

Rice Belt Warehousemen, the Fertilizer Institute, U.S. Dried Peas and Lentils Council, U.S. Beet Sugar Association, U.S. Canola Association, and Women Involved in Farm Economics. They all say unanimously that this legislation is important and it is important now.

To those colleagues or their staffs who are watching the final minutes of this debate and discussion who are wondering, Gee, does this do what the critics say; does it unjustly enrich someone; let me say that the answer to that is an emphatic no. This example I have prepared shows, in North Dakota, what a farmer would get in a typical year on an acre of wheat, which is \$157. With a 50-percent loss, he gets \$78.60 from the market, \$27 in insurance premium, and \$7 for this amendment, for a total of \$113. He would still be left with a 28-percent loss. For a farmer who has a 75-percent loss of his crop, he would get \$39 from the market, \$54 in insurance premium, \$19.50 from this amendment, for a total of \$113, leaving him or her with a loss of 28 percent as well. People are not being unjustly enriched and they are not being made whole. We are simply offsetting some of the dramatic losses people have received as a result of natural disaster—the third worst drought in our Nation's history.

I don't know how much more clear I can be. I ask my colleagues to support this amendment. In our part of the country, we have supported every region when they have had disasters. We were the first to sign up after Katrina for aid to them and the Gulf Coast States. We recognized their loss. We were among the first to sign up to help Florida in the terrible losses it has suffered. We were among the first to sign up when California experienced terrible losses as a result of natural disasters, whether it was wildfires, mud slides, or any of the rest. We have had a disaster in our part of the country now. We are asking our colleagues to help us. We will remember those who helped, just as we have helped others in their time of need.

Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has used his 4 minutes.

Mr. CONRAD. I thank the Chair and 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. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DORGAN. Mr. President, I understand we are, by a previous order, to vote at 5 o'clock. There appears to be 4 minutes remaining. I ask unanimous consent to speak during that time if no one else is present.

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

Mr. DORGAN. Mr. President, I only wanted to follow Senator CONRAD and

point out that this amendment is truly bipartisan. Those who have watched this debate will recognize we have had Republicans and Democrats come to the floor of the Senate to say this is an important amendment. They support it, and they hope the Senate will pass it.

I want to point out again that this is the third time we have brought this to the floor of the Senate. On two other occasions, it passed the Senate and had gone to conference. On both of those occasions, it was blocked in conference with the U.S. House. It was blocked by the House conferees. I believe on both occasions I asked for a vote of the Senate conferees, and the Senate conferees insisted on their position. So it is not a weak will here with respect to disaster assistance for farmers that exists. It is a very strong will, and the Senate has expressed itself previously on two occasions.

On the third occasion in the Appropriations Committee, we had a unanimous vote—by unanimous consent in the Appropriations Committee—to add the disaster legislation earlier this year. That bill has not previously come to the floor but not because we have not tried. We have pushed and pushed to get that bill to the floor of the Senate. Only now, in what is the last week of the session, have we managed to get the bill on the floor and, by consent, offer an amendment.

So I think it is important to understand that we have been trying for a long while to get this amendment fully debated, get it through the Senate and back to conference with the House.

It appears now that, whatever may happen on the floor this afternoon, this is likely to be a part of an omnibus appropriations bill at some point in late January or, likely, mid-February. Time is very short. Someone used the word "patience" earlier today. Boy, we have had a lot of patience in dealing with this issue. There is broad, bipartisan support for it—or there has been at least. We have been waiting and waiting, and it has been blocked in the Senate from bringing this to the floor. Finally we are here today.

This is not an idle matter for a lot of American families. For many farm families, the decision will be a decision about whether they will be able to continue living on and working on their family farms. For those who don't know about them, those who never lived on a farm and don't know what they do on a family farm, don't understand the risks that are taken on a family farm, there are ways they should avail themselves to find out. It is an important part of this country.

The network of farm families that are spread across the prairies and lands of this country and produces the foodstuffs, raises cattle, plants and harvests crops, takes all the risks, is an unbelievable group of Americans, and in many ways they are America's all-stars, the entrepreneurs who risk everything virtually every year. When

real trouble comes—a natural disaster—the best instinct of this Chamber has always been to say to them: We want to help you. That is all we are saying with this amendment. We want to help family farmers have a chance to continue to stay on the lands. My hope is we will give broad, bipartisan support for this legislation today.

The PRESIDING OFFICER. The hour of 5 p.m. having arrived, the question is on agreeing to the motion to waive the Budget Act point of order with respect to amendment No. 5205. The yeas and nays have been previously ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. The following Senators were necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from Georgia (Mr. CHAMBLISS), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Utah (Mr. HATCH).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from Connecticut (Mr. DODD) are necessarily absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. BIDEN) would vote "yea."

The PRESIDING OFFICER (Mr. AL-EXANDER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 57, nays 37, as follows:

[Rollcall Vote No. 271 Leg.]

YEAS—57

Akaka	Enzi	Mikulski
Baucus	Feingold	Murray
Bayh	Feinstein	Nelson (FL)
Bingaman	Grassley	Nelson (NE)
Bond	Hagel	Obama
Boxer	Harkin	Reed
Burns	Hutchison	Reid
Byrd	Inouye	Roberts
Cantwell	Jeffords	Rockefeller
Carper	Johnson	Salazar
Clinton	Kennedy	Sarbanes
Cochran	Kerry	Schumer
Coleman	Kohl	Smith
Conrad	Landrieu	Stabenow
Dayton	Lautenberg	Stevens
DeWine	Leahy	Talent
Domenici	Levin	Thomas
Dorgan	Lieberman	Thune
Durbin	Menendez	Wyden

NAYS—37

Alexander	Dole	Murkowski
Allard	Ensign	Pryor
Allen	Frist	Santorum
Bennett	Gregg	Sessions
Bunning	Inhofe	Shelby
Burr	Isakson	Snowe
Chafee	Kyl	Specter
Coburn	Lincoln	Sununu
Collins	Lott	Vitter
Cornyn	Lugar	Voynovich
Craig	Martinez	Warner
Crapo	McCain	
DeMint	McConnell	

NOT VOTING—6

Biden	Chambliss	Graham
Brownback	Dodd	Hatch

The PRESIDING OFFICER. On this vote, the yeas are 57, the nays are 37. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained. The emergency designation is removed.

The Senator from Utah.