

## FARM BILL

Mr. FEINGOLD. Mr. President, I thank Senators HARKIN and CHAMBLISS for their tireless work on this important bill. I know that both worked diligently on this legislation, and that, like all of us, they have the best interests of America's farmers, ranchers, rural and urban communities at heart. I would also like to thank the committee staff for the assistance and support they have provided to me and my staff throughout the farm bill process. While I am disappointed at the lack of reform in the commodity programs, the bill does make significant improvements in a number of other programs.

The committee bill included a number of provisions I included in legislation that I introduced earlier this year, the Rural Opportunities Act, to help sustain and strengthen rural economies for the future, and create more opportunities in rural communities. I am pleased that the committee included a number of provisions similar to my legislation to support local bioeconomies and food markets, encourage local renewable fuels and biobased products, expand broadband Internet service in rural areas, and help develop the next generation of farmers, ranchers, and land managers.

The bill also includes several important provisions to increase affordable broadband service in rural areas. Critical among the bill's provisions is making sure that limited Federal resources are better targeted to actual rural areas without broadband service. Several reports have highlighted problems with the current program including funding projects in new suburban communities.

The bill also provides funding for the community food projects and other programs that promote local markets, which help farmers and consumers by providing a direct connection between them. I know that the local food movement is gaining more and more momentum, and I hope that these provisions in the bill will help expand this wonderful opportunity to even more communities across the country. There is also a clarification included in the bill that I first proposed in 2006 to help ensure that schools can use local preference when purchasing food for meals and snacks. The bill also makes an investment in advanced biofuels, as well as language from a bill I cosponsored to provide local residents an opportunity to invest in biorefineries located in their communities.

Mr. President, I am extremely pleased that the bill makes improvements to the Milk Income Loss Contract—MILC—program. Along with several of my colleagues, including Senator KOHL, I have called for the MILC program's reimbursement rate to be raised to its original 45 percent, which will happen in 2009 under this legislation. The MILC program is an important safety net for Wisconsin's dairy farmers, and one that operates in a responsible way—only kicking in and

providing payments to farmers when times are tough. Milk prices are higher now than they have been in years; consequently, no MILC payments have been made since February of this year. Further, the MILC program caps the amount of payments one farmer can receive, ensuring that it helps small and medium farmers survive tough times without subsidizing expansion of larger farms. The improvements to this program are vital to farmers in Wisconsin.

The bill also makes significant improvements to existing nutrition and conservation programs. While there is room for more improvement in both of these areas, I know the committee worked hard to provide additional funds for these programs within a very tight budget. On the conservation side, the bill includes significant funding for a number of programs, including the Environmental Quality Incentives Program, EQIP, the Conservation Security Program, CSP, and the Conservation Reserve Program, CRP. I know that these and other programs are extremely popular among Wisconsin farmers and residents, and I am pleased that the committee worked to address some of the funding shortfall that exists.

The nutrition title of this bill makes significant investments in the Food Stamp Program. Perhaps most importantly, the bill ends benefit erosion by indexing benefits to inflation. The bill also removes the cap on deductions for childcare costs entirely, which had been set at \$175 per month, though Wisconsin parents spend, on average, \$780 per month on childcare. Lastly, the bill changes certain assets limits for the Food Stamp Program, allowing recipients to save money for retirement or to help send their children to college or other training. I know that improving food stamps was a priority for Senator HARKIN, as it was for me and many of the other Members of this body. Other important programs see an increase in this bill, including the Emergency Food Assistance Program, grants to promote use of food stamp EBT cards at farmers markets, the Fresh Fruit and Vegetable Pilot Program, and the Senior Farmers Market Program.

I was also extremely pleased to see the addition of a new livestock title in the bill to promote competition and fair practices in agriculture. As many of my colleagues know, most areas of agriculture present different challenges, and often these situations are not fully analogous to other businesses. I am glad the committee took this step to address the unique problems of agriculture. I am especially glad that a provision I authored with Senator GRASSLEY to prevent mandatory arbitration clauses in agricultural contracts was included in the bill.

In addition to the improved competition protections that will benefit livestock producers, the underlying bill contains two other provisions that are also especially beneficial. I was glad to support Senator KOHL's longstanding

efforts to find a way for meat from small and often specialty State-inspected meat processors to be sold across State lines so that consumers nationwide can enjoy these high quality Wisconsin products. The underlying bill contains a compromise that appears to strike a fair balance on this issue, and this is a significant benefit to Wisconsin's local livestock producers and processors. I was also glad that the underlying bill will finally allow a country-of-origin labeling requirement for meat and produce to be enforced.

In addition to the Agriculture Committee's portion of the bill, the Finance Committee also made a significant contribution to the Senate's legislation. I was glad that my Farmer Tax Fairness Act was included in the finance portion of the bill. This legislation will update the optional ability for farmers and other self-employed individuals to remain eligible for social security and disability benefits that had been eroded by inflation. It also indexes the program to inflation, so we are not in the same situation again sometime in the future.

I would also like to thank the chairman and ranking member for accepting several of my amendments into the managers' package. First, in a continuation of an effort I began with Senator Jeffords in 1998, I am pleased that the committee accepted my amendment to improve the authority of what we had called the small farm advocate in previous amendment. I am pleased to have continued this effort with Senator SANDERS and hope that this small office can continue to help America's small and beginning farmers. On a related note, I was glad to have an amendment accepted that will ensure that small farm research priority continues to be an option even with the proposed restructuring of agricultural research. These small efforts can make a tremendous difference for our small farmers.

As many of my colleagues know, I have long been advocating for reform of the Federal milk marketing order system. To that end, I was pleased that the chairman provided for a commission to examine dairy marketing orders in his draft of the bill and hope that this commission takes a close look at the antiquated rules that provide dairy farmers at a competitive disadvantage in the upper Midwest. I was also glad to have an amendment accepted to make a small modification to ensure the commission is balanced to better consider the interests of dairy farmers and ensuring fair competition.

Ensuring transparency and fair competition in the dairy industry has also been a continuing effort throughout my Senate career. Over the past year, a couple developments showed a need for further action in this area. First, the GAO report on cash cheese trading that I requested with several of my colleagues confirmed that the market remains prone to manipulation even

though there have been some improvements. Secondly, a sustained nonfat dry milk price reporting error that lasted over a year was found to have cost dairy farmers millions in reduced prices. I was glad to have an amendment accepted that would require regular auditing of the dairy price reporting and require the USDA to better coordinate oversight of the dairy industry both within the Department and with other Federal agencies. I hope that this added diligence and transparency can help give dairy farmers added confidence in the system.

With this year's high profile case of imported wheat gluten being adulterated with melamine, it is important to assess the risks and make sure that other high-protein products are safe. I am especially concerned that unsafe imports of dairy proteins such as milk protein concentrates and casein would have the potential to undercut consumer confidence in dairy products in general and severely damage our domestic industry and producers. Therefore, I am glad that the committee accepted an amendment to require a report on all high-protein imports including both gluten and dairy proteins to make sure that we are taking the proper precautions and testing.

Every year, I distribute a survey to farmers at a booth at the Wisconsin Farm Technology Days and ask what their top challenges are. Even in this farm bill year, the responses have overwhelmingly indicated that health care is their top concern. I know that the farm bill cannot fix this problem completely and I have a proposal with Republican Senator LINDSEY GRAHAM to move forward on the broader need for health care reform. But in the meantime, farmers need help meeting their health care needs.

I have no doubt that many of my colleagues hear from farmers and their families regularly about the particular challenges they face in finding and affording health care. More and more, one member of a farming family is essentially forced to work off-farm just to be eligible for a health care plan. I cannot tell you how many times my staff and I have heard from a farmer's spouse about how much they would like to be spending their days working on the farm, with their family, but instead go into town to work as a teacher or at a bank just for the health care. I look forward to the results of a study that was cosponsored by Senator HARKIN and was also accepted into the managers' package on the challenges farmers—and the rural areas they live in—face in obtaining health care. I hope that this body can work in the future to alleviate this problem faced by so many hard-working American farmers.

I also believe that as we look to expand our Nation's renewable energy and lessen our dependence on oil, we need to provide opportunities for farmers and rural communities. Earlier this year, I introduced the Rural Oppor-

tunity Act and am very pleased that several key elements supporting local bioenergy were included in the farm bill. One amendment I got accepted encourages the USDA's continued support for and the expansion of regional bioeconomy consortiums, which can consist of land grant universities and State agriculture agencies dedicated to researching and promoting sustainable and locally supported bioenergy. I was also pleased to work with Senator COLEMAN on another "rural opportunity" provision, which is based on our legislation, S. 1813, to provide local residents an opportunity to invest in biorefineries located in their communities.

Mr. President, my home State is home to many organic producers. I was glad that the chairman and ranking member accepted an amendment I authored expressing the sense of the Senate that organic research at the Agricultural Research Service should get a fair share of research funding—a share proportional to its share of the market. It is hard to believe, but when we passed the 2002 farm bill, organics were a new, trendy, item. Today organics account for about 6 percent of food purchases in the U.S.

While Wisconsin is perhaps more widely known as a leader in milk and cheese production, we also lead the Nation in production of cranberries and ginseng. I was glad to see a priority competitive research area for cranberries in the underlying legislation. Similarly, I was glad that my legislation with Senator KOHL and Representative OBEY to require country-of-harvest labeling for ginseng was accepted as an amendment. This is an important step to help combat mislabeling of foreign ginseng as U.S. or Wisconsin grown, which receives a premium price for its higher quality.

While there were many positives in this legislation, these accomplishments are bittersweet for me as the Senate missed an important opportunity for meaningful targeted reform of the farm support programs. I was deeply disappointed that several amendments to make the commodity support programs more balanced to better target family farms and not concentrate payments in larger corporate-scale operations were unsuccessful.

While I cosponsored or supported several reform amendments, I was especially disappointed that despite the support of a majority of Senators, the Dorgan-Grassley payment limit and Klobuchar adjusted gross income amendments were defeated because they could not reach a 60-vote threshold. There is no good reason why large, wealthy corporate farms, nonfarmers and even estates of dead people receive hundreds of thousands of dollars per year from taxpayers. The result on Dorgan-Grassley was particularly troubling because we able to pass a similar provision in 2002.

I was also disappointed to be prevented from offering an amendment to

make a progressive cut to direct payments and redirect the savings to benefit farmers and rural America with my colleague Senator MENENDEZ. Our amendment would have addressed the most serious problems with direct payments. Direct payments are particularly problematic because they are based on a history of crop growing, regardless of what is currently being grown or even whether the land is being farmed at all. Nor are they tied to need, crop prices, or weather conditions. When prices are low, they are insufficient; when prices are high, like now, they are hard to justify.

With many needs and very few new resources available for this farm bill reauthorization, we recognized the need to keep the majority of the savings in our farmers' pockets and in our rural communities, but instead of going to the largest landowners, the money would have been refocused to meet many of the unmet needs in programs that help a broad number of farmers.

Our amendment had the support of a diverse group of organizations including the Wisconsin Farmers Union, the New Jersey Conservation Foundation, the Sustainable Agriculture Coalition, the Cornucopia Institute, the National Rural Health Association, the Rural Coalition, and the National Conference of Catholic Bishops.

## PATENT REFORM ACT

### FURTHER IMPROVEMENTS

Mr. LEAHY. Mr. President, I would like to take a moment, along with the distinguished Senator from Utah, a longstanding member of the Judiciary Committee and a consistent partner of mine on intellectual property issues, to discuss S. 1145, the Patent Reform Act of 2007.

Mr. HATCH. I would be happy to discuss this important issue with my good friend from Vermont.

Mr. LEAHY. First, I want to express my appreciation for my colleague's efforts in working to ensure that our patent laws are modernized. We first cosponsored patent reform last Congress. We again jointly introduced comprehensive patent reform this Congress in the form of S. 1145 in April of this year. Both bills had their foundations in numerous hearings with the testimony of dozens of witnesses and in innumerable meetings with the myriad of interested participants in the patent system. The message we heard repeatedly was of the urgent need to modernize our patent laws. The leaders of the House Judiciary Committee also heeded that call to legislate, and working with them, we introduced identical, bipartisan bills. H.R. 1908 was introduced the very same day that we introduced the Senate bill.

In July, after several extensive and substantive markup sessions, the Senate Judiciary Committee reported S. 1145 favorably and on a clear and strong bipartisan vote. In the course of