The PRESIDING OFFICER. Objection is heard.

Mr. ABRAHAM. Mr. President, if I may comment, I certainly appreciate Senators will differ on issues, and I have talked with the Senator from Minnesota. I understand his feelings on the issue he would like to include, either in the context of legislation I am talking about tonight or in some other context. But I point out for the benefit of all of our colleagues that the legislation that was the subject of this unanimous consent proposal, S. 761, is a very important piece of legislation but not one I believe should become tied up in a variety of nongermane amendments and debate.

The bill that would have been proposed, S. 761, is essentially a bill which would seek to make it feasible for us to engage in electronic commercial activities and to provide validity to what we call digital signatures or the authentication of digital signatures to allow for the expansion and continuing development of commercial activities over the Internet.

This legislation is needed, and it is my understanding, in efforts to secure unanimous consent to go to this, we have found as many as 99 Members in support of this bill. That is not surprising. The States are in desperate hope we will pass this legislation and pass it soon.

It left the Senate Commerce Committee, as the Presiding Officer knows, being a member of the committee, with unanimous support on a bipartisan basis. I have been pleased to offer this legislation, along with my colleague, Senator WYDEN of Oregon, and a number of cosponsors.

It was basically to this point uncontroversial. We have worked closely with Senator LEAHY to come forward with a substitute which we are prepared ultimately to offer that I think addresses some concerns that had been expressed.

The administration has expressed its support for the legislation as well. So I hope that we can, if not in the context of today, then at a point very soon, find some manner or means to pass the legislation and move it forward.

Every day, the expansion of those who have access to the Internet is increasing. Every day, the activities of a commercial sort that go on through the Internet are increasing. What the people who are engaging in those commercial activities need is a certainty that their contracts over the Internet will be, in fact, authenticated and given full faith and credit. The absence of this legislation makes that issue somewhat in doubt.

So while 42 States, I believe, have now passed their own digital signature laws, no 2 of these are alike. States are working hard at this time to come up with a uniform system and, in fact, a uniform code for digital signatures, and authentication has been developed but it has not yet been passed.

In the interim, until that happens, in my judgment, we need to have a system in place. This legislation would provide it. It is strongly backed by the high-tech industries of our country. I know they will be contacting Members in the hope that we can move this forward because there are so many, as I have said already, increases in the use of the Internet for commercial activity going on every single day.

So I deeply regret we could not move to this legislation tonight. I hope that as Senators with other agenda items consider ways to bring their items to the floor, they will find germane, as opposed to nongermane, vehicles to which to offer their amendments, or at least, at a minimum, they will not seek to stall this legislation any further.

I think it is an important bill. I do not think it is controversial. But I think every day we go without its passage, we will create the potential for greater problems in regard to the expansion of commercial activity that takes place in this country through the Internet and through electronic means.

So, Mr. President, I yield the floor. Hopefully, at a date very soon, I will be back so we can successfully move forward on this legislation.

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. I ask unanimous consent that I be recognized to speak for up to 30 minutes regarding the agricultural embargo issue.

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

THE UNILATERAL EMBARGO ON AGRICULTURAL AND MEDICINAL PRODUCTS

Mr. ASHCROFT. Mr. President, as I think everyone in this Chamber understands, I am advocating that there be sanctions reform with regard to the unilateral embargo imposed by this country on agricultural and medicinal products as it relates to sales in other settings.

I say ''unilateral embargo.'' This means that the United States alone decides to deprive people in the United States of the right to sell to some other country. So it is not when we are involved in multilateral embargoes but unilateral embargoes.

Secondly, the kind of embargo we are talking about is an embargo of medicine or agriculture. We are talking about the kind of thing that will keep people from starving or keep people who are in need of medicine from dying.

Senators HAGEL, BAUCUS, DODD, KERREY, BROWNBACK, and a host of others have joined with me in working on a bill that would lift embargoes of this kind against U.S. farm products.

In a sense, the bottom line is this: We offered our embargo proposal as an amendment to the agricultural appropriations bill. That is a bill that is supposed to serve the interests of farmers. The result? I have to say that the result in the Senate was a heartwarming and commendable result.

Senators, understanding that we ought to improve the capacity of our farmers to market their products around the world, and to keep farmers from being used as pawns in diplomatic disputes through the imposition of unilateral agricultural and medicinal embargoes, considered the proposal, debated the proposal, and overwhelmingly concluded, in a vote of 70–28, that we should stop using our farmers as pawns in the world of international diplomacy. Also, the Senate conferees agreed, with a vote of 8–3. Furthermore, we had the agreement of House conferees.

So what went wrong in the conference committee, after the Senate made a part of its agricultural appropriations bill a reform in this way, where farmers have been deprived of their right to market food and medicine—and pharmaceuticals are also marketed—what happened? What happened to us?

The reason I am down here today is to talk about that. If there is such overwhelming support in the Congress for such reform, what happened to the Democratic process here?

A few Members of the House and Senate leadership decided that they did not agree, and they basically vetoed something that was passed by the Senate—expressed by those who represent the people as the will of the people.

Most of the time, in order to veto the Senate, you have to be elected President. But apparently sometimes you are going to be able to overrule a 70–28 vote in the Senate by just saying that your own position is more noteworthy than that of a virtually overwhelming majority of the Senate. They vetoed the Senate-passed provision and inserted their own policy into the agricultural appropriations bill.

I am on the floor now to let farmers and ranchers across America know exactly what happened.

First of all, I would like to explain to America's farmers—and particularly to those in Missouri and the Midwest—how I fought for their interests but was prevented from doing what they wanted because of a small minority—from the leadership—who worked against sanctions reform.

Second, I would like to explain what my colleagues were proposing in the amendment with me, what was the nature of this reform.

And then third, I would like to show how it is good public policy to have a reform in sanctions not only to help farmers and ranchers but also how it is good foreign policy.

Here are the events of the House-Senate conference committee.

Let me be perfectly clear. The Senate voted on agricultural embargoes. This was not something that was interjected in the committee. We agreed, with a 70–28 vote, to end the embargo on farmers. After I and the other sponsors of the amendment made additional concessions to those opposing sanctions reform, the amendment was passed by

unanimous consent in the Senate. So not only do you have a unanimous consent in the Senate, but it was after a serious negotiation, a good-faith negotiation, that followed a 70–28 vote. So we moved to elevate this from something that was just overwhelmingly supported to something that was passed with unanimous consent.

Then the House-Senate conferees began consideration of the agricultural appropriations bill. Did they first consider what was passed by the Senate? Not really. A select few in the leadership unilaterally changed the Senate-passed amendment and imposed their personal agenda into the conference committee.

The House leadership offered some sanctions reform but carved out Cuba. At this point, the Senator from North Dakota stood up for our farmers and for the will of the Senate and asked that the Senate amendment, as passed, be considered.

Very frankly, I would not think it would be necessary to take a unanimous consent passage, that had followed a 70–28 vote prior to the final details being worked out to harmonize things—that it would be necessary to have an extraordinary event in the conference committee to ask that that just be considered in the committee. But, as I indicated, the Senator from North Dakota stood up for the farmers in my State and across the Midwest and America and stood up for the will of the Senate, as expressed in the unanimous consent and the 70–28 vote.

So, again, the Senate conferees overwhelmingly voted to reinstate the amendment we had passed on the floor. The Senate conferees said: Wait a second. This is an effort by some leaders to substitute their own judgment for the expressed will of the Senate that was overwhelmingly passed by a vote of 70–28, and then negotiated further to gain unanimous consent, and it at least ought to be in the bill.

I am grateful to the Senator from North Dakota, and I appreciate his effort. At this point, the House conferees were to vote. It was at this point that the democratic process broke down. The conference was shut down for a week because the Senate and the House conferees decided they would stand strong. They made a decision to vote the will of their constituents instead of the dictates of a few leaders in the Congress.

Mr. DORGAN. Mr. President, will the Senator from Missouri yield for a brief question?

Mr. ASHCROFT. I am happy to yield.

Mr. DORGAN. I was in the Chamber and I heard the presentation by the Senator from Missouri and wanted to make a brief comment and end with a question.

The proposal that was offered in the Senate by Senator ASHCROFT and Senator DODD said it is inappropriate to continue to use food as a weapon and that food and medicine ought not be part of embargoes that we apply against other countries for bad behavior. That proposal was passed by the Senate overwhelmingly, as the Senator from Missouri just described. The Ashcroft-Dodd provision once and for all would break the back of those who continue to want to use food and medicine as a weapon. What a wonderful thing it would be to have that happen. I was so delighted when it passed the Senate. Unfortunately, the Senator from Missouri correctly describes what happened in conference.

We, in the conference on the Senate side, insisted on the Senate provisions—that is, the Ashcroft-Dodd provision that says no more food and medicine being used as a weapon or used as part of embargoes or sanctions. We said we insist on that position.

It was clear that had there been a vote of the House conferees, they would have voted in favor of the Senate position. That was clear. So what happened? They decided to adjourn rather than allow the House conferees to vote. That was a week ago. A week later, the conference has not met. I have received an e-mail, I say to my colleague from Missouri. I will read a sentence or so from it.

This is e-mail is from a staff person dealing with the appropriations conference. It was sent to me as a conferee: As of this morning, the Senate Majority Leader signed off on a plan which was offered by the Speaker of the House to resolve the stalled agriculture appropriations conference.

It describes what was resolved, one of which was to drop the Ashcroft-Dodd provision which, in effect, says, let's discontinue these sanctions on food and medicine.

Then it says: The conference will not reconvene and all items are now closed.

My point is, this is not a way to run this place. We didn't have input. We didn't have opportunities, after the first vote in which the Senate insisted on the provision by the Senator from Missouri, the Ashcroft-Dodd provision. After we insisted on that provision, which passed overwhelmingly here, the conference adjourned. And then some other people who are unnamed and who are unknown to me met someplace—I know not where—and made a decision that we have a different approach. They essentially said here is what you are going to have, and all items are closed, and you have no opportunity to debate it.

That way of doing things is not good for family farmers, not good for this country. It is not a good way to make public policy.

I ask the Senator from Missouri, as I close—and I thank him very much for allowing me to interrupt his statement—is it not the case that when the Senate passed this with 70 votes and then by unanimous vote following that, that we felt in the Senate we had finally broken the back of this effort to always use food and medicine as weapons? We finally said to the country, it is inappropriate; we are going to stop it once and for all. Isn't it the case that if we had had a vote in the conference, from all that he knows, that that vote would have overwhelmingly said we support this position to stop using food and medicine as a weapon, and we can make this public law, but, in fact, it was short-circuited somewhere, and that short circuit really shortchanges our country? That it shortchanges the public policy the Senator from Missouri was proposing?

Mr. ASHCROFT. I am very pleased to respond to those questions. There is a very strange anomaly here. What appears to be fundamentally and unmistakably clear is that the conference committee was not shut down because it couldn't work. The conference committee was shut down because it was about to work. The conference committee was discontinued and suspended in its operation, not because they couldn't come to an agreement but because it was on the verge of an agreement. They were on the verge of agreeing how, House and Senate conferees together, this important kind of reform related to the embargoes of food and medicine, that important kind of reform should be included in what we are doing.

It was not the breakdown of the democratic process. It was the suspension of the democratic process. The real threat was not that democracy doesn't work. The threat was that democracy would work. It was going to work against the interests of a very few people.

After all, the vote in the Senate was 70 to 28, before we made the harmonizing concessions that brought us to a place of unanimous consent. So there were very few people here who sought to displace the will of what had appeared to be the conference committee and which was clearly the expressed overwhelming will of the Senate. This veto power is strange indeed, especially when the democratic process was in the process of working itself.

Mr. DORGAN. Mr. President, is it the case, I inquire of the Senator from Missouri, that perhaps some were worried the conference was about to do the right thing?

Mr. ASHCROFT. No question in my mind. It was not the threat that the conference committee could not function. It was the threat that the conference committee was functioning. It was functioning toward an end with which some people were unhappy.

That brings us to today's events. A few in the House and Senate among those who oppose this legislation, in the leadership of both the House and Senate, got together and made a unilateral decision, as has already been described by the Senator from North Dakota, to strip out provisions in the bill that had the broad support of Congress and broad support among the conferees and in the farm community.

These were the kinds of things that they wouldn't allow to be voted on, at which point I began to wonder, with

great seriousness, is this a bill that is right for the agriculture community, or is this a bill for special interests, is this a bill for some individuals who want to determine things on their own rather than to have the expressed will of the American people, as reflected in the Senate and House, become a policy of America, good farm policy, good foreign policy.

As we all know, the House and Senate leadership are proposing a new conference report, a report that hasn't been voted on by any of the conferees and a report that is opposed by the farm community. Farmers have repeatedly asked simply that the democratic process be allowed to work. If we vote and lose, then that is what is fair. The American Farm Bureau has already said it will oppose a conference report that was forced on the American farmers without their short- and/or long-term interests in mind and that it did not address the issue of sanctions reform.

I have a letter signed by Dean Kleckner, President of the American Farm Bureau Federation, urging conferees not to sign the proposed agricultural appropriations conference report unless, and then listing conditions that aren't in the sort of fabricated conference report to be imposed by leadership.

Mr. President, I ask unanimous consent that this letter from the American Farm Bureau Federation be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN FARM BUREAU FEDERATION,
Park Ridge, IL, September 28, 1999.

U.S. Senate, Washington, DC.

DEAR CONFEREE: The American Farm Bureau Federation urges you not to sign the proposed FY 00 agriculture appropriations conference report unless:

—the amount of emergency weather assistance is increased above $1.2 billion;

—it contains language that eliminates agricultural sanctions that includes Cuba;

—the bill mandates dairy option 1A, an extension of the Northeast Dairy Compact and the creation of a Southeast dairy compact;

—it includes language providing for mandatory price reporting for livestock.

The proposed $1.2 billion is not enough to provide the amount of emergency weather assistance needed to help farmers and ranchers. Even before Hurricane Floyd, estimates of crop and livestock losses caused by flood and drought exceeded $1.2 billion.

No one can effectively argue that Congress does not view Option 1A as a better and more equitable dairy marketing proposal. Just last week the House voted 285 to 140 in support of Option 1A.

Export markets hold the key to future prosperity for farmers and ranchers. Granting farmers and ranchers access to Cuba, a potential market of 11 million people located only 90 miles from our shore, is common sense. The Senate is on record, 70 to 28, in support of lifting all unilateral agricultural sanctions.

Consolidation is a serious threat to our market based agricultural economy. Mandatory livestock price reporting will give farmers and ranchers the information they need to market their cattle at the best price.

Farm Bureau is convinced that a majority of Representatives and Senators support additional emergency aid for weather disasters, an inclusive agricultural sanctions policy, the implementation of option 1A and dairy compacts, and mandatory livestock price reporting.

We ask that you not sign the proposed conference report and that you report a bill that includes these provisions so that Congressional action will reflect the majority view.

Thank you.

Sincerely,

DEAN KLECKNER,
President.

Mr. ASHCROFT. The fact remains that leadership does not want the democratic process to work because this proposal which they are against has very broad support. This isn't just good farm policy; it is good foreign policy as well.

Before I explain what the bill does, though, I simply ask that my fellow Republicans and Democrats in the Senate and House do what is right for farmers. Don't vote for a bill that farmers oppose and then claim you are helping the farmers. Our farmers need money, but the only thing that is holding that up, and has been holding it up for a week, is a few in the leadership who oppose the will of the farmers and the Congress. Our farmers also need open markets, and that is what our amendment would have done. That was the expressed will of the Senate, which first voted 70 to 28 and later voted unanimously, by unanimous consent, to be a part of the bill. That opening of the markets would have been fair. We don't just get by by having the freedom to plant. We need to have the freedom to market for our farmers, if we are going to be successful.

Let me take this opportunity to summarize briefly what the bill was designed to do. It was originally entitled ''The Food and Medicine for the World Act.'' I would like, then, to show how our approach to ending unilateral embargoes on food and medicine is good policy, both foreign policy and farm policy.

The general framework of the bill is what I call a handshake approach to sanctions. The bill would not tie the hands of the President, who now has the ability just to snap embargoes into place, but it would require the President, before he said it was illegal for farmers in this country to sell their goods to certain customers around the world, to get the consent of Congress.

So instead of tying the hands of the President, it would really require that the President sort of shake hands with the Congress, make sure this is a very serious thing, and if there is a need to embargo, in that case an embargo could be achieved. But it could not be achieved just on the whim of the executive. It would require the President to cooperate with Congress.

This bill would not restrict or alter the President's current ability to impose broad sanctions in conjunction with others; nor would it preclude sanctions on food and medicines. Rather, it says that the President may include food and medicines in a sanctions regime, but he must first obtain congressional consent.

So we really just ask that the President of the United States, before shutting off the markets of our farmers, consult with the Congress and that he obtain the consent of Congress. Under the bill, Congress would review the President's request to sanction agriculture and medicine through an expedited procedure—no stalls in the Congress.

Mr. President, the Senate of the United States, offered with the opportunity to stop a program of curtailing markets for our farmers—that program called sanctions and embargo—voted 70–28 to change the rules about that so our farmers have the right to sell food and medicine—not things generally but food and medicine—around the world.

If the President wants to stop the sale of food or medicine, these things that are essential to the existence of people, the things that make America a friend to other people, the things that bind people around the world to America, knowing that we have the right motives in our mind—if we are going to stop the sale of those things, the President has to confer with the Congress rather than to do it unilaterally. In other words, don't let the farmers of America just be used as political pawns in diplomatic disputes, having markets shut down arbitrarily or unilaterally, markets for medicine.

The Senate came to the conclusion, by a vote of 70–28, on what was called the Food and Medicine for the World Act. It was an amendment that I offered to the Agriculture appropriations bill. And then, because some people in the 28 were not happy about all details, we negotiated with those individuals, so that the next day the Food and Medicine for the World Act became a part of the Agriculture appropriations bill by unanimous consent in the Senate, and it went to conference.

Little did we know that some of the leaders would decide to displace this overwhelmingly endorsed item by members of both parties—a majority of Republicans and Democrats, voted with a 70-majority vote, and of course everybody agreed to the unanimous consent order. But certain leaders decided they would displace that. So when the bill got to conference, this wasn't in the bill. And the Senator from North Dakota decided to stand up for the farmers of America and stand up for the Senate and what it had decided and say, ''I want that in the bill.'' He said, let's vote on whether we would put in the bill what the Senate voted on.

You really wonder about things when the conference committee has to ask permission and vote to have the content of what the Senate enacted appear in the conference bill. But it was voted on and put in the bill, and properly done so.

The House was ready to do the same thing when it became apparent to

those who wanted to stop this, curtail it, didn't want this reform to take place, didn't want to offer to American farmers this set of markets, didn't want to say to them you are free to farm and now you are free to market, that they wanted to have these strings still attached. So just when the conference committee was about to operate to express its will, when it was clear how that will would be expressed, the conference committee was shut down for a week and has not been reassembled.

Today, we learned that the leadership has said to the conference committee: You are not going to reassemble. All the issues are closed, and we have decided this is the way the report will be written. You are being asked to sign the report.

So we find ourselves where the will of the Senate is stripped arbitrarily from the bill before it goes to conference. It is added back in conference, and it is again stripped arbitrarily. The conference committee is shut down when the House conferees express a signal of their intent to include that in what they had to say. We collapsed the democratic process and started the autocratic process, and we put a conference report before people, asking them to sign it in spite of the fact that it wasn't something that had been voted on or discussed; it was something to be imposed by leadership.

That kind of suspension of the democratic process has been injurious. It loses the confidence of very important groups.

I have submitted for the RECORD the letter of the American Farm Bureau saying that is not the way to run a conference. It is not the way to run polic

There are some very strong policy considerations that recommend a modification in our approach. Having the President use farmers as a pawn in diplomatic disputes to open and close markets at will undermines the reliability of the American farmer as the supplier of food and fiber. It is very difficult for people to expect to buy things from you if they never know whether you are going to have them available for sale. Customers like a constant supply.

We tried to solve this. We tried to say there wouldn't be this kind of arbitrary use of American farmers as pawns. We tried to say that in order for the sanctions to be effective and an embargo to be imposed it would have to have the consent of Congress.

We have the special provision in legislation with regard to countries already sanctioned so that if there is any need to continue those sanctions in effect, the President could come and get those instated and up to speed and qualified so we would not have any interruption.

The bill wasn't to take effect for 180 days after it was passed. So if the President wanted to make sure there were sanctions in place and imposed, there wouldn't be any exposure to gaps. Both branches of government would be given enough time to review current policy and to act jointly.

Of course, there are times when the President should have the authority to sanction food and medicine without congressional approval. A declaration of war is one of those. The legislation maintains the President's authority in wartime to cut off food and medicine sales without congressional consideration.

The bill has a few additional provisions that were not addressed in previous agricultural sanctions reform proposals. The first specifically excludes all dual-use items. That means products that could be used to develop chemical or biological weapons. There are not very many agricultural products or medicinal products that have military value. But the bill provides safeguards to ensure our national security is not harmed.

Let me make clear that this is genuinely a bill that supports a policy of putting products which will eliminate suffering and hunger into the hands of those who need these products most. It is not about providing dual-use items for tyrants to use for military or acts of terrorism.

Second, we make sure that no taxpayer money would be used to go to the wrong people. We specifically exclude any kind of agricultural credits or guarantees to governments that have sponsored terrorism. However, we allow present guarantees to be extended to people all over the world—to private sector institutions, groups, and nongovernmental organizations. This is targeted to show support for the very people who need to be strengthened in these countries—the people, rather than the dictators. And by specifically excluding terrorist governments, we send a message that the United States in no way will assist or endorse the activities of nations that threaten our interests.

Now that Senators HAGEL, DODD, and I have explained what we have done in this bill, let me explain why it is good foreign policy and why it is both good foreign and farm policy.

First of all, ending unilateral embargoes against sales of U.S. food and medicine is a good foreign policy. As the leader of the free world, America must maintain adequate tools to advance security and promote civil liberty abroad. The last thing I want to do is send a message to state sponsors of terrorism that the United States is legitimizing its regime. As I mentioned at the beginning of my remarks, sanctions are necessary foreign policy tools against governments which threaten our interests.

Richard Holbrooke, who not long ago was before the Committee on Foreign Relations seeking confirmation as the U.S. Representative to the United Nations—and we have since confirmed him—explained in his book ''To End a War'' how sanctions on Yugoslavia were essential to push Slobodan Milosevic toward peace negotiations in Bosnia.

Regardless of whether we agree with U.S. deployment in the Balkans, effective sanctions saved American lives. They helped advance American policy without resorting only to the use of military force. So we have to have sanctions. But these sanctions must be deployed, very frankly, in a realistic and appropriate way.

This measure is good policy because we don't want to say to terrorists: You can blame starving your own people on the United States by saying they won't sell us food and medicine. So we will starve you and we will not provide you with food and medicine. We will take the money we have in our country and buy arms, or explosives, or we will destabilize communities in which we live—world communities in one part of the world or another.

I think we should deprive the dictator of the right to say, ''You are starving because America won't sell us food,'' because if we ask that dictator to spend his hard currency buying food, and we make it possible for him to do so, he absolutely cannot spend the same currency again buying weapons.

Frankly, our farmers ought to be able to sell their food so that the people in those countries all around the world know that America is not in the business of starving people around the world. We are in the business of feeding people around the world. That is good foreign policy. If we can encourage people to invest their money in food rather than in armaments, if they will buy medicinal supplies rather than destabilizing various regions of the world, that is good foreign policy. But it is also good farm policy.

The sanctions that have been imposed haven't been effective to hurt our enemies. They have been very injurious to farmers. I would simply refer you to the so-called Soviet grain embargo of the late 1970s. That is perhaps the classic, the biggest, of them all, where the United States of America canceled 17 million tons of contracts that the Soviets had to buy from American farmers. It hurt American farmers immensely by not getting the payments for those farm products. We thought we were punishing the Soviet Union. They went into the world marketplace and they replaced those purchases and saved $250 million for our adversary at a time when we inflicted the loss of markets on our own farmers. It didn't make much sense then, and it doesn't make much sense now.

Policy reform in sanctions protocol would make our efforts in this respect far more reasonable, and it would require the President to get an agreement from Congress. It would not put us in the position where we embargo the sale of goods and where our customers start to look elsewhere to get their goods supplied. When we stopped the sale of 17 million tons of grain to the Soviet Union in the 1970s, it

brought on new suppliers. Rain forests could then be plowed and planted. Other countries seeing that the United States was retreating from the major segment of the world markets could say: We can supply that. Those who were in the world marketplace said: We will start looking to reliable suppliers that won't be turning over the supply depending on diplomatic considerations that would, as a result, interrupt our supply.

So it is both good farm policy to give our farmers the right to market, and it is good foreign policy to give our country the right and the opportunity to provide people with food and medicine to signal that the United States of America wants their government to spend money for food and medicine and not for military hardware.

So it is in the context of this very substantial reform that would help the U.S. farmers. It would also help our foreign policy.

It is in that context that I express my real disappointment in terms of what has happened. The conference committee was shut down, the democratic process suspended, and an autocratic process imposed. As a result, we are unlikely to have in the agricultural appropriations conference report on which we will be asked to vote—the kind of thing upon which there was so much agreement—a reform in the sanctions policy. The American Farm Bureau is opposed to this agricultural appropriations bill conference report unless sanctions reform is included.

I think Members of this body ought to be aware of the fact we need sanctions reform. The U.S. Department of Agriculture estimated there has been a $1.2 billion annual decline in the U.S. economy during the midnineties as a result of these kinds of sanctions. This is a serious loss in jobs as well.

The Wheat Commission projects if sanctions were lifted this year, our wheat farmers could export an additional 4.1 million metric tons of wheat, a value of almost half a billion to America's farmers.

I want to emphasize, we have missed for the time being a great opportunity to reform sanctions protocols regarding our farm products. We have also interrupted what is a beneficial and therapeutic democratic process in the conference committee. I think Members of this body should seriously consider whether they want to vote for the conference committee report when it is the product not of the kind of collaboration that is to be expected in the development of consensus in our policy but it is as a result of an effort to impose the will of a few instead of to respect the will of the majority.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. ASHCROFT). Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I was able to listen to the comments that the Senator from Missouri made regarding the efforts, that have been now stalled, to lift sanctions against agricultural producers and agricultural exports from America. It is very disconcerting that this is happening at this point in time in our Nation's history.

My family farms. My dad is a full-time farmer, my brother is a full-time farmer, and prices for agricultural products are at rock bottom levels. Compound that with bad weather conditions for some places in America, and farmers believe they are getting a one-two punch. To stack on top of the two punches they are already taking an outdated sanctions policy, which was voted down in the Senate, is beyond unfair. We should not use food and medicine as a political weapon—now we find that these sanctions are not going to be lifted. On top of low prices, on top of bad weather, a farmer is going to say: Is everybody against me? Isn't my own Government going to help me out?

We have been telling people for a long period of time, that for Freedom to Farm to work, you have to have freedom to market. We were moving in that direction. It was aggressively going forward in that direction, and all of a sudden out comes a conference report that pulls something that was passed, as the Senator from Missouri noted, by a large percentage of people in this body. A farmer has to wonder what is going on here.

I ask people who are part of this process, what is going on? Let's look at getting this back in. It passed with large and overwhelming support in this body. It is clearly something that the people across the country want. It is clearly something that the agricultural community needs. It is the right thing to do. Let's do it. Let's not let it be taken out in some deal that involves a handful of Members.

Plus, as people have previously noted for some period of time, unilateral agricultural trade sanctions are generally ineffective. They are effective in punishing our farmers, but they are not effective in accomplishing sound foreign policy.

At a time when we are already suffering low agricultural prices, sanctions add to this burden. This is truly adding insult to injury.

Unilateral sanctions by major agricultural producing countries such as the U.S. tend to encourage production in other competitor countries. So, on top of hurting our prices here, hurting our markets here, it probably, and usually does, have the effect of stimulating production in other countries. Often the tyrants, which the U.S. intends to punish actually benefit financially from these sorts of embargoes.

My only point in making these comments in addition to those of my colleague from Missouri is simply to say there is ample ground and reason for us to lift these agricultural sanctions. There is not a moral foundation or basis for us to use food and medicine as a political weapon. It is wrong for our farmers. It is wrong, period, to do that. Yet we are seeing that continuing to take place. Now, after we passed something out of this body, with overwhelming support, we find it pulled out. That is very disconcerting to this Member, and it should be and is, I am sure, very disconcerting to the agricultural community across this Nation.

Please, please, let's reopen this issue and get that agenda item back in so we can offer hope and fulfill our promise to farmers. I am not standing here saying it is going to solve our farm crisis or going to solve the problems we have marketing all our products around the world, but clearly here is a positive step we can take and should take. It is a big agenda item in rural America. People in rural America know these sanctions exist, they know they are harmful, and they want them lifted. Now is the time to do this. I am very disappointed this provision, according to my colleague from Missouri, has been taken out. I call on all Members of this body, let's look at this and let's get this issue back in so we can lift these sanctions from the backs of our farmers.

I hope a number of my colleagues will become aware of what is taking place here. This is a very important issue to many of our States. It is certainly an important issue to Kansas. I think we need to revisit this, if it has been taken out, so we can get it back in. We must lift these agricultural sanctions and we must do it now.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALLARD). The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. HAGEL. 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. HAGEL. Mr. President, I take the floor of the Senate tonight to address the same issue that my colleague from Missouri, Senator ASHCROFT, has talked about for the last 30 minutes, and the distinguished senior Senator from Kansas has addressed; that is, the Agriculture appropriations bill. It seems to be rather conflicted. I suspect most people in this country believe in the democratic process. I suspect most people in this country believe the will of the majority and the protection of the minority is rather relevant to our democracy. But we have come upon a fascinating example of that not being the case in this Agriculture appropriations bill.

Senator ASHCROFT laid it out rather clearly, as did Senator BROWNBACK. This is not a particularly complicated situation. What we have is the will of

the majority in the Senate, expressed by a vote of 70 to 28. That is a rather significant majority. As a matter of fact, that is a majority large enough to override a Presidential veto. The will of 70 Senators to support an amendment that obviously 70 Senators thought was important enough to come out and debate and register their vote and their will on, representing the constituencies of 70 Senators, said it rather plainly: We want the Ashcroft-Hagel-Dodd amendment in the Agriculture appropriations bill.

So we went to conference with the House. Guess what. The House conferees not only agreed that the Ashcroft-Hagel-Dodd amendment lifting sanctions for medicine and food against countries where we have unilateral, arbitrary economic sanctions was a good idea, they actually strengthened the language. The House conferees actually made the Ashcroft-Hagel-Dodd language stronger.

We progress along up until the leadership enters the picture. I might add so there is no mistake about this—and I will try to speak clearly—it was the Republican leadership in the Senate and House that said: No, a few of us do not care for that. So we are going to do something that rarely ever happens, and that is we are going to stop that, you see, because technically we have a process, we are the leaders, and we can strip that out of the appropriations bill. No matter, of course, that 70 U.S. Senators said, ''No, we want that in,'' and the House conferees said, ''No, we want that in; we think it is in the best interests of the U.S. foreign policy and American agriculture.'' Disregard that. That does not count.

So what we have is an interesting spectacle of the leadership of intimidation and the intimidation of leadership—not a pretty sight, not a democratic process. We occasionally question why America is beyond concern with the process, with the leadership, with politics. We wonder why. This is a very vivid, clear example of why.

We are going through this little mating dance again around here on the budget. I call it a charade. It is a charade. I have even called it dishonest. Some of my colleagues said: Senator HAGEL, we do not use that terminology in the Senate. I said: I am sorry, but where I am from, some of the stuff that goes on around here that we think is policy, or we define or defend as a technical adjustment, it is just plain dishonest if you are going to live within the caps. If you are going to spend more than what the caps tell you that we agreed to do, then let's be honest about it.

The same thing with this conference committee. There are those among us in the media, across this land, who say we should reform our political process, we should reform Congress. They have a point. But it all starts here. It all starts here. If we cannot be held accountable and responsible enough to work the will of the majority to do the right thing, to be honest, and be open, and be responsible with our governance, with our leadership, with our legislative process, then to what can the American people look? What can they trust? What confidence can they have in their system?

This Republic is not going to crumble tomorrow, and it will not crumble next year because of the shenanigans we pull around here. But we will pay a high price one of these days in one of these generations when we continue to define down our expectations and our standards and let a few people, a cabal of a few people take advantage of the system.

I am very proud. It is my understanding at this moment that there were two Republican Senators who refused to sign the conference report today on the Agriculture appropriations bill. To them I say thank you. Not only have you done the right thing, but you have shown America and some of us in this body that we, in fact, can do the right thing, and that we are not going to be intimidated by the leadership, by a small cabal of people in charge who hold responsibility.

There are consequences to this. There are consequences in our foreign policy and in our agricultural policy because they are all connected. But the consequences will come more directly in the breakdown of confidence and trust in this institution. As that erodes, as that continues to erode, and a few select people in this body play it their way and refuse to open the process, then there will be reform. And if the American people have to keep turning over Congresses to get to leadership—and we all have to take responsibility in this Chamber because we elect the leadership—and if we have to continue to turn over leadership, we will do that to ensure, if nothing else, that we can openly, honestly debate the important, relevant issues for this country that affect the world and affect everybody in this Nation.

When those decisions are made and when the will of 70 Senators is abrogated, is hijacked, it is time for some major reform in this body, and I will be one of the leaders to help do that.

In conclusion, this should serve as a very clear example of a lot of the nonsense that permeates this process. This is not just about the American farmer or the American rancher. This is far bigger than American agricultural policy and foreign policy and national security and all the interconnects. This is about whether we can trust the process. More basically, why do we even have authorizing committees in this body if the appropriations process is going to make policy because they have the money? Then the leadership, even a smaller group, decides what they want to take out of those decisions, so they pick and choose, and the rest of us, essentially, are superfluous to the process. Why don't we just have 10 Senators? Why not take a couple committee chairmen, the leadership, and the rest of us go home; they can make the decisions.

We are walking our way through an early Halloween. We are walking our way through a charade, and we should call it that. And, yes, it is dishonest. I think there are enough of us in this body who are going to say it straight and call it the way we see it.

I hope we will come to our senses before we cross a line from which we cannot come back and allow this hijacking of democratic governance, this hijacking of democratic justice to set an even lower standard than what we have been doing this year with the budgets and the constant back and forth of let's not do anything; let's just go home; let's just get out; let's just do enough to get to the next day; let's not take on the real, relevant issues of America; let's not deal with health care; let's not deal with a lot of things.

The right way to do this is to come out and debate it, whether it is campaign finance reform or whatever the issue is, debate it, open it up. If you lose, you lose; if you win, you win. That is what America wants. That is what they will demand, and that is what ultimately they will receive.

I am sorry I had to take the floor, as did my colleagues tonight, to talk about this. This is not a proud moment for me. It is not a proud moment for this institution. But if there is anything we have in this Nation that must be cherished and nourished and formed and shaped and protected and defended at all costs, it is the institution. It is the process and the institution that allows this self-governance and the freedom to stand on the floor of the Senate, stand anywhere in this Nation and express ourselves, the minority knowing they will be protected and the majority knowing they can count on a fair shake in that process.

That ultimately, as we define the process down, is the most important dynamic of who we are as a people and why this Republic has survived for over 200 years. When we discount that, when we discount that currency, when we abridge that responsibility, then we turn our backs on everyone who has sacrificed for the freedom that allows us to do this. We are a better country than that. We are a better people than that. We will rise to the occasion to turn this around and hold on to the one currency that counts in all of our lives, and that is trust. When we debase that trust, we debase the very currency of who we are.

I will always throw my confidence, the completeness of who I am and what I represent, behind the good common sense of the American people, and the faith I have in the American people will always dictate the outcome of these kinds of exercises, as it was written, as it was stated, and as it was the vision of the great men who formed this country and wrote this Constitution.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

OSCEOLA McCARTY, A MISSISSIPPI PHILANTHROPIST

Mr. LOTT. Mr. President, today I rise to pay special tribute to the passing of a 91-year-old Mississippian whose generosity, hard work, and commitment to education touched the hearts and consciences of many all across this Nation. It is the story of a smalltown laundress, Osceola McCarty of Hattiesburg, MS, who lived a quiet life in the Pine Belt region of my State until her $150,000 donation to the University of Southern Mississippi brought her national attention. McCarty's gift established a scholarship to be directed to African American students enrolling at the University of Southern Mississippi who clearly demonstrate financial need.

For a woman who rarely left her home, except for trips to the local market and, of course, church, the notoriety certainly brought a change to the lifestyle of Ms. McCarty. She was featured on a CBS television show as one of the ''10 Most Fascinating people of 1995.'' She received a Presidential Citizens Medal, an honorary doctoral degree from Harvard University, as well as numerous other outstanding citizen awards. She was invited to cities throughout the country to share her story of thriftiness and generosity.

Ms. McCarty received a sixth grade education and worked her entire life in Hattiesburg, MS, washing and ironing clothes. She has made it possible for others to have the education that she never had. In her book, ''Simple Wisdom for Rich Living,'' McCarty reflects on long, hard days of laboring over steaming kettles of clothes and standing over an ironing board. She stated that she loved her work and she only spent what she needed to. After all the years of hard work and dedication, Ms. McCarty managed to donate her significant gift to the University of Southern Mississippi. ''A smart person plans for the future,'' is what she said when she received numerous bits of recognition. Then she said, ''You never know what kind of emergency will come up, and you can't rely on the government to meet all of your needs. You have to take responsibility for yourself.''

Osceola McCarty will be deeply missed. She was a humble, modest lady. I had the pleasure of bringing her into the majority leader's office. She never got over the fact that people were so surprised and impressed that she saved $150,000 and she gave it to the University of Southern Mississippi. She thought she was just doing the right thing. Her life was an exemplary one that touched us all. We are very proud of her. God rest her soul.

I yield the floor.

THE GREATNESS OF THE AMERICAN PEOPLE

Mr. ASHCROFT. Mr. President, I thank the majority leader for reminding us of the greatness of the American people. We think we debate great policies here, and we do; we have very serious discussions. But there is nothing more important than to remind ourselves that the greatness of America isn't really in Washington, DC, it is in the little towns, villages, and cities in States all across this country and individuals who can do more in dedicated lives to their fellow citizens than we could ever do in complicated statutes.

I thank the majority leader.

THE MILLENNIUM DIGITAL COMMERCE ACT

Mr. LOTT. Mr. President, today the Senate was poised to take action on Senator ABRAHAM's Millennium Digital Commerce Act. This important measure is aimed at promoting the growth of the ''E-conomy''. Senator ABRAHAM has worked tirelessly over the last several months to get this bill through the Senate.

Unfortunately after gaining agreement to bring this bill to the floor today, our Democratic colleagues decided to muck up this legislation. They insisted on attaching non-germane amendments to this crucial ''e-commerce'' legislation. Measures that have absolutely nothing to do with Senator ABRAHAM's high-technology initiative. Once again, the ''do nothing Democrats'' are at work stopping at every point significant legislative momentum.

The Senate could easily pass Senator ABRAHAM's bill. It is simple and straight-forward. It promotes jobs, stimulates the economy, and creates savings and opportunities for America's consumers. Instead, in an effort to create yet another log-jam, the Minority Leader is looking for a vehicle to attach every Democratic proposal under the sun.

The other side of the aisle, which claims to promote electronic commerce, is doing everything it can to quash Senator ABRAHAM's electronic signatures bill—as well as other important legislation. It is a continuing pattern and practice of the Democrats to deny the American people any legislative progress. The Democrats claim that they want this bill and that they are pro-technology, yet they are doing everything they can to kill this bill.

Mr. President, S. 761 establishes the legal certainty of electronic signatures for interstate commercial transactions. It is an interim solution needed until states adopt the Uniform Electronic Transactions Act (UETA). UETA was recently adopted by the National Conference of Commissioners on Uniform State Laws. Over the next several years, it will undergo state-by-state consideration—similar to the process followed in implementing the Uniform Commercial Code. The states, high technology and other commercial sectors support Senator ABRAHAM's common sense legislation because it validates the use of electronic authentication technology. A tool that will help the electronic marketplace flourish in the 21st Century.

The Administration, not once but twice, formally noted its support for the electronic signatures measure reported out of the Senate Commerce Committee. Both the Commerce Department's letter of support and the Executive Office of the President's Statement of Administration Position were previously entered into the RECORD. Given the overwhelming support for S. 761, I am surprised and bewildered that the Administration has been working behind the scenes to weaken this measure instead of pushing harder to get the Commerce Committee-reported bill, which the White House supported—passed.

Every day, more and more businesses and consumers are conducting their important commercial transactions over the Internet. The World Wide Web, more than any other communications medium, allows users to promptly and efficiently locate vendors, evaluate goods and services, compare pricing, and complete purchases. S. 761 is good for business, good for consumers, and good for the overall economy.

I am dismayed and once again disappointed that our Democratic colleagues have thrown yet another monkey wrench into the legislative process. Let's stop playing games and get the people's business done. Let's pass Senator ABRAHAM's electronic signatures bill on its merits—without tacking on non-germane amendments that they know will kill the bill.

If my colleagues from the other side of the aisle are really for the New Economy, they will stop these shenanigans and let us pass a clean Millennium Digital Commerce Act.

BUDGET SCOREKEEPING REPORT

Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget for 1986.

This report shows the effects of congressional action on the budget through September 24, 1999. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Res. 209, a resolution to provide budget levels in the Senate for purposes of fiscal year 1999, as amended by