

LAND ACQUISITION

On page 493, line 17, strike "\$148,263,000", and insert "\$145,763,000."

SA 66. Mr. KYL submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, making further continuing appropriations for the fiscal year 2003, and for other purposes; which was ordered to lie on the table; as follows:

On page 80, between lines 3 and 4, insert the following:

SEC. 7. EXEMPTION OF MILK HANDLERS FROM MINIMUM PRICE REQUIREMENTS.

Section 8c(5) of the Agricultural Adjustment Act (7 U.S.C. 608c(5)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by adding at the end the following:

"(M) EXEMPTION OF MILK HANDLERS FROM MINIMUM PRICE REQUIREMENTS.—Notwithstanding any other provision of this subsection, no handler with distribution of Class I milk products in the Arizona-Las Vegas marketing area (Order No. 131) shall be exempt during any month from any minimum milk price requirement established by the Secretary under this subsection if the total distribution of Class I products within the Arizona-Las Vegas marketing area of any handler's own farm production exceeds the lesser of—

"(i) 3 percent of the total quantity of Class I products distributed in the Arizona-Las Vegas marketing area (Order No. 131); or
 "(ii) 5,000,000 pounds."

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Friday, January 17, 2003 at 9 a.m. to consider the nomination of the Honorable Tom Ridge to be Secretary of the Department of Homeland Security.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Friday, January 17, 2003 at approximately 12:30 p.m. for a business meeting to consider the nomination of the Honorable Tom Ridge to be Secretary of the Department of Homeland Security.

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

ORDERS FOR TUESDAY, JANUARY 21, 2003

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 a.m., Tuesday, January 21; I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and that there be a period of morning

business not to extend beyond the hour of 10:30 a.m., with the time equally divided in the usual form; further, I ask that at 10:30 a.m., the Senate then resume consideration of H.J. Res. 2, the appropriations bill.

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

UNANIMOUS CONSENT AGREEMENT—S. 121

Mr. FRIST. Mr. President, I ask unanimous consent that at the hour of 5:05 p.m. on Tuesday, the Judiciary Committee be discharged from further consideration of S. 121, the Amber alert bill, and the Senate proceed to the consideration of the bill, and that Senators HUTCHISON and LEAHY be recognized for 5 minutes each to debate the measure; that following the use or yielding back of all time, the bill be read the third time and the Senate proceed to a vote on passage, without any intervening action or debate.

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

PROGRAM

Mr. FRIST. For the information of all Senators, the Senate will return for business on Tuesday. On Tuesday, we will resume consideration of the appropriations measure. I understand there are several Members on the other side of the aisle who have agreed to offer their amendments during Tuesday's session. Under the previous order, the Senate will vote on passage of the Amber alert bill at 5:15 on Tuesday. Therefore, Senators can expect the first vote of next week to occur at 5:15. Additional votes will occur during Tuesday's session.

In addition to considering further amendments to the appropriations measure, it is my hope that on Tuesday the Senate will consider the nomination of Tom Ridge to be Secretary of Homeland Security. I believe some Members have indicated their desire to speak in regard to that nomination, and a rollcall vote is anticipated. I hope that on Tuesday we will be able to reach an agreement to allow for that debate and a rollcall vote Tuesday evening.

Finally, I wish to announce to Members that they should expect busy sessions and late nights next week. We have no choice but to press on and complete this matter. I hope Members will cooperate and offer their amendments in a timely manner so we can complete these appropriations next week. I thank Members for their cooperation in advance.

ORDER FOR ADJOURNMENT

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order following the re-

marks of Senator HARKIN for up to 15 minutes.

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

The Senator from Iowa is recognized.

DISASTER AID

Mr. HARKIN. Mr. President, I thank the leader for his kindness in letting me speak for up to 15 minutes before the Senate goes out for the long weekend before we come back in on Tuesday. I take this time to draw attention to the provision in the pending bill regarding disaster aid to our farmers.

We have been fighting here for almost 3 years to get disaster relief for farmers all over America. We had it basically in our budget a couple years ago. We had it in the farm bill, but it was taken out. We had assurances from the administration that it would come later. It never did. We have farmers who were promised disaster aid over 2 years ago, and they still have not received it.

A number of us on both sides of the aisle have been trying for some time now to fill in that hole and get aid to the farmers who have really suffered a lot from disasters. In the Presiding Officer's home State, livestock producers and grain farmers have had disasters in the last couple of years for which they have not been adequately compensated. That is true in the Midwest—some in my State, and much of it further west, and a lot along the eastern seaboard. But we have had some serious crop disasters.

Now the bill before us has some money in there for, as they say, disaster assistance. But upon reading the fine print, it turns out that it is not really disaster assistance, it is just putting money in a bushel basket and throwing it out to farmers. It just doesn't make any sense. In the Des Moines Register this morning, Philip Brasher had an article about it. Here is the headline: Bountiful Crop Could Still Draw Disaster Aid. My quote is this:

"This is just nonsense," said Iowa Senator Tom Harkin.

Basically, the article shows that a grain farmer in Iowa—we had really great crops in Iowa—the soybean and corn crops this year. In one part of Iowa, we had a drought. In many parts of the State, we had bumper crops and we had significantly higher prices. Under the provision in the bill before us, those farmers will get disaster assistance. What sense does that make?

Please, someone explain to me why we are taking an across-the-board cut—we are cutting education, veterans, medical research, and all this other stuff; and we are going to take some of this money and give it to farmers who have had no losses. In fact, some farmers made a lot of money because they had good crops. God bless them. I wish every farmer could have a good crop and have high prices to go with it. But this doesn't make sense in

this bill. Basically, it is using the old Freedom to Farm payments.

Mr. Brasher points out in the article:

A farmer who received \$40,000 last year would get a special payment of as much as \$16,700.

That could be a farmer who had a great crop and made money. They don't have to have a disaster. All you have to do is be eligible for crop payments, and then you can get part of this payment.

"This is not a disaster relief package," said Republican Senator Pat Roberts of Kansas, which has been hard hit by a long drought.

Harkin said, "Let's face it, there are a lot of farmers in my State and there are a lot of farmers in other States who made pretty good money this past year. Why should they get some more money from the government?"

Senator Charles Grassley agreed that the aid should be directed to farmers with crop losses.

"The farmers who didn't get hurt weren't asking for more money from the Federal Treasury," he said.

He is right. Why is there money in this bill for farmers who didn't have a disaster and are not asking for it?

I understand Senator DASCHLE will be offering an amendment to correct this anomaly in the bill. The provision being offered by Senator DASCHLE, whether it is next week, or whenever it is going to be offered, is already known to the Senate. In September of last year, we essentially passed the same measure by a vote of 79 to 16. So it is nothing new.

The provisions in the appropriations bill before us totally miss the mark. It is not directed toward those who actually lost crops due to natural disaster; the funding is offset by reducing funding for other important Federal programs, and it is inadequate.

We know from our experience, we know from having investigated it, from hearings we have had both in the House and the Senate, that we need somewhere in the neighborhood of \$6 billion to address the needs of those who suffered a drought.

As Senator CONRAD said earlier today—and I was watching his speech—the Department already, because of the new farm bill and because the new farm bill directs payments in a more targeted fashion, we have already saved \$5 billion to \$6 billion, maybe a little bit more than that. So the savings have come in from the new farm bill.

We think those savings, rather than going back to the General Treasury, ought to be used to help those farmers who had a loss, who had a drought, who did not have anything because of a natural disaster.

If an argument is made that \$6 billion has to be offset by cuts somewhere else, it is already offset because we have already saved the money that was previously budgeted for agricultural commodity programs. That money was budgeted, and yet we saved it. That money ought to go out to help farmers hit by this drought and hit by disaster.

To repeat for emphasis sake, this appropriations bill would simply provide a supplemental direct payment for all producers of all covered commodities and peanuts. It means that all producers of these crops who were eligible to receive a direct payment for 2002 will receive the supplemental payment regardless of whether they had an actual disaster loss in 2001, 2002, or any other time.

I repeat, why should Congress be taking money away from education, medical research, veterans, law enforcement—all these other domestic programs—for the purpose of making payments to farmers who did not even have a disaster and sometimes making a payment to a farmer who had a record yield and good prices this last year? It makes no sense to me.

I have to believe that farmers all over America, when they find this out—and they will be reading about it in their local papers; they will read about it in their farm journals; they will hear about it on their farm radio shows—they are going to laugh. They are going to say: What are those people in Washington thinking about?

Mr. President, if you are a farmer and you have had a record yield, you have had a good crop, and all of a sudden the Government comes along and wants to give you several thousand more dollars, well, hey, open the mailbox and take it out, but still they are going to think we are goofy around here for doing something like that.

Talk to farmers. Most say if farmers are hit by a disaster, whether it is a flood, a hurricane, a drought, insects—whatever it might be—or it could be in the livestock sector where they lost feed grains for the livestock, yes, they deserve to have disaster payments, but not those who are doing well.

Lastly, I notice the bill adopts the Livestock Compensation Program that was put together last summer. That program had a lot of problems. The help it provides is inadequate for those who qualify. The Livestock Compensation Program provided less than half of the funding that would be provided to livestock producers under section 3 of the Daschle amendment that will be offered.

I was told last fall that the payment offered to cattle producers who lacked forage would cover only about 2 weeks of feed cost for the herds, and that was not enough.

I note another curious feature about this bill in the drought section. The provisions of the Livestock Compensation Program are extended to catfish farming, but not to pork producers. That is very curious. We extend the Livestock Compensation Program to catfish farmers, but not to hog farmers. I am waiting to hear the explanation for that one.

I am saying livestock producers of all categories experienced significant increases in their feed costs due to higher grain and oilseed prices, not just catfish, but pork producers, cattle, sheep, and goats.

I have no problem—I want to say it right here and now—I have no problem in providing disaster assistance to catfish farmers if, in fact, they have suffered a disaster, but we cannot single out catfish farmers and say not pork producers, because pork producers have to pay higher grain prices also. Both use feed grains.

This so-called drought relief package that is in the bill before us is, No. 1, inadequate. It is about \$3 billion. We need about \$6 billion.

No. 2, it is totally misdirected because it takes the \$3 billion and gives it to everybody. It just throws the money out there. This is Freedom to Farm revisited. We do not care whether you had a drought or not, but you are going to get money. It is misdirected.

And, No. 3, it should not be coming out of across-the-board cuts in veterans compensation, education, medical research at NIH, the Byrne grant program, and programs like those, because let the record show that we have already saved in agriculture more than enough money to pay for disaster assistance to farmers who need it nationwide. We have saved that much money. No one can deny it. So we do not need an offset. We have the offset. We have saved the money with the new farm bill.

I hope when this issue comes up next week, or whenever it comes up, that Senators will, again, call their farmers. Do not talk to staff. They can talk to their staff, but get on the phone and call the farm organization back in their States. Call the Farm Bureau, the Farmers Union, call your cattlemen's association, pork producers, catfish producers, whatever, and ask them if they believe this is the right way to proceed.

I will give you a dollar to a dime they will not find one in ten to say yes, and the one who says yes made a lot of money and wants more. Call your farmers. They will tell you what to do: Target it; get it to the farmers who had a disaster, and make sure they are compensated adequately and not just throw it out there for everybody.

Mr. President, I ask unanimous consent to print in the RECORD a letter from numerous farm organizations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JANUARY 6, 2002.

*U.S. Senate,
House of Representatives,
Washington, DC.*

DEAR MEMBER OF CONGRESS: The undersigned organizations write to urge your support for emergency disaster assistance for crop and livestock procedures who have suffered losses during the 2001 and 2002 agriculture production years due to natural disasters. Such disaster assistance would be consistent with responses by the U.S. government to natural disasters in the past, including hurricanes, floods, and droughts.

The Food Security and Rural Investment Act of 2002 provides increased economic resources, certainty, and stability across a wide range of agricultural, rural, and nutrition programs administered by USDA. For

commodities, we believe it was the intent of Congress that the new farm bill reduce or eliminate the need for future ad hoc market loss-related assistance and, instead, provide a similar level of assistance in a more efficient and cost effective manner than the legislation it replaced. In fact, projected outlays for commodity programs under the new law are projected to be significantly less than the annual average federal expenditures incurred since 1998. However, the new farm bill is incapable of predicting and adequately dealing with natural disasters.

Furthermore, due in part to increased prices resulting from the impact of natural disasters, the most recent projected outlays for 2002 are less than originally projected at the signing of the farm bill. Despite these savings and the precedence of assistance for those who suffer from natural disasters, Congress has failed to pass emergency disaster assistance.

For U.S. farmers and ranchers, the current production disaster is multi-faceted. In many areas, drought has decimated row crops and forage and has reduced water supplies available for livestock. In other regions, farmers are experiencing crop destruction and reduced yields and quality due to flooding and an increased incidence of crop pests and diseases. Especially hard hit are the specialty crops such as apples, cherries and grapes in the Great Lakes region, the eastern states and the Pacific Northwest that suffered frost, freeze and drought damage this season and adverse weather in 2001 that caused a failure of the blossom set required to produce fruit.

The negative economic impact of natural disasters to American agriculture and rural communities continues to grow.

Almost 90 percent of U.S. counties have received a USDA disaster designation in 2002.

Over 40 percent have received designations in both 2001 and 2002.

Washington State alone suffered \$100 million in apple crop losses in 2002 due to early freeze.

Adverse weather conditions cut the expected cotton crop by over 1 million bales. Drought conditions harmed the growing season, and a series of storms hit during harvest, inflicting continued quality and quantity losses. In the Southeast and Mid-South, only 55% of the crop achieved a color grade of Strict Low Middling or better. This compares to a five-year average of 81%.

The producers on the Blackfeet Reservation, Montana, lost over 3000 head of cattle

in a freak June 3rd snowstorm. The storm did fill stock ponds and provided some additional spring green-up moisture but did not provide enough to alleviate the effects of four years of drought.

The wheat acreage harvested at 45 million acres is the lowest it has been since 1971.

Financial assistance is needed now if the economic ruin of farms, ranches and rural businesses caused by these natural disasters is to be averted.

Within the range of its existing options, we believe USDA has taken positive actions to address the weather and disease-related disasters experienced by crop and livestock producers during the 2001 and 2002 production years. Unfortunately, the Department's authority and resources available to mitigate the losses sustained by farmers, ranchers and rural businesses are inadequate given the full scope of the weather and disease problems confronting American agriculture.

While crop insurance, disaster loans, emergency haying and grazing of Conservation Reserve Program acreage, and the Livestock Compensation Program (LCP) are helpful, the relief they provide cannot effectively respond to the unprecedented and expansive devastation being experienced across a large part of America. We urge your active engagement and support immediately upon convening the 108th Congress of the emergency disaster assistance legislation passed by the Senate last session.

We urge Congress to approve this legislation and work with the administration to ensure that this emergency program is in place, which provides a responsible level of assistance to those suffering substantial losses as a result of natural disasters. This adequate response is needed immediately to reduce the devastating economic impacts being experienced by farmers, ranchers and their communities throughout much of rural America because of natural disasters beyond their control.

Thank you for your attention to this issue. We look forward to working with you to address this serious situation in a timely and effective manner.

Sincerely,

National Farmers Union.
American Farm Bureau Federation.
National Grange.
National Farmers Organization.
American Beekeeping Federation.
American Corn Growers Association.
American Sheep Industry Association.

American Soybean Association.
Burley Tobacco Growers Cooperative.
Cape Cod Cranberry Growers' Association.
Cherry Marketing Institute.
CoBank.
Cooperative Ginners Association of Oklahoma.
Farm Credit Council.
Intertribal Agriculture Council.
National Association of Wheat Growers.
National Barley Growers Association.
National Cotton Council.
National Grain Sorghum Producers.
National Grape Cooperative Association, Inc.
National Milk Producers Federation.
National Potato Council.
National Sunflower Association.
National Association of Farmer Elected Committees.
National Association of State Departments of Agriculture.
Northeast Farm Credit Regional Council.
Northeast States Association for Agricultural Stewardship.
R-CALF United Stockgrowers of America.
Soybean Producers of America.
Southern Peanut Farmers Federation.
Triangle Cooperative Service Company.
USA Dry Pea & Lentil Council.
U.S. Apple Association.
U.S. Canola Association.
U.S. Custom Harvesters, Inc.
U.S. Durum Growers Association.
Vidalia Onion Business Council.
Welch's.
WIFE.

Mr. HARKIN. Mr. President, I thank the leader again for giving me this time. I yield the floor.

ADJOURNMENT UNTIL 10 A.M.,
TUESDAY, JANUARY 21, 2003

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. on Tuesday, January 21.

Thereupon, the Senate, at 5:39 p.m., adjourned until Tuesday, January 21, 2003, at 10 a.m.