

## THE FARM BILL

Mr. GREGG. Mr. President, I rise to talk a little bit about the status of the farm bill because I was stunned, obviously, today to find that the majority leader—after for 2 weeks, almost, refusing to allow any amendments to the farm bill—has now decided to file cloture on the farm bill and claim this is the way things are done in the Senate. That is a statement which is pretty hard to accept with a straight face: the concept that the majority leader would set up a process in the Senate which, essentially, made him the gatekeeper of all amendments to a major authorization and appropriations bill—appropriations in the sense it has mandatory spending in it—so that any Member of the Senate who wanted to offer an amendment would have to go through the majority leader before the amendment would be allowed to come to the floor. Well, that is the way they do things in the House of Representatives, obviously, with what is known as the Rules Committee. But the Senate does not do that. The Senate has never done that.

I have heard innumerable, wonderful speeches from the senior Senator from West Virginia, the keeper, basically, of the flame of the integrity of the Senate, Mr. BYRD, on the importance of the amendment process in the Senate. I happen to subscribe to that, as I thought every Member of the Senate subscribed to that, that the greatness of the Senate is that if we put a piece of legislation on the floor, which is a significant piece of public policy, we debate it, we hear ideas on it, then we vote on those different ideas, and then we vote on passage. We do not lock down a bill and not allow any amendments to occur on that bill except those that are accepted on the majority side and by the majority leader and then say to the minority: Well, because you would not accept our process of locking down the amendment process, we are going to file cloture to shut you out completely.

That truly is an autocratic level which this Senate has never seen. Let me tell you something, it puts us on a slippery slope. It is very possible—in fact, I hope likely—that the other side of the aisle may not be in the majority forever around here and maybe not even through the next election. Certainly, if they continue to produce such a dysfunctional legislative calendar, as they have over the last year, I would think the American people would get a little frustrated and ask for a change. But they have now opened the door to running the Senate as an autocratic system, as a dictatorial system where the rights of 99 Members of the Senate are made completely subservient to 1 Member, which is the majority leader, because he has the right of recognition, he fills up the tree, and then when he does not like the amendments, he files cloture.

Let's talk about some of the amendments he does not want us to hear on

this bill relative to the farm bill. He does not want an amendment offered which would say to farm families, especially to mothers in farm families: You will have access to OB/GYNs. That is one of the amendments I intended to offer. It would simply say that OB/GYNs who practice in farm and rural communities would be immune from excessive liability and lawsuits from trial lawyers.

We know for a fact we have lost most of our OB/GYNs in rural America. These baby doctors cannot practice in rural America because there are not enough clients for them to generate enough revenue to pay the cost of their malpractice insurance, which is generated by these lawsuits from trial lawyers. Well, the other side of the aisle is a kept group for the trial lawyers, so they do not want anything that could happen around here that might limit the income of trial lawyers, including allowing baby doctors to deliver babies in rural America to farm families. So they are not going to allow me to offer that amendment. What an outrage.

They do not want an amendment which would give firefighters in this country the right to bargain in order to reach agreement on contracts. Now, I do not think fires just burn in cities. Farmers have fires. In fact, if you look at what is happening in the West with wildfires, there are a lot of issues of fires for farmers in this country, especially silo fires. I know. I come from an area where there are occasional silo fires. They need firefighters. But the other side of the aisle does not want to hear about an amendment that deals with firefighters' rights. No. They want to lock that amendment out of the process.

They want to lock out of the process an amendment which would address the issue of people who are caught up in this terrible mortgage crisis we have. There are a lot of farmers, I suspect, and a lot of Americans generally who did not know how these ARMs worked when they went into these deals, and they are now finding they are being refinanced at a level where they cannot keep their homes because their interest rates are jumping up into the double-digit levels. When those homes are foreclosed on, they get a double whammy of getting hit by the IRS with what is known as a recognized gain, even though they did not have any income because their home got foreclosed on. This is a really difficult thing to do to someone, whether you are a farmer or just an average American, to first have their home foreclosed on and then to hit them with an IRS bill for having their home foreclosed on. I was going to suggest we take that issue up on the farm bill because it happens to relate to a lot of farmers who are being foreclosed on.

I was going to suggest we take up an amendment which might look at some of these new commodities that were put into this bill, such as the asparagus program and the camellia program and

the chickpea program, but we do not want to hear about that. No, we do not want to address those issues.

We do not want to address the issue of the fact that this bill has in it \$10 billion—\$10 billion—of gamesmanship on moving dates so they can make this bill look more affordable and less costly. They don't want to have an amendment on that which might make the bill honest on its face. They don't want to hear that amendment. They don't want to hear this amendment, which is sort of ironic.

They have put in this bill what is called walking-around money—walking-around money—for the farm States in this country, actually for five farm States, called a \$5 billion disaster loan fund. The way we have always handled disaster loans for the farm community—and they have them, and they are legitimate—is we have simply passed an emergency bill around here to cover the disaster when the disaster occurs. But what this bill does is set up a new fund which will be a floor, essentially, which says there is \$5 billion in this kitty sitting over here for which if there is a disaster, you take this money too. What is the practical implication of that? Every wind storm that occurs in North Dakota that blows over a mailbox is going to be declared a disaster so they can get some of this money. It is putting money on the table that is just going to be used up.

We know we are going to fund disasters when they occur. Why would we pre-fund disasters in a way that is going to make it absolutely guaranteed that a disaster will occur, even if there is not a disaster? Well, we don't want to have an amendment which says: Let's take that disaster money and move it over to IDEA, special education. There is an account that needs some more money. There is an account which would give relief to a lot of families in this country, a lot of small towns in this country, farm communities and other communities that have a huge burden of IDEA in special education. Let's take that \$5 billion out of that emergency account and, rather than having walking-around money for the five States that usually get this emergency money, use it for IDEA, which will benefit all the States in this country.

They don't want to hear those amendments.

It is incredible that on a bill of this size—one of the biggest bills we deal with as a Congress, one of the most important pieces of public policy we deal with—the other side of the aisle and the majority leader have specifically set up a procedure where amendments will not be tolerated—simply won't be tolerated. Totally inappropriate. I think basically what the other side of the aisle wants to do is kill this bill.

Now, from my perspective, this is not a good bill, and I am going to be voting against it. But I know it is going to pass if it is given a legitimate shot at

passage because there are a lot of people around here who have these different commodities, and they all vote for each other, and, as a result, they build up enough votes to pass this bill. That is the way the farm bill always works. But that is no reason why we should not have a chance to debate it, to address some of these issues, such as baby doctors in rural communities and farm communities, such as the need for firefighters to have adequate bargaining rights, such as the need for people who are getting foreclosed on not getting hit with an IRS bill, such as the need to have proper accounting on this bill for what they are actually spending, such as the need for not setting up a \$5 billion walking-around money fund, such as the need for the new commodities programs for asparagus, chickpeas, and camellia. We should have amendments to address all these issues. That is what the process of the Senate is all about. But it is being denied here. The result of that denial is that those of us who happen to believe the Senate should function as a place where things are amended and discussed and aired and heard are going to have to resist this bill. So the majority seems to want to kill this bill, which is unfortunate, because in the end, this bill should at least get a fair hearing.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GREGG. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from South Carolina has 7½ minutes.

#### KEEPING PROMISES

Mr. DEMINT. Mr. President, I think we came into this year very hopeful in a lot of ways. The Republicans lost the majority, and in some ways I think that is a good thing. We lost our discipline on spending, and for many years our Democratic colleagues were more than happy to help us and even try to one-up us during the period we were in the majority.

Our last act as the majority, though, was a good one. We were able to stop last year's omnibus bill and force Congress to move ahead under a continuing resolution that only had about 2,000 earmarks—wasteful earmarks. This year, the majority unfortunately has expanded that back to about 6,000, which is disappointing because we entered the year with a lot of promises from the new majority, a lot of hopes about things that would change. Our Democratic colleagues ran on cleaning up the culture of corruption and getting rid of a lot of wasteful earmarks.

I, for one, wanted to help. In fact, one of the first things I did this year was introduce NANCY PELOSI's, Speaker PELOSI's, earmark transparency bill in the Senate. Unfortunately, the new majority decided it wasn't right the way they did it and filled it full of loopholes, and we have been fighting

all year to try to continue to disclose a lot of this wasteful spending.

Now, as I said, as we end the year, instead of the 2,000 earmarks we were at last year, we are going to 6,000 plus. We are also way over budget. The amount we have over budget this year will translate over the next 10 years to about \$300 billion in additional spending. That is a lot of money for anyone to even conceive of, but just so Americans will know, that amount would allow us to continue the tax relief we have had for the last several years for another 10 years without spending any additional money as a government. That tax relief affects every American. Instead, because we haven't acted, because we haven't kept our promises, next year millions of Americans, middle-class Americans will experience a new tax that they have never experienced before, and a lot of them don't know it is coming.

The disappointment, I guess, as we end this year is there are so many needs as a nation that we haven't acted on. Instead, we have spent the year with 40 resolutions on Iraq. We have tried to expand Government health care, holding children hostage to moving to more Government-controlled health care. The 40 Iraq resolutions were all done holding our troops hostage and the funding for our troops and the weapons and the armament they need to succeed. We spent the year on things such as trying to eliminate the secret ballot for workers when folks are trying to unionize them. Workers have always had the freedom to vote secretly and not be coerced or intimidated, but we have held workers hostage this year.

We have all of these new wasteful earmarks. Americans have heard about them, whether it is a hippie museum or monuments to different Members of Congress, billion-dollar parks at the expense of our veterans funds. We have balled that all up as we go into the end of the year \$300 billion over budget for the next 10 years with wasteful earmarks, including monuments to ourselves. I think we have done something even worse than the wasteful spending because we have tied to this wasteful spending ball at the end of the year the most vulnerable and disadvantaged in our society. We have tied the children to it. We have said they need more health care. We have tied our troops to it, and we are holding them hostage. Instead of giving them the money they need over the next several months, we are tying them up and holding them hostage.

Our veterans, we filled the Veterans bill with wasteful earmarks, and we are holding our veterans hostage. We have basically made human shields out of the most vulnerable Americans, and we are challenging Members of the Senate and Members of the House: Vote for this bill that is billions over budget, that contains billions of wasteful earmarks. You either vote for this bill or you are voting against children and

veterans and seniors and voting against our troops. This is no way to run the most important Government in the world.

So we end the year with a lot of broken promises. We have not helped Americans buy health insurance; in fact, we have made it harder. We haven't cut spending; we have raised it. We have increased the number of earmarks from last year. All we have done is talk. While our troops are succeeding in Iraq, we are trying to cut their funding. Instead of broken promises, we need to focus on the promises we need to keep.

We have promised Americans since the beginning of our Constitution that we are going to protect them. That is our main purpose. We need to keep our promises to seniors because we have taken their money all their lives and promised them Social Security and Medicare will be there. We need to keep those promises. We need to keep the promise of making freedom work for everyone and not to use the problems in our society as an excuse to replace freedom with more Government, which is what we are in the process of doing at every turn in Washington.

I appreciate the opportunity to speak, and I hope we can end the year in a more bipartisan fashion and work on reducing the amount of spending, the wasteful earmarks, and try to focus our efforts on the real priorities of this country that affect real Americans and not to hold our people hostage to this wasteful spending. We have just another month or so to finish our business, and I hope we finish it with some honor and dignity in a way that the American people would regain some trust in this Senate and in this Congress.

Mr. President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Michigan is recognized.

#### GETTING RESULTS

Ms. STABENOW. Mr. President, I come to the floor because it is amazing to listen to my friends on the other side of the aisle lament what they view are things not getting done when, in fact, we are getting things done. The truth is, we have been operating this year with an extraordinary slowness on the other side of the aisle because, first of all, they have participated in 52 filibusters since the beginning of the year—52 filibusters, maybe 53 by the end of the week, every week now. This is unprecedented. It never happened before. It never happened before; to see the minority in the Senate obstruct,