

The legislative clerk read as follows:

The Senator from West Virginia (Mr. BYRD), for himself and Mr. BURNS, proposes an amendment numbered 4474 to amendment No. 4472:

On page 83, line 13, strike "\$650,965,000" and insert in lieu thereof "\$640,965,000".

Mr. BYRD. Mr. President, this amendment corrects an error with respect to the appropriation for the fossil energy account. On page 83, line 13, as the clerk has stated, the figure of \$650,965,000 should read \$640,965,000. The amendment that I sent to the desk on behalf of Mr. BURNS and myself makes this correction. I yield the floor so my distinguished counterpart may comment if he wishes.

Mr. BURNS. No comment here. We support it.

The PRESIDING OFFICER. If there is no further debate, without objection the amendment is agreed to.

The amendment (No. 4474) was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BURNS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4475 TO AMENDMENT NO. 4472

Mr. BYRD. Mr. President, a final technical amendment which I shall offer at this moment corrects a typographical error in the bill. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia (Mr. BYRD), proposes an amendment numbered 4475 to amendment No. 4472:

On page 26, line 15, strike "315" and insert in lieu thereof "301".

Mr. BYRD. Mr. President, this amendment, which is supported by my colleague, Mr. BURNS, as I say, corrects a typographical error in the bill. On page 26 of the Senate bill, under the section titled "Administrative Provisions," the National Park Service is authorized to purchase 315 passenger vehicles. That number should be 301.

The amendment makes that correction. And as I stated, I know that the distinguished ranking member is supportive of the proposal. I urge its adoption.

I yield the floor before the Senate votes on this amendment so that the distinguished Senator, who is the ranking member, may be recognized if he wishes to be recognized.

Mr. BURNS. We have no objection to this amendment, Mr. President. We fully support it.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 4475) was agreed to.

Mr. BYRD. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. BURNS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, I have no further technical amendments at this time. I do have an amendment, which I will not offer at this time, to provide funds to repay accounts from which funds were borrowed for emergency wildfire suppression. I will not offer that amendment at this point. I am sure there is going to be an amendment or amendments to the amendment. I shall withhold offering the amendment until the majority leader, majority whip, and other interested Senators—on both sides of the aisle—are back from their visit to the White House and at their desks.

Mr. President, does my colleague have something he wishes to say? If he does, I will sit down.

Mr. BURNS. I will say to my chairman that there will be some discussion. There is no doubt. It is only fair that the leadership be on the Hill whenever we take this up because it has high interest. Many of those funds that were borrowed for fire suppression are impacting other programs within the Department of Interior and the Forest Service. So we think it is a very important amendment. We are supportive and would hope the rest of the Senate would approve of it, too.

I think this is an area that warrants debate in the Senate so we know what we are spending the money for and how it impacts those lands where the U.S. Forest Service and the Department of Interior have a high presence.

Mr. President, I see no one else seeking the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. BYRD. Mr. President, with the approval of my colleague, Senator CONRAD BURNS, I ask unanimous consent that the Senate stand in recess awaiting the return of the majority leader and/or the minority leader—the return of those two leaders—and/or the whips on both sides.

There being no objection, at 10:11 a.m. the Senate recessed subject to the call of the Chair and reassembled at 11:39 a.m. when called to order by the Presiding Officer (Mrs. CLINTON).

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2003—Continued

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDMENT NO. 4480

Mr. BYRD. Madam President, I am about to send to the desk an amend-

ment. Before doing so, let me just briefly tell Senators what this amendment is about.

This amendment is being offered by myself, Senator BURNS, Senator STEVENS, and other Senators. It addresses the critical firefighting needs of the Forest Service and the Bureau of Land Management.

As many of our colleagues know, 2002 is turning out to be one of the most devastating fire seasons on record. Therefore, our amendment provides \$825 million in emergency funding to reimburse the various accounts from which these agencies are currently borrowing. Of the amount provided, \$636 million is allocated to the Forest Service and \$189 million is allocated to the Department of the Interior. These are the exact amounts requested by the President just last week.

If anyone may think that this money is not needed, let me briefly state for the record, over the past 10 years the average number of acres burned by fire between January 1 and September 3 has been 3.2 million acres. This year—this year—however, the comparable number of acres burned is 6.3 million, almost twice the 10-year average.

This problem is much more than just numbers of acres burned. The devastation and destruction resulting from these fires is almost too much to comprehend. More than \$1 billion will be spent on fighting fires, nearly 2,300 structures have been destroyed, and 20 brave firefighters have lost their lives. Clearly, this situation amounts to a domestic emergency of historic proportions.

I send to the desk, Madam President, an amendment, the amendment to which I have already referred, for the clerk's reading, after which the amendment will be open to amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from West Virginia (Mr. BYRD), for himself, Mr. BURNS, Mr. STEVENS, Mr. REID, Mr. DOMENICI, Mrs. MURRAY, Mr. CRAIG, Mr. WYDEN, Mr. KYL, and Mr. BAUCUS, proposes an amendment numbered 4480.

Mr. BYRD. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide funds to repay accounts from which funds were borrowed for emergency wildfire suppression)

On page 127, line 2, immediately following the " " insert the following:

"TITLE IV—WILDLAND FIRE
EMERGENCY APPROPRIATIONS
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WILDLAND FIRE MANAGEMENT"

For necessary expenses to repay prior year advances from other appropriations transferred for emergency rehabilitation or wildfire suppression by the Department of the Interior, \$189,000,000, to be available immediately upon enactment of this Act and to

remain available until expended: *Provided*, that the Secretary of the Interior shall certify in writing to the House and Senate Committees on Appropriations within 30 days of receiving funds under this title which appropriations accounts from which funds were advanced in fiscal year 2002 for emergency rehabilitation or wildfire suppression have been repaid and the amount of repayment: *Provided, further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RELATED AGENCY
DEPARTMENT OF AGRICULTURE
FOREST SERVICE
WILDLAND FIRE MANAGEMENT

For necessary expenses to repay prior year advances from appropriations accounts from which funds were borrowed for wildlife suppression, \$636,000,000, to be available immediately upon enactment of this Act and to remain available until expended: *Provided*, that the Secretary of Agriculture shall certify in writing to the House and Senate Committees on Appropriation within 30 days of receiving funds under this title which appropriations accounts from which funds were advanced in fiscal year 2002 for wildfire suppression have been repaid and the amount or repayment: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Madam President, I am supportive of this amendment. I thank my chairman for offering this amendment. And nothing could be closer to the truth than the reason he stated for the appropriation of these funds.

It is not just that it is over 6 million acres this year; it is where those acres are located, as we have seen more burning this year in the forest and urban interface areas than we have ever seen. And they have been devastating. It has been in areas where it could have and should have taken more management skills to prevent the fires, but, nonetheless, that is the situation in which we find ourselves.

So I am very supportive of this amendment. I thank the chairman of the Appropriations Committee. As we debate this amendment today, I think the rest of the Senate will, too. Not only is there a shortfall in the funds that they had to borrow from in other programs that do other things that are very important within the Department of the Interior and the BLM, the Park Service, the Forest Service, but other programs suffered because of these devastating fires this year.

So I thank my chairman and look forward to working with him as we move this legislation through the Senate.

I yield the floor, Madam President.

Mr. BAUCUS. Will the Senator yield for a unanimous consent request that I be added as a cosponsor of this amendment?

Mr. BYRD. Yes. Absolutely. I make that unanimous consent request, Madam President.

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

The majority leader.

Mr. DASCHLE. Madam President, I want to also indicate my strong support for the amendment just offered by Senator BYRD.

Like many States in the West and throughout the country, South Dakota has suffered this year, especially from fires that have devastated many parts of the Black Hills in particular. Thousands of acres have been lost. So, clearly, this legislation is needed.

I am pleased the administration recently indicated, for the first time, its willingness to support, on an emergency basis, additional funds for firefighting. So I am grateful to the distinguished chairman for his amendment. I strongly support it.

AMENDMENT NO. 4481 TO AMENDMENT NO. 4480

Madam President, I am mystified, however, that the administration, while willing to support, on an emergency basis, the funds necessary to fight fires, has, at least up until now, expressed opposition to providing assistance to those who are suffering from drought. In many cases, drought can be just as devastating economically as fires. The response on the part of the Federal Government is every bit as important as it is for fires. There appears to be a disconnect between those who support funding to fight fires and those who oppose funding for purposes of fighting drought.

So I intend to offer an amendment on behalf of Senators BAUCUS, JOHNSON, HARKIN, CARNAHAN, BURNS, DORGAN, NELSON of Nebraska, STABENOW, LEVIN, CLINTON, LINCOLN, CONRAD, WELLSTONE, DAYTON, SCHUMER, and REID. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from South Dakota, [Mr. DASCHLE], for himself, Mr. BAUCUS, Mr. JOHNSON, Mr. HARKIN, Mrs. CARNAHAN, Mr. BURNS, Mr. DORGAN, Mr. NELSON of Nebraska, Ms. STABENOW, Mr. LEVIN, Mrs. CLINTON, Mrs. LINCOLN, Mr. CONRAD, Mr. WELLSTONE, Mr. DAYTON, Mr. SCHUMER, and Mr. REID proposes an amendment numbered 4481 to amendment No. 4480.

Mr. DASCHLE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide emergency disaster assistance to agricultural producers)

At the appropriate place, insert the following:

**TITLE —EMERGENCY AGRICULTURAL
DISASTER ASSISTANCE**

SEC. 01. CROP DISASTER ASSISTANCE.

(a) IN GENERAL.—Notwithstanding section 508(b)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(7)), the Secretary of Agriculture (referred to in this title as the “Secretary”) shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this section available to producers on a farm that have in-

curred qualifying crop losses for the 2001 or 2002 crop due to damaging weather or related condition, as determined by the Secretary.

(b) ADMINISTRATION.—The Secretary shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-55), including using the same loss thresholds for the quantity and quality losses as were used in administering that section.

SEC. 02. LIVESTOCK ASSISTANCE PROGRAM.

(a) IN GENERAL.—The Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation as are necessary to make and administer payments for livestock losses to producers for 2001 and 2002 losses in a county that has received an emergency designation by the President or the Secretary after January 1, 2001, and January 1, 2002, respectively, of which an amount determined by the Secretary shall be made available for the American Indian livestock program under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-51).

(b) ADMINISTRATION.—The Secretary shall make assistance available under this section in the same manner as provided under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 105-277; 114 Stat. 1549A-51).

SEC. 03. COMMODITY CREDIT CORPORATION.

The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title upon enactment.

SEC. 04. REGULATIONS.

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this title.

(b) PROCEDURE.—The promulgation of the regulations and administration of this title shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 05. EMERGENCY DESIGNATION.

(a) IN GENERAL.—The entire amount made available under this title shall be available only to the extent that the President submits to Congress an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

(b) DESIGNATION.—The entire amount made available under this section is designated by Congress as an emergency requirement under sections 251(b)(2)(A) and 252(e) of that Act (2 U.S.C. 901(b)(2)(A), 902(e)).

Mr. BYRD. Madam President, would the distinguished majority leader add my name to the list of Senators who are cosponsors of this measure?

Mr. DASCHLE. Madam President, I would be happy to add the name of the distinguished Senator from West Virginia, Mr. BYRD, as a cosponsor. I ask unanimous consent that he be added as a cosponsor of the amendment.

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

Mr. DASCHLE. Madam President, first of all, let me also express publicly my appreciation to Senator BYRD for his accommodation of my schedule this morning. He was prepared to offer his amendment some time ago and withheld doing so in order to accommodate my schedule. As always, he is very courteous, and has been very helpful to me in this case. I appreciate his cooperation.

Madam President, when the Senate passed the farm bill 202 days ago, we agreed, overwhelmingly, to include assistance for farmers and ranchers who suffered serious economic losses as a result of natural disasters during the crop-year of last year. Madam President, 69 Senators—Republicans and Democrats—voted to include that assistance in the farm bill.

The administration at that time, and Republican House leaders, objected. In conference, they threatened to block any farm bill from passing unless we removed the natural disaster assistance for this year. They said they would block all assistance for farmers and ranchers unless we agreed to drop disaster assistance.

So, reluctantly, we agreed. But we said, when the farm bill passed, that the need for disaster assistance for farmers and ranchers would not go away. It would only get worse, and we would have to revisit the issue. That is what we are doing once again today.

Our amendment is simple and straightforward. It does not create a new program. All it does is fund existing crop loss and livestock assistance programs for this year and last year. It does, in other words, exactly what 69 Senators agreed to do 202 days ago.

There are some who said we should not spend another dollar on agriculture. They say the new farm bill is more than generous. I want to make an important distinction. The new farm bill covers loss due to low prices. It does not cover losses due to natural disasters. Farmers and ranchers all across America are suffering staggering losses due to natural disasters.

In fact, in yesterday's Wall Street Journal there was a report that indicated the current drought may be the most expensive in all of U.S. history.

According to the Journal:

The U.S. may be looking at the most expensive drought in United States history, inflicting economic damage far beyond the Farm Belt.

In South Dakota, the drought is costing farmers upwards of \$5 million a day. All told, the impact on my State alone is estimated to be \$1.8 billion to agriculture and rural business. Things are getting worse by the day. Some counties have had less rain this year

than they had in 1936, at the height of the Dust Bowl.

For as long as I can remember, the Congress has agreed that disaster relief constitutes an emergency. Disaster relief for wildfires, tornadoes, floods, or any other natural disaster is truly an emergency. It is astounding to me now that during what may be the most serious of all droughts we have had in U.S. history, some people would want to change that. They would say that farmers and ranchers don't need or don't deserve disaster assistance. They are wrong.

The farm bill doesn't include funds to help farmers and ranchers weather this unprecedented set of circumstances. Unless we act, many of them simply will not survive.

We should not discriminate against those who are hurting simply because of the nature of the disaster. Whether it is caused by floods or droughts or wildfires, whether it devastates Texas or South Dakota or any other State, an emergency is an emergency. Sixty-nine of us recognized that fundamental fact 202 days ago. I urge my colleagues to reaffirm it as we consider this amendment.

I yield the floor.

AMENDMENT NO. 4481, AS MODIFIED

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Madam President, may I ask the distinguished majority leader: The leader and the assistant leader and the distinguished ranking member of the subcommittee, Mr. BURNS, Mr. BAUCUS, and I earlier had a discussion to the extent that the offeror, the author of the amendment, Mr. DASCHLE, would modify the amendment to make it read that the funds would be available in fiscal year 2002 and that the amount would be charged to the Committee on Agriculture, the authorizing committee. Are these provisions included in the amendment?

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. If I could respond to the distinguished Senator from West Virginia, I would confirm that the issues raised just now by the distinguished Senator are ones to which we have agreed. Obviously, we have to incorporate the appropriate language in order to accommodate that agreement. It is my intention to do so. At some point, I will ask unanimous consent that the amendment be so modified to accommodate those requests.

Let me reiterate, they would involve charging whatever funds may be used against the Agriculture Committee. I would draw a distinction between that implication or that requirement and any implication that that would entail using funds from the recently passed farm bill. The Congressional Budget Office has indicated we are not able to do that, to draw funds from the farm bill, per se. But none of us has any objection to charging the funds against the committee itself.

Let me also say, we certainly have no objection to ensuring that those funds

are taken from the fiscal year 2002 budget allocation and not the 2003.

So we certainly would be in agreement with both recommendations and would be offering modifying language when we have it. I understand the language is now at the desk. I ask unanimous consent that the amendment be so modified.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Madam President, as I understand it, the author of the amendment needs no consent to modify his amendment at this point, no action having been taken on his amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. DASCHLE. I simply would then modify my amendment.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 4481), as modified, is as follows:

At the appropriate place, insert the following:

TITLE —EMERGENCY AGRICULTURAL DISASTER ASSISTANCE

SEC. —01. CROP DISASTER ASSISTANCE.

(a) IN GENERAL.—Notwithstanding section 508(b)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(7)), the Secretary of Agriculture (referred to in this title as the "Secretary") shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this section available to producers on a farm that have incurred qualifying crop losses for the 2001 or 2002 crop due to damaging weather or related condition, as determined by the Secretary.

(b) ADMINISTRATION.—The Secretary shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-55), including using the same loss thresholds for the quantity and quality losses as were used in administering that section.

SEC. —02. LIVESTOCK ASSISTANCE PROGRAM.

(a) IN GENERAL.—The Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation as are necessary to make and administer payments for livestock losses to producers for 2001 and 2002 losses in a county that has received an emergency designation by the President or the Secretary after January 1, 2001, and January 1, 2002, respectively, of which an amount determined by the Secretary shall be made available for the American Indian livestock program under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-51).

(b) ADMINISTRATION.—The Secretary shall make assistance available under this section in the same manner as provided under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 105-277; 114 Stat. 1549A-51).

SEC. —03. COMMODITY CREDIT CORPORATION.

The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title upon enactment.

SEC. —04. REGULATIONS.

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this title.

(b) PROCEDURE.—The promulgation of the regulations and administration of this title shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act").

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 05. EMERGENCY DESIGNATION.

(a) IN GENERAL.—The entire amount made available under this title shall be available only to the extent that the President submits to Congress an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

(b) DESIGNATION.—The entire amount made available under this section is designated by Congress as an emergency requirement under sections 251(b)(2)(A) and 252(e) of that Act (2 U.S.C. 901(b)(2)(A), 902(e)).

SEC. CONGRESSIONAL BUDGET ACT.

Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217, the provisions of this section that would have been estimated by the Office of Management and Budget as changing direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 were it included in an Act other than an appropriations Act shall be treated as direct spending or receipts legislation, as appropriate, under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, and by the Chairman of the Senate Budget Committee, as appropriate, under the Congressional Budget Act.

Mr. BYRD. I thank the distinguished majority leader.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, I think finally we are here. Finally we will pass agricultural disaster assistance which is so needed by many farmers and ranchers throughout our country. The amendment now pending is the amendment I offered which got 69 votes just 200 days ago. It has been modified.

My colleague, Senator BURNS, and I have modified the amendment so it applies to years 2001 and 2002—that is, to crop losses and livestock losses in both those years—whereas the earlier amendment I offered covered losses only in the year 2001. This has been a devastating year, in addition to 2001 being a devastating year.

Mother Nature works in strange ways. Some parts of America are hit in some years rather than others. It doesn't rain in some parts of our country in some years, whereas it does in others. That is true within States. Last year was worse for my State of Montana, and this year is a little bit better, but not a lot.

For Montana, it is not just 2 years of drought, it is successive years of drought. It is 4 or more years depending upon where you are located in my State. I say that not only because of the obvious implication that there are 4 years of farmers who are not producing the quality or quantity of crops that they should, but also because of the perverse way crop insurance works. I point this out to my colleagues who may not be as steeped in agricultural policy as others.

I ask unanimous consent, even though we will get into morning business, that I be allowed to continue as in morning business.

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

Mr. BAUCUS. The perverse operation of crop insurance is that with each successive year's drought, premiums rise but coverage decreases. That is how crop insurance works; namely, premiums rise during years of droughts and coverage declines.

Some might ask, why do we need agricultural disaster assistance when we have Federal crop insurance? That is a good point. Federal crop insurance is helpful. Federal crop insurance is widely available in most parts of the country. The fact is, crop insurance today provides less coverage than is needed because of the perverse effect of the operation of the program and does not negate the need to provide natural disaster.

Again, to repeat, in successive years of drought, premiums that farmers pay for Federal crop insurance rise and the coverage continues to decline with each year that passes during a natural disaster. That is the way it works because farmers have less of production history, less acreage in a prior year that is available.

Add to that, when you have successive years of drought, it might rain this year, as it has in some parts of my State, but that is just the surface soil that is given moisture. It is the subsurface soil down 1, 2, 3 feet that is parched. It is so dry. A lot of crops have roots that go deeper. In addition, very dry subsurface soil has an effect on the moisture content at the surface. So there are many reasons this has just mounted.

In 1996—I can only speak for Montana; I cannot speak as authoritatively for other States—before these successive years of drought began, farmers received almost \$1 billion in cash receipts from wheat; \$847 million, to be precise. Last year, 5 years into the drought, Montana received only \$317 million in cash receipts—that is a 62-percent decline—just because of the drought.

The same is true with livestock. We are talking about not only crop assistance but also livestock because in drought years feed prices are extremely high and ranchers are liquidating their herds. The range is in poor condition. It just adds up and has a very detrimental cumulative effect.

Agriculture is more than 50 percent of my State's economy. It is truly the backbone of our State's economy. So a drought affects not only farmers and ranchers specifically, but it affects communities, it affects schools and businesses, because when farmers don't have a crop, what happens? They are not buying seed, they are not buying fertilizer, not buying fuel, not buying all the staples that go into agriculture.

When that happens, clearly, the towns begin to suffer dramatically. It affects our schools and the income available to schools. It affects the psychology of the communities. More than that, it affects the number of people who are willing to stay and fight and live in those communities.

Many communities in Montana are losing population. If we don't get this agricultural disaster assistance, I can guarantee you that the failure is going to hasten the decline of the populations in many parts of our country. I can speak personally for parts of my State of Montana.

The leader made an excellent point a few minutes ago, which is that we passed a farm bill that addressed economic assistance for farmers. It is needed because the earlier farm program, "freedom to fail" was just that; it hurt farmers. There was no safety net. Farmers fell through the cracks and holes in the safety net. We didn't have a basic underpinning for people. Not only was it necessary for farmers to have that underpinning, but I want to remind my colleagues that we have a big battle with other countries that support their farmers much more than America supports its farmers.

I also might point out an interesting statistic, which is that agricultural trade barriers worldwide average about 60 percent. Manufacturing trade barriers and tariffs average about 5 percent. We Americans have very few barriers to agricultural trade. There are some commodities, such as peanuts and sugar, that have some assistance, but when it comes to the basic commodities of wheat and barley, we have virtually no protective subsidies. We have no trade barriers to help our industries, whereas, as I mentioned before, the average agricultural trade barrier worldwide is 60 percent. So, clearly, we have to help our people when other countries are helping theirs so much more than we are.

Second, in 1975, the European Union was the largest net importer of agricultural products. They didn't like that, so they started doing something about that. They decided to enact various measures within Europe, price levies, agricultural export subsidies, and similar measures. By 1985, Europe was the largest net exporter of agricultural products. That was a big turnaround in 10 years because of the degree to which they were protecting their producers.

Eighty-two percent or eighty-six percent of the world's agricultural export subsidies are European Union. Their agricultural export subsidies are about

85 percent of the world's agricultural export subsidies. What are America's? Maybe 2 percent. Our Export Enhancement Program is just peanuts compared with what the Europeans do. So we have to fight and we have to help our farmers. The farm bill was to help our farmers.

We are talking today about something totally different. What is it? We are not talking about assistance for low prices, we are talking about disaster assistance. When there are tornadoes, our country responds with disaster assistance. When there are floods, our country responds with disaster assistance. We had the Trade Towers tragedy—an unspeakable tragedy—and our country responded to that disaster. We are simply stating—all of us who are sponsoring this amendment—in fact, I was the original author of this amendment along with Senator BURNS. We are saying here is another disaster, but not because of a tornado, earthquake, or floods, but because of the drought, people need help. There is no reason that drought should play by a different set of rules than other natural disasters.

We have the opportunity today to keep our rural communities and economies alive. Rural America is resilient. And like them, I will not give up. Thousands of people are suffering from the relentless drought. They deserve emergency agricultural assistance and I will continue to fight until we are successful.

I urge my colleagues to support this amendment. It is long overdue and desperately needed.

I yield the floor.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I will be brief. I know others want to speak.

I think I speak for the Presiding Officer, given what he has seen in South Dakota. Senator DASCHLE also talked about the drought. Let me make this appeal to my colleagues. In northwestern Minnesota, there are 17 counties that have been declared Federal disasters. In our case, it is the flooding. I cannot remember more emotional gatherings I have ever been to since I have been in the Senate. We have had a lot of this kind of flooding, and I have been in towns devastated by tornadoes.

I make this appeal to my colleagues. Never in the years I have been a Senator—and I will be finishing up my 12th year—have I voted against disaster assistance for any community anywhere in the United States of America, whether it is tornadoes, hurricanes, fire, drought, or whether it is flooding. I believe this is a perfect example of there but for the grace of God go I. The devastation to so much rich farmland in Minnesota and to those farmers and these communities is not because people have been bad managers. Nobody asked for this. As Senator DASCHLE

said, we are not talking about counter-cyclical income for low prices; we are talking about disaster relief.

So I will say to every Senator, Democrat and Republican, we hope we will have your support. This is what we do as a community. This is what we do as a national community. We provide help to people. I know the President has said no to this. I wish he would take another position. But I really believe Senators understand full well that this kind of disaster can happen to any community in any one of our States, and I think this is a time when we really should come together, a time when we become a community to help communities.

I am so pleased that this amendment is on the floor. I know we are soon going to go back to the homeland defense bill, but tomorrow we will be back on this amendment. Tomorrow, there will be an up-or-down vote. Tomorrow, I hope Senators will vote for this. Right now, for me, as a Senator from Minnesota, it is a priority to get help to these people. A lot of farmers and a lot of people in northwestern Minnesota really need the help. Please provide that help.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

MORNING BUSINESS

Mr. DORGAN. Mr. President, I ask unanimous consent that the 1 hour designated for morning business begin now.

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

DISASTER RELIEF

Mr. DORGAN. Mr. President, let me follow the remarks of my colleague from Minnesota, Senator WELLSTONE, and say as a cosponsor of this disaster relief that I have never voted against a proposal to help people in this country who have suffered a disaster. There are many kinds of disasters that people suffer, and in each and every case I have been pleased to be a part of this Congress to say to them you are not alone, the rest of the country wishes to help. It is an important thing to do.

Disaster, in this case, is spelled in part of my State by a drought that is devastating. It means those who have invested their lives and fortunes to put seeds into the ground, hoping to raise a crop and to have some income with which to raise a family, have discovered that drought has killed their crop. There is nothing to harvest. There is nothing left. In other parts of the State, flooding has prevented fields from being planted. Yes, we ought to respond to this in a positive way.

I support the efforts of Senators DASCHLE and BAUCUS and JOHNSON of South Dakota, WELLSTONE, and others, and I am happy to be a cosponsor of the bill.

THE ECONOMY

Mr. DORGAN. Mr. President, I intend to put into the RECORD a letter I sent to President Bush several weeks ago on the subject of having an economic summit meeting.

I note that the President had a forum of some type in Crawford, TX, when he invited people who agreed with his fiscal policy to talk about how well the administration's policies are working.

I believe we have significant economic difficulties in this country. The Federal budget deficits now continue to skyrocket.

We have a budget that does not add up, a fiscal policy that does not make much sense. I think we ought to have an economic summit at which people of varying opinions come together and have a competition of ideas about what works and what does not, so that we can find ways to put our country back on track.

I hope the President convenes this much-needed economic summit.

(Mr. WELLSTONE assumed the chair.)

CORPORATE RESPONSIBILITY

Mr. DORGAN. Mr. President, I wish to comment on one additional matter. I intend to hold some hearings in the Commerce subcommittee that I chair, on the issue of corporate responsibility.

We recently passed legislation dealing with corporate responsibility in the Senate. It was subsequently signed by the President. I supported that legislation, but I thought that it could be improved in some areas.

During Senate debate, I tried to offer an amendment dealing with the issue of bankruptcy, that called for recovery of profits by top executives of companies that went bankrupt. The amendment was blocked by my colleague, the Senator from Texas, who kept me from offering it over several days. I was not able to offer that amendment on the bill, but I am going to continue to push it.

My point is this: As corporations go bankrupt and as those CEOs take increasing amounts of money out of corporations in bonus payments and incentive payments prior to bankruptcy, I think there ought to be a mechanism for disgorgement or recapture of that money for the benefit of other investors who lost their shirts and the employees who lost their jobs. I believe this idea would have had wide support in the Senate, but I could not get it done because it was blocked by the Senator from Texas.

Well, the Financial Times has done a study and written an article to which I want to call attention. It is titled "The Survivors Who Left All the Way to the Bank." The Financial Times found that in the 25 largest companies that went bankrupt since January of 2001, there were 208 top executives who were paid a total of \$3.3 billion in salaries, bonuses, and incentive payments.