more careful analysis of the comparative benefits and harms to consumers from practices too readily condemned under the per se rubric. I would urge such a comparison here.) But what remains beyond reasonable disagreement is that the Department of Justice has premised its case on conservative antitrust principles, long upheld by the courts. Whether the Department can prove that the facts involved in Microsoft's marketing practices meet the legal standard for illegal tying, of course, remains to be proven in court.

The Department has also intimated that its case might be premised on a monopolization count: namely, that Microsoft's actions have had the purpose, and likely effect, of deterring the development of a new technology which, if allowed to develop, would render obsolete the very product, operating systems software, in which Microsoft currently has a dominant market position. Once again, such a theory is well known in antitrust, with examples from many industries from newspapers to petroleum, where companies have been taken to task under the antitrust laws for deterring customers from going to an alternative product.

I offer the foregoing statement at the request of several constituents who have asked my view on the matter. I do not anticipate any legislation on this matter, nor are my foregoing comments to be taken as any indication as to how I might vote should a legislative matter be presented that involves the kind of practices alleged here.

EMERGENCY FOOD ASSISTANCE ENHANCEMENT ACT OF 1998

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 1998

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce the Emergency Food Assistance Enhancement Act of 1998. My bill increases the mandatory commodity purchase account from $100,000,000 to $120,000,000 and is still expected to save the taxpayers over $200,000,000 over the next 4 years.

It is unfortunate, Mr. Speaker, that there is a need for food banks. Even though our farmer and ranchers are the most productive and efficient in the world, the need for food banks continues. Food banks often meet the needs of their communities by managing donations from the government and the private sector. Most government donations are the product of the emergency food assistance program. It is a unique program that has the ability to provide nutritious domestic agriculture products to needy Americans while at the same time providing support to the agriculture community. In the welfare reform bill, Congress made TEFAP commodity purchases mandatory because of the integral role this program has in the provisions of food assistance to needy families.

This program is a quick fix, something to get families through tough times. It gives them the support they need, but it doesn't ensnare them into a cycle of dependency for which other federal assistance programs are infamous. TEFAP purchases also provide much needed support to the agriculture community. While other food assistance programs are much larger, TEFAP has a more direct impact for agriculture producers, while at the same time providing food for those in need.

To pay for the $20,000,000 increase for the TEFAP program, this bill strikes the provisions for new funding and spending conditions in the Food Stamp Employment and Training (E+T) Program that were included in the Balanced Budget Act of 1997. The bill gives TEFAP an additional $20,000,000 a year and returns the rest to the U.S. treasury. In addition, it strikes the mandate that 80% of both new and previous Employment and Training funds must be used to provide state work or training slots for able-bodied adults without dependents who are subject to the work requirements within three months of receipt of food stamps.

Many states report that declines in the able bodied adults without dependents caseload has declined more dramatically than the overall food stamp caseload rate. In some states the able bodied adults without dependents caseload decline is ten times the rate of decline for the total food stamp caseload.

Due to the declining number of able bodied adults without dependents cases, restrictions on state spending of federal Employment and Training funding are leading to dramatic imbalances in the amount of funds available and services to this population and the rest of the food stamp recipients. For example, the state of Texas estimates that it will have over 12 times more money available for able-bodied adults without dependents than for anyone else on food stamps. In real dollars, for example, that breaks down to $491 for a single 23 year old male that is on food stamps compared to just $40 for a 23 year old mother of four participating in the same program.

The able-bodied adults without dependents constitute only 25% of all employment and training program participants yet 80% of all the employment and training money is reserved for them. It is obvious that the needs of the able bodied adult without dependents and everyone else in the Employment and Training programs would be better served if the states could address the needs of all participants on an equal basis and promote self-sufficiency for all recipients.

Mr. Speaker, I am hopeful that the Emergency Food Assistance Enhancement Act will enjoy resounding and rapid support from the full House of Representatives. It is important that we increase authority for this important program and stop the wasteful spending on Food Stamp Employment and Training programs for people who refuse to participate. It is equally, if not more important, to send a message to the conferees assigned to the Agriculture Appropriations bill for fiscal year 1999 that TEFAP is a vitally important program and should be funded to its fullest extent.

PERSONAL EXPLANATION

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 1998

Mr. STABENOW. Mr. Speaker, on rollcall vote No. 426, had I been present I would have voted ''yes''; on rollcall vote No. 427, had I been present I would have voted ''yes''; on rollcall vote No. 428, had I been present I would have voted ''yes''; on rollcall vote No. 429, had I been present I would have voted ''yes''; and on rollcall vote No. 430, had I been present I would have voted ''yes.'