Mr. DORGAN. If I could, Mr. President, I would like to ask unanimous consent that the Senate proceed to the bill which provides $500 million in agricultural indemnity payments which was agreed to as an amendment to the agricultural appropriations bill, and the bill be read the third time and passed, and the motion to reconsider be laid upon the table.

Mr. GREGG. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. WELLSTONE. Mr. President, I heard on the other side of the aisle a chorus of "I object." I am not quite sure why.

I was on the floor this afternoon, WCCO Radio, in Minnesota. It is hard to explain to farmers why we can't take the action right now on the indemnity payment, the $500 million. We passed it. The correction would be made later on, but we can get assistance to farmers right now.

Why can't we send this over to the House? I say to my colleagues.

Mr. CRAIG. Will the Senator yield?

Mr. WELLSTONE. I am pleased to yield.

Mr. CRAIG. I helped craft that indemnity payment. It is very important we do work with the House. Senator CONRAD, I, and others, deserve to go to conference. Senator DORGAN was a part of that.

I can understand a rush to immediate. That is in the next fiscal cycle. I think it is important we deal with it in a fair and balanced way. As it is written, already the circumstances of agriculture have changed significantly enough. We deserve to look at it in a broader spectrum.

We, the Senate, tonight acted to bring some immediacy to the difficulty you are expressing. There may be more to be done in the coming weeks as this whole difficulty with production agriculture can cross over and we appoint another conference committee.

Mr. WELLSTONE. Mr. President, let the Record show I am speaking for myself, but let the Record show that there was no objection to moving forward on advance payments for this “freedom to fail” bill, which is just an admission what an awful piece of legislation it was on our side. In addition, we could have gotten a $500 million indemnity payment out to farmers.

People are asking, when are we going to see this, Mr. President? People are thinking about a lifetime of 2 months or 3 months.

I hear this discussion that we need to take a broader view, it needs to go over to the House, and we need to work it in conference committee, and we haven't had a chance to meet yet in conference committee. Do you know how ridiculous that sounds to the people whom we represent?

Mr. President, I will just say I don't think it is just that simple. Obviously, I am not going to change the course of events tonight.

My colleague from Iowa came out here earlier and spoke about this. First, the minority leader asked whether now we could have unanimous consent to get this indemnity payment out to the countryside, out to families in rural America. Then the Senator from Iowa spoke about it. Then the Senator from North Dakota came to the floor, after we have agreed to go forward—fast forward the advance payments was just fine with this Freedom to Farm bill. And now we come out and the Senator from North Dakota asks unanimous consent that we get the $500 million—and did we pass that? I ask my colleagues.

Mr. DORGAN. Almost a month ago.

Mr. WELLSTONE. A month ago. We get this out now, over to the House of Representatives; they take action this week or next week; and then we get the assistance out to farmers.

And what I hear on this side is this chorus of “No,” and then everyone leaves. With all due respect, it is not that simple. I want the farmers in Minnesota and South Dakota to know that there was an effort made tonight to get some additional help to people above and beyond these advance payments, which will help only a little.

It is a desperate situation. Many people are going to go under over the next several months. There was an effort to night to get $500 million passed, over to the House, and out to farmers all across the country, especially in those areas that have been hardest hit. And my colleagues on the other side said no. And they are gone.

I will be willing to yield in 1 second. I would like to speak a little bit more about this for another 3 minutes. It is not that simple. I will just say to my colleagues on the other side, I see that it is late at night, but I will just say to them, it is not as simple as saying no. You said no to a proposal, to an effort to get assistance to people now. We could have worked with the House to get that done out to farmers. People are going to go under over the next several months. I think the RECORD should be very clear. I want every single farm family in northwest Minnesota that is in desperate shape to know that this proposal was turned down by the Republican Party—unwilling to do it. We were more than willing to help out a little bit with moving forward on the advance payments. No reciprocation or cooperation on the other side in getting the $500 million out to people right now.

I don't think it will be very easy to explain to people why we are waiting another month. I don't know whether we should have even let. It is sort of interesting to me, a bitter irony. Now the House has probably got what they want. We didn't have gone. We probably wouldn't be going into recess.

How do you say to people, well, it will be in a conference committee and we haven't quite got that together and we just didn't want to do it tonight because there are some things that I am not satisfied with as a Senator and I would like to work on that longer?

The future is now for people. Time is not neutral. We could have passed something which would have provided $500 million to farmer families that are in real trouble, and we didn't do it. I am embarrassed that we are going into recess. I am embarrassed that the U.S. Senate blocked this. I am embarrassed, especially that my Republican colleagues blocked it.

I didn't get a chance to talk earlier because the majority leader tried to move things along, said he would recognize two Senators, and the Senator from Georgia was the last Senator. So now I get to speak. I think it is just outrageous.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. I simply wanted to make the point that the reason I asked the unanimous consent request really has nothing to do with the request by others to advance the Agriculture Marketing Assistance Act, or AMTA payments. We are working on the Freedom to Farm bill. I didn't object to that. If that will help a producer here and there, that is good. Anything that helps get assistance into the pockets of family farmers, I am for that. So I didn't object to that, I told folks this evening I wouldn't object to that.

But, this is not new money at all. This is just a payment that they are supposed to get later on. Now, they may get a payment earlier or at least they will have the option to get it earlier.

I was thinking about the farmer who testified yesterday at our farm policy hearing. This was young fellow from South Dakota who testified. When he talked about putting the crop in this spring, he could barely continue. His chin was quivering, and he had tears in his eyes. He talked about having to find something on his farm to sell in order to get his family together to put in his crop. Then things are going to get bad for him and he was out of money again. He had to sell some of the feed for his cattle that he put aside for this winter. He
didn't have any money. He talks about the need to feed his kids, the need to provide for his family. He could barely continue because he was talking about something that is much more than a business. It is a way of life. This was life, this is how he harvested, a farmer from the Dakotas. You can see the pain in his voice. Everything that he has, everything that he owns, everything that he aspires to, everything that he has fought and worked for in his family is on the line. He said, "If you know, I have a hayloft, my barn, and I'm going to have to take it right up to the elevator. Prices have crashed, I am not going to get anything for it. I don't have a choice. I have to pay back my lender, and feed my family. The pain was so evident in his voice. He was asking, "What can I do? Is there help somewhere?"

The point of both of these producers is that they didn't cause these conditions. They didn't cause the Asian Insects, they didn't cause the highest prices they have ever seen that caused the crop prices to start to slow down and prices collapse. They didn't cause the crop diseases that have devastated these crops. They didn't cause the price collapse of wheat and barley. It is not their fault. Their question for the country is whether we are going to have any family farmers left. And, does anybody care about that?

This Senate did something that I thought was the right thing to do. We passed an indemnity program of $500 million. Frankly, that is going to have to increase substantially. Since that time, in the last several weeks, we have learned that the Texas cotton crop, the largest cotton crop in the world, has been damaged. In Louisiana and Oklahoma, the agricultural economies are devastated. So the $500 million is going to have to be increased. The point is, while I think advancing the Freedom to Farm payments is fine, I think we can do more by deciding to take the $500 million we have already agreed upon and advance that and move that out.

The earliest farmers are going to get those indemnity payments would be perhaps November or December. Too night, we could have taken that $500 million and made it available. We could have sent it to the House, and let them pass it. Next week, or the week after, the Department of Agriculture could have begun to try to deal with this deepening farm crisis. This isn't an ordinary crisis. I have mentioned before that we have so many auction sales of family farms in North Dakota that they were calling auctioneers out of retirement to handle the sales. You can go to those sales and see those little tykes wearing their britches and cowboy hats with hair in their eyes, wondering why mom and dad have to sell the farm, and why their life is going to change. You can see the hurt and the pain in their eyes, wondering people bid on their machinery. Most of the equipment is old because they can't afford the new machinery. You can see the pain being suffered out in the great plains.

I am disappointed tonight. I wish we could have done what we have already decided to do. We should make $500 million available now. We should do it sooner rather than later. We will come back in September and have another significant debate. Advancing the Freedom to Farm payment is fine. It may help some producers. If it does, I am for that. But we must do more. This Congress must look at the family farmers as a matter. This isn't just about dollars and cents, or about economic theory. With all that is going on in agriculture, including unfair trade, unfair competition, a choked market, monopolies up and down and sideways, and everywhere, we are losing something very important. We are losing family farmers. Then all the yard lights will be turned off on these farms. You will fly from California to Maine and you won't see family farms because agriculture is not an isolated fact. They blow as far as you can blow for 10 hours, and they blow back. There will be nobody living out in the country. That seed bed of family values that existed and that nurtures us from small farm to big farm to everything in between is what we will lose if this has not refreshed this country will be gone. Then somebody will scratch their head and say: What happened to our country? What will have happened is that this Congress didn't understand, is that, some other countries do, that family is at the core of national life. It is not just dollars and cents. It is a lot more than some economic calculation made by those who give us a bunch of constipated theories about agriculture. This is everyday living by farm families that just ask for an even chance to make a decent living. Yet they are confronted in every direction by monopolies, price collapse, disaster, and then by a Government that says they want to pull the rug out from under their supports. What if the Government tried to do that on the minimum wage? They would say, "Let's reduce the minimum wage to $1 an hour and call it freedom to work." It's the same thing. The fact is, we can come back here in September and have a real debate about real policies that will give family farmers in this country a real opportunity to make a decent living. They are the economic all stars in this country. Make a mistake about this. This country will make a serious mistake if it turns its back to the economic opportunity that ought to be offered to the family farmers in this country.

I yield the floor to Mr. CONRAD.

Mr. CONRAD addressed the Chair. The PRESIDING OFFICER (Mr. DeWINE). The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, perhaps it is helpful that we had a discussion on the farm crisis started again tonight. It is unfortunate the way it came up because, typically, those of us who represent farm country have tried to work together. That did not happen tonight. That is unfortunate. There is no great harm done. In fact, we passed something that will be modestly helpful, although it represents no new money.

Mr. President, the reason there is such a high level of feeling about what is happening in farm country is because we face an unmitigated disaster. In North Dakota, farm income declined 98 percent from 1996 to 1997. The result is massive number of auction sales, and the result is that the Secretary of Agriculture came to North Dakota and his crisis response team said that we are in danger of losing 30 percent of our farmers in the next 2 years. That is a disaster of staggering proportion.

Of course, I am not just talking about farm country because we have the lowest prices for wheat and barley in 50 years. Those prices continue to crash. I just received a phone call from a farmer in his home in North Dakota, who heard this debate occurring and he said, "Don't they know down there that just shuffling payments is not going to solve the problem? Don't they know that this kind of shell game is not what is needed? What is needed are additional resources to fight what is an international trade war. Don't they know that Europe spends 10 times more supporting their producers than we do supporting ours? Don't they know Europe is spending more than we are supporting exports? Don't they understand the result is not only the lowest prices in 50 years, but in addition to that, disasters that are not being addressed?"

The disaster in North Dakota is the outbreak of a disease called scab, a fungus that is loose in the fields, which cost us a third of the crop last year. That combination of the lowest prices in 50 years and losing a third of the crop to this horrible disease, scab, is having devastating impact, in our national life. It is not just dollars and cents. It is a lot more than some economic calculation made by those who give us a bunch of constipated theories about agriculture. This is everyday living by farm families that just ask for an even chance to make a decent living. Yet they are confronted in every direction by monopolies, price collapse, disease, and then by a Government that says they want to pull the rug out from under their supports. What if the Government tried to do that on the minimum wage? They would say, "Let's reduce the minimum wage to $1 an hour and call it freedom to work." It's the same thing. The fact is, we can come back here in September and have a real debate about real policies that will give family farmers in this country a real opportunity to make a decent living. They are the economic all stars in this country. Make a mistake about this. This country will make a serious mistake if it turns its back to the economic opportunity that ought to be offered to the family farmers in this country.

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the fungus called scab. In other parts of the country, it has been hurricanes.

The combined result is a farm crisis worse than anything we have seen since I have been in public life. I have been in public life now for over 20 years.

Mr. President, I hope when we return that we are ready to aggressively address this problem. What we did tonight will help. It is not new money. It just moves money forward. That will be of some assistance. But it in no way solves the problem. We have a crisis of staggering dimensions, and it requires our full response.

I thank the Chair. I yield the floor.

I suggest the absence of a quorum.

Mr. President, ACP has an impressive membership which includes such organizations as the Law Enforcement Alliance of America, the Louisiana Sheriffs Association, American Small Business Alliance, Americans for Tax Reform, Electronic Commerce Forum, Information Technology Industry Council, the National Association of Manufacturers, the U.S. Chamber of Commerce, and over sixty technology companies. It’s advisory board includes several intelligence and law enforcement experts such as former National Security Advisor Richard Allen, former NSA Deputy Director William Crowell, former CIA Director John Deutch, and former William Webster, and former San Jose Police Chief Joseph McNamara. This array adds credibility to their message.

As you are well aware, encryption plays a significant role in our daily lives. This technology scrambles and unscrambles computer text to keep private communications from being read by unauthorized individuals such as hackers, thieves, and other criminals. Encryption protects private citizens as they buy something over the Internet, ensures that only authorized medical personnel can read a patients’ medical records stored on a hospital database, shields tax information that we send to the IRS, and safeguard personal letters that we E-mail to loved ones. Encryption means that American companies can protect confidential employee information, such as salary and performance data; valuable trade secrets and competitive bidding information; and critical tax data.

Encryption also benefits America’s security by protecting our nation’s critical infrastructures, like the power grid, telecommunications infrastructure, financial networks, air traffic control operations, and emergency response systems. Strong encryption thwarts infiltration attempts by computer hackers and terrorists who have destructive, life threatening intent.

Yes, this is an issue that truly affects all Americans. By allowing a public policy that limits encryption to continue, we risk sending more potential U.S. business overseas. This approach only serves to harm America’s economic and national security interest by encouraging criminals to purchase foreign made products now widely available with unlimited encryption strength. By contrast, the broad development and use of American encryption products should be advantageous to our law enforcement and intelligence communities.

I must say that I am deeply troubled by the comments made by Commerce Under Secretary William Reinsch, head of the Bureau of Export Administration, in response to ACP’s efforts. Apparently, Under Secretary Reinsch doubts that this initiative will work—that industry and privacy advocates are wasting their money. I disagree. ACP is proposing a way to educate the public about the importance of encryption in our every day lives. These advertisements make clear that encryption technology preserves our First Amendment right to freedom of speech and our Fourth Amendment freedom against unreasonable search and seizure. They illustrate that we need strong security to keep all Americans safe from infrastructure attack. They explain that law enforcement and computer users everywhere must feel confident in the knowledge that their private information will remain private. Clearly, the development and use and strong encryption is critical if Internet commerce is going to reach its full potential and sustain the economic engine that is driving this country into the 21st century.

I believe this advertising campaign is yet another indication of industry’s willingness and desire to find a reasonable solution to the encryption issue. Industry and privacy groups, for example, have been working in earnest with Administration officials for several months. In May, a proposed interim solution to the encryption issue was offered. The Administration responded that it would take five to six months to review the proposal. This reaction in conjunction with Under Secretary Reinsch’s recent comments, lead many in Congress from both sides of the aisle to conclude that the Administration, despite what it has been saying publicly, does not want to see a balanced resolution before this Congress adjourns.

Mr. President, I think it is also important to reiterate that the Administration’s restrictions against U.S. encryption exports and its proposals to control domestic use just cannot work. Innovation in the high tech industry is relentless and ubiquitous. The government cannot stop it. It is for this reason that industry is trying to persuade the Administration that innovation is the solution to this issue, not the enemy.

Two weeks ago, a coalition of thirteen companies proposed a private solution that would provide law enforcement with court approved access to computer messages. Clearly, industry leaders want to help officials capture criminals and terrorists. I believe the ideas they have put forward are reasonable and responsible. On the other hand, I do not believe the Administration’s response has been forthcoming. Encryption policy can be modernized with the stroke of a pen, but the Administration has shown little willingness to work. This industry takes appropriate action by implementing a media campaign.

While encryption is a complex and divisive information technology issue, this media initiative reinforces the need for legislation to bring America’s encryption policy into the 21st century. The national security and law enforcement communities have legitimate concerns that must be considered. I believe that the best way to deal with these concerns is through this Congress legislation that strikes a balance on encryption. Legislation that would help keep private and corporate communications away from...