equal opportunity for every child, jobs at decent wages, and getting money out of politics and bringing people back into politics. I want to talk about the economic pain that exists among citizens in our country.

I start with agriculture. I am from an agricultural State. We have a failed farm policy that is driving family farmers off the land. We have not done a thing about the price crisis. We have had another bailout. We have some money for people so they can live to farm another day, but we have not changed a thing when it comes to farmers being able to get a decent price. We have not changed a thing when it comes to all the concentration of power in agriculture and in the media and in banking and in energy and in health insurance companies. We do not want to be a part of these big conglomerates. We do not want to talk about antitrust action.

So I argue that at the macrolevel this has been a do-nothing Congress. I think people in the country should hold us accountable. I say to the majority party, I think they should especially hold the majority party accountable because I think many of us have wanted to do much more. I think that is what the next election probably will be all about.

If people believe education and health care and opportunities for their children and jobs at decent wages are important issues to them—that is their center; that is the center of their lives—and they believe the Republican majority has not been willing to move on this agenda, and they feel as if there is a big disconnect between what is done here and the lives of people who we are suppose to represent, then I say, let the next election be a referendum. But I certainly wish we had done more.

A FAIR DEAL FOR MINNESOTA DAIRY FARMERS

Mr. WELLSTONE. Mr. President, final point. Some of us have been fighting for several days. We are out of leverage now. It is toward the end. But to be real clear about it, there was a time, when the Northeast Dairy Compact was brought to the floor, it was fairly on the Senate floor, and now our successful efforts may be unjustly curtailed by clandestine negotiations by a different party. This type of backroom negotiating style is clearly not the first time that harmful dairy provisions have been attached to the bill. We have been fighting such tactics since the authorization of the compact. In fact, the authorization of the Northeast Dairy Compact was inserted into the 1996 farm bill as part of a backroom deal.

In 1996, I offered an amendment which successfully struck the compact out of the Senate bill and the compact was not in the farm bill initially passed by the House of Congress. Instead, it was later inserted during the bill's conference in the passage of the 1996 Freedom to Farm bill. So this got snuck in. It was part of a deal. It is how we got the "Freedom to Fail" bill, which has visited unbelievable economic pain and misery.

The argument that was made for the Freedom to Farm bill was it should all be in the market; there ought not be any safety net; so a family farmer should not have any real leverage for bargaining for a decent price. You name it. It was a great bill for grain companies, a great bill for the packers, but not a very good bill for family farmers. On the other hand, when it came to dairy, it was a different set of rules. And we were going to have these dairy compacts with administered prices.

Our dairy producers were just asking for a fair shot—dairy producers in States such as Wisconsin and Minnesota.

Let me explain. In my State, we have 8,700 dairy farms. We rank fifth in the Nation in milk production. These farms generate about $1.2 billion for our farmers each year. The average size of the Minnesota dairy farm is about 60 cows—60 cows per farm. We are talking about family-size farm operations. We are going to lose many more because this compact, for all sorts of reasons so negative, impacts on our dairy farmers.

Mr. President, I am disgraced by the recent action by the majority party to include such harmful dairy provisions in what we call the 1996 Freedom to Farm bill as part of the final spending bill this year. The tactics used to include dairy as part of this bill is yet another illustration of the flagrant abuse of power. I and my fellow colleagues have fought hard and have been successful in defeating previous attempts to extend the Northeast Dairy Compact. We fought openly and fairly on the Senate floor, and now our successful efforts may be unjustly curtailed by clandestine negotiations by a different party. This is what the next election probably will be all about.

I have four children. My 11-year-old son Al helps my husband and I by doing chores. But it often is too much to expect of someone so young. For instance, one day our son came home from school. His father asked Al for some help driving the tractor to another farm about 3 miles away. Al was going to come home right afterward. But he wound up helping his father cut hay. Then he helped rake hay. Then he helped bale hay. My son did not return home until 9:30 p.m. He had not yet eaten supper. He had not yet done his homework. He did not get ready for bed until 10 p.m. The price we get at the farm gate isn't enough to allow us to hire any farmhands or to help our community by providing more jobs. And it isn't fair to ask your 11-year-old son to work so hard to keep the family going. When will he burn out? How will he ever want to farm?
My grandfather milked 15 cows. My dad milked 20 cows and later expanded to 300 cows, and I’m going broke. They made a liv- ing out here and I didn’t. Since my son went away to college, my farmhands are my 73-year-old father and my 77-year-old father-in-law who raise 250 head.

I have a barn that needs repairs and updates that I can’t afford. I have two children that don’t want to farm. At one point, in a 90-mile radius, there were 15 Kyllos farming. Now there are three. And now I’m selling my cows. My family has farmed since my ancestors emigrated to the United States.

When I leave farming, my community will lose the $15,000 I spend locally each year for cattle feed; the $3,000 I spend at the veterinarian; the $5,000 I spend for electricity; or the money I spend for fuel, cattle insemination and other farm needs.

The testimony I just read were from Minnesota farmers who felt comfortable to share their names. I have additional testimony on hand. The names of these farmers, who told me their stories, had requested that I not use their name. This is testimony from a farmer in East Ottertail, MN:

Though the ongoing difficulties, it is amazing the steadfast willingness of this family to try and hold things together. The farm is being farmed by two families, a father and his son.

Since dairy prices fell in the second quarter of 1999, there was not enough income for this family to make the loan payments and to provide for family living and cover farm operating expenses. The Farm Credit Services would not release a loan for farm operating expenses, and so the family had to borrow money from the lender from which they are already leasing their cows. They have tried to sell the cows properly because of the lack of funds. Because they cannot adequately feed their dairy herd, their milk production has fallen and is considerably lower than the herd’s average production. In addition, because there was no money for family living, the parents had to cash out what little retirement savings they had so that the family had something to live on day to day.

The son and wife had to let their trailer house go since they could not make the payments, and that farm had to be put into a home owned by a relative for the winter. Most of their machinery is being liquidated. However, there are a few pieces of machinery that go toward paying off their existing debt. The family will be selling off 120 acres of land in their struggle to reduce the debt. Recently, the father has been having serious back troubles, and the son has been unable to help his son with the work. This is tremendous stress both physically and mentally on the son. The son has decided he is going to have to sell part of the herd as an insurance policy by a relative for the winter. The herd is being sold in a manner that is more manageable for one person. In addition, the money acquired from selling off part of the herd will be applied toward their debt. The son hopes that these three items combined: selling machinery, land and part of the herd can pay off enough of their debt that he might be able to do some restructuring of the remainder of the farm and to reduce loan payments to a manageable amount where there is something left to live on after payments are made.

These are just a few of the stories. I read them to you to illustrate the fact that when we consider national dairy policy here in the Senate, we need to keep in mind that we are determining the future of an industry and a way of life that are basic not only to the agricultural economy, but to the very soul of America’s rural heartland. This provision attached to this omnibus bill will hurt Minnesota dairy farmers and frankly dairy farmers throughout the country. I have been on the floor before discussing how the dairy markets and any reversal to the implementation of an equitable milk marketing system will harm Minnesota dairy farmers. However, the dairy language included in this bill goes even further and could potentially threaten all family dairy farmers throughout the nation.

What I am talking about and concerned about is that many Americans are the trend towards factory-farm and concentration in dairy. It is unnecessary and unwise. There is no reason we cannot maintain a diversified and sustainable dairy system. A dairy system which promotes economic vitality in rural communities and one which is more environmentally sustainable than a factory-farm system. Family dairy farms are essential to maintaining family farms can provide a plentiful supply of wholesome milk at a fair price. However, there is a provision stuck in this bill which no one has really discussed, and would harm family dairy farmers everywhere. The provision would establish a pilot program allowing for the expansion of forward contracting of milk.

Forward contracting reduces competition in the marketplace and results in lower prices to dairy producers. Forward contracting is not specific to the dairy industry. In fact, one can note the effect of forward contracting by the recent events occurring in the hog industry. Recently, the hog industry has witnessed tremendous increase in the number of producers who decided to forward contract. Hog producers will contract with packers to guarantee them a minimum price for their pigs. Contracting is not inherently bad and there are some good contracts. However, what is occurring is that these deals are made often in private and do not reflect the spot market. There is a strong argument that contracting is partly responsible for the depressed hog prices and the rapid increase in the concentration of the hog industry. What is happening in the hog industry is also happening in dairy.

This provision would expand forward contracting of milk by allowing processors to pay producers less than the federal milk price for milk. Under current law, forward contracting is allowed, however, only if the buyer is willing to offer at least as much as the federal minimum price. In other words, this provision will remove an important incentive for our dairy producers. Expanded forward contracting can also reduce the price for producers who do not forward contract by reducing the competition for milk, thereby dam-
December 3rd, but it is predicted to be even lower. Again, as I have stated before with such volatility in the market, it is no question that our dairy farmers are having a difficult time to survive. And if dairy farmers are not struggling enough with the volatility of the market, Congress is now assisting in some way to make their prices any dairies farmers worse—and that is what has happened with the Northeast Dairy Compact. The Northeast Dairy Compact gives six states the right to join together to raise prices to help producers in the region. While it may help the Northeast, it is cutting into our markets. It is true that the compact provided a safety net this spring to certain farmers when dairy prices plunged. When the price of raw milk dropped by 37 percent, one Massachusetts farm lost $1 million. The compact, Overall, that farmer said, aid from the compact totaled seven percent of his gross income during the first 12 months of its operation. Conversely, Midwest dairy farmers—who also own a compact—showed sharp price decline—got no such price.

The Northeast Dairy Compact fixes fluid milk prices at artificially high prices for the benefit of dairy producers in just that region. This artificial price boost of a compact may benefit the producers covered by the compact, but it hurts all other dairy farmers. It is also no secret that the expansion of the Northeast Compact encourages other regions such as the Southeast to form their own compact. This would be detrimental to the Upper Midwest. A recent report by University of Missouri dairy economist Ken Baily found that Minnesota’s farm-level milk price would drop at least 21 cents per hundredweight in the Northeast Compact area. Overall, that farmer said, aid from the compact totaled seven percent of his gross income during the first 12 months of its operation. Conversely, Midwest dairy farmers—who also own a compact—showed sharp price decline—got no such price.

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last day. There will be a vote, and we can't stop that vote—whether it be at 1 a.m. or in midafternoon. To me, that is no longer an issue. We have done every-thing we can.

But I say to my colleagues that I think what has been done to the dairy farmers in the Midwest is an injustice. I think it is an injustice in a piece of legislation that, in and of itself, does not represent all that much for America, even though I know everybody will be talking about how great this is. I am certainly going to vote against it.

I also say to my colleagues that I hope we will, next year, think about how we can reform the way we operate. On this, I hold the majority leader accountable—to the extent that I can hold him accountable. And I will figure out every way we can next year, whether we come back, to keep raising this issue.

We didn't get a lot of these appropriations bills done. We had a lot of legislation that came to the floor. We weren't allowed to do amendments. Frankly, I don't know how anybody in here thinks we can be good legislators when we don't have the bills coming to the floor. We need to get them out here in the open and have debates that are introduced, have up-or-down votes, and then we move forward. And if we have to work from 9 in the morning until 9 at night, so be it. But instead, we don't do our work.

Those of us who believe the Senate floor is the place to fight for what we believe in and have the debates are not able to do so. Instead, we have this process where six, seven, eight people decide what is in and what is out, and we have this huge monstrosity called the "omnibus" bill that is presented to us, where none of us has read—or maybe two people have. But none of us has read this from cover to cover. I doubt whether there are more than two Senators who know everything that is in here.

I would like to raise the question. How can we be good legislators with this kind of process? We are not being good legislators. I am speaking for myself. I am not able to be an effective legislator representing Minnesota if we are going to continue making decisions in conference committees and rolling in six, seven, eight major pieces of legislation with no opportunity for me as a Senator from Minnesota to bring amendments to the floor. That was done on the dairy compact, and that is what has been done on a whole lot of other decisions. It is no way to legislate.

I contend that that is no way to legislate. I contend that this omnibus bill makes a mockery of the legislative process. I contend on the floor of the Senate today, not only because of what happened to dairy farmers in Minnesota but because of the whole way in which this decision-making process has worked, that this is unconscionable. I contend that this kind of decision-making process is going to lead to more mistakes and more concern on the part of people in this country.

People hate the mix of money and politics. They don't like poison politics. They don't like all the hack-at-tack politics my colleagues, Senator Reed, and I, and Senator DURBIN, were talking about earlier because they believe that is what is wrong. They don't like what, apparently, some of us relish. They don't like backroom deals, decision-making that is not open, accountable, and that people can understand and comprehend.

Now, my final point. I am not so sure that some of the major decision-makers, given the sort of deck of cards they had to work with—I don't know that I want to point the finger at any one person. I don't think that is probably fair. I am making an argument about process, not about a particular Senator. Some of them who were involved in this probably did everything they could do from their point of view. They are very skillful. But I will tell you one thing. Minnesota dairy farmers came out on the short end of the stick.

I regret the fact that this has been done and stuck into a conference report and was not done in an honest way, with open debate on the floor of the Senate, where we could have amendments. I also regret a legislative process where we didn't get to the bills on time, didn't have the debate on the floor. Didn't have amendments we could introduce, didn't have the up-or-down votes, and it all got done by a few people, really, basically, with very little opportunity for public scrutiny, for democratic accountability.

I am going to vote "no" on this bill. I think I would vote "no" just on the issue of the way in which these decisions have been made because, again, I think we have made a mockery of what should be the legislative process.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

UNANIMOUS CONSENST AGREEMENT

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senator from Iowa, Mr. GRASSLEY, be recognized for approximately 10 minutes, if that is sufficient. I don't have the up-or-down votes, and it all got done by a few people, really, basically, with very little opportunity for public scrutiny, for democratic accountability.

Mr. GRASSLEY. I think it is.

Ms. COLLINS. I also ask unanimous consent that he be followed by the Senator from New York, Mr. SCHUMER, for not to exceed 5 minutes, and that I be recognized to transact legislative business.

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

The Senator from Iowa is recognized.

CHINA'S ACCESS TO THE WORLD TRADE ORGANIZATION

Mr. GRASSLEY. Mr. President, in my capacity as chairman of the International Trade Subcommittee and getting ready for the Seattle Round, as well as considering China's accession to the World Trade Organization, I want to speak on Congress' power and our responsibility on the whole issue of international trade.

It is very clear in the Constitution that the Congress of the United States has the power, as one of the specifically delineated powers of Congress in the first article, to regulate interstate and foreign commerce. So the United States has just concluded a bilateral market access agreement with China. It should pave the way for China's accession to the World Trade Organization.

From what I have heard about this agreement—and, of course, we only have summaries at this point—it is an exceptionally good one for the United States and especially for American agriculture. I said, when the agreement fell through on April 8, I was fearful that a lot of ground would be lost. I don't think, from what I know, there has been any ground lost with the renegotiation. Charlene Barshesky, our U.S. Trade Representative, conducted herself in a highly professional way and negotiated what appears to be an excellent agreement, and she did it under very difficult circumstances.

Now that the negotiations are finished, the job of the Senate and the House of Representatives becomes even more important. Our constitutional responsibility requires that the Senate and the House carefully review the agreement in its entirety, and the extent to which there are changes in law, they obviously have to pass the Congress. Any law would, and be signed by the President.

It is a responsibility every Senator takes very seriously because it is assigned to us by the Constitution. And because the Congress has a unique and close relationship with the American people, we must also keep faith with the people who sent us here to fulfill our constitutional responsibilities.

That is why it is critical we know everything that was negotiated.

I want to put emphasis upon that statement.

That is why it is important that the Congress of the United States know everything that was negotiated—everything, every issue, and every interpretation—so there can be no surprises, no private exchanges of letters, no private understandings about the key meanings of key phrases in the agreement, and no reservations whatever that are kept just between negotiators.

In other words, if Congress is going to legislate these agreements and secure these agreements, Congress has a