

The PRESIDING OFFICER. The Senate is now in a period of morning business with Senators permitted to speak for up to 10 minutes each.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent to go back to the farm bill to offer an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MILLER). Is there objection?

Mr. HARKIN. I object.

The PRESIDING OFFICER. There is an objection.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PASSING A FARM BILL

Mr. HUTCHINSON. Mr. President, I filed an amendment. I know I cannot call it up tonight. I hoped to be able to lay down this amendment this evening. At this point, I can't. But hopefully we will be able to work out a means by which I can lay that amendment down tomorrow morning before the cloture vote tomorrow afternoon.

The amendment I filed this evening is the bipartisan farm bill that had been filed earlier by Senator LINCOLN, myself, Senator HELMS, Senator MILLER, Senator SESSIONS, Senator Landrieu, and Senator BREAUX. It is truly the only bipartisan farm bill we have had out here, with four Democrats and three Republicans. It is basically the House bill that was passed by the House of Representatives.

At this late date, I have done everything I can to move a farm bill forward. I again reiterate my strong support for passing and completing a farm bill this year.

Farmers in the State of Arkansas have been very clear with me on this issue, just as I think they have been clear with most Members of the Senate. They want to see a farm bill completed before we leave for Christmas.

When the farm bill debate seemed to be dragging, I urged my colleagues to move forward. We introduced a bipartisan bill closely resembling that which was passed in the House in hopes that it would start the Agriculture Committee moving forward. I commend Senator HARKIN, the chairman, for pushing a markup late in this session. After all of the time and energy that was spent on a lot of issues impor-

tant to this country—the war on terror—Senator HARKIN was determined that we get the bill out of committee. I supported that. I supported the Cochran-Roberts proposal and turned around and supported the chairman's proposal. I thought we had to get something out this year. If it took compromise on my part, I was willing to make it.

I was not the only Republican member of the Agriculture Committee to support the Harkin commodity title. I don't think it is necessarily the best policy, but it is far better than what our farmers are dealing with right now.

When the farm bill came to the floor, I was assured that now was the time we would seek the final compromise to get this farm bill passed. However, the process has broken down along partisan lines. We have not been able to come to a consensus.

I am deeply disappointed that we are at risk of now leaving without a farm bill. I don't blame my colleagues on the Republican side of the aisle. I don't blame my colleagues on the Democrat side of the aisle. But it is time we achieve a compromise. We must not dig in our heels at this point.

I believe the House bill is the best possible chance we have of getting a bill to the President. Again, this bill is sponsored by four Democrats and three Republicans. It was one about which I talked with the chairman of the House Agriculture Committee. It could be conferred very quickly—in a matter of probably an hour's time—and we could have a bill to the President. While all of us may have our preferences, this is our chance to get something to the President this year.

I voted for cloture repeatedly, and I am going to continue to vote for cloture. I have crossed the lines to do so many times. Some have suggested where that line is right now.

I know my farmers want a farm bill. In an effort to move that process forward, I offered this bipartisan alternative. I filed it tonight. It is cosponsored by Senator LOTT and Senator SESSIONS. I am hopeful the cosponsors of the legislation when it was first introduced will join in support of this bill and that we will be able to get a bill signed into law.

Even if we were able to get cloture tomorrow and get it passed at this late date, there is no possible way the differences between the Harkin bill and the House-passed bill could be reconciled in time to help our farmers.

This past weekend I heard the farmers in Arkansas saying if we don't get it done before the new year, it is too late—in effect, that they are now going to their bankers and making the loans. They are making their preparations for crops next year. To wait until after we come back on January 23 before we put together a conference to begin to try to work out differences in the House and Senate bill is not good news for the farmers of this country. The best chance we have of getting this bill

signed into law this year is to adopt this House bill, the substitute, and send it to a quick conference, and on to the President for his signature.

I hope we will have the opportunity in the morning to get this laid down. Depending on the outcome of that cloture vote, we will have a full and thorough debate. An opportunity to vote on this substitute is really our last chance to get a bill signed into law before we leave for Christmas.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, farm-related issues are very important to the people of Nevada. We raise cattle. We have dairies. We grow a lot of garlic. We have one place in the State of Nevada which raises the largest amount of white onions than any place in the United States. Even though it is not a great contributor to our economy, it is a very important contributor to our economy.

For someone who is not involved in the nitty-gritty of the farm bill, I know there is one section I worked on which is extremely important to the people of our country—especially the western part of the United States—dealing with conservation.

It is too bad there is a concerted effort to kill this legislation. This bill is extremely important to our country. Farm bills have been part of this country since we became a country. I hope that tomorrow when we vote again to invoke cloture, people will understand that it may be the last attempt to get a farm bill this year.

With all the plaintive cry, Well, I think we should pass the bill that the House passed some time ago—I am familiar, generally speaking, with the House bill. I am also familiar with what has happened in the Senate. I may not know every line and verse of the Senate bill, but I know, because I have been involved in putting together that bill procedurally, how difficult it has been to arrive at this point where there is general agreement. More than 50 Senators want this bill to pass. I will bet, if the truth were known, it would be a lot more than 50 Senators. People want this legislation to pass.

This is an effort maybe to try to embarrass Senators, I guess. There is no other reason I can think of. I have never said this publicly, but the fact of matter is the chairman of this committee is up for reelection this year. There is nothing more important to the majority leader's State than farm issues. Maybe it is an attempt to embarrass the majority leader.

I could go on with reasons for attempting to kill this bill. But the fact of the matter is the only people being hurt—this is not about Democrats and Republicans being hurt in this stalling procedure—are the people of this country who need this bill. This bill is important to more than agricultural producers in this country. It is important to people who consume these agricultural products.

This is a delicately balanced bill that the majority of the Senate supports. It is a shame—it is a shame, as I see it—there is an attempt being made to kill this legislation.

How many more times, with Christmas Eve being next Monday, can the leader call upon the Senate to vote on cloture? They think there is always going to be another opportunity. Tomorrow may be the last opportunity.

I say to those Senators who are voting against cloture, the responsibility is on their shoulders. This should not be a partisan political issue. This bill was reported out of the Agriculture Committee on a bipartisan vote. So I think it is too bad we are at the point where we are now.

I would hope that tomorrow, when we vote, there would be a sense of how important this bill is to the country.

Tomorrow afternoon, we are going to vote. We are going to vote on invoking cloture on this bill. If cloture were invoked on this bill, we would finish this bill before Christmas. But if we do not, I think it is going to be very difficult to get a bill. I think that would be really, really too bad.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I thank the assistant majority leader for his kind words and his observations on this farm bill.

It is obvious now to all—those in the press, any objective observer—what has been going on here in the Senate, that there is a stall tactic going on. There is no doubt in my mind anymore. Earlier I thought we were just going to have our votes and have our debate and move on. Now it looks as though, for whatever reason, there is politics being played here. It is just a darn shame that our farmers and our ranchers and our people in rural America and in our small towns are being held hostage to a game of politics this late in the year on this farm bill.

I have been through a lot of farm bills in 27 years. I have been through three in the Senate in 17 years. Again, I believe this bill came out of committee with more bipartisan votes than any bill that has ever come out of the Agriculture Committee to the Senate floor.

Every single title of this bill was voted on by Republicans and Democrats in the Senate Agriculture Committee unanimously, except for one title, the commodities title. That got bipartisan support. The Senator from Arkansas voted for that.

I knew we were going to have to come on the floor and probably have debate and amendments on the commodities title. I understood that. I said that when the bill was reported out of committee. But I congratulated the Agriculture Committee for acting in a bipartisan fashion on the bill.

As the Presiding Officer knows, we had tough negotiations. This is a big country. There is a lot of different agriculture. My agriculture in Iowa is dif-

ferent than the agriculture in Georgia or in Arkansas or in California or in Oregon or in Maine. So we had to try to keep this in balance. We had to try to balance all these interests. It was hard work, but we did it. I did not do it. We did it. Republicans and Democrats did it on the Agriculture Committee. We did it together.

I cannot say enough about the working relationship that we had with Senator LUGAR and his staff in working out all these different titles on research, on trade, on conservation, on nutrition, and all these things. Maybe we did not always agree, but we recognized that you cannot always agree on everything. We worked it out. We worked it out to the point where we had a comprehensive, well-balanced bill passed out of committee.

Again, I knew we were going to have some votes on the floor on commodities. That is fair game. But now I see all this other stuff happening now. Now it is becoming clear to me, as we go toward the end of the year, that, for whatever reason, the leadership on the Republican side of the aisle does not want a farm bill out of the Senate before we leave here.

Now, hope springs eternal. If we could get cloture tomorrow, and if we could wrap up the farm bill tomorrow night, on Wednesday—I talked to Congressman COMBEST, who is the chairman of the Agriculture Committee on the House side. I said: If we get it done, can we go to conference? He said he is ready. As soon as we get it done, we go to conference. Can we finish it before we get out of here? I assume we are going to get out of here this weekend. I hope. It is probably unlikely now, but at least we would start. And the farmers and ranchers of this country, and the people in rural America, would know we were committed, we passed the bill, we got it out of here, and we are in conference.

Even if we couldn't finish the conference by Friday or Saturday, it would mean, I say to my friend from Nevada, that our staffs in the Senate and the House—Republican staff and Democratic staff—in early January, before we come back here, could begin to work all these things out before we have to go to conference. When we come back on the 23rd of January, we could have it just about wrapped up. Maybe there would be a few final things in conference. But we could get the bill passed and get it to the President by the end of January.

If we do not pass the bill in the Senate before we leave, it will not be on the President's desk before the end of January. I will tell you something else. It will not be on the President's desk before the end of February, if we do not finish this bill in the Senate this week.

So for those who talk all the time about certainty for our farmers and for our bankers and for our lenders, and people who have to come in and get the money they need, I say to my friend from the South, you need it before we

need it in the Midwest. Your farmers are in the field before ours. And their lenders and their bankers want to know, with certainty, what is out there.

I say to my friend from Nevada, if we do not finish the bill in the Senate before we leave here, and our staffs cannot work on it to get to conference, and work out all these things so that when we come back on the 23rd, the President will not have this bill, that means we will still be on the farm bill when we come back here on the 23rd, and then it is "Katie bar the door." You think you have amendments now? You wait until we come back here on the 23rd. We will have 200 amendments or more.

I will say it one more time so I am absolutely clear. If this bill is not passed in the Senate before we leave here, the President will not have it on his desk before the end of February. We will be lucky to have it by March.

Then, if that is not enough, we are going to have January estimates coming out of OMB. It is going to show that we are going to slide even further into deficit spending. And then guess what has happened to our \$73.5 billion that we have over the next 10 years. Kiss it good-bye.

Now go home and tell your farmers how you stopped this bill in the Senate, and now we have less money for our farmers and people in rural America because it was stopped before we could get out of here at the end of the year. That is what is at stake.

So I say to my friends on the other side of the aisle, who are slowing this down: You are playing a dangerous game. You may think you are getting me. You may think you are getting Majority Leader DASCHLE. But you are getting the farmers. You may be shooting at us, but the bullets are hitting the farmers and ranchers of America. They are not hitting us, not at all.

We have done our job. We pulled this bill together. This is a good bill. It is a good bill for America. It is a balanced bill. Am I saying it is perfect? Of course it is not perfect. If I could write the farm bill by myself, I would put it all in Iowa. Then it would be perfect.

It is a balanced bill.

I understand that my friend from Arkansas has just filed an amendment which is the House-passed farm bill. The House passed its bill. He wants to offer the House bill. That way we don't even need to have a conference. It just goes to the President. Of course, that is the bill the President said was unsatisfactory. If the House bill were to pass, it means we don't have a conference. That is the end of it. It undoes all the hard work we did, all of the hours that the occupant of the Chair and I and Republicans working together, Senator LUGAR, his staff, all of us working together to bring a balanced bill together.

Why are we Senators? If all we want is what the House does, why are we Senators? Why do we spend this time?

As a Senate and as Senators, we do tend to look at things in a broader perspective. We have been Members of the House, most of us here. We tend to take a broader perspective. That is what this bill does, it is broader based. It is for all of the country.

The House bill doesn't do enough for conservation. There is no energy title in it. This is a bill we ought to be proud of. We have an energy title for the first time ever in a farm bill, we have an energy title to promote ethanol and soy diesel and biomass and wind, all of the different forms of energy—methane. That is in this bill. It is not in the House bill. So we just throw that out the window, too.

Farmers want different markets. They want an energy provision. They want to know that we are going to start promoting ethanol more than we ever have in the past. If you vote for the House bill, kiss it goodbye.

I say to my friends who are thinking of voting for the House bill, they ought to think again. Take a look—I say to every Senator here—add up, look at it first economically. Add up what happens to your State in the next 5 years under the committee-passed bill and under the House bill. I will wager that every single State represented in this Chamber will do better overall under the committee bill than under the House-passed bill economically, in terms of commodities and everything else. Add them all up, conservation payments, energy payments, all those things, add them all up.

The PRESIDING OFFICER. The Senator's 10 minutes have expired.

Mr. HARKIN. Hope springs eternal. I will not give up. I will not quit. I will never give up in trying to get the best deal possible for all the farmers of this country. I don't care how long we have to stay here, how late we have to stay here. I will fight to the last day, to the last breath to get this bill out of here and get it out of the Senate because it is best for America and it is best for our farmers.

The PRESIDING OFFICER. The Senator from Nevada.

ORDER OF BUSINESS

Mr. REID. Mr. President, if I could say to Senators here assembled, we have some matters we need to take care of to wrap up for tonight. I see Senator GRASSLEY is here, Senator HUTCHINSON, and Senator SESSIONS. If I could ask through the Chair to each of them, if they wish to speak in morning business before we adjourn tonight, I will try to get some time for each of them to do that.

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

Mr. REID. I am happy to yield for a question.

Mr. GRASSLEY. I have to assume that after listening to you and after listening to Senator HARKIN, you don't want to hear another point of view on this issue in conformity.

Mr. REID. I didn't say that.

Mr. GRASSLEY. I would like to speak before you speak.

Mr. REID. What I would do, to inform the Senator, I will go through the wrap-up and then just indicate how much time each of you wish to speak tonight.

Mr. GRASSLEY. Then let's leave it this way. You are doing exactly what I said. I won't say anything, but I resent your saying that we are stalling on this side when I was here to offer an amendment even at this late date. You told me less than an hour ago, no more amendments. So have the record show that the Senator from Iowa, the senior Senator from Iowa, was ready to offer an amendment and go through a time.

Mr. REID. Mr. President, I say to my friend, who is the senior Senator from Iowa—and I have the greatest respect for him—we have been on this bill for a long time. People can go through all the machinations they want, saying they were ready to offer amendments. The fact is, we voted on cloture on two separate occasions. It has been opposed. We are going to do it again tomorrow. The fact is, we had other votes to do tonight.

I actually was contacted by the assistant minority leader, and he asked that we not have another vote. I agreed with that. I felt it was time to wrap things up. It was about 22-to-9 then.

As I told the Senator from Iowa, when we were not speaking publicly, but I will say this publicly, no one has ever questioned the work ethic of the Senator from Iowa. He has been, since I have been here, one of the first to get here and always one of the last to leave. No one questions the work ethic of the Senator from Iowa. I want to make sure the record is clear in that regard.

Does the Senator from Arkansas wish to speak tonight?

Mr. HUTCHINSON. If I could have 5 minutes.

Mr. REID. And the Senator from Alabama?

Mr. SESSIONS. Ten minutes.

SMALL BUSINESS PAPERWORK RELIEF ACT

Mr. KERRY. Mr. President, I speak today in support of Senator VOINOVICH's legislation, S. 1271, the Small Business Paperwork Relief Act of 2001, as well as my amendment to improve the legislation for the benefit of America's small businesses.

While legislation such as the Regulatory Flexibility Act, and the Small Business Regulatory Enforcement Fairness Act have made great strides in helping to ease the regulatory burden on our small businesses, more work remains to be done.

In the report prepared by the Small Business Administration's Office of Advocacy on the recommendations of the White House Conference on Small Business in 1995, the Office of Advocacy stated that, "Federal, State and local

governments impose numerous requirements on the operation of businesses. The burdens associated with these requirements are often exacerbated by substantial paperwork and record-keeping requirements. In addition to the cost and administrative burdens, small and growing businesses have difficulty simply keeping abreast of the various regulatory and paperwork requirements." Six years later, this statement is still true.

While I support the Small Business Paperwork Relief Act, I think it is important to point out that I objected to an original request to pass this legislation by unanimous consent because the Committee on Small Business and Entrepreneurship, which I Chair, has jurisdiction over some of the issues included in this legislation. Additionally, the expertise of the Committee on issues of importance to small businesses can only serve to enhance any legislation designed to help our nation's small businesses. That being said, Senator VOINOVICH and I have addressed my questions about the legislation and agreed to an amendment. I believe the bill is better because of our work.

The legislation originally called for the Director of the Office of Management and Budget, OMB, to appoint members to the "Task Force" created in the legislation from the various agencies listed in the bill. Although I had no objection to the Task Force being led by the OMB Director, I did have reservations about the OMB Director selecting the participants, a function that should be vested with each agency head. The amendment makes this change.

Additionally, my amendment has a provision stating that in any report issued by the Task Force, minority views must be included. This provision has been added as a result of my consultations with SBA's Office of Advocacy, who were concerned that reports issued on small business issues may not reflect the views of small business advocates. By allowing minority opinions, any report issued by the Task Force will at the very least contain concerns raised by the small business community.

My amendment also adds the National Ombudsman to the list of recipients receiving bi-annual reporting on the number of enforcement actions taken by agencies. The National Ombudsman, located at the SBA, serves as a confidential resource to field complaints and comments from small businesses about the regulatory process and actions taken by regulatory agencies. Additionally, the National Ombudsman rates Federal regulatory agencies on their treatment of small businesses and issues a report card. Therefore, I felt it appropriate that agency information regarding regulatory enforcement be shared with the National Ombudsman.

Finally, my amendment makes a technical change in the legislation to