

## ORDER OF PROCEDURE

Mr. HARKIN. Mr. President, I ask unanimous consent that the order of speakers be the following: Senator HARKIN, myself, for 20 minutes; Senator SESSIONS for 15 minutes; Senator BINGAMAN, 30 minutes; Senator AL-LARD, 10 minutes; Senator LEVIN, 20 minutes; Senator MURKOWSKI, 30 minutes; Senators BURR and DOLE, 15 minutes together; Senator DORGAN, 25 minutes; Senator KYL, 10 minutes; Senator CARDIN, 10 minutes; Senator CORNYN, 15 minutes; Senator MENENDEZ, 10 minutes; Senator BOND, 10 minutes; Senator KENNEDY, 10 minutes; Senator ALEXANDER, 20 minutes; Senator CANTWELL, 20 minutes; and Senator COLLINS, 7 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

## FARM BILL CONFERENCE

Mr. HARKIN. Mr. President, I understand I have 20 minutes, and I wish to cover two topics during that period of time.

First of all, the topic of this week and the topic for me for the last year and a half has been the molding, shaping, putting together, and finally passing, going to conference, and having in conference for about 3 months the farm bill, or what is presently called the farm bill. Later this week, hopefully on Wednesday, the Senate will take up and hopefully pass by a wide margin the final farm bill conference report, which we have called the Food, Conservation, and Energy Act of 2008. I wish to briefly go over why this bill is so critically important to farming families, to rural communities, and to the Nation as a whole.

This is a strong, bipartisan farm bill. It benefits every American from my hometown of Cumming, IA, population 162, to New York City, population 8 million. This bill provides a strong farm income safety net, so it is good for our farmers, ranchers, and producers. Consumers will like it because it will increase the number of farmers' markets and ensure a safe, dependable supply of high-quality, affordable food. It expands the initiative providing fresh fruits and vegetables to America's schoolchildren, while reforming and expanding other Federal nutrition programs. As production increases, the farm bill will ensure that our precious land and water resources are protected.

The final farm bill conference report significantly reforms traditional farm income support programs.

First, it eliminates the direct payments to producers with high adjusted gross farm incomes and it eliminates all payments to those with high non-farming incomes.

On Wednesday, when we get to debating this bill, we will probably get into more, but I wish to point out that we have come a long way on this farm bill, although maybe not as far as some peo-

ple want. In fact, I initially voted for the Grassley-Dorgan and Klobuchar amendments on the Senate floor, but they didn't win. These amendments would have cut the level of support to high-income farmers even more. So we had to work in a spirit of compromise with the House, and I believe we have come up with a good compromise.

Think of it this way: Prior to this farm bill, if you had \$2.5 million in income, but 75 percent of that income was from farming, you would still qualify for farm programs. It was only after you had over \$2.5 million that you wouldn't qualify. This bill reduces that to \$500,000 of nonfarm income. That is a substantial cut, I would submit to anyone. In previous years, if you had farm income, there was no limit. You could have \$5 million, \$10 million, \$20 million in farm income or whatever, and you would still get payments. This bill reduces that to \$750,000. So if you get over \$750,000 of farm income, you don't get any more direct payments. I submit that is significant, significant reform.

It also improves transparency and accountability. We directly attribute each farm program payment to an individual—direct attribution. That means no more hiding behind shields or any kind of partnerships, multiple entity rules, that type of thing. We have done away with the three-entity rule. No more three-entity rule, which has been in existence for 20 or 25 years. So again, direct attribution, plus we put some pretty tight payment caps in there.

The conference report also includes a new option for farmers, beginning with the 2009 crop year, to choose to participate in a State-level revenue protection system. This is a new option for farmers. If you want to get in it, participants will take a 20-percent cut in direct payments and a 30-percent cut in loan rates. In return, they will be eligible for a State-based revenue guarantee equal to 90 percent of the State average yield times the national average price. Now, this was an ingenious proposal that was first brought to us by the National Corn Growers Association. We worked it over in our committee in the Senate. We took it to conference. I believe we have a good option here for farmers. I also add that Senator BROWN from Ohio, a valuable member of our Agriculture Committee, proposed this in our committee. It was at his urging—and I know also Senator DURBIN's. Although not a member of the Committee, he was also instrumental in proposing and pushing for this option.

The farm bill also strengthens the Milk Income Loss Contract Program and continues it for the duration of the farm bill. Again, here I have to thank the former chairman of our committee, Senator LEAHY, who has been on this Agriculture Committee since before I came to the Senate—now over 25 years ago. Senator LEAHY has been the point person in making sure our family dairy farmers are protected and to make sure

they have a seat at this table. In the previous farm bill, in 2002, we had set the percentage of support under the Milk Income Loss Contract Program at 45 percent—45 percent of what, I can tell you later. That was knocked down to 34 percent. We have brought it back up to the 45-percent level in this bill, where it was, by the way, 6 years ago. We didn't increase it; we just brought it back up to that level it had been. We also used an existing formulation the Department of Agriculture uses for the average monthly cost of dairy rations, to adjust this in the future, so we won't have to have these erosions in the future, so if the price of feed goes up, that support for dairy producers will go up. It makes eminently good sense. I think it is reasonable in terms of economics, and also I think it is supportable in terms of having a reasonable price when the feed prices are low. So it is, in a way, kind of a counter-cyclical program for dairy farmers. I thank Senator LEAHY for making sure we included that.

The new farm bill includes two new titles focusing on livestock and specialty crops. In the last farm bill—which I was privileged to chair in 2002—we added a new title on energy. We added two new titles this time, livestock and specialty crops. This bill provides \$1 billion for specialty crops in this title, and much more for specialty crops throughout the rest of the bill, investing more in the promotion of specialty crops than any previous farm bills, including funding for market research as well as supports for producers who transition from conventional production into organics. Organic agriculture is one of the fastest growing sectors of American agriculture. We have recognized that by putting more funds in there for transition support for farmers' markets, and for aggregation of commodities from small farmers. The new livestock title promotes animal health, market opportunities, contracting fairness, and stepped-up enforcement and oversight under the Packers and Stockyards Act. So it is good for our livestock producers.

In a time of economic downturn and rapidly rising prices for food staples, millions of low-income Americans have joined the ranks of the hungry and "food insecure." For that reason, basically, all of the money we added on this goes to the nutrition title, bringing the new money into nutrition, which is nearly \$10.4 billion in this bill. We are \$10 billion over baseline.

The new money we basically got through the Finance Committee—\$10 billion—basically was all put into the nutrition program. We took another \$400 million from inside the farm bill and added to it. I can honestly say all the new money we put in the bill went into nutrition.

This new funding will reform and strengthen nutrition assistance. We raised the standard deduction. Keep in mind the standard deduction was frozen in 1996, and has wreaked havoc on

our low-income people since then. So the standard deduction in 1996 was \$134 a month. If it had not been frozen in 1996, the standard deduction today would be \$188 a month, not \$134 a month. We could not go to \$188. We didn't have enough money. So we raised it to \$144 a month, but we indexed it for the future so we won't have this benefit erosion in the future. It gives you some idea of what is happening to low-income families.

Think about this. If we had not frozen that benefit level in 1996 at \$134, it would be \$188 a month right now. Yet, we could only raise it to \$144. We did our job with the money we had. We also provide more money to families with childcare expenses by removing entirely the cap on childcare deductions. We also raised the minimum benefit by almost 50 percent and indexed that also to future inflation, and the asset level is indexed forward. We were unable to raise it because of money concerns, but we did index it for the future. No longer will erosion take place because of inflation.

We increased the food bank supplies by adding some \$1.2 billion to the Emergency Food Assistance Program. We provide \$1 billion in new funding over the next 10 years for the Fresh Fruit and Vegetable Program for kids in schools. This program, which I started in the 2002 farm bill, when fully implemented, will serve nearly all children in our poorest elementary schools—that is, the schools that have at least 90 percent of their kids eligible for free and reduced-price meals. In those schools that would fully implement this, almost every poor kid will get free fresh fruits and vegetables during the day.

To meet the soaring worldwide demand for food and energy crops, millions of acres of land are being brought into production. A lot of this land is environmentally fragile. To address that challenge, we authorize nearly \$4.5 billion in additional funds for the Environmental Quality Incentives Program and the Conservation Stewardship Program over the next 10 years. Again, these are payments to farmers, to incentivize and encourage them to be even better stewards of our soil, water, air, and wildlife habitats on working lands—rather than taking land out of production. Combined spending for these two programs, the EQIP program and the CSP program, will total more than \$27.7 billion in the next 10 years.

With this support, the Conservation Stewardship Program will enroll nearly 13 million acres each year. To participate, producers will have to maintain and expand environmental benefits by adopting rigorous conservation and management practices.

The Wetlands Reserve Program also gets a number of improvements, with an additional \$1.3 billion to implement those improvements. We have simplified and streamlined the process of valuing property and getting into the Wetlands Reserve Program. Over the

next 5 years, this money will provide for a total enrollment in the Wetlands Reserve Program of over 3 million acres.

This bill also creates a new and interesting focus on restoring the Chesapeake Bay. This money covers the Chesapeake Bay watershed. This is very important to Members of Congress and the Senators from Virginia, Delaware, Maryland, and Pennsylvania. We put \$438 million of new money into the environmental and conservation needs of the Chesapeake Bay Initiative.

On the energy side, all-time gasoline prices, as we know, are wreaking havoc with family budgets. But as studies have shown, without the inputs of ethanol, prices at the pump would be as much as 40 cents a gallon higher. Well, this new farm bill will dramatically ramp up the agricultural sector's capacity to produce clean, renewable energy. We provide more than \$1 billion to expand the supply of biofuels made from biomass and crop byproducts other than grain. We also provide new assistance to farmers who would grow energy crops, and to entrepreneurs who will build biorefineries to convert the biomass into biofuel.

Like any compromise bill resulting from hard bargaining among regional and other interests, this farm bill, I suppose, is far from perfect—perfection being in the eye of the beholder, of course. I don't think anyone, on either the Democratic or Republican sides, would say they love every little thing in this bill. As the chair of this conference committee, I can tell you it has been a long and difficult road, but the end product is a bill with significant reforms, urgent new investments in nutrition, conservation, energy, and the health of our school kids.

That is why I was disappointed last week when Agriculture Secretary Ed Schafer held a news conference to say the President would veto the bill. The administration said we didn't cut payments to farmers in times of high farm income. But this administration itself actually proposed increasing direct payments, which are least responsive to high prices in income.

By contrast, Congress determined that it makes more sense to ensure the programs that help producers manage risk are as effective as possible if farm revenue is disrupted because of price or production shortfalls. We have only added to the income support if prices or revenue declines. That is the right approach. The administration said, no, we will put more money in there even if you have high prices. We said that is the wrong approach. The right approach is counter-cyclical. That is what we do. We have the support in place so it is available if needed.

What the administration and USDA proposed would have increased payments regardless of the prices. Congress correctly rejected the administration's proposal.

Finally, when the Senate passed the farm bill in December on the Senate

floor, the bill was approved with 79 votes—the largest majority vote any farm bill has received since 1949. I was proud of that vote, being chairman of the committee. The bill was further strengthened in the conference process. And we went, I believe, over halfway to accommodate the President's wishes and concerns. He said the income limits weren't low enough. The administration proposed \$200,000. As I said earlier, for nonfarm income it used to be \$2.5 million. We brought it to \$500,000. That is way over halfway in meeting what the President had proposed. So, again, like any compromise bill, this bill has things in it that I suppose any one of us could say is not quite right. But as a compromise bill, it includes real reforms, major advances in conservation, renewable energy, rural economic development, nutrition, and help for our kids in schools.

I am proud of this bill. I hope we have a strong vote in the Senate. I still hope the President will sign it. If he doesn't, I am hopeful we will have the votes to override the veto and put the bill in place for the future of our country.

How much time do I have remaining?  
The ACTING PRESIDENT pro tempore. Two minutes.

#### COLLECTIVE BARGAINING

Mr. HARKIN. Mr. President, I wish to discuss briefly the matter of the collective bargaining for our firefighters and public safety employees. I am an original cosponsor of S. 2123. Decker Ploehn, the city administrator in Bettendorf, Iowa, wrote me:

I have represented both sides of the table [he was police chief at one time] and for the last 18 years have successfully negotiated 5 contracts with our police union because of strong good collective bargaining laws in Iowa. This system has great checks and balances with binding arbitration and a "no strike" clause. It causes both sides to come to the table and to make meaningful concessions. We have done so in Bettendorf quite successfully. That is all we're asking for with this legislation—to give public safety officers elsewhere this kind of opportunity.

Many of our Federal workers, such as Capitol Police, Border Patrol agents, Customs agents, immigration enforcement officers, have the right of collective bargaining. It helps them to serve our Nation's security interests.

Again, it is time that we provide this now to the 21 States where our public safety people are not allowed to bargain collectively. This bill passed the House by 314 to 97. Hopefully, it will pass the Senate with an equally large vote.

If you ask any safety officer, they will tell you that they want the tools to do the best job that they can do. These are not the kinds of jobs that people take to get rich. Public safety workers have a different calling—they want to serve their communities. These are the kind of people who showed up from all over the country to help the victims of the attacks on September 11, 2001. Without concern for