanism that targets and ties assistance to actual production.

Mr. President for the first time since 1996 the majority has recognized that the Freedom to Fail does not provide an adequate safety net for our family farmers. Through including $7.1 billion in the FY 2001 budget resolution for farm relief the Budget Committee has conceded that the Freedom to Farm Act has failed to provide an economic safety net for our nation's family farmers.

We were presented with a tremendous opportunity to reverse the disastrous farm policy enacted in 1996, by targeting this money to our nation's small and medium sized producers who are truly in an economic crisis. But rather than examining serious policy alternatives that could reverse the current economic crisis in rural America, we have been presented with legislation that continues the Freedom to Fail bill.

First of all, and I think this simply prudent public policy—and I say this is with greatest respect for the chairman of the Agriculture Committee—I do believe the Agriculture Committee had a responsibility to our nation's family farmers to hold hearings on mechanisms to target the financial assistance to those small and medium farmers most in need. I firmly believe it is a grave mistake not to base these payments both on prices and production.

Basically what the majority has done is to double these disastrous AMTA payments. And they have refused to deal with any of the problems of distribution equity.

As we have seen over the last 2 years, emergency assistance packages only relieve the apparent symptoms of the economic crisis in agriculture. Assistance will help some farmers to continue their operations for the immediate future, but direct cash infusion cannot sustain farmers for the long term.

There are a couple of problems with these AMTA payments. First of all, these payments are based on the old farm program's historic yields. Farmers such as traditional soybean farmers, who never had a program base in the old program, don't get any of these AMTA payments. That is one huge problem.

In addition, it is possible for some people who might not even have planted a crop to receive them because the Freedom to Farm—or what I call the ''Freedom to Fail''—payments are completely unconnected to production or price. Furthermore, I predict, largely this money will be used to pay back banks and lenders from whom farmers needed to borrow money earlier this year just to get in their crops.

Let's be clear—it is now evident that the majority of AMTA payments have not been distributed to family farmers, rather they have gone to the largest farmers and corporate agribusiness. Recently a comprehensive study was conducted on the federal farm payments from 1996 through 1998 which shows that the 1996 Freedom to Farm bill (and subsequent legislation) has provided minimal financial assistance for the large majority of family farmers.

The study found that the largest farming operations were generously compensated by Freedom to Farm, and many of the top payment recipients were paid hundreds of thousands of dollars over the 3-year period studied. Large operators received these enormous payments, even as operators of smaller farms (with average annual sales of $50,000 or less) actually lost money.

According to the U.S. Department of Agriculture, these smaller farms realized an average net loss of $3,400 in income from their farming operations in 1996 alone.

From 1996 through 1998 nearly 61 percent of all federal Freedom to Farm money approximately $13.8 billion in total went to the 144,000 individuals, corporations and farm partnerships among the top 10 percent of recipients.

A recipient among the top 10 percent was paid an average of $95,875 over the 3 years ('96–'98). These payments were on top of any profits earned from the sale of agricultural commodities, and do not include payments made under conservation, disaster or crop insurance programs.

In contrast to the largest farmers, the vast majority of AMTA recipients have seen very little benefit from Freedom to Farm. Half of all farmers received less than $3,600 in total from 1996 through 1998, or an average of about $1,200 per year.

Large corporate agribusiness already enjoy significant competitive advantages over smaller farming operations in availability of capital. According to USDA's Economic Research Service, farm operator households for farms with sales of $500,000 or more averaged $153,847 in farm income in 1996, while operators of farms with between $250,000 and $500,000 in sales averaged $53,265 in household farm income in the same year. And operators of farms with less than $50,000 in sales realized a net loss of income from their farm operations.

The central question we need to ask ourselves is that if the largest U.S. agribusiness are inherently more efficient, as corporate America assures us they are, why do these efficient farms need Federal Government assistance, and why do they collect the majority of the assistance that is provided?

Hundreds of thousands of small- and medium-sized operations receive meaningless amounts of AMTA assistance under Freedom to Farm programs. I believe, it is a great mistake not to target this money to producers based on actual production.

That is the key issue. That is the key difference. In dealing with this price crisis, we ought to make sure that the payments are connected to production and price. So what the Republicans have is the wrong mechanism for addressing the price crisis. We must target the assistance to family farmers and tie direct assistance to production. Thousands of family farmers across the country could go out of business due to conditions that are beyond their control. In Minnesota, up to 30 percent of our family farmers are threatened—that's thousands of farm families.

Whatever you do by way of dealing with low prices, you have to make sure that payments are connected to production and price. Too many of the transition payments go to landowners, and not necessarily producers. I don't think that makes a lot of sense. Some, like soybean growers, won't be helped at all. We can do better, we must do better.

We could at minimum target the assistance to those farmers who are in the most need. We have an opportunity to make at the very least incremental changes to current farm policy. The policy objective of the ad-hoc aid is clouded by the apparent inability of Congress to pass aid packages targeting assistance to farmers most at risk.

Some of the largest and most profitable farms in the country will benefit from this assistance if it is distributed in double AMTA payments and meanwhile there are no funds devoted to other needs in rural America.

Mr. President I also want to talk about the whole problem of concentration of power. This is an unbelievable situation. What we have is a situation where our producers, such as our livestock and grain producers, when negotiating to sell, only have three or four processors. They have the ADM's, the Smithfield's, the ConAgra's, the IPB's, the Hormel's and the Cargill's. The point is, you have two, three, or four firms that control over 40 percent, over 50 percent, sometimes 70–80 percent of the market.

Let me just run through some statistics that illustrate this point. In the past decade and a half, the top four pork packers have increased their market share from 36 percent to 57 percent.

The top four beef packers have expanded their market share from 32 percent to 80 percent.

The top four flour millers have increased their market share from 40 percent to 62 percent, while the market share of the top four soybean crushers has jumped from 54 percent to 80 percent.

The top four sheep, poultry, wet corn, and dry corn processors now control 73 percent, 55 percent, 74 percent, and 57 percent of the market, respectively. By conventional measures, none of these markets is really competitive.

Thousands of our livestock and grain producers are facing extinction, and the packers are in hog heaven. The mergers continue, and we have all of these acquisitions. We need to put free enterprise back into the food industry.

I have had a chance to review the Sherman Act and the Clayton Act and the work of Estes Kefauver and others. We had two major public hearings in Minnesota and in Iowa last year with Joel Klein, who leads the Antitrust Division of the Justice Department, and Mike Dunn, head of the Packers and Stockyards Administration within the Department of Agriculture. And earlier this year we had thousands of family farmers in Washington to rally at the Capitol. In all the meetings I have been at over the last two years, producers are asking the same question: Why, with these laws on the books, isn't there some protection for us? We have all sorts of examples of monopoly. We want to know where is the protection for producers.

It is critical to pass some stronger antitrust legislation. I know Senator LEAHY and Senator DASCHLE have done a great job with their legislation. I am pleased to join with them in cosponsoring the Fair Competition Act of 2000.

Mr. President, there is a frightening difference when the major agribusiness firms can raise billions on Wall Street while making record profits at the same time farmers and ranchers are faced with take-it-or-leave-it low prices. Even, the American Farm Bureau Federation, who I don't always agree with, testified on February 1, 2000, that "consolidation, and the subsequent concentration within the U.S. agricultural sector is having adverse economic impacts on U.S. family farmers." The administration recently testified that:

> High concentration, forward sales agreements, production contracts, and vertical integration have raised major concerns about competition and trade practices in livestock and procurement by meat packers and poultry processors. . . . The four leading packers' share of steer and heifer slaughter increased from 36 percent in 1980 to 81 percent in 1998.

This concentration of power in the hands of a few increases the likelihood that farmers or ranchers will be the victim of unfair or deceptive practices. The Fair Competition Act will give USDA the authority to help address those practices. Firms and corporations, no matter how large, which engage in unfair, deceptive, or unjustly discriminatory practices, or which give undue preferences, or make false statements regarding transactions, will be stopped by this bill.

The bill also focuses on mergers of agribusinesses and on agribusiness acquisitions. Over the last quarter century there have been a major increase

in the horizontal, vertical and sectoral concentration of agribusinesses and in industries serving agriculture. At some breaking point, the concentration of agribusinesses in any region will mean that farmers or ranchers are adversely affected by an imbalance of negotiating power and a lack of viable market alternatives. The bill gives the Secretary the authority to identify circumstances where a proposed merger will result in unfair or deceptive practices that adversely affect farmers or ranchers and to take a strong action against such a merger.

In addition, under the bill the Secretary shall make findings about whether a proposed merger or acquisition could ''be detrimental to the present or future viability of family farms or ranches or rural communities in the areas affected by the merger or acquisition.''

If the Secretary determines that such adverse effects are likely, the Secretary would propose remedies, such as divestiture of asserts or other corrective action, designed to protect family farms and ranches, and the affected local communities. Failure to comply with those remedies could result in significant civil money penalties.

This authority is similar to that conferred by Congress on the Surface Transportation Board which takes into account the ''public interest'' with respect to proposed mergers of railroads. That Board examines the potential effects on the public, on employees and on competition and ''the impact of any transaction on the quality of the human environment and the conservation of energy resources.'' (49 CFR 1180.1) To carry out its duties, ''the Board has broad authority to impose conditions on consolidations * * *''

Similarly, the Federal Communications Commission exercises a major role over the telecommunications or broadcasting industry mergers when it examines whether transferring licenses to the merged entity is ''in the public interest.''

This bill thus aims at preventing the detrimental effects of such increased concentration on farmers and ranchers, and rural communities, just as the Surface Transportation Board has imposed a moratorium on railroad mergers to ensure that railroad mergers are in the ''public interest.''

We need to pass this legislation now, and I think there is going to be a considerable amount of support for this. The reason I think there is going to be a lot of support is that I think many of my colleagues have been back in their States, and for those of us who come from rural States, from agricultural States, you can't meet with people and not know we have to take some kind of action.

This ought to be a bipartisan issue. I think this is one issue on which all the farm organizations agree. We must have some antitrust action. We must have some bargaining power for the producers. We must put free enterprise back into the food industry.

But this conference report moves us further away from making any real change in farm policy. I would like to remind my colleagues that $7.1 billion for assistance for producers was allocated, but a significant portion of the funds in this bill have been dedicated to programs and projects, as worthy as they may be, that;

1. Do not provide assistance to family farmers or ranchers in the near term.

2. Are more appropriate issues for the appropriations committee to handle.

3. Distribute money to universities and agribusiness.

I would simply like to identify for my colleagues where some of this $7.1 billion, allocated for assistance for producers, will actually be going.

$20 million for the Market Access Program—a program that assists business trade associations and cooperatives for marketing development. How does that help the average family farmer deal with paying for health care for his family?

$3 million will be directed to Georgetown University and North Carolina State University for research regarding the extraction and purification of proteins from genetically altered tobacco. I ask my colleagues, could not have $3 million be better spent on direct income assistance to the thousands of small family farms who are in danger of losing their farms this year?

$30 million for training and technical assistance relating to the management of water and waste disposal in Alaska. As a Senator from Minnesota, I am quite sure that small dairy producers, or soybean producers in my state who are facing the biggest agricultural depression in more than a generation, would appreciate the assistance $30 million could provide—it would allow many families to at least stay in farming this year.

Mr. President, the plain fact is that this short term assistance is simply a band-aid. I understand the majority does not want to have any public discussion on the farm bill they enacted. That is clearly evident by the way in which they have moved this legislation to the Senate floor, with no debate or examination.

The point is that farmers in this country want to know, they deserve to know, whether they have a future beyond 1 year. They can't cash flow on these prices, whether it be for wheat, for corn, for cotton, for rice, or whether it be for livestock producers. They simply cannot cash flow—they cannot make it. They can work for 20 hours per day and be the best managers in the world, and they still wouldn't make it.

But rather than open and make changes to the farm bill and avoid these lump assistance infusions, the majority defends the status quo in farm policy. Yet, how much longer can we mask reality of failing agricultural policy? Short-term fixes are more expensive than carefully planned long-term programs. For the past 3 consecutive years, Congress has passed supplemental appropriations bill. Direct farm payments for 1999 were approximately $16 billion, making last year the highest record for direct farm payments in U.S. history.

We need to stop using ad-hoc assistance as a substitute for farm policy. We need to reopen and rewrite a farm bill with a strong sustainable policy. Namely, we need a farm policy that empowers farmers not only to merely survive, but to prosper.

And that was what the Rally for Rural America was all about. We had, from all over the country, around 4,000 people—most of them family farmers. From the State of Minnesota, we had close to 500 people here, most of them family farmers. I point out to my colleagues, this was an unusual gathering. They came to our Nation's Capital to try to have a conversation with America, to make sure people in the country know about the economic convulsion that is happening in rural America.

And Congress appropriately responded with a commitment to reform rural policies to: alleviate the agricultural price crisis; ensure competitive markets; invest in rural education and health care; protect our Nation's resources for future generations; and ensure a safe and secure food supply.

I ask my colleagues, what became of that commitment to the thousands of family farmers who came to Washington, DC—I ask where is the followup? Is the followup passing $7 billion in AMTA payments that has never even been discussed in the Agriculture Committee? Is it in providing huge payments to corporate farms and agribusinesses, while leaving little for the ordinary family farmer? Or is it in ignoring the root problems in the 1996 Freedom to Fail Act. I don't think so.

For 2000, net farm income is forecast to decline for the 4th straight year, by 17 percent. Low prices scale across the board for almost all major crops. USDA projects that 2000 crop corn prices will be the lowest since the mid 1980's. That's 26 percent below the average of 1993–1997. Soybeans are projected to be at their lowest levels since 1986. Yet, I do not need to list all the statistics. I have been on the Senate floor, and Senators know, economists and specialists know and most importantly those who farm the land do not need to hear statistics to know times are tough.

Whatever our explanation for the very low commodity prices on the global market, federal farm policy needs to be there to offer some safety net to help people stay in business when this happens. We need a farm bill that establishes an equitable safety net. We

need a farm bill that provides a level of financial security during periods of market disruption and commodity price instability. A safety net should include a counter cyclical price and income assistance directed to producers. One simple idea of providing a safety net is lifting caps on the loan rates.

In addition, long-term policy must be developed to enhance competitiveness and transparency throughout agriculture domestically and globally. We know these figures well. I and others have recited these numbers time and time again on the Senate floor. We know concentration in the agriculture economy has been accelerating at a rapid pace.

In the past decade and a half, the top four pork packers have increased their market share from 36 to 57 percent, the top four beef packers have expanded their market share from 32 to 80 percent, and the top four flour millers have increased their market share from 40 to 62 percent.

We must halt this trend of consolidation. Congress must pass the Fair Competition Act to restore competitive markets in agriculture and give farmers more equal bargaining power against corporate business.

It is greatly disturbing that a handful of firms dominate the processing of every major commodity. Many of them are vertically integrated. This growing trend in concentration, low prices and anticompetitive practices are driving family-based farmers out of business. Farmers are going bankrupt or giving up, and few are taking their places. More and more farm families are having to rely on other jobs to stay afloat. In fact, reports indicate that off-farm income now constitutes as much as 90 percent of all household income received by the average farm operator.

There is a gross disparity of economic power that has shifted a growing share of farm income to agribusiness. We need to reverse that trend and focus on equalizing the bargaining power between farmers and the global agribusinesses.

According to economic literature, markets are no longer competitive if the top four firms control over 40 percent of the market. Yet, Excel and IBP control 60 percent of the beef packing industry and Kellogs and General Mills have 63 percent of the market share for cereal.

Policy makers wrote the 1996 farm bill and we can rewrite it. The corporate culture's powerful influence has penetrated to humankind's greatest common denominator, food. We cannot allow our lives to become beholden to corporate America. We must provide an agricultural policy that preserves the family farm and protects the food industry from an oligopoly of corporate agribusinesses. We must fight for these critical policy changes.

We have some differences here in the Senate. They are honestly held differences. All of us care about agriculture. All of us know what the economic and personal pain is out there in the countryside. But with no opportunity to consider and debate a fair and equitable distribution plan, and a bill that short changes the American family farmer by diverting money away from equitable income assistance, the majority in Congress has failed America's family farmers.

Mr. President, I say to Senator ROBERTS and Senator KERREY: Good work. Thank you for your commitment and the work on the crop insurance conference report. This report is extremely important. To farmers, this is going to make a big difference. I also thank Senator LUGAR. Senator CONRAD spoke of his graciousness, and I think he is always that way. Because of the crop insurance reform, I will vote for this conference report.

My dissent has to do with, again, the way we are conducting our business. The crop insurance reform is very important. But this is a crop insurance conference report. When the Budget Committee said, look, we are going to have $7 billion to deal with the farm crisis, what the Budget Committee was saying and what the Senate was saying is, rather than just doing emergency appropriations, let's have some deliberation and some policy evaluation and figure out how to get that money to people in the most equitable manner.

My dissent, I say to my colleagues out of respect, is that I believe we should have had debate about this. I believe that the Senate Agriculture Authorization Committee should have had hearings. I don't think it is appropriate that the $7 billion in AMTA payments—essentially doubling the AMTA payments—was put into this conference report. I don't think it was appropriate. I heard my colleague—two Senators spoke. Senator CONRAD said there are legitimate concerns, but I think this is the quickest way to get assistance out to people. Senator ROBERTS said the same thing, roughly speaking.

The point is that we did have some time when we could have had some hearings and when we could have had some debate on this. I do not believe we should have just automatically taken the $7 billion and said it is going to be AMTA payments, that's it. We put it into a conference report, which doesn't enable any of us to come out here and have much debate about it, and it certainly doesn't enable us to testify, doesn't enable us to have amendments and to act the way I think we should act in the Senate on such important matters.

Mr. President, we had this farm rally here maybe 2 months ago. Several thousand farmers came. It was pouring rain and it was cold. They came a long way. Many came by bus because, for them, they are trying to survive. I have no illusions. We are not going to write a new farm bill. The Freedom to Farm bill is really the ''freedom to fail'' bill. I have said that many times over. But it does seem to me that if we are not going to write a new farm bill—at least not until after the election—we ought to do the very best we can in getting the payments to people in such a way that people who need the assistance the most are the ones who get the lion's share of the benefits. Right now, with these AMTA payments, we have a subsidy in inverse relationship to need.

What we have here—with no opportunity for real debate, with no opportunity for amendments—is $7 billion put into a conference report on crop insurance in the form of more AMTA payments providing subsidy to farmers in inverse relationship to need, with the vast majority of the benefits going to the very largest agricultural operations. This is a disastrous distribution formula. I think it violates the very principle of equity and fairness.

Problem:

First of all, the AMTA payments are based upon the old farm programs' historic yields.

We don't have an opportunity to have an amendment on this? We don't have an opportunity to say that this is unfair to farmers, such as soybean farmers who never had a program base in the program and don't receive any AMTA payments? There is no benefit for them? We don't have an opportunity to discuss this, to have an amendment to try to improve this?

Second, since this was connected to the ''freedom to fail'' bill—what I call the ''freedom to fail'' bill—the payments aren't connected to production. Many of these payments go to these large landowners who aren't necessarily even producers. I want the assistance to go to the producers. I want it to have some relationship to price and to farm income.

Let me simply quote some of the findings from the Environmental Working Group.

The largest farm operations in the country are generously compensated with these payments. They are paid hundreds of thousands of dollars over a 3-year period of AMTA payments going to large farm operations, and the midsized farm operations and the smaller farm operations are not getting the benefits they need to survive.

Environmental Working Group:

From 1996 to 1998, 61 percent of all Freedom to Farm money AMTA payments—approximately $13.8 billion—went to 144,000 individuals, corporations, and farm partnerships among the top 10 percent. The top 10 percent, the large farm operations, and the least in need of assistance, get over 60 percent of the AMTA payments. It doesn't make any sense. Recipients in the top 10 percent, those large farm operations, are doing well. They get an average of

$95,000 over this period of time. Half the farmers in the country get less than $3,600, and many of the farmers in my State get less than that.

While you have these large farm operations, that do not even need the assistance, getting well over the majority of all the money—the top 10 percent—the struggling, midsized family farmers in the State of Minnesota are lucky if they get $3,000 a year. These are the farms that are going to go under. The USDA says we are going to see a 17-percent drop in farm income this year.

Why in the world, when you have these transition payments—AMTA payments—going to the largest landowners who aren't even necessarily producers, based upon a program base going back years, providing the majority of the benefits to the large operators, not helping those farmers who are most in need and who may not survive—why do we have $7 billion put into this conference report which doesn't have anything to do with crop insurance reform, which means we don't really get to debate it?

That is why we are doing it. I don't think that is Senator LUGAR's style. He is probably one of the fairest Senators, I believe, in the Senate. But I have to keep saying this. It pains me to say this on the floor because I think so much of him as an individual. But this shouldn't be in this conference report. We should have had hearings. We should have had an opportunity to come out here with amendments.

I would love to have had an amendment saying it is going to go to producers, and not just landowners. I would love to have had an amendment that said we need to target more to the midsized producers. I would love to have had an amendment that said it shouldn't be based upon the old program base—no opportunity. I would like to have had an amendment that called for equity payments that said raise the loan rate—we could have done it for fiscal year 2001—to the same level it is for soybeans, in which case corn would be $2.11 and wheat would be $3.10. That would make a huge difference. We could have done that.

We could have had, and we should have had, an opportunity to have not only a 1-hour speech or 2-hour speech in reaction to a conference report, but we should have had hearings. We should have had deliberation. We should have been able to do some serious policy evaluation. And we should have had the opportunity to come out here on the floor and/or in committee with amendments that would have made sure that until we write a new farm bill and get rid of this miserable failure—this ''freedom to fail'' bill—we would have been allocating the $7 billion of assistance with most of it going to those farmers most in need—not to the top 10 percent, the largest farm operations, those that are doing the very best right now in farm income, getting over 60 percent of the benefits.

The crop insurance reform package that Senators ROBERTS and KERRY worked on is superb. I am all for it. I am going to vote for this because of that. But I think it is just reprehensible that we continue now along this line of taking really important policy questions and burying them in conference reports. I don't know what the $7 billion of assistance is doing in this report.

I just want to conclude—because I promised my colleagues I would be brief, and then I will reserve the remainder of my time—by making one other point, which is, I hope we have the opportunity on the floor of the Senate to have debate about farm policy. I hope we can have a debate and a vote on the Fair Competition Act.

It is breathtaking, the extent to which these large conglomerates have muscled their way to the dinner table, exercising their raw economic and political power over producers, over consumers, and, I would argue, over taxpayers. What we need is some competition in the food industry. What we need is to put some free enterprise back into the free enterprise system. What we need is some antitrust action.

I am going to try to do everything I can as a Senator—and I know other Senators will be supportive—to get this Fair Competition Act passed, which gives USDA, if they are willing to use it, some real authority, which really gets tough in terms of dealing with some of this horizontal integration that is taking place, which goes after anticompetitive practices, which really creates a level playing field for our producers, and which doesn't exist right now.

It is just absolutely unbelievable to me that while the family farmers in my State struggle to survive, a lot of these huge packers are making record profits. While family farmers in my State are struggling to survive, a lot of these big exporters and huge grain companies are doing just fine. While the family farmers in my State struggle to survive, the farm/retail spread grows wider and wider—the difference between what farmers get by way of price and what consumers pay at the grocery store, the supermarket.

I have two objections to what is going on on the floor of the Senate right now.

Objection No. 1: This is a great crop insurance conference report, but this $7 billion of payments should not have been put into this report. We should be allocating this assistance and getting it to the farmers most in need. We should have had the opportunity for debate and the opportunity for amendment.

I think it is a terrible way for us to continue to conduct our business. I hope we don't continue this pattern of more and more important public policy questions that crucially define the quality, or lack of quality, of the lives of the people we represent—in this particular case, family farmers, being put into an unrelated conference report. That is wrong.

The second point I make is: It is time for us to really get serious about the policy change in this area, and in particular I focus on dealing directly with the price crisis, and also the call for strong antitrust action.

I yield the floor, and I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I concur with what the Senator from Minnesota said. I defy anyone to explain in any rational context whatsoever, any kind of rational terms, why we make payments to farmers based on what they did 20 years ago. There is absolutely no rational basis for that. I will talk about that in my comments a little bit later.

I understand there is a unanimous consent request we are operating under, is that right?

The PRESIDING OFFICER. There is time allocated for three Senators: Senator LUGAR, Senator HARKIN, and Senator WELLSTONE.

Mr. HARKIN. We are not under any kind of a speaking order unanimous consent, is that correct?

The PRESIDING OFFICER. The last order was for the Senator from Iowa to be recognized.

Mr. HARKIN. Mr. President, I will yield the floor and let my colleagues make their statements. I vitiate that unanimous consent and yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. WELLSTONE. Mr. President, I am pleased to yield time.

Mr. HARKIN. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Iowa has 48 minutes and the Senator from Minnesota has 41 minutes.

Mr. WELLSTONE. Mr. President, I yield 20 minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. DORGAN. I ask unanimous consent to be recognized for 10 minutes following the presentation of the Senator from Nebraska.

The PRESIDING OFFICER. On whose time?

Mr. HARKIN. I yield the time.

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

Mr. KERREY. Mr. President, I rise in support of this crop insurance conference report.

As my colleagues from the Agriculture Committee are well aware, this legislation has been a work in progress for a good long time.

The final package we reached with the House and that we bring to the floor today is a very good bill. Farmers in my home state of Nebraska are going to be very pleased with it, as are farmers of all types of crops all across the Nation.

The major provisions of this bill reflect just what we heard when Senator ROBERTS and I asked farm and lending groups what they wanted in this legislation, nearly one and a half years ago.

At that time, they asked for more affordable coverage, equity for revenue insurance, more new and innovative policies from the private sector and a better program for specialty crops.

This bill includes all of those provisions.

Although we've provided additional subsidies to buy crop insurance for the past two years, this bill makes them permanent law.

And we go one step further by increasing subsidies even higher at the very highest levels of coverage—a provision that would have been especially helpful to farmers this year, as a broad stretch of the Midwest and South face severe drought.

The final bill moves the Risk Management Agency in what I strongly feel is the right direction, toward being a regulator instead of competitor. We place new product development fully in the hands of the private sector, whether it be insurance companies, trade associations, or universities.

It includes authority that will finally help provide independent advice to the FCIC Board of Directors and create an equal review process for all new policy submissions.

The bill includes and builds upon ideas forwarded by our colleagues from Florida, Senators GRAHAM and MACK, regarding new policy development for specialty crops.

It includes an important provision first advocated by our Ag Committee colleagues, Senators BAUCUS and CRAIG, to remove the area yield trigger requirement from the Non-Insured Assistance Program.

There are dozens of other equally important provisions in this bill that benefit each and every region of the country. While I am aware that the row-crop producing parts of the country will gain the most immediate benefits because of their long-standing participation in the crop insurance program, the potential for the program to work just as well along the coasts and in the south is given great weight under this legislation.

Not every provision benefits every region; a few are specific only to one region or commodity. That is how we finally ended up with a bill with national appeal, and I am very proud of that effort.

Let me say just a few words about the additional 2000 and 2001 spending added to the crop insurance bill.

I am pleased that the Budget Committee included additional ag spending in the budget resolution this year, much as they did crop insurance funding last year, and of course Senators CONRAD and GRASSLEY are responsible for that and I thank them.

My concerns—and the concerns of many Nebraskans—are well-known: distributing additional payments through the Freedom to Farm mechanism is unfair to many and the cause of a number of the problems rural communities are facing.

These payments, based on planting decisions made in the 1970s and 1980s, disadvantage younger farmers and those who have traditionally rotated crops or tried to diversify—exactly contrary to what Freedom to Farm was supposed to accomplish.

Some payments go to producers and landowners who are no longer producing the crop upon which their additional payment is based. Even worse, under this approach payments go to people who no longer farm at all.

The complaint I hear most frequently is about the crops included in these payments versus those that are not. Freedom to Farm is destroying the alfalfa processing industry in Nebraska. As prices for other commodities have collapsed, more and more farmers are growing alfalfa—a non-program crop. Yet they continue to benefit from these payments, even while long-time alfalfa producers receive nothing.

Adding additional payments for oilseeds—even while most oilseed producers already receive Freedom to Farm payments and enjoy an artificially high support price—makes even less sense.

Despite the great expectations surrounding this farm program, I contend that it creates greater market distortions than those supposed ''failed'' farm programs of the past.

And meantime, we spend billions of dollars each year to keep it in place, while our rural communities are dying.

Also attached to this bill is additional spending for 2001.

This package represents a good-faith effort by Chairman LUGAR and Chairman COMBEST to put together a package acceptable to the majority, and I do not envy their work.

Although there are provisions in the package I do not support, there are many that I do.

I commend them for structuring a package with national appeal and for giving consideration to a broad group of commodities and interests.

Finally, let me offer my sincere thanks to a number of people for their work on this bill. Chairman LUGAR and his staff have worked very hard on this legislation and made a tremendous effort to advance the often-diverse opinions of members of the Ag Committee.

Thanks also to our ranking member, Senator HARKIN, and to his staff, as well as to our minority leader, Senator DASCHLE, and his staff. They made this legislation possible.

The coalition that joined Senator ROBERTS and me on this legislation way back in March of 1999 and worked together throughout deserves special recognition: Senators HARKIN, CONRAD, DASCHLE, BAUCUS, JOHNSON, SANTORUM, ROBERTS, GRASSLEY, and CRAIG. Special mention must go to staff for each of these members, for working together tirelessly and in a completely bipartisan fashion.

Let me also thank the Senate Legislative Counsel, especially Gary Endicott, for his work throughout this process, including too many nights and weekends.

And finally, my deepest thanks to Senator ROBERTS and to Mike Seyfert of his staff for their perseverance and good humor for the last eighteen months. Their commitment to making this legislation bipartisan—right up to the closing hours—is a tribute to Kansas and the Senate.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I would like to make a few comments about the conference report that is before us today. As I do, I want to compliment some folks for a lot of hard work: My colleague, Senator CONRAD, especially, who has played such an integral role in this; Senator HARKIN, Senator LUGAR, Senator GRASSLEY, Senator ROBERTS, to just mention a few—for a whole series of folks in different areas have played significant roles in trying to bring this to the floor of the Senate.

Frankly, while there are some things I would have done differently in constructing this legislation—particularly the emergency aid—I am going to vote for it. I think this is a good day for family farmers in my State and the country.

We have a fellow in North Dakota named Arlo Schmidt. Arlo is an auctioneer. He told me one day about an auction sale he had conducted awhile back. What happened during that sale describes so well the passion and the hurt that exists in farm country when grain prices collapse and family farmers lose their hopes and their dreams. This auction sale had occurred on a family farm, owned by a family who was not able to make it. They had gone broke because prices collapsed. It was not their fault. A whole series of things conspired to say to this family they could not farm anymore. They were losing their hopes, their dreams, and their future that day.

At the end of the auction sale, a young boy who lived on that farm—he was 10 or 11 years old or so—came up to the auctioneer. The young boy was very angry with him, so angry, that he said to the auctioneer: You sold my dad's tractor.

Arlo said he put his hand on the boy's shoulder to try to console him a little

bit, but the boy looked up at him through some tears and angrily said: I wanted to drive that tractor when I got big.

The young boy wasn't accepting any of that comfort from the auctioneer. He wanted to drive that tractor when he got big.

That boy felt like a lot of families feel, living on a family farm. The farm was much more than a business. It was a way of life.

Family farmers cannot make a living when grain prices collapse. The underpinning basis of Freedom to Farm was, let's not care about price supports or safety nets; let's operate in the open market, the free market. Well, there wasn't an open market when Congress passed it; and there's not one now.

It seems to me, after about 3 years of applying tourniquets, somebody ought to ask the question: Isn't there some serious bleeding going on here? We have brought to the floor—including this bill—emergency help three times in 3 years. All of this emergency help is to try to take the place of the safety net that does not exist in Freedom to Farm.

It seems to me it would be wise for us now—after we pass this bill—to learn from our mistakes. If we have to do this every single year, let's do it in a thoughtful way and the right way. Let's repeal Freedom to Farm and replace it with a safety net that works for family farmers, a safety net that says to that family who has those hopes and dreams: if you work hard and you do a good job we will give you an opportunity to make it, even during tough times.

This legislation has a lot of things in it. No. 1, it improves the Crop Insurance Program. I salute that effort by my colleagues. Many of us have had input, although I did not play the major role on this. The fact is, this improvement is a collaboration of Republicans and Democrats that is significant. This legislation increases premium subsidies to help family farmers buy up better levels of coverage; a better depth of coverage at less cost for family farmers.

In North Dakota, it solves some peculiar problems. We have had problems year after year in which farmers have lost a substantial amount of their crop to wet cycles and, therefore, their production is decreased. Because of this, every single year their insurance coverage under crop insurance is decreased. They have been caught in a Catch-22 from which they could not escape, and it did not make any sense. This bill addresses those issues. This is an important and significant piece of reform to the crop insurance bill.

Let me also say this proposal before us today includes emergency economic assistance for family farmers. This assistance is what I talked about earlier. My colleague, Senator WELLSTONE, was absolutely correct on this subject. We ought not use doubling the AMTA payment, year after year after year, as a method of providing economic assistance to family farmers. It is not the most efficient and not the most effective way to deliver this assistance.

I am going to vote for this bill. If I had written this legislation, I would have written it differently. This replicates what we have done the last 2 years. This is the third year in a row we have increased AMTA payments. This will send money to people who have not seen a farm for a couple of years; have not gassed up a tractor in the spring to plow a straight furrow for awhile. They are not farming now. They are going to get money under this bill, and it does not make any sense to me.

What we ought to be doing is extending emergency help to family farmers living out there on the farm, and who are struggling to make a living. This help should be going to family farmers who are confronted with collapsed prices; all who have found that when you raise a bushel of grain for $4 a bushel and then have to sell it for $2.50, you are going to be in trouble. You cannot continue to make it that way. There ought to be a safety net for those folks, the folks who are really farming. Regrettably, the mechanism to distribute that emergency economic aid has been the double AMTA payment. I think we could have done much, much better than that.

My hope is that following the passage of this conference report—and I will vote for it even though I disagree with the mechanism of the economic assistance package, and I do compliment those who helped bring this to the floor—my hope is that when this is done, we will all understand that if we have to do this year after year after year, it is time to learn from it. We really ought to be able to learn when something doesn't work. Let's just admit our farm policy doesn't work and change it.

I started by talking about family farming. Some will say—they are careful about the circles they say it—but they say the family farm is just yesterday. This is all nostalgia about an economic unit that does not work anymore. This view is just wrongheaded. We have the kind of economy we intend to have. We can have the kind of economy we create in this country. We can decide we want big corporate agrifactories from California to Maine producing America's food, or we can decide to have a network of families working on farms producing America's food.

Europe has made that decision. Go to Europe and visit the rural communities in the countryside. You will discover small towns are doing well. There is life, there is a heart, and there is pulse in small towns. Why? Because Europe has decided they want a network of family farmers producing their food.

The result of this decision is a rural economy that is thriving and working. Europe has a safety net for family farmers they can rely on which gives them hope for the future. Regrettably, we have not had that same continuity in this country.

On the other hand, we in this country have lurched back and forth from farm policy to farm policy. Finally, we fell off the cliff with Freedom to Farm, saying we have this new idea—not a very good idea, incidentally—but a new idea called Freedom to Farm. Now, after 3 years of tourniquets, having had to pass three successive economic assistance packages to make up for the deficiency, we all ought to understand that we have to change the underlying farm bill.

This legislation includes a substantial amount of resources at a time when those resources will be critically important to our family farmers. I have said, and I will say it again—I think repetition is probably important, at least to make this point—while I think there is a better way to move these resources to rural America, it is critical at this point, given the collapsed grain prices, to send these resources out now. This help will give farmers some hope.

Our family farmers are not some anachronism that does not fit in today's economy. As I said, there are some who think it is like the little diner that got left behind when the interstate came in—it is nostalgia to think about, but not really a significant part of our future economy.

People who think that way, in my judgment, are fundamentally wrong. Go to rural America and learn from where the seedbed of family values comes. Understand the value of rural values in this country and the rolling of those values from family farms to small towns to big cities, and what it has done to nourish and refresh the values of our country. Then tell me somehow families living on America's farms don't count and don't matter.

The fact is, they face economic challenges almost no one else faces. A small family unit trying to run a farm puts a seed in the ground and has no idea whether that seed will grow. It might get too much rain; it might not. Maybe this seed won't get enough rain. It might hail; it might not. Maybe insects will come. Maybe not. Maybe crop disease will destroy it. Maybe not.

If they survive all those uncertainties, maybe they will get it off in time to go to an elevator and discover they have lost $1.50 a bushel for every bushel they raised. They get hit with this loss after all their months of work, starting with the tractor in the spring to plow the furrows to plant the seeds all the way to the combining in the fall to get it in off the field and into the grain elevator.

The lack of connection here is striking. So many hundreds of millions of people are hungry and our grain markets tell us the food produced by family farmers has no value. It is a striking paradox.

In conclusion, I thank my friends, Senator HARKIN and Senator LUGAR, for whom I have great regard, for what they have done in this legislation. I urge my colleagues to come back, after we pass this legislation—and I shall gladly vote for it—to reform the fundamental farm program itself. If we do that, we will not then have to be continually passing emergency economic assistance packages, as we are doing today with the crop insurance reform bill.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BURNS. I thank the Chair.

Mr. President, I commend the conferees for their efforts to finalize the crop insurance report. The crop insurance proposal before us today is the culmination of literally years of hard work by numerous Senators and Congressmen. As you may remember, I have been a supporter of S. 2251, the Risk Management for the 21st Century Act, and I am extremely happy to see that the work on that legislation has finally been dove-tailed into the work of the House of Representatives. You will also note that the report includes over $7 billion in supplemental appropriations to help farmers and ranchers cope with the current farm crisis.

Some will note that this is the third year in a row Congress has provided a large supplemental appropriation to help America's farmers. However, those of you that have traveled to our rural communities know that every dime we can send to these areas is vitally needed. Agriculture is facing one of the most dire times that I can remember. Families are losing farms, ranches, and the livelihood that makes up their own family histories. A way of life is at risk, and in Montana, that way of life is what makes my state what it has become. Without these monetary adjustments to make up for failing markets, entire communities would dry up and blow away. In Montana, our economy is already reeling, and agriculture is our number one industry.

Without adequate agricultural support, the investments we have made in economic development to diversify our economy will be threatened. Agricultural production is the foundation that we must build upon. Agriculture is what keeps products moving across the shelves, restaurants open, and food on the table. Without that, it will be almost impossible to keep towns vibrant enough to attract new investment and new technologies.

Some critics are pointing out that this is the third year in a row that we have supplied rural America with supplemental appropriations. I agree that this pattern is costly, but I must point out that the promises given to rural America have not been carried out. We were promised strong foreign market penetration and a workable market that would get our fair share of the dollar back to producers. This has not happened. Look at any trade deal that has been negotiated in the last few years and you will see that our agriculture industry is almost always left with little protection, and actually very little support from our trade representatives. The result is an onslaught of foreign competition within our own markets, and not nearly enough of our product making it out of the country. Unfortunately, the administration and current world market trends have not allowed current farm policy to work in the manner that was anticipated at the time of its implementation. I continue to support the principles of our current farm policy but am deeply disappointed that we have not found a way to address the inaction of the administration in opening foreign markets. It will be necessary for Congress to look for ways to allow our current farm policy to continue and provide for the times of depressed markets such as we are facing currently.

The current farm policy has not created the trade imbalance and subsequent market collapse, but it has not been flexible enough to protect our consumers. The combination of failed trade policies, and an unresponsive farm policy has resulted in the need for direct supports being sent to our producers. This year may be even more vital than previous years. We are facing drought across the West. Livestock is already being moved for lack of water and irrigation has started earlier than in recent memory. Markets and mother nature have combined forces and Congress must respond with a strong message to rural America that we will be there to help, both this year and in the future.

I thank the conferees for heading some of my requests and helping out those farmers hurt by the bankruptcy of AgriBiotech. The ABT language is vital to producers who have been negatively impacted by a bankruptcy that was no fault of their own. Additionally, our wool producers have been given a shot in the arm to help make sure their industry remains viable. These are just a few examples, but I can assure you that this Montanan extends our thanks for these helping hands.

The underlying legislation that is carrying this supplemental package is equally important, and is part of the necessary message that Congress is willing to support agriculture in the future. It is a proposal that offers much-needed changes in the area of risk management for farmers and ranchers. Managing risk in agriculture has become perhaps the most important aspect of the business. Agricultural producers who are able to effectively manage risk are able to sustain and increase profit and operate more effectively in business cycles. An effective crop insurance program will provide our producers new possibilities for economic stability in the future. It will provide another foothold in our attempts to help agriculture out the current hole that it is in, and it will provide a vital tool to help prevent future depressions in the agriculture industry.

The Federal Government must help facilitate a program to unite the producer and the private insurance company. The control must be put in the hands of the agricultural producer, and coverage must be high enough to warrant enrolling in the program. Although no producer can completely control risk, an effective management plan will reduce the negative effects of unavoidable risks. Today's family farmer must have adequate options, or one bad year could mean the difference between keeping the family farm or having to leave agriculture.

This bill addresses the inadequacies of the current crop insurance program. The problems and inconsistencies with the current program make it both unaffordable and confusing to agricultural producers. Costly premiums with low coverage percentages are the biggest problem. In years of depressed market prices, crop insurance, though badly needed, is simply unaffordable for farmers.

This bill inverts the current subsidy formula, in order to provide the highest levels of subsidies to producers at the highest levels of buy-up coverage, and thus alleviate the problem of unaffordable premiums. It also allows for the revenue policies to be fully subsidized.

Another important provision in this bill is a pilot program to reward producers for risk management activities. It will allow producers to elect to receive a risk management payment or a crop insurance subsidy. The risk management payments will be given to those producers that utilize any two of several activities, including using futures or options, utilizing cash forwards, attending a risk management class, using agricultural trade options or FFARRM accounts or reducing farm financial risk. Quite simply, it rewards a producer for utilizing management tools that will help protect his, and the government's, exposure in the current agriculture market.

This bill also takes into account the lack of production histories for beginning farmers or those who have added land or recently utilized crop rotation. This will make it possible for producers to get a foot in the door and receive affordable crop insurance.

This bill is an important tool to reform the current crop insurance program into a risk management program,

designed to help the producer in the long-term. It is vital to find a solution to provide a way for farmers to stay in agriculture. They must be able to continue to produce and distribute the world's safest food supply at a profitable margin.

Mr. President, I am extremely happy that the conferees have finally completed their work on this important proposal. It is vital to Montana and the rest of our Nation's rural agriculture communities.

Mr. President, I thank Senator HARKIN of Iowa, Senator KERREY of Nebraska, Senator ROBERTS of Kansas, and the Ag Committee—I do not serve on the Ag Committee—for completing this legislation.

This legislation, by the way, was promised 2 or 3 years ago. They have labored a long time with the Crop Insurance Program which is probably the best package that has ever been produced by Congress and given to the American agricultural community to manage their risks. This is a tool to manage their risks.

Also, my colleagues will note this report also includes $7 billion in supplemental appropriations to help farmers and ranchers cope with the current farm situation.

Think about that a bit. This is landmark legislation because we are not even to Memorial Day, we are not even into the meat of the growing season, and we have already made preparation to deal with the situation that exists in agricultural today.

We have been stripped from some of our markets, and our prices continue to be very low. On the other hand, the American consumer is still supplied with the most wholesome food in the world.

This Congress has fulfilled its promise to have this money ready to go for our Nation's ag producers.

Without these monetary adjustments to make up for failing markets, entire communities will dry up. They are experiencing more financial stress than ever before, probably even through the Great Depression. Without this support, the investments we have made in economic development to diversity our economy will be threatened. This also sends a strong message to the financial community and the farm community that we are serious about the support of that industry and will not just let it dry up on the vine.

I congratulate the people who worked so hard. This conference was not an easy conference. It was not an easy package to put together. Next year, we will be debating what is good for a farm program, and we know there will be some changes made. Right now, the signal to our producers on the land is direct and it is very sharp.

We have had some unfortunate things happen in the State of Montana. We depend heavily on the Pacific rim for exports. Three years ago, the economics of the Pacific rim collapsed: Indonesia, Malaysia, the Philippines, South Korea, Thailand. Some of those economies are just starting to come back.

Just yesterday, we signed an agreement with the Taiwanese—they will be visiting the State of Montana—on buying wheat from my State. We have also put in the act that the Department of Agriculture has tools to use to fight the competition on the international markets. They have chosen not to do that. There is enough blame to go around for a farm economy that is hurting. Nonetheless, this is a positive bipartisan step in the right direction.

The producers of our country should take a look at this package. There is a lot of flexibility here. Not only do we talk with multiperil things that can happen in a crop-year, but we are also talking about revenue, and we have never done that before. We have a complete package, a package that offers a tool for risk management for our ag producers on the land.

Again, I compliment the Agriculture Committee on both sides of the aisle for their work on this legislation. It is very important to the farm States of this country.

I thank the Senator from Iowa for allowing me a little time. I congratulate him and thank him for his leadership on this issue and everybody who had a part in putting this together.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, I yield myself on my time such time as I may consume.

I thank the Senator from Montana for his strong support and input into this bill, as he said over a couple of years, trying to make sure we get a crop insurance bill that helps farmers manage risks. I appreciate his input and his kind words. Hopefully, we will adopt this conference reports this afternoon and farmers in Montana and Iowa, and all points in between, will at least have some assurance they can help manage their own risks.

Mr. BURNS. There are a lot of points.

Mr. HARKIN. There are a lot of points in there, that is true.

Mr. President, I express my support for the conference report to the Agriculture Risk Protection Act of 2000 which we conferenced yesterday.

I thank Senator LUGAR, our chairman, for his hard work and persistence, as I said, over a couple of years in crafting the crop insurance title in this conference report which will provide significant benefits to farmers across the country.

This accomplishment is bipartisan, one of which we can be proud. I thank Senator LUGAR again for his persistent and strong leadership. I thank both Senator ROBERTS and Senator KERREY who really were the impetus for these changes in the Crop Insurance Program. I know the two of them worked long and hard to put together this bill. In the beginning stages, they worked with us on both sides of the aisle to meet the needs of various parts of our country. I especially thank Senator ROBERTS and Senator KERREY.

In this regard, Mr. President, this is probably the last agriculture bill we will have this year. There may be some bits and pieces that come along later. I think it is safe to say this may be the last, and probably will be the last, major ag bill this year.

In that regard, I pay my respects and thank our departing colleague, Senator KERREY from Nebraska. He has been an invaluable member of the Senate Agriculture Committee for all of these years. He has always given great input and great insight into our deliberations and discussions on all facets of American agriculture. He has been an invaluable member of our committee. I know I will miss him greatly on our side of the aisle.

He has always worked in a bipartisan fashion to help move legislation. I take this time to thank my friend and colleague from across the Missouri River and to wish him well in the future and again thank him for his work in getting this legislation through. It is a fitting tribute to his work through the years in the Senate. His fingerprints are on this crop insurance bill we are passing today.

The point of the bill is to help farmers obtain better crop insurance; that is, to help them buy up their coverage. The final structure of the premium subsidy schedule provides higher discounts at both lower and higher levels of buy-up coverage. The improvements at the highest levels, 80 and 100 and 85 and 100, will benefit Iowa farmers who typically face low risk of loss.

The bill also provides equivalent subsidies to farmers buying revenue insurance policies such as CRC, which is the crop revenue coverage, a product which is very popular with Iowa farmers. This change spurred development of new insurance policies and products.

In addition, the bill will offer reimbursement to private developers of new plans of insurance. Again, that will be good for our farmers.

Another major provision maintained was the elimination of the area loss trigger for the program for noninsured crops, such as hay and forage crops or horticulture fruits and vegetables.

This change is important to Members in the West and Northeast, one which we fought very hard to maintain in conference.

The bill will also protect farmers by allowing them to maintain their insurable yields, despite significant crop loss, by limiting how much of a loss affects future insurance coverage.

This feature could be very helpful to Iowa farmers, especially those facing

potential drought this summer. At some point today we will be talking a little bit more about that drought. But this will also be very helpful, again, to other farmers, too, in the Dakotas and other places where they have had some very severe losses for 1 or 2 years in a row, which, if not balanced out, could unduly affect their rates and their coverage in future years. So we protected those farmers in those areas in those circumstances.

I also want to note some other positive provisions in this bill, in the economic assistance package.

First, there is $50 million for conservation, $10 million for the Farmland Protection Act, and $40 million for EQIP.

I am disappointed, however, that an amendment that I had offered in the Senate, and which was adopted by the Senate, that would have linked conservation compliance to the provisions of crop insurance, was rejected by the House conferees.

In every other Government farm programs, there is a provision that mandates that a farmer has to follow conservation compliance to be eligible for those programs. We had it for crop insurance until 1996. It was taken out. I and others desired to put that back in this crop insurance bill.

As I said, it was adopted on the Senate side, but the House conferees refused to go along with that. And in the interests of getting the crop insurance bill through, we acceded to the unanimous consent request to go ahead and remove that provision. I am hopeful to come back with that again at some point in the future on some other piece of agricultural legislation.

But other than that, there is $50 million for conservation. That is good.

Secondly, there is $15 million in this bill to assist farmer-owned cooperatives, and other farmer-owned ventures, to help develop the value-added crops and processing for our farmers.

Third, there is $7 million in this bill to further fund vaccines for pseudorabbies eradication program for hogs. It is very important in our area of the country.

Fourth, in the nutrition assistance programs, there is $110 million for school lunch commodity purchases. Again, we have a lot of surplus crops out there, a lot of surplus commodities. I think it is beneficial, both for the health of our children, and the school lunch program, the school breakfast program, and the summer feeding program, that we purchase these commodities and get them out to our young kids.

Also, we have reformed the Child and Adult Care Food Program to guard more against fraud which has come up repeatedly.

Also, there is a provision in this bill—that is also a small provision—but I think it is going to be very important, which is going to permit us to get more children into health insurance for low-income families.

Right now, under the provisions in this bill, if you qualify for reduced-price school lunches, or free school lunches, a provision in the bill will then say the people in the school have to inform your families that since you qualify for free or reduced lunches, you will probably qualify for things such as the CHIP program, to make sure, through Medicaid, your children are in a health insurance program. That is another way of reaching low-income families to make sure that their children are indeed covered by health care. That is another good provision in this bill.

Lastly, there is a biomass research and development title in this bill that Senator LUGAR has worked on for a long time. He is a real champion of it. I have been a cosponsor of it, but it is Senator LUGAR who has pushed this bill to help make more fuel and industrial raw materials from biomass. And this bill is part of this. Again, another good provision of this bill is the biomass research and development bill that has been championed by Senator LUGAR.

So there is much that is good in this bill. That is why I will support it. That is why I was reluctant in the conference committee to take any more time than we did yesterday, in just a few hours, to get this bill through.

But I am compelled to speak for a little bit about what is in this bill that I think is detrimental to our family farm structure in America and to ensuring that we have a diversified and widely spread system of agriculture.

The $7.1 billion in emergency assistance that is included in this report, I believe, is misapplied, misdirected, and in many cases will be misspent.

It is clear that our farmers are going to need aid. There is no doubt about that. But how this final package looks, I think, does not really meet those needs. This is the third year in a row that we have had additional AMTA payments—payments to farmers based on emergency help in the farm economy. The farm economy is still in shambles. For 3 years in a row, it has been in shambles. Every year, we come back and do the same thing year, after year after year, after year. Someone once defined ''insanity'' as doing the same thing over and over and expecting a different result. Every year we keep doing the same thing over and over, and we expect some different result; and we do not get a different result. The only result we get is fewer and fewer family farmers, more stress in rural areas, and more and more of our money going to the larger concerns who are driving out our family farms.

But I want to recite for the RECORD where this money is going, these billions of dollars that we are taking from taxpayers and putting out there.

During the first 3 years of our Freedom to Farm bill—1996 to 1998—the top 10 percent of payment recipients, or about 150,000 individuals, got 61 percent of the payments. Ten percent of the recipients got 61 percent of the money. Their annual payments from AMTA, the supplemental AMTAs, we passed every year, and the loan deficiency payments averaged $95,000. That is for the top 10 percent.

The other 90 percent averaged only $7,000 in payments.

I have a chart that illustrates this. It shows the average Government payments by farm size in 1997. The average was $7,378 for all farms. But those farms that had sales greater than $1 million averaged $33,699. For those farms that had sales of $250,000 to $500,000, they averaged $16,524—and on down.

As you can see, the bigger you are, the more you got. And I daresay, it is usually those bigger farmers that were better able to protect themselves with insurance and other methods, who may not have needed that kind of assistance.

It is the farmers down here in the lower end that needed the assistance and the help. But they were left stranded.

On a State-by-State basis, the lopsided nature is even more striking. I will talk about Iowa, too, but the top 10 percent of recipients in Mississippi received 83 percent of the payments. In Alabama, the top 10 percent received 81 percent of the payments. In my own State of Iowa, lest anyone think that I am singling out other States other than my own, the top 12 percent, in terms of income, received 50 percent of the payments in my State of Iowa.

I do not think that is fair. The inequities of the current system have been exacerbated during the current economic crisis in agriculture.

The last 2 years have shown that when prices are low, regular AMTA payments do nothing to keep an ad hoc disaster package under control. More importantly, they are not an effective mechanism in targeting aid to those who need it.

We have had the AMTA payments. We come along every year, and we have a disaster program. They are a very poor method of response to our current farm crisis.

While it is important to get needed aid out to producers, it is imperative that we get it out to help mostly family farmers who are really hurting, not to help the bigger farms bury the smaller ones.

The data indicates just the opposite is happening. The lion's share of this additional aid will go to the largest producers, while small producers receive almost nothing. Under the current scheme, a recipient at the high end of the spectrum may qualify for as much as $240,000 in AMTA payments

this fiscal year. Under the current law, a person ''may be eligible'' to receive the payment maximum of $40,000 for each round of AMTA payments, the original payment plus the supplemental payment we have in this bill. That adds up, of course. Then they already received the supplemental payment that is in the fiscal year 2000 appropriations bill. So that is $120,000. If they structure their operations to fit under the three-entity rule, each person can receive payments from three entities. That, in effect, doubles that $120,000 up to $240,000. And that is not the end of it. As much as $300,000 in loan deficiency payments and marketing loan gains can go to that farmer. One farmer in this country this year can get up to $540,000 of taxpayers' money. I don't believe that is right; I don't believe that is fair.

I was going to offer a provision in the conference committee. I didn't. The reason I didn't is that I thought it was important to get the crop insurance bill through. As I said in the conference committee yesterday, we should have a crop insurance bill before us.

The budget resolution that was passed here, that allowed us to have additional spending this year for supplemental payments to farmers, provided for the authorizing committee to authorize it by June 29, which means we had until the end of June to have a debate in our committee to talk about the policy implications of what we have been doing the last couple years and whether or not we want this policy structure to continue.

Do we want to really continue to put our AMTA payments out like this?

Well, we did not have that debate, so here we are confronted with this on a crop insurance bill, which should not be. This should be a separate bill from the Agriculture Committee on the floor where we could debate this.

Maybe it would be the will of the majority of the Senate to continue to give large payments to large farmers, to continue the three-entity rule to allow some farmers to get hundreds of thousands of dollars. That could have been the outcome. But at least we should have been debating it. It should be here in a manner in which it would be debatable and amendable. We don't have that.

I was going to offer an amendment to limit to $100,000 the most anyone could get through the AMTA system. I heard all kinds of talk from different people saying this would be terrible. That would have affected five-tenths of 1 percent of all the recipients; 6,700 farmers would have been affected by that if we would have capped it at $100,000.

I have always thought I was here to fight for the vast majority of the family farmers who are out there, not just the top one-half of 1 percent who, by and large, have the economic wherewithal to protect themselves. Many of our smaller farmers simply don't. Again, the data indicates that it is those at the top of the spectrum who are getting the most money.

I have another chart. This chart illustrates how we are going in the wrong direction. As we continue down this pathway of AMTA payments, supplemental AMTA payments, loan deficiency payments built on each other year after year, without addressing the underlying provisions of the Freedom to Farm bill, what is happening is we are creating a bigger gap between the big farmers and the smaller farmers in our country. This chart illustrates that.

As one can see by Government payments here on the left side, $20,000, $40,000, $60,000, $80,000, $100,000, and producers who receive those payments, if they look at this block, they will see that those producers who received about $50,000 or more in payments in the last 3 years almost doubled the amount of money they were getting from the Government—almost doubled it.

Look here at our smaller, family-sized farmers, who only got maybe $2,000 or $3,000 in payments. They just went up a very small amount. These doubled in size, doubled in payment; these hardly went up at all. What kind of policy are we pursuing here?

I am not talking about farmers just getting big on their own and making more money. If these big farmers are more efficient and can do a better job and get this money in the marketplace, God bless them. We are talking about taxpayers' money going from here to these farmers. The big ones almost doubled in the amount of money they are getting from the Government; the smaller ones barely got any increase at all. I wish someone would explain to me how this is sound public policy.

I have the figures right here. Recipients who averaged $50,000 or more in Government payments from 1996 to 1998 received $42,337 more in 1998 than in 1996. In contrast, if you were at the bottom of the payment spectrum, these little ones down here at the bottom, you averaged between $5,000 and $10,000 per year, which is the bulk of the farmers in my State; you received a mere $740 more in 1998 than you did in 1997.

I will repeat that. In my State—just talking about my State; I don't want to pick on anybody else's State—in my own State of Iowa, if you received an average of $50,000 or more in Government agricultural payments from 1996 to 1998, in 1 year you got more than a $28,000 increase, from 1997 to 1998. You got $42,000 more over the 2 years. That is if you were at the top of the heap. If you were at the bottom and you only got $5,000 to $10,000 in Government payments, you got $740 more.

Someone please tell me how this is good public policy, that we give Government money out like this to the biggest, those who can protect themselves. Do you know what they are doing with that money? They are buying more land. They are getting bigger, because our smaller farmers are going out of production and the bigger farmers are buying their land.

Again, if this were a free market approach, I would say fine, but it is Government payments going out to large farmers who are providing for the extinction of our family farmers—Government policies, right now, allowing these bigger farmers to get these massive Government payments, squeezing the smaller producers, and the bigger producers are buying up the land and getting bigger and bigger and bigger. It isn't because of any free market approach, it is because of governmental policies. Again, the disparities are not just size related, they are based on planting history.

When I opened my remarks earlier today, I said someone please explain to me how it is good public policy that we pay farmers AMTA payments, Government payments, this year based on what they did 20 years ago. That is right. I try to explain this to people, and I get blank stares. It is a fact. If you have two farmers out there, one who has a 20-year history of planting and the other who maybe only has a 5-year history of planting, the one who has the 20-year history of planting may be planting nothing this year, but guess what, you are going to get money.

Yet if you were a farmer out there planting for the last 3, 4, or 5 years, you don't have that 20-year history, you won't get anything. Again, please explain to me how this is good policy. It is not tied to what farmers are producing today. It is tied to what they produced 20 years ago.

Two farmers in Iowa, with half their production in corn and half their production in soybeans, can be paid markedly different levels because of past planting history. When you figure the AMTA payment level, the farmer with a 50-percent corn base and a 50-percent soybean base will be paid half as much in AMTA payments as the farmer who has a 100-percent corn base. What sense does this make? It makes no sense. Farmers all over my State recognize that.

Now, as if all I have said isn't bad enough, the prospects for drought this year will even cause this program to be worse than it is. If a drought of the proportions that is predicted actually occurs, the disparity between the haves and the have-nots will grow even more. Why is that? Because let's say we have a drought—and it looks as if we are going to have pretty severe droughts in some parts of the country and other parts of the country will not—that means that the price, say, of corn is going to go up. But you, who are in a

drought area, may only get a certain portion—you may get an AMTA payment, but you won't get anything out of the market because you won't have a crop. If, however, you are in an area where you haven't had a drought, you are going to get high prices for your crop and an AMTA payment. Those who have no crop to sell will have their incomes plummet; they will get no adjustment in their AMTA payment to address those losses. They will get absolutely no more than the farmer who has a huge crop because they were not in the drought area. Again, these payments will exacerbate again this disparity between the large farmers and the small farmers in America. Again, I think that is bad public policy.

Now, maybe if we have a big drought, we will come rushing in here with some kind of a disaster package. But, again, I wonder who is going to get the benefits of that. So throughout all of this, the mantra has been that there is no other viable mechanism, that AMTA payments are our best means of getting aid to our producers. Well, if this is the best we can do, I would hate to see what the worst is.

There is a better way. I believe both sides should come together to figure out a better way of getting payments out to farmers. This idea of giving more and more to the biggest is not right, not good for our country; it is not good public policy. I have urged the Senate to have a frank and open discussion about the failures of the current system and on ways to improve it. We have not been afforded that opportunity in a meaningful way.

As I said, this is in no way disparaging of my friend and the chairman of the Agriculture Committee. I know he was more than willing to have this discussion and this debate. But the powers that be insisted that we have this AMTA payment provision on the crop insurance bill. So here we are with it, without any provision for our authorizing committee to discuss and debate, and perhaps modify. As I said, I don't know if the will of the majority would have been there to do that, but at least we could have had an open and frank discussion about whether or not we wanted to go in that direction. Hopefully, we will have that opportunity in the future.

So, again, I hope we will have this type of debate. I think our farmers and our taxpayers deserve that type of debate. In the meantime, I have no problems with the underlying bill. It is a good bill. The crop insurance bill is a good bill. It is going to go a long way toward helping our farmers manage the risk. As I said, there are other good provisions attached onto it. I am just sorry we had to attach on the payment provisions to this bill without having the committee do its job.

Mr. President, I yield the floor.

Mr. GRAMS. Mr. President, I want to briefly express my support for the crop insurance reform package that is being considered today, and the additional emergency assistance that was appended to the bill.

This crop insurance reform is critically needed in the heartland of America. As the sponsor of the first crop insurance reform legislation introduced in the 105th and 106th Congress, I have worked hard on crop insurance reform and on keeping this issue at the forefront of congressional priorities, so it is gratifying to finally see this measure completed by conferees and the Congress.

I worked with a committee of Minnesotans representing producers, lenders, agriculture economists, and other stakeholders to build a consensus on solutions to the current discontentment in rural America with the federal crop insurance program. I am pleased that the final bill contains the expansion of pilot programs I worked for, expansion of the dairy options pilot program that I cosponsored, and higher premium subsidies at the higher levels of coverage that was the critical portion of my original legislation.

The premium subsidies will be crucial to help farmers manage their risk, and possibly reduce the need for ad hoc disaster assistance. Many producers believe that the current crop insurance program is too costly to take part in, and this reform measure should increase participation and thus spread risk more widely.

I am also pleased that the crop insurance package includes an additional $7.1 billion in emergency aid to producers, which includes AMTA payments and oilseed producer assistance payments. This will hopefully give rural economies and farm families the financial boost they need until commodity prices start to rise again. While I have concerns about AMTA, this is the best way to quickly distribute these funds to farmers. I agree AMTA should be revisited in the next farm bill.

Mr. LEAHY. Mr. President, this report is a good example of how the Senate—when we sit down and work together—can craft sound legislation.

New England and Mid-Atlantic farmers who do not usually participate in crop insurance will greatly benefit from this effort. There is funding to help preserve farmland, protect the environment and to give farmers better tools to manage risk.

In addition, farmers who have suffered through two years of low prices will get some relief as USDA purchases $200 million worth of apples, cranberries, potatoes, melons, and the like. There will also be major purchases of specialty crops for the school lunch program—this will benefit farmers and school lunch programs.

In the beginning, there were a lot of strong differences of opinion on how to reform crop insurance and provide assistance to farmers. In fact, we had a 10–8 split in the Agriculture Committee on how to structure this reform.

But Republicans and Democrats worked together and got the job done. Sure, it's more work but that is why we are here.

I was very upset yesterday when I learned—after we ended our conference negotiations and worked out all the final deals, and after we terminated the conference and had signed the conference report—that the unfinished bankruptcy bill was going to be thrown into the crop insurance conference report.

That is an example of how the Senate should not operate. It would be hard to imagine a more serious breach of trust.

I was prepared to discuss the world history of crop insurance from 1860 through the year 2000, which could have put me to sleep while I was talking. In the end, it appears that cooler heads prevailed and decided they would rather pass crop insurance than listen to me speak.

I appreciate the role of Senators LUGAR and ROBERTS to get us back on track on crop insurance.

For my part, I will continue to work with Senators GRASSLEY, SESSIONS, DASCHLE, HATCH, TORRICELLI, and others on both sides of the aisle to craft a fair balanced and bipartisan bankruptcy bill. If we could do this for crop insurance, we can do it in bankruptcy—if there is the will to get it done.

While there are aspects of the crop insurance compromise that I do not like, there clearly was a significant attempt to design a package that benefits all areas of the nation and a wide range of commodities—including specialty crops. This is a very good bill.

I appreciate this national focus because a narrowly focused crop insurance bill would not have been helpful to New England and the Mid-Atlantic States. I was pleased to work with many of my colleagues from that region—both Democrats and Republicans—to formulate a package that would also benefit our regions.

I appreciate the leadership of Chairman LUGAR and his ranking member Senator HARKIN in working out a good compromise. Also, Senators ROBERTS and KERREY deserve a great deal of thanks for all their work on this issue.

I want to point out one general concern.

Because of the simultaneous work on Agriculture appropriations some provisions critical to New England and the Mid-Atlantic States, and to many other states, have been omitted from this package—because the plan is to include them in appropriations.

It is crucial to me—and Republicans and Democrats in both Houses—that dairy farmers not be left out of Agriculture appropriations bill since this report does not provide them with direct financial assistance. I am counting

on some assurances I have received to keep the dairy funding in the appropriations bill. I will be working closely with my appropriations colleagues Senator COCHRAN and his ranking member, Senator KOHL, on this matter.

Also, I understand that the House appropriations bill includes $100 million for apple farmers who have been hard-hit by low yields or low quality after two years of unavoidable weather extremes, from floods to drought. Helping these farmers is extremely important to New England, Mid-Atlantic States, Washington State, California, and other areas.

As I pointed out during the conference, farmland protection programs work very well to help preserve farmland as farmland. There is so much need for funding, that our modest program in Vermont could instantly use the full $10 million since there is such a need and desire for this program.

Indeed, I had a major role in getting section 388 included in the 1996 farm bill. Similarly, in the 1990 farm bill contained a related farmland preservation program which I drafted called ''Farms for the Future.''

I was pleased that the conference would accept this latest farmland protection proposal found at section 211, the ''Conservation Assistance,'' provision. This provision will be of great help to the Vermont Housing and Conservation Board which has done a tremendous job helping preserve Vermont farms and the farming way of life by buying development easements on farmland property.

I was proud to fight to include funding for such a great agency—the Vermont Housing and Conservation Board of Vermont. Providing funding to them as soon as possible will enable them to free up money which could be used to preserve additional farmland in Vermont.

I appreciate the willingness of the other Members to include this provision and am anxious to allow the Board to greatly enhance its service to farm families in Vermont.

Section 211(b) is also a very important provision for many regions of the country. It allows the Secretary through the CCC to provide financial assistance to farmers for a very wide range of activities such as addressing threats to soil, or water, or related natural resources.

In the alternative, it permits funds to be used to help farmers comply with environmental laws or to be used for ''beneficial, cost-effective changes'' to a variety of different efforts or uses needed to conserve or improve soil, or water, or related natural resources.

This gives the Secretary a broad range of land preservation and conservation alternatives for funding under that subsection.

There is language in this report for a temporary suspension of authority to combine USDA field offices. I am concerned that in small-population states, such as Vermont, cuts in federal staff have been so significant that the offices do not function effectively. During this temporary suspension the Secretary should also suspend staffing cuts.

These staff cuts, particularly in the Farm Services Agency, should be halted in very small states so we can figure out what minimal numbers we need to properly run these offices. Indeed, in a small state like Vermont it only makes sense to allow them to hire the staff they need such that USDA can, during the suspension, properly determine which offices should be closed.

I want to briefly mention a special crop provision, section 203, which provides $200 million to the Secretary to purchase specialty crops ''that have experienced low prices during the 1998 and 1999 crop years . . .'' We expect the Secretary to very aggressively use this authority to purchase apples, cranberries, potatoes, and the other commodities listed. This provision is very important to New England, Mid-Atlantic states and to other areas.

I want to thank my colleagues on the crop insurance conference for all their efforts to craft a strong compromise report. I appreciate all the hard work of Chairman LUGAR and his great sense of fairness. As usual, his staff did an excellent job. Keith Luse, his chief of staff, helped carefully balance many competing interests.

His chief counsel, Dave Johnson, was extremely helpful and provided outstanding guidance throughout this complicated process. Andy Morton, the chief economist, and Michael Knipe, the lead counsel, provided sound analysis and helpful assistance.

Senators KERREY and ROBERTS played a very major role in this effort and I appreciate their contributions. Mike Seyfert of Senator ROBERTS' staff demonstrated great expertise on these complicated issues. Hunt Shipman, with Senator COCHRAN, and Scott Carlson, with Senator CONRAD, were very instrumental during this effort.

Bev Paul, with Senator KERREY, was creative and energetic throughout the staff negotiations and of great help in crafting the final compromises. While not a conferee, the Democratic leader, Senator DASCHLE, and his staff, Zabrae Valentine, were very helpful regarding this effort.

As always, the ranking member of the committee, Senator HARKIN, was a strong spokesman for farmers and ranchers. His staff, Mark Halverson and Stephanie Mercier, provided help to all of us.

The House staff also did a great job and I salute them. The chairman, Mr. COMBEST, as have past chairmen, was very ably represented by his Chief of Staff, Bill O'Conner. Jeff Harrison, the majority legal counsel, did a terrific job drafting and explaining very complex legal language.

It is always a pleasure to work with Congressman STENHOLM, the ranking member on the House Agriculture Committee. His staff, including Vernie Hubert, Chip Conley, and John Riley, displayed a thorough understanding of the issues and are a great resource for the Members.

My own staffer on these matters, Ed Barron, as usual did a tremendous job, put in endless hours and helped me work out a good package. Also, Melody Burkins, who joined my staff recently, did a terrific job.

I have praised the work of Gary Endicott, of Senate Legislative Counsel, many times and do so again today. David Grahn with the Office of General Counsel of USDA has once again greatly assisted the Congress in providing expert technical drafting advice.

Ken Ackerman, head of the Risk Management Agency, also provided expert technical advice to the Congress on this bill.

Let me bring your attention to another aspect of this report, the Plant Protection Act that has been incorporated into this legislation. This modernization of existing laws provides tools and resources for animal and plant health inspection services for the Animal and Plant Health Inspection Service of USDA so that they can better do their job.

This legislation will not only help protect agricultural plants in the United States from pests and disease but will also assist APHIS in dealing with invasive species. The Plant Protection Board has indicated that passage of this Act is their number one recommendation for safeguarding American plants. I want to thank Under Secretary Mike Dunn for his leadership on this important matter.

Mr. GRAHAM, Mr. President, Members of the Senate. I come before you today to speak in support of the conference report of the Agriculture Risk Protection Act of 2000 which we are voting on today.

First, I believe that this conference report is the beginning of a new era of cooperation between traditional row crop states and speciality crop states. During our development of this legislation, I have worked closely with my colleagues Senators MACK, LUGAR, KERREY, and ROBERTS to address the unique needs of speciality crop producers. This new cooperation speaks well of our ability in the next Congress to cooperatively review the impacts of the 1996 farm bill on American agriculture. I believe that, based on this cooperative effort, we will be successful in ensuring that all American agriculture, not just row crop producers or speciality crop producers, but all of agriculture reaps the benefits from those reforms.

Let me say a few words about agriculture in the state of Florida. The

image that many of us hold of the state is one of white sand beaches, coral reefs alive with hundreds of tropical fish, or Disney World. While accurate, this image is not complete.

Florida has 40,000 commercial farmers. In 1997, Florida farmers utilized a little more than 10 million of the state's nearly 35 million acres to produce more than 25 billion pounds of food and more than 2 million tons of livestock feed. Florida ranks number nine nationally in the value of its farm products and number two in the value of its vegetable crops.

Florida agriculture is not only valuable, but diverse. We rank number two nationally in horticulture production with annual sales of over $1 billion. Florida grows 77 percent of U.S. grapefruits and 47 percent of world supply of grapefruit. The state produces 75 percent of the nation's oranges and 20 percent worldwide.

In 1997, Florida's farmers led the nation in the production of 18 major agriculture commodities including: oranges and grapefruits, sugarcane, fresh tomatoes, bell peppers, sweet corn, ferns, fresh cucumbers, fresh snap beans, tangerines, tropical fish, temple oranges, fresh squash, radishes, gladioli, tangelos, eggplant, and houseplants.

Florida livestock and product sales were $1.1 billion in 1997. We are the largest milk-producing state in the southeast. We rank 14th nationally in the production of eggs. Florida's horse industry has produced 39 national thoroughbred champions and 47 equine millionaires. Florida also has active peanut, cotton, potato, rice, sweet corn, and soybean industries.

As these facts demonstrate, agriculture in Florida means many things to many people. However, all Floridians recognize that agriculture is a critical part of our economy. Each year, Florida agriculture ranges from the second to the third largest industry in the state on an income basis. It is this diverse industry that the Agriculture Risk Protection Act of 2000 will assist.

On July 20, 1999, I joined my colleagues Senators MACK, FEINSTEIN, and BOXER in introducing S. 1401, the Specialty Crop Insurance Act of 1999. This legislation sought to reduce the dependence of the specialty crop industry an emergency spending and catastrophic loss insurance coverage by improving its access to quality crop insurance policies.

Currently, crop insurance policies available for specialty crops do not cover the unique characteristics associated with the planting, growing, and harvesting of specialty crops. According to a GAO report on USDA's progress in expanding crop insurance coverage for specialty crops, even after an expansion in policies available to specialty corps planned through 2001, the existing crop insurance program will fail to cover approximately 300 specialty crops that make up 15 percent of the market share. In some cases, although crop insurance may exist for a specialty crop, it may not be available in all areas where the crop is grown. For example, the GAO report indicates that crop insurance for grapes is available in selected counties in Arkansas, California, Michigan, Missouri, New York, Ohio, Oregon, Pennsylvania, and Washington but not in other growing areas located in Arizona, Georgia, North Carolina, and South Carolina.

In an effort to increase producer participation in buy-up coverage, the Risk Management Agency last year undertook a pilot program to increase the premium subsidies at a total cost of $400 million. In 1999, the Congress enacted this same program which was deemed a success on an emergency basis.

This program was not a success for specialty crops. Of the 125,772 producers who bought additional buy-up coverage after this subsidy was offered, 81 percent were producers of program crops. The highest increase in a single commodity was 31,191 additional policies sold to corn producers while the lowest increase was an additional 3 policies sold to pepper producers. Even when corrective action is taken to work on increasing buy-up coverage for all crops, the program that is designed does not have a dramatic effect on specialty crop participation. We need a different approach for this unique sector of U.S. agriculture.

The original legislation that I introduced sought to promote the development and use of affordable crop insurance policies designed to meet the specific needs of producers of specialty crops. The Agricultural Risk Protection Act of 2000 will increase specialty crop producer participation in the Federal Crop Insurance Program, encourage higher levels of coverage than provided by catastrophic insurance, and enable better planning and marketing decisions to be made.

I am pleased to say, Mr. President, that the crop insurance conference report we are considering today enacts the major provisions of my original bill. With the key support of Senators KERREY and ROBERTS, who have focused their attention on the needs of speciality crop producers, we have forged a bi-partisan piece of legislation that addresses the needs of multiple regions of the country.

In addressing speciality crops, the Agriculture Risk Protection Act of 2000 takes the following actions:

First, to ensure that the Risk Management Agency utilizes private sector expertise in developing new crop insurance policies, it requires that portions of research and development funds in this bill and research and development funds for new crop insurance policies appropriated to RMA each year be focused on specialty crop product development. The legislation specifically authorizes $20–25 million per year for RMA to enter into public and private partnerships to develop specialty crop insurance policies.

Second, it also establishes a process to review new product development and ensure that crop insurance products are available to all agricultural commodities, including specialty crops.

Third, the Agriculture Protection Act of 2000 expands the authorization for the Risk Management Agency to conduct pilot programs to increase its flexibility in developing better products for specialty crop producers. Today, we are voting on legislation that will allow pilots to be conducted on a state, regional, and national basis for a period of four years or longer if desired by RMA. This legislation also specifies authority for the Risk Management Agency to conduct a pilot program for timber, a provision I originally introduced on April 22 of 1999 in S. 868, the Forestry Initiative to Restore the Environment.

Fourth, to encourage specialty crop producers to buy up to 50/100 coverage once these new policies are developed, the report before us today increases the rate for 50/100 coverage, the initial buy-up level after catastrophic coverage to 67 percent. This will create an incentive for growers to purchase buy-up coverage and bring us closer to meeting our goal of reducing dependence on the CAT program.

Fifth, to ensure that aid for farmers who have no crop insurance policies available to them actually receive aid in times of natural disasters, this report modifies the Non-insured Assistance Program (NAP) to eliminate the area trigger, making any grower whose crop is uninsurable and experiences a federally-declared disaster, eligible for these funds.

I will not enumerate each of the provisions of this legislation, as almost each page contains a specific remedy for problems faced by specialty crop producers. I commend my colleagues for their efforts to ensure that crop insurance reform passed by the 106th Congress will take into account the needs of all agriculture producers. In particular, I thank Senators MACK, KERREY, and ROBERTS for joining me in my efforts to ensure that the needs of production agriculture in Florida are met.

I believe that the provisions in the Agriculture Risk Protection Act of 2000 will ensure that specialty crop producers have access to high quality insurance products designed to meet their needs.

Turning away from crop insurance for a moment, I would like to mention a few key times in this package that are just as critical for specialty crop producers.

First, this legislation includes $25 million for compensation to growers who have experienced losses due to plum pox virus, Pierce's disease, and citrus canker. To date, citrus canker has spread to over 1600 acres of commercial citrus groves in Florida and is threatening the existence of the industry. The entire lime industry is on the verge of being eliminated. Already, over half of the 3000 acres in lime production have been destroyed or marked for destruction. Once an infected tree is discovered, federal regulation, designed to eradicate this disease, requires the destruction of all trees, healthy or diseased, within a 1,900-foot radius. Literally thousands of citrus trees, which require three to four years to reach maturity, have been burned to the ground during this year's growing season. These funds are a critical first step in the ability of our grower to recover from the devastation that this disease has caused in Florida.

Second, this legislation includes a streamlined version of the Plant Protection Act. In 1988, I commissioned a study by the U.S. Department of Agriculture and the Animal and Plant Health Inspection Service (APHIS) to evaluate the viability of our nation's system of safeguarding America's plant resources from invasive plant pests. In today's global marketplace where international travel is commonplace, the importance of APHIS' role in ensuring that invasive pests and plants do not enter our borders in paramount. The passage of the Plant Protection Act was the number one recommendation of this report which included almost 300 individual recommended actions. Today, we are taking our first step toward a serious commitment to protecting American agriculture from the ravages of diseases like citrus canker or the Mediterranean fruit fly.

Third, conference report includes over $70 million for key infrastructure improvements to the fruit and vegetable inspection system that was recently embroiled in controversy when eighty USDA inspectors were arrested for taking bribes to reduce the value of produce and allow receivers to negotiate lower prices with shippers. These funds will restore the integrity of this system.

Again, I commend my colleagues for their fine work and perseverance in bringing this conference report to completion and before the Senate for a final vote. Today's action will enact long-term change in our crop insurance program that will provide specialty crop producers with access to affordable crop insurance policies which are designed to meet their specific needs.

Mr. JOHNSON. Mr. President, I am pleased to address the Senate today in support of a conference report (H.R. 2559) that improves and expands the crop insurance and risk management tools available to farmers in the United States. I am equally pleased to support economic and disaster assistance attached to H.R. 2259 not because I believe the assistance will always be targeted to those that need it most, but rather because Congress cannot afford to ignore the opportunity to act now in order to provide timely relief to our nation's family farmers and ranchers.

Collapsed crop and livestock prices, weak export demand, and agribusiness concentration continue to threaten the viability of our independent family farmers and ranchers. Crop insurance provides many agricultural producers with a risk management tool, and with the reforms made in the legislation before us today, crop insurance will prove even more effective.

Nonetheless, I must caution that no matter how well crop insurance is improved, it is not a substitute for a sound farm policy or a safety net. Instead, crop insurance is an important part of that farm safety net. Moreover, the economic and disaster farm aid attached to this legislation will help in the near-term, but for the third year in a row this Congress has failed to address the underlying shortcomings of the current farm bill.

Crop insurance is critical to the farmers of South Dakota. Nearly twenty South Dakota grown crops are currently eligible for crop insurance, and among our major commodities, participation in the crop insurance program is high. Ninety-five percent of our corn acreage is enrolled in crop insurance while ninety two percent of our soybean acres are in this program. Wheat producers in South Dakota place seventy-six percent of their acreage in crop insurance. After the reforms made to the program in 1994—when I chaired the House Agriculture Subcommittee dealing with this issue—over 10 million acres of farmland in my state were enrolled in crop insurance.

I was pleased to co-sponsor a bipartisan reform bill that is a modification of S. 1580, the Kerrey-Roberts Crop Insurance for the 21st Century Act. The conference report before the Senate today closely mirrors the Kerrey/Roberts legislation and addresses some of the most serious concerns of the current crop insurance program; affordability, dependability, and flexibility.

Nearly every agricultural producer wants the opportunity to purchase higher levels of crop insurance coverage, but most have found that buy-up coverage becomes cost prohibitive. This bill makes coverage more affordability by providing higher subsidies for higher levels of coverage. South Dakota farmers support this provision of our bill because affordability seems to be the most pressing issue facing crop insurance today.

In recent years, the issue of coverage dependability has come into serious question. Farmers in South Dakota and elsewhere have suffered under multiple years of weather related disasters. The bill before us today ensures greater coverage dependability by providing relief for producers suffering from insurance coverage decreases and premium increases due to multi-year crop losses resulting from natural disasters.

The conference report authorizes USDA to conduct a series of pilot programs to provide risk management protection to livestock producers, I am hopeful livestock producers can stand to benefit from this action because to date they have been specifically excluded from this protection.

Yet, I am disappointed the crop insurance conference committee members dropped a provision that sought to maintain conservation compliance as a part of crop insurance coverage.

As a member of the Senate Budget Committee, I helped secure $6 billion last year (over a four year period) in order to improve the overall crop insurance program. This year, funds were added to this level to bring a total of $8.2 billion over five years to crop insurance improvements. As a member of the Senate Agriculture Committee, I am pleased the legislation I cosponsored and supported closely mirrors the conference report before us today; therefore, I am pleased to vote for H.R. 2259.

Nonetheless, I want to discuss some items in the economic and disaster assistance package included in the conference report. I am concerned that the conference committee ignored the inequity inherent with the current farm bill, and instead, chose to make economic aid payments to farmers based on AMTA payments.

Even though South Dakota producers stand to receive—in a timely fashion—about $158 million in additional AMTA payments within the economic aid package, these payments are unfair to many of the family farmers in my state for a number of reasons.

First, AMTA payments are made regardless of whether crop prices are high or low. I would prefer an approach (in overall farm policy and in the context of disaster aid) that provides targeted, counter-cyclical benefits to family-sized farmers because it would be more market-oriented and provide a more reliable safety net.

Second, since AMTA payments are based on outdated crop yields and base acres from 1985, they are unfair to many South Dakota farmers. In the mid-1980s, farmers in my state planted more grain sorghum and oats in combination with the staple crops like wheat, corn, and soybeans. But, all of these crops make up their ''base acres'' upon which an AMTA payment is made. As such, farmers in South Dakota may receive AMTA payments on low-value crops like oats and grain sorghum that they don't even plant today.

Moreover, crop yields in the mid-1980s were much lower than crop yields

today, yet, AMTA payments are based on these outdated crop yields. For example, the 1985 corn yield assigned to AMTA payments is set at 64 bushels per acre. Yet today, most farmers raise around 100 bushels of corn or better. Once again, the AMTA payments fail to recognize modern day farming conditions.

Finally, there still exist situations where landlords and not farm operators receive the AMTA payments.

Last week I sent a letter to Conference Committee Chairmen LUGAR and COMBEST insisting that Congress must not alter statutory payment limitations so large farming entities can't swallow up the majority of government assistance. Last year, an amendment to the fiscal year 2000 Agriculture appropriations bill increased payment limits on loan deficiency payments and marketing loans from $75,000 to $150,000 for 1999. As a result of this specific change last year, only the largest of the large farms stood to benefit. My letter urged the conference committee members to not extend this special treatment of the payment limits beyond 1999. I am very pleased the conference committee agreed to reinstate the more responsible, lower, payment limits for this year. Family farmers are the backbone of rural America. If we have a limited amount of taxpayer funds in which to provide a safety net for farmers, it is simply common sense that we target the benefits to those who need the assistance.

I also want to mention that there are several items within the economic and disaster aid package that I support, and as such, I will vote in favor of this legislation.

First, sheep producers in South Dakota have suffered under near all-time low wool prices. To add insult to injury, many of these same producers must try to compete in lamb meat production with unfair and surging imports from other countries. I am especially pleased the conference committee agreed to provide $11 million in fiscal year 2001 to provide direct payments to sheep producers based on poor wool prices.

Second, as a strong advocate of farmer-owned value-added cooperatives, I am extremely satisfied to support the inclusion of $15 million worth of competitive grants in fiscal year 2001 to assist producers in establishing these types of business ventures.

Because flooding remains an obstacle to crop production in many parts of South Dakota, I am pleased to support the $24 million in the conference report for the Flooded Lands Compensation Program.

I am also pleased this legislation offers honey producers in South Dakota and across the nation a recourse loan program to help provide a safety net and price support in order to market their product.

Finally, I am pleased the conference committee included provisions from my legislation—S. 2056, The Emergency Commodity Distribution Act of 2000—which restores funding to USDA in order to procure commodities for the School Lunch Program over a nine year period.

Last year, Congress enacted the Ticket to Work and Work Incentives Improvement Act. A provision of this legislation amended the School Lunch Act to require USDA to count the value of ''bonus'' commodities when it determines the total amount of commodity assistance provided to schools. This change will result in a $500 million budget cut for the School Lunch Program over a nine-year period without congressional action this year. While not large in overall budget terms, this cut will have an immediate impact that is especially severe in school districts more dependent on the program.

My legislation would ensure that schools receive the full value of entitlement commodity assistance, and allow the School Lunch Program to continue to meet its dual purpose of supporting American agriculture while providing nutritious food to children across the country. While the provision included in today's legislation provides $34 million in fiscal year 2000 and $76 million in fiscal year 2001, it does not restore the entire $500 million over the nine-year period. However, I am greatly pleased the conferees agreed to include part of my legislation in the conference report as this represents a step in the right direction.

I also encouraged the conference committee to consider inclusion of my bills to forbid packer ownership of livestock and to label meat for its country-of-origin.

My legislation enjoys broad support all across the nation because it will restore confidence and freedom in livestock markets. I am disappointed the committee failed to include either of these items as it will once again become clear that Congress largely ignored the independent livestock producer trying to compete in an unfair marketplace.

Mr. TORRICELLI. Mr. President, first, I would like to thank Senators KERREY, DASCHLE, and ROBERTS who have worked to craft a national crop insurance reform bill. I rise in support of the Conference Report because it represents a fundamental shift in farm policy in its recognition of the importance of agriculture in the Northeast.

Historically, New Jersey farmers have been at a disadvantage when it comes to crop insurance for two principle reasons. First, many of the specialty crops they grow are not eligible for insurance. And second, because our region has a history of non-participation, many farmers fail to investigate what options they may be eligible for. They simply assume that they are not eligible or that the programs are not economically worthwhile.

Without crop insurance, farmers in my region will not be able to continue farming, they will be forced out of a way of life, they will be forced to sell their land. New Jersey may be the best example of what can happen when we do not protect our farmers. In 1959, New Jersey had 15,800 farms. Today we have 9,400. In 1959, New Jersey had 1,460,000 acres of farmland. Today we have but 800,000.

The current Federal Crop Insurance program has failed to curb the losses which farmers have experienced and has forced them to sell their land and their livelihood. It has facilitated the end of a way of life in New Jersey.

When the Senate passed its version of the crop insurance reform bill, it adopted the so-called ''Northeast Amendment'' drafted by myself, Senator SCHUMER, LEAHY, REED, ROCKEFELLER and others. The amendment has been almost entirely preserved in the Conference Report. The amendment is targeted at increasing participation in states in which there is traditionally, and continues to be, a low level of crop insurance participation and availability.

The conference report provides $50 million over five years for research to create new crop insurance policies. The goal is to develop new programs tailored to the crops in our region so that our farmers will find it economically worthwhile.

An additional $25 million over five years for education programs designed to inform farmers of the current crop insurance options available to them. This would include hiring more agents to sell insurance and more USDA officials to help farmers craft a strategy for their farm. This money will put in place the necessary human infrastructure.

The final provision of the Northeast amendment is $50 million over five years for payments to farmers who adopt certain conservation practices. The effect of this amendment will be to increase participation, by making it more attractive, more affordable, and more accessible to farmers who grow specialty crops and have low rates of participation in crop insurance.

But the Conference Report also vastly improves the situation for farmers who grow non-insurable crops by improving the Non-insured Crop Disaster Assistance Program (NAP). Because farmers who grow the majority of crops in my state do not qualify for crop insurance, the NAP program is the only assistance my farmers can rely on when their crops are decimated, as during last summer's drought. Under current law, losses in the region where a farmer grows must be extensive before a single farmer is eligible for NAP relief. The Conference Report removes

this ''area trigger'' and ensures that farmers not eligible for crop insurance receive protection in times of hardship, regardless of whether they are the only farmer who suffered.

The Conference Report also addresses the needs of states like New Jersey by including additional provisions to develop broad specialty crop policies. These policies are designed to protect farmers who grow ''specialty crops'', fruits and vegetables which constitute many of the crops grown in the Northeast. By focusing on specialty crop product development, the bill truly addresses the needs of farmers in all regions throughout the country. Because of these provisions, I will support the bill and will urge my other Northeast colleagues to do the same.

However, I am extremely concerned that the $7.1 billion in emergency farm aid included in this bill essentially provides no relief to our region. The majority of this funding will be distributed in AMTA payments to farmers in the Midwest and South who grow commodity crops such as corn, soybeans, and wheat. It will not help the specialty crop farmers in New Jersey or anywhere else in the Northeast. This is unfortunate, considering that the farmers in my state are still suffering from last summer's drought.

The Senate will soon have another opportunity to provide this desperately needed relief when it considers the Agriculture Appropriations bill after Memorial Day. As written, this bill includes additional aid for dairy farmers, livestock and peanut farmers. But it still fails to address the situation faced by small family farmers throughout the Northeast. During consideration of that bill, I plan on offering an amendment with my colleagues from the Northeast that will provide some relief for the specialty crop farmers in our region. I hope at the time we will enjoy the support of the other regions of the country who so generously are benefitting from the emergency aid included in this crop insurance bill.

Again, I want to thank Senators KERREY, ROBERTS, DASCHLE, HARKIN and LEAHY for their willingness to work with us during this process.

Mr. GRASSLEY. Mr. President, I rise today to commend many of my colleagues who were instrumental in the development of this legislation. The conference report before us today represents new opportunities for family farmers through a reformed crop insurance program and short term assistance in the form of an additional economic relief payment equivalent to the levels established last year.

The conference report before us today provides Congress with an opportunity to assist farmers during this time of need. My friends and neighbors just came off a year in which they lost tremendous amounts of equity due to commodity prices hitting twenty year lows. If we would not have provided an economic relief payment last year we would have lost many more family farmers.

What does a strong agricultural economy mean for my home state of Iowa? The agricultural industry contributes a total of around $70 billion and 446,000 jobs in Iowa. Therefore, when things are in bad shape down on the farm, all Iowans feel the negative economic effects.

While commodity prices have improved slightly from last year, margins are still tight. We promised our constituents a smooth transition from the failed, government-dominated farm policies of the last 63 year period prior to 1996. We must follow through on that promise, and this legislation helps us fulfill that goal.

This bill provides tremendous opportunities for farmers. The Crop Insurance title helps farmers utilize additional risk management activities. Farmers can increase their individual coverage levels thanks to better premium subsidies. And for the first time, pilot programs will be available to determine how livestock producers can be included as an insurable commodity.

I also want to thank the members of the Senate Budget Committee in supporting my efforts earlier this year in crafting a budget resolution which set aside over $15 billion to help farmers. The bill before us today would not have been possible otherwise. The Budget Committee's work and cooperation allowed the Agriculture Committee to supply farmers with the funds necessary for the smooth transition farmers deserve by providing what is viewed as an additional AMTA payment at 1999 levels.

The package also includes $500 million for oilseeds, $7 million to cover pseudorabies vaccination costs incurred by pork producers, and $15 million for what I have termed the Agricultural Marketing Equity Capital Fund.

The Agriculture Marketing Equity Capital Fund will provide $10 million to establish grants for developing new value-added agricultural markets for independent producers. This fund will assist agricultural producers by providing grants for ventures to capture a greater share of the consumer food dollar.

It is my hope that the fund will help independent grain and livestock producers find real solutions to address the loss of competition in agricultural markets, to combat concentration in food production and processing, and create new value-added business opportunities for groups like:

The Iowa Cattlemen, who are developing a regional ''grid'' of producers to supply cattle to a proposed harvest facility being developed with the cooperation of one of the nation's largest processors;

Heartland Grain Fuels, a group of grain producers who have banded together in Huron, South Dakota to develop an ethanol facility;

Iowa Premium Pork, a group of 1,400 pork producers across my home state which have joined together in a cooperative venture to market their hogs;

Sunrise Energy, an ethanol plant in Blairstown, Iowa;

The 21st Century Group, independent dairy producers from Kansas;

Pork America, a national cooperative of independent pork producers; and

The New Jersey Farm Bureau, which recently commissioned a study to determine the feasibility of ethanol production and held a meeting at which 300 New Jersey farmers attended due to their interest in value-added opportunities.

An informal poll by my office found hundreds of millions of dollars in possible requests for this type of program. The reason for this is that family farmers cannot compete with an industry that has billions of dollars in equity and capital resources and which seems to be willing to use this advantage to kill any producer driven competition.

Industry's aggressive stance toward competition from farmers made it impossible for me to provide more money for independent producers. In fact, the American Meat Institute, which is the political muscle behind 70 percent of the packers and processors in the US, fought against this provision tooth and nail.

When I found out that AMI was opposing my efforts to help farmers I knew that I must be doing something right. I just want the leadership of AMI to know that I was very aware of his efforts and I hope that AMI's successful opposition to my request for $35 million to help America's family farmers was worth it to them.

I plan to publish AMI's membership in the record and I hope that every independent producer in the nation takes a good look at who is trying to limit value-added opportunities for family farmers. I'm not saying that every processor or packer knew exactly what AMI's Washington lobbyists were doing, but I sure hope to inform every member, through one medium or another, what happened and why independent producers won't have the funds to reach out to processors in joint ventures and receive working capital to help everyone survive and thrive.

One last point, if you thought I was pushing hard for my agri-industry concentration legislation before, hold on to your seat.

Regardless of my disappointment in industry's effort to kill my provision, on the whole, this bill includes a bold new approach that will help create a brighter future for family farmers and their rural communities.

Mr. President, in summation I want to thank my colleagues on the Ag Committee who worked hard to develop

this package. This bill is good for Iowa and good for agriculture and the family farmer nationwide. I look forward to sending it to the President and for the President to sign it quickly so that we may provide family farmers with the tools they need to be successful in today's marketplace.

Mrs. LINCOLN. Mr. President, today we are considering the conference report on the crop insurance reform bill. I believe this bill makes fundamental changes to the existing Federal Crop Insurance Program that are necessary to make crop insurance more workable and affordable for producers across the country and I urge its passage.

Congress has been attempting to eliminate the ad hoc disaster program for years because it is not the most efficient way of helping our farmers who suffer yield losses. Due to the Ag economic crisis, there has been much discussion lately on the issue of the ''safety net'' for our nation's producers. On that point I would like to be perfectly clear. Crop insurance is a risk management tool to help producers guard against yield loss. It was not created and was never intended to be the end-all be-all solution for the income needs of our nation's producers.

Last year, Senator COCHRAN and I introduced a comprehensive bill that addressed what we saw as the various reform needs of the crop insurance program.

I am pleased that many of these provisions are included in the conference report that we are considering here today. This bill establishes a process for re-evaluating crop insurance rates for all crops and for lowering those rates if warranted. After pressure from Congress and the National Cotton Council last year, RMA reduced rates by as much as 50 percent for cotton in Arkansas and the Mid-South. The provision included in today's bill will require further review of all Southern commodities.

By making the crop insurance program more affordable, additional producers will be encouraged to participate in the program and protect themselves against the unforeseeable factors that will be working against them once they put a crop into the ground.

The bill also provides for an enhanced subsidy structure so that producers are encouraged to buy-up from their current level of coverage. The structure included in this bill will make the step from catastrophic coverage to buy-up easier for producers and will make obtaining the highest level of coverage easier for those who are already participating in the crop insurance program.

In an attempt to improve the record keeping process within USDA, this legislation requires that FSA and RMA coordinate their record keeping activities. Current USDA record keeping, split between FSA and RMA, is redundant and insufficient. By including both crop insurance program participants and non-program participants in the process, we hope to enhance the agricultural data held by the agency and make acreage and yield reporting less of a hassle for already overburdened producers.

In addition, this bill establishes a role for consultation with state FSA committees in the introduction of new coverage to a state. The need for this provision was made abundantly clear to Arkansas' rice producers this spring. A private insurance policy was offered to farmers at one rate, only to have the company reduce the rate once the amount of potential exposure was realized.

In my discussions with various executives from the company on this issue it became apparent that their knowledge of the rice industry was fairly minimal. Had they consulted with local FSA committees who had a working knowledge of the rice industry before introduction of the policy, the train wreck that occurred might have been stopped in its tracks.

I am pleased that another reform measure that I worked on has been included to help rice producers suffering losses caused by drought. Recent droughts have left many Arkansas farmers with low reservoirs and depleting aquifers. If rains do not replenish them, an adequate irrigation supply may not exist by summer.

In addition, drought conditions in Louisiana have caused salt to intrude into the water supply used for irrigation on many farms. Current law states that rice is excluded from drought policies because it is irrigated. This is not equitable since rice producers do suffer losses due to drought.

I have worked with Senators BREAUX and LANDRIEU to provide these policies for our rice producers who are experiencing reduced irrigation opportunities due to the severe drought conditions that have plagued the South for the last two years. I am pleased that this provision has been included in the bill.

Many of the problems associated with the crop insurance program have been addressed in previous reform measures. However, fraud and abuses are still present to some degree.

This bill strengthens the monitoring of agents and adjusters to combat fraud and enhances the penalties available to USDA for companies, agents and producers who engage in fraudulent activities.

There is simply no room for bad actors that recklessly cost the taxpayers money.

Mr. President, I was prepared during our Committee markup earlier this year to offer an amendment related to a cooperative's role in the delivery of crop insurance.

I held off at that time due to concerns from the Committee related to possible ''rebating'' ramifications and preemption of state law, but in working with RMA and Senators KERREY and GRASSLEY, we were able to craft an amendment that clarifies the role of cooperatives in the crop insurance program.

I am pleased that the conferees included this amendment in the final version of the bill.

This amendment does nothing to preempt state law or even change current federal law. It simply provides that current approved business practices be maintained. With the inclusion of my amendment Congress is recognizing the valuable role cooperatives play in the crop insurance program, specifically, encouraging producer participation in the crop insurance program, improving the delivery system for crop insurance, and helping to develop new and improved insurance products.

My amendment requires the Risk Management Agency to finalize regulations that would incorporate the currently approved business practices of cooperatives participating in the crop insurance program and to do so within 180 days of enactment of this Act.

If farmer owned entities are not allowed to sell crop insurance, then anyone can sell crop insurance in America except an American farmer. Such a legal result would give the appearance that crop insurance is designed for a closed club to exploit farmers.

That appearance would inhibit broader use of crop insurance. I do not believe that such a result is the intent of those who have put so much effort into improving the crop insurance program.

Mr. President, I would personally like to thank all staff members of the Committee and industry representatives that have helped with this effort. I would particularly like to thank Louie Perry of the National Cotton Council for his tireless efforts to make crop insurance more effective for cotton and other southern commodities.

Mr. President, Arkansas farmers have told me time and time again that crop insurance just isn't affordable for the amount of coverage they receive. As the program currently exists, it does not make sound business sense to purchase crop insurance in our state. Since this reform process began, I've been working to correct this inequity. I hope that the changes we make today will lead to a crop insurance program that is equitable, affordable and effective.

Crop insurance reform is not the only thing included in this legislation, however. $7.1 billion has been included to address the ongoing crisis in the agricultural community due to depressed market prices. I am pleased that Congress is acting more promptly this year to address the needs of our nation's producers. Numerous farmers in my home state of Arkansas have indicated that the additional assistance we provided over the last two years is the

only reason their operations are still afloat today. While some commodities have seen a slight rebound, prices across the board are still too low to meet the increasing costs of production on our nation's farms.

Congress has to provide these ''add on'' payments to producers because the current farm bill does not provide an adequate safety net when commodity markets head south. I voted against the 1996 Farm Bill because I feared that we would find ourselves in the exact position we do today, with one bailout after another.

I introduced a bill earlier this year that would make reforms to the existing marketing loan program. An enhanced marketing loan program would provide additional assistance to our nation's producers without going through this annual ''horse trading'' over billions of dollars trying to determine who we are going to help. Farmers would be able to know at the beginning of the growing season what to expect from the government with regards to economic assistance instead of having to cross their fingers and hope Congress comes through.

We are coming near the end of the life of the ''Freedom to Farm'' bill and as we begin discussions on what the next farm bill should look like I hope my colleagues will see the importance of providing an adequate safety net to our nation's farms.

We must adequately support those who are supplying our nation, and many others, with safe, affordable food.

Do not misread my remarks, I am pleased that Congress has acted promptly to address the needs of the agricultural community this year. I simply feel that there is a better way to approach our nation's agricultural policy. I hope my colleagues will agree and work to provide a better farm bill in the future.

INSPECTION SCAM

Mr. CRAIG. Mr. Chairman, I want to briefly raise an issue that is of the utmost importance to produce growers and shippers throughout every region in the United States and of great concern to me and several other of my colleagues in both the House and Senate.

On October 27, 1999, eight Department of Agriculture (USDA) fruit and vegetable inspectors stationed at the Hunts Point Terminal Market in the Bronx, NY, were arrested and charged with accepting bribes for downgrading loads of produce so that receivers could negotiate lower prices with shippers. This week, I understand those inspectors were sentenced for their illegal and fraudulent scam at the Hunts Point Terminal Market in the Bronx, New York.

While these guilty inspectors are being held accountable through our legal system for their actions, the economic damages to the produce industry remain unaddressed. Moreover, to my knowledge, those individuals with direct oversight responsibility within the United States Department of Agriculture (USDA) have not acknowledged to the Congress how their oversight activities failed, why the Department discounted complaints by the industry over the past several years, the number of inspections that are connected with the guilty USDA produce inspectors or even an estimate of the damages incurred by produce growers and shippers. This is unacceptable and USDA must act expeditiously to restore confidence and integrity in the federal inspection system for the produce industry.

If injured parties are not justly compensated through the legal process, we must ensure that every appropriate action is taken by the Congress to ensure the losses that occurred as a result of this scam are returned to injured parties. Based on similar cases where fines paid by guilty parties have gone directly to the federal Treasury, it is very doubtful that growers or shippers injured will see any of the funding owed to them as a result of this unfortunate scam. I am certainly committed to working with the industry on this critical issue and urge both the Senate and House Agriculture Committees to take immediate action as soon as possible to move forward with a full investigation of this matter.

Mr. LUGAR. I appreciate the remarks by my colleague from Idaho, Senator CRAIG. I agree that the Senate Agriculture Committee should review how these growers can recover their economic losses resulting from illegal actions by federal employees. The Department of Agriculture has oversight responsibility for the actions that may have resulted in millions of dollars of losses to these growers. This matter should be fully explored and resolved. As part of committee review, I will continue to receive reports from the office of the Inspector General. It is important that this industry regain confidence in the inspection system that they use.

Mr. President, two provisions of the conference agreement warrant some clarification as to how they should be carried out. Section 243(g) allows a third State to expand coverage of the Child and Adult Care Food Program to additional for-profit child care centers serving lower-income children. It should be clear to the Secretary in implementing this amendment that the additional State must meet the criteria for approval at the time of enactment and is one that exempts all of its lower-income families from child care cost-sharing requirements, while allowing fees to be charged on a sliding scale to higher-income families. Section 243(b)(2) requires that a minimum number of site visits to day care centers, homes, and sponsors be conducted. The amendment recognizes that the Secretary can strengthen this measure by requiring more than the minimum numbers called for in the amendment.

Mr. REED. Mr. President, I rise to express my support for the conference report on H.R. 2559, the Agricultural Risk Protection Act of 2000. This conference report has two major components: a crop insurance reform bill and a major farm relief package. I want to comment briefly on each of these.

I support the crop insurance reform bill because it will increase premium subsidies for farmers who buy more comprehensive coverage and support research of new crop insurance policies for currently non-insurable specialty crops that are important in Rhode Island and other states in the Northeast. It is an important step forward in a long-term bipartisan effort to encourage farmers across the country to obtain more crop insurance coverage and reduce income losses due to natural disasters. I was disappointed that the Senate bill's risk management pilot project was dropped in conference with the House. The pilot project would have allowed farmers to choose between traditional crop insurance and a direct payment for adopting new risk management practices such as farm diversification, futures contracts and options, creation of conservation buffers, soil erosion control, and irrigation management. I believe we should continue to explore ways to offer increased income to farmers for whom crop insurance has not worked well, while encouraging producers to adopt new risk management strategies that are good for the environment.

I am pleased that this crop insurance bill removes the ''area trigger'' for the Non-insured Crop Disaster Assistance Program, also known as NAP. I believe broader NAP eligibility is one of the most effective ways to assist farmers in the eastern United States who face severe production losses due to drought, floods, or other disasters.

Currently, NAP crops are eligible for assistance when: (1) expected ''Area Yield'' for the crop is reduced by more than 35 percent because of natural disaster; and (2) individual crop losses are in excess of 50 percent of the individual's approved yield, or the producer is prevented from planting more than 35 percent of the acreage intended for the eligible crop.

These criteria have proven to be unworkable in many eastern states, both in terms of program accessibility and timeliness of payments. For individual growers of specialty crops, typically grown on small acreage, a loss of as little as 20 percent can be devastating, especially given the high per-acre value of these crops. Moreover, the process of verifying area yield reductions is cumbersome and exceedingly time-consuming, resulting in waiting periods of several months or, in some cases, more than a year for payment.

Giving the Secretary of Agriculture broader discretion over delivery of NAP program funds will streamline the approval process and make direct assistance available to thousands of farmers whose substantial losses do not meet NAP criteria under the current area trigger.

I am also pleased that the bill includes $50 million for the Secretary of Agriculture to provide cost-share assistance to farmers in states with low historical participation in traditional crop insurance programs. These funds will be targeted to farmers who pursue innovative conservation and risk management techniques, including: streambank repairs and reconstruction; integrated pest management tools; construction or improvement of watershed management structures; transition to organic farming, particularly among dairy farmers; and futures, hedging or options contracts to help reduce production, price or revenue risks.

Substantial funds are also included for crop insurance education and information programs for states with low levels of federal crop insurance participation and availability. Combining expanded outreach programs like these with increased research into new policies for specialty crops is the best way to get more farmers into the program and hopefully reduce the need for farm disaster legislation.

With regard to the farm relief component of the conference report before us today, I am disappointed that the entire $5.5 billion of the package's FY2000 funds, fully 77% of the $7.1 billion provided in this farm assistance package, consists of additional AMTA or ''Freedom to Farm'' payments. Only a very small proportion of farmers in my state and in other Northeastern states will benefit from these payments. Meanwhile, additional AMTA payments will be made to many other farmers regardless of whether they have experienced substantial losses during the current crop year.

I and many of my colleagues from the Northeast and Mid-Atlantic opposed the farm disaster bill passed by the Senate last year because it did not provide adequate relief to farmers in our region who were hit by the terrible drought conditions of 1999. The National Oceanic and Atmospheric Administration (NOAA) found that four states in the Northeast, including Rhode Island, New Jersey, Maryland, and Delaware, experienced the driest growing season in their histories. From April through July, Rhode Island was the driest it has been in 105 years of record-keeping by NOAA's National Climatic Data Center.

Forecasters at the National Weather Service are predicting continued drought conditions this year, because we are starting out with a deficit of rainfall and, even with the snowstorms of January, winter precipitation was 3.5 inches below normal for our region.

Fortunately, the removal of the NAP area trigger I described earlier will help if disaster strikes again this year. In addition, the farm relief package includes $200 million for purchases of specialty crops for low prices in 1998 and 1999, including apples, cranberries, black-eyed peas, cherries, citrus, onions, melons, peaches, and potatoes. Manager language is included to direct the Secretary of Agriculture, to the extent practicable, to purchase directly from farmers or agricultural co-ops.

Another $5 million is provided by the farm relief package for apple producers that are suffering economic loss as a result of low prices. $35 million is provided for Loan Deficiency Payments for non-AMTA farms for the 2000 crop year, and $50 million is provided for the Farmland Protection Program and the Environmental Quality Incentives Program, both of which are important to my state and the Northeastern region of the country. Finally, the farm relief package requires the Department of Agriculture to purchase specialty crop farm products for the school lunch program, again with manager language included to direct the Secretary, to the extent practicable, to purchase directly from farmers or agricultural co-ops.

With the passage of this legislation we will give farmers the tools they need to manage their risk more effectively, and possibly reduce the need for Congress to pass massive farm disaster packages year after year. At the same time, I believe we are beginning to recognize the contributions and needs of farmers in every region of the country, farmers who not only feed the world but preserve a way of life that makes our Nation stronger and protects our precious open spaces from the encroachment of development and urban sprawl.

I urge my colleagues to support the conference report to accompany the Agricultural Risk Protection Act of 2000.

SUBMITTING CHANGES TO H. CON. RES. 290 PURSUANT TO SECTION 216

Mr. DOMENICI. Mr. President, section 216 of H. Con. Res. 290 (the FY2001 Budget Resolution) permits the chairman of the Senate Budget Committee to make adjustments to the allocation of budget authority and outlays to the Senate Committee on Agriculture, provided certain conditions are met.

Pursuant to section 216, I hereby submit the following revisions to H. Con. Res. 290:

Current allocation to Senate Agriculture Committee	
Fiscal year:	
2000 Budget Authority	$10,843,000,000
2000 Outlays	7,940,000,000
2001 Budget Authority	14,254,000,000
2001 Outlays	10,542,000,000
2001–2005 Budget Authority	61,372,000,000
2001–2005 Outlays	43,745,000,000
Adjustments	
Fiscal year:	
2000 Budget Authority	5,500,000,000
2000 Outlays	5,500,000,000
2001 Budget Authority	1,639,000,000
2001 Outlays	1,493,000,000
2001–2005 Budget Authority	1,608,000,000
2001–2005 Outlays	1,619,000,000
Revised allocation to Senate Agriculture Committee	
2000 Budget Authority	16,343,000,000
2000 Outlays	13,440,000,000
2001 Budget Authority	15,893,000,000
2001 Outlays	12,035,000,000
2001–2005 Budget Authority	62,980,000,000
2001–2005 Outlays	45,364,000,000

Mr. DASCHLE. Mr. President, today we address two issues vital to our Nation's farmers and ranchers: the need to reform the Federal Crop Insurance Program, and the need for financial relief to help producers deal with the third year in a row of low prices.

I support this Crop Insurance conference report, and I will vote for it. But I must also express my deep concerns about the farm relief provisions of the bill.

Half of this bill represents Congress at its best.

Last year Congress was given a mandate to improve the federal crop insurance program—both by the strength of public support for reform, and by the Budget Committee's allocation of $6 billion last year and $8 billion this year expressly to implement that reform.

Half of this bill responds to that call, and offers increased benefits to farmers. Those benefits are well-conceived, and they are equitable.

The program invests public resources in a system that effectively leverages funds in the private sector, and empowers producers to use their own best judgment in managing their production risk.

I want to thank my colleagues and their staffs, who have dedicated long hours over the past year, for their excellent work in reforming this vital program.

However, I believe that the other half of this bill represents a low moment for Congress.

The other half of this bill represents, for the third year in a row, Congress' stubborn refusal to address another significant risk of farming: price risk.

Across the country, and for numerous commodities, poor prices have dogged producers for three years now.

The $7.1 billion in this bill that will go to producers as ad hoc emergency relief is critically needed in the countryside. We should be providing resources to struggling farmers and ranchers.

But I am deeply disappointed with the way the funds are distributed.

Clearly, it would have been impossible to perfectly match resources to need—particularly under the time constraints we face.

But we could have done better than this.

This year could have been different than the past two years. Producers pleaded with Congress to make it different, and it should have been different.

First, by including the relief allocation in the Budget resolution, the Budget Committee allowed Congress to avoid the rancorous fight over emergency spending authorization that has plagued us in the past two years.

Second, in contrast to the previous two years, this year the Agriculture Committee was made the arbiter of how the funding would be allocated.

This should have resulted in hearings and the kind of substantive, constructive debate that yields good policy.

Third, Congress was given a deadline of June 29 by which to determine how to spend this money, which provided more than adequate time for such a debate to occur.

Despite all of these advantages, here we are, a month early, with a bill produced in the very same way as the two emergency relief bills that preceded it—behind closed doors, without the free and open exchange of ideas, and without the opportunity for amendments by members on behalf of their constituents.

So, we are left with farm relief that I and many of my colleagues believe is deeply flawed. Once again, our assistance fails to target family farmers.

Once again, it wastes public dollars on the biggest operators, who have little or no need for emergency relief.

Once again, it wastes public dollars on some people who do not farm at all.

Most importantly—once again—it fails to meet critical needs in farm country.

With over $7 billion at our disposal, Agriculture Committee jurisdiction, and time for debate, not one hearing has been held to assess the scope of need.

A flawed process has produced a flawed bill. But because farmers and ranchers are in need of relief, I intend to vote for the conference report.

For the third year in a row, I urge my colleagues to acknowledge the failures of current farm policy, and come together to change it.

We need policies that better address the interests of family farmers and ranchers.

In addition to crop insurance, fair trade, and competitive opportunities for all producers, farmers and ranchers must have an income safety-net that can offset severe price fluctuations, and that can help manage uncertainties in the marketplace.

Such policies are critical to long-term survival in an industry in which the majority of producers operate on margins of less than 5 percent.

I believe there is a lot we can agree on.

And by working together, in the spirit of the crop insurance portion of this bill, I am certain that there is a lot we can accomplish.

Mr. KOHL. Mr. President, I rise today in support of the conference report on the Agricultural Risk Protection Act of 2000. Farmers in Wisconsin and all across the country need improved risk management products to help them guard against adverse weather and market conditions. I also want to express my thanks to Chairman LUGAR, Senator HARKIN, and other members of the Agriculture Committee for including in this conference report expansion of a dairy options pilot program that will help dairy farmers achieve similar levels of protection afforded other agricultural producers.

I also want to mention the fact that this conference report includes $7.1 billion in additional assistance to farmers and ranchers this year and in 2001. This level of spending was made possible due to a budget reserve included in the fiscal year 2001 budget resolution which provided an additional $5.5 billion in mandatory spending to the Agriculture Committee in fiscal year 2000 and an additional $1.6 billion in fiscal year 2001. The budget resolution specified that these funds were to be made available to assistance producers of program and special crops. Senator DOMENICI, chairman of the Senate Budget Committee, made reference to the action taken by both the Budget and Agriculture Committees in providing for this budgeted approach to meeting the needs of America's farmers.

I want to take this opportunity to mention additional assistance for farmers provided in the pending Agriculture appropriations bill which includes, among other items, emergency spending for America's dairy farmers. Senators will note that within the additional $7.1 billion included in the Agricultural Risk Protection Act of 2000, no funds are provided for dairy farmers who are now suffering from the greatest price collapse in history. Dairy farmers in Wisconsin, in Vermont, in the South, in the West, in all parts of the nation are suffering terribly from this dire emergency and it is proper that the Congress take action, as we have, to meet this situation.

I mention this in order to remind my colleagues that we will shortly be considering the Agriculture appropriations bill on the Senate Floor and I ask for the support of all Senators in our efforts to help America's dairy farmers. I would also note that to those who may be confusing the funding provided in our bill with the amount provided in the budget resolution, that dairy producers were not included in the description of agricultural producers to receive assistance though the agricultural budget reserve directed to the authorizing committee. The emergency funding for dairy farmers is separate from the actions taken in the bill now before the Senate, is indeed an emergency, and the action taken by the Appropriations Committee in this regard is proper and must go forward.

Mr. LUGAR. Mr. President, our colleagues have suggested that if Senators are amenable to yielding back time, at least in this instance, we might proceed to a vote, with the understanding that provision might be made for additional time for comments by Senators on this legislation. There would appear, at least to the ranking member and myself, to be no visible opposition.

Mr. SCHUMER. Will the Senator yield?

Mr. LUGAR. Yes.

Mr. SCHUMER. I have no problem with yielding time. I have to go to my daughter's recital. If I can speak after the vote for 5 minutes, I would appreciate that.

Mr. LUGAR. We have been trying to accommodate our side. They were aware we might have another hour of debate, but in the event that the distinguished Senator from Iowa and the Senator from Minnesota are prepared to yield back all time, I would be prepared to do that.

Mr. TORRICELLI. If the Senator will yield, I would like to comment for the RECORD, also.

Mr. WELLSTONE. Mr. President, I yield back my time.

Mr. HARKIN. I yield back my time.

Mr. LUGAR. Mr. President, I yield back the time yielded to me.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. LUGAR. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New Hampshire (Mr. GREGG), the Senator from Alaska (Mr. MURKOWSKI), amd the Senator from Ohio (Mr. VOINOVICH) are necessarily absent.

Mr. REID. I announce that the Senator from Connecticut (Mr. DODD) and the Senator from Hawaii (Mr. INOUYE) are necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 4, as follows:—

[Rollcall Vote No. 115 Leg.]

YEAS—91

Abraham	Bryan	Daschle
Akaka	Bunning	DeWine
Allard	Burns	Domenici
Ashcroft	Byrd	Dorgan
Baucus	Campbell	Durbin
Bayh	Chafee, L.	Edwards
Bennett	Cleland	Enzi
Biden	Cochran	Feingold
Bingaman	Collins	Feinstein
Bond	Conrad	Fitzgerald
Boxer	Coverdell	Frist
Breaux	Craig	Gorton
Brownback	Crapo	Graham

Gramm	Lautenberg	Sarbanes
Grams	Leahy	Schumer
Grassley	Levin	Sessions
Hagel	Lieberman	Shelby
Harkin	Lincoln	Smith (NH)
Hatch	Lott	Smith (OR)
Helms	Lugar	Snowe
Hollings	McConnell	Specter
Hutchinson	Mikulski	Stevens
Hutchison	Moynihan	Thomas
Inhofe	Murray	Thompson
Jeffords	Reed	Thurmond
Johnson	Reid	Torricelli
Kennedy	Robb	Warner
Kerrey	Roberts	Wellstone
Kerry	Rockefeller	Wyden
Kohl	Roth	
Landrieu	Santorum	

NAYS—4

Kyl	McCain
Mack	Nickles

NOT VOTING—5

Dodd	Inouye	Voinovich
Gregg	Murkowski	

The conference report was agreed to.

Mr. LUGAR. Mr. President, I move to reconsider the vote and I move to table that.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I want to take just 1 minute to thank the staffs who have made this event possible. From my own staff: The chief of staff Keith Luse, Dave Johnson, Terry Nintemann, Andy Morton, Michael Knipe, Carol Dubard, Bob White, Danny Spellacy, Jeff Burnam, Marcia Asquith, and Bob Sturm;

From Senator HARKIN's staff, who worked with us so well: Mark Halverson and Stephanie Mercier;

From Senator ROBERTS' staff: Mike Seyfert;

From Senator COCHRAN's staff: Hunt Shipman;

From Senator HELMS' staff: George Holding and Brian Meyers;

From Senator COVERDELL's staff: Richard Gupton and Alex Albert;

From Senator KERREY's staff: Bev Paul;

From Senator LEAHY's staff: Ed Barron and Melody Burkins;

From Senator CONRAD's staff: Scott Carlson;

From the Legislative Counsel's staff: Gary Endicott and Greg Kostka;

And from the House Agriculture staffs, who worked for 3 weeks continuously with our Senate staff: Bill O'Conner, chief of that staff; Tom Sell; Vernie Hubert; and Chip Conley.

I thank again the distinguished ranking member.

I earlier mentioned especially Senator ROBERTS and Senator KERREY as authors of an excellent crop insurance legislation bill, and Senator CRAIG who has offered titles IV and V. I thank the majority leader, Senator LOTT, and minority leader, Senator DASCHLE, for expediting our having this opportunity.

Finally, I thank all Senators for a decisive vote on what I believe is significant legislation for America's farmers.

Mr. HARKIN. Mr. President, I join with my distinguished chairman, thanking all the staff who worked so hard on this and hammered out all the agreements over a long period of time on both sides of the aisle. All the Members of our committee and their staffs did a great job. I join our distinguished chairman in thanking them.

Let me also thank our chairman, our leader, Senator LUGAR, for his persistence and doggedness in getting this bill through. I think it has been at least 1½ years, if I am not mistaken, since we started on this road. It has had a lot of twists and turns and ups and downs. Senator LUGAR stayed in there. He knew how important this bill was to our farmers. It is a great bill. It is one that is really going to help our farmers manage their risks.

I again compliment him and thank him for his leadership but also for being so kind and generous, to always work with me and be open and aboveboard. I have never had an instance where I thought in any way that my chairman was ever keeping anything hidden, going behind the door or anything such as that. It has been a great working relationship. I thank my friend and my chairman for having that kind of good working relationship with this side of the aisle.

Mr. LUGAR. I thank the Senator.

Mr. KERREY. Mr. President, I will take a few seconds. Earlier in my statement I said very nice things, as they deserved, about the chairman, ranking member, and their staffs and every other staff member of the Agriculture Committee except for one. That was the person who wrote the statement I was reading earlier on the floor. So I want to just take a moment to thank Bev Paul for all the work she did on this piece of legislation. I appreciate very much Senator HARKIN, you and Leader DASCHLE, trusting me enough to put me on the conference committee. I appreciate Bev's contribution to it.

Mr. DOMENICI. I wonder if the distinguished manager will just yield for an observation? It will not take long.

Mr. LUGAR. I yield.

Mr. DOMENICI. Mr. President, I want to say hearty thanks to the U.S. Senate for passing the budget resolution that contemplated this issue and this problem and this solution. Normally, in years past on agriculture emergencies, we have waited until the end of the year and gotten into an enormous argument as to how much emergency relief is enough emergency relief. This year we decided, in the budget resolution, with the help of some experts and the committee, to decide that we would modify the resolution that applies to this year and provide $5.5 billion in this year's budget to be spent by the authorizing committee from a reserve fund set up by the Budget Committee and $1.6 billion for next year, all of which could be used for emergency purposes by the authorizing committee if they chose.

They have chosen to follow that to the letter: $5.5 billion this year and $1.6 billion next year. We have provided in advance a pretty good package, as my colleagues have said, on emergency relief.

I am not the expert. I am not here vouching for every item in the bill, but I am suggesting it is good to recognize that we had the foresight this time in advance to devise a prescription for the solution of what I think is most of the emergency relief that is going to be sought for farmers. There may be others in other bills. I thank everyone for living under that resolution and under that format. I thank the experts who told us this is a pretty good package, and we provided for it in advance. It turned out to be a pretty good dollar number that provides a rather substantial amount of relief.

In addition, we have had budgeted for quite sometime money for crop insurance. It has been languishing until now. It is high time a solution to that has been tailored, and now they are together. There is $7.1 billion of emergency assistance, and it is prescribed by the budgets we have voted for heretofore.

I commend those who have lived within those margins. I do hope the farmers of America understand that we have prescribed a very large package here, in addition to the regular appropriations bill that comes through, and we may have additional arguments on how much additional emergency money might be provided, if any.

I do believe this is a good example of doing it right for a change. We did it right from the very start, and now we are seeing the fruits of some good thinking in advance to avoid conflict at the end of the year.

Mr. President, while the spending in this conference report does not violate the budget, and again I congratulate the authors for following those spending guidelines, I must be honest in saying that some provisions in Title II of this conference report concern me. When the Budget Committee established the $7.1 billion funding to assist producers of program crops and specialty crops, I can assure you that at least this Senator did not envision some of the types of indirect assistance to producers this bill provides. Nonetheless the bulk of assistance will go directly to producers and provide some relief to those now suffering depressed farm incomes.

Finally, it must be said, that once this $5.5 billion in Agriculture Marketing Transition Act, AMTA, payments are made this year, total Commodity Credit Corporation, CCC, outlays for FY 2000 may exceed $30 billion—a historic record level of spending. Just for the calendar year 2000, direct payments to producers will exceed

$21.6 billion—another record. It is also understood that when we return from the Memorial Day recess, the FY 2001 Agriculture Appropriations bill may be before the Senate, and it to may contain additional emergency spending for the current fiscal year.

At a time when the U.S. Congress and the European Parliament are focused on agriculture trade issues, and the level of subsidies being provided on both sides of the Atlantic, I think it is important to take a step back and make sure we all understand what assistance is being provided in this bill to agriculture.

I will support this conference agreement today. But I hope that another bill the Senate may consider after the recess—the PNTR China bill—will provide expanded markets for our agriculture sector and thereby lessen the need for future agriculture subsidies. Most farmers and ranchers I know want to and will produce for the market given a chance. They do not want and should not want to ''farm'' government subsidies.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I thank the Chair. Mr. President, I thank Senator LUGAR, Senator HARKIN, and all the conferees for their hard work in producing a fair final crop insurance package that will provide $100 million in targeted programs for Northeastern farmers who have struggled in recent years, facing low prices and severe damage by drought, flooding, and freezing.

Speaking on behalf of the farmers of New York State, I especially thank my esteemed colleague, Senator PAT LEAHY, and his hardworking staff—Ed Barron, J.P. Dowd, and Melody Burkins—for their creativity and persistence in defending the interests of our region which have all too often been neglected in agricultural debates.

Back in March, I joined Senators PAT LEAHY, BOB TORRICELLI, and JACK REED in a spirited and successful effort to amend this bill to include, for the first time in the history of crop insurance, funds targeted specifically to help our region.

Northeastern farmers have historically low participation in crop insurance for several reasons. Many grow speciality crops that are not eligible for Federal crop insurance, or find that, while they are eligible, the Federal crop insurance programs do not fit their needs. Many are simply not aware of available crop insurance options or have no agents located nearby to sell them policies.

The results have often been catastrophic. When a disaster such as last summer's drought strikes, our farmers have no safety net to fall back on, unlike so many of their Midwestern and Southern counterparts.

As such, these provisions—a $50 million program to promote risk management practices tailored to Northeastern farmers, $25 million for crop insurance education and recruitment targeted at areas traditionally underserved by crop insurance, and $25 million for research into better crop insurance programs for the Northeast—will go a long way to helping the farmers of New England and the Mid-Atlantic region.

Our farmers will especially benefit from the removal of the area trigger for crop insurance policies. This will benefit farmers located in areas isolated by valleys or mountains by allowing them to collect crop insurance for their localized disasters.

Further, specialty crop farmers, as so many of the fruit and vegetables growers in New York State, will benefit from the $200 million USDA purchase of speciality crops as directed in the emergency agriculture package attached to this bill.

I also echo Senator LEAHY's remarks on our understanding of the Agriculture appropriations bill, which we have been assured will contain several additional critical provisions, particularly the assistance for our Nation's dairy farmers who have suffered terribly from low prices, and for apple farmers who have been hard hit by low yields and low quality after 2 years of unavoidable weather extremes, from hurricanes to drought.

I have visited regularly with dairy and apple farmers in my own State and can say they desperately need our help.

I thank, once again, the conferees for crafting a bill that for the first time truly takes into account the unique needs of Northeastern farmers. I voted for the package, and I am glad so many of my fellow Senators voted for it as well.

TRIBUTE TO PAT ROONEY

Mr. LOTT. Mr. President, today, I rise to pay tribute to a businessman who has witnessed the transformation of a company from a single plant operation into a multinational corporation. The businessman I am referring to is Pat Rooney, who is retiring on June 3rd after almost 45 years of service to Cooper Tire and Rubber Company. Mr. Rooney began his career with Cooper Tire in 1956 as a sales trainee. In 1994, Pat Rooney was elected CEO and Chairman of the Board of Cooper Tire. That hierarchical progression is astounding. In this day and time with the ever changing economy, it is almost hard to fathom someone working for one employer for four and a half decades. Pat Rooney saw Cooper Tire and Rubber grow from 1,000 total employees to now 25,000 worldwide. During his tenure at Cooper Tire, Mr. Rooney spent time working in Clarksdale, Mississippi at the rubber products operation in the Mississippi Delta. Cooper has built a significant presence in my state, employing numerous Mississippians at locations in Clarksdale and Tupelo. Pat Rooney lives in Findlay, Ohio and has been very active in the community. He is a Rotarian, active in the Findlay/Hancock County Chamber of Commerce, and the County Community Development Foundation and served on the advisory council of the Arts Partnership of Hancock County. Again, I want to commend Pat Rooney today for his service to his company and his community. Cooper Tire has been fortunate to have such a dedicated employee, leader, and visionary. Mr. Rooney I hope you will enjoy your well deserved retirement.

SCHOOL SAFETY

Mr. LEVIN. Mr. President, earlier this month, the Senate began consideration of the Elementary and Secondary Education Act, a reauthorization bill that would determine our national education policy. We spent a few days on that bill, offering and debating amendments, to reduce class size and reward teachers who improve student achievement, among other things.

On May 9, 2000, the Majority Leader withdrew the education bill from consideration, and the Senate moved on to other business. At the time, the Majority Leader indicated his intent to come back to the education bill, either later in that same week, or the week after.

It is now more than three weeks later and Congress is preparing to adjourn for the Memorial Day recess without addressing a critical component of our national education policy: school safety.

The education bill was likely withdrawn from the Senate because of the possibility of a school safety amendment aimed at curbing gun violence. Unfortunately, education and gun violence are now inseparable issues. The wave of school shootings—in Jonesboro, Arkansas, Littleton, Colorado, and recently, in Mt. Morris Township, Michigan—has changed America's perception of safety in school.

Over the last few years, we have made some gains. Over the four year period, from 1993 to 1997, the percentage of high school students who carried a weapon to school declined from 12% to 9%; the rate of crime against students ages 12 to 18 fell one-third; and 90 percent of schools reported no incidents of serious violent crime in 1996–1997.

Despite these gains, students feel less safe at school, and access to guns is a primary reason why. School violence, or even the threat of school violence, instills fear in our students, and limits their ability to learn. School violence also threatens and intimidates teachers—making instruction more difficult.

The learning environment is in jeopardy, and unless we address the