move forward to get to a better and a brighter day, so our children can live in a culture of life rather than a culture of violence and a culture of death? What are they receiving today versus what we want them to receive tomorrow? Can we really sit here and say that these have no impact on our children? I don't think we can.

I think we need to examine and push, each of us individually, and start down this line of saying, what is it that is being received? What sort of cultural pollution is getting to our children, and how do we improve that ecosystem? How do we get it renewed?

We can, and we have to start about this task, not by a series of censorship but first by knowledge and, by that, spreading and getting away from a culture of doom and death to a culture of life.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LEAHY. Mr. President, I ask unanimous consent that I be allowed to proceed for up to 12 minutes as in morning business.

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

ILL-CONSIDERED PROSECUTION OF FORMER AGRICULTURE SECRETARY MICHAEL ESPY

Mr. LEAHY. Mr. President, there have been a lot of interesting things in the news this week. One is a story about the Supreme Court's ruling on Tuesday. It confirms the view that many of us have held for some time. Special Prosecutor Donald Smaltz was overreaching, at the very least, in indicting and trying former Secretary of Agriculture Mike Espy. Mr. Smaltz spent over 4 years and about $17 million of our taxpayers' money to run out of office this distinguished public servant.

Last December, a jury said ''no'' to Special Prosecutor Smaltz and acquitted Mr. Espy of the charges against him. In fact, the jury said ''no'' and ''no'' and ''no'' and ''no'' and ''no'' and ''no,'' I believe, over 30 times. Now the Supreme Court has said a resounding ''no'' also. They rejected the broad reading urged by Mr. Smaltz of the criminal laws he has used to bring down a Cabinet Secretary. The Supreme Court, Tuesday, concluded that the conviction of a trade association for giving Mr. Espy gifts was correctly thrown out by a lower court.

According to the Supreme Court, if Mr. Smaltz's reading of the Federal gratuity statute were correct—a reading that out-of-control special prosecutors seem to have—''it would criminalize, for example, token gifts to the President based on his official position and not linked to any identifiable act—such as the replica jerseys given by championship sports teams each year during ceremonial White House visits . . . [or] a high school principal's gift of a school baseball cap to the Secretary of Education, by reason of his office, on the occasion of the latter's visit to the school.''

The Supreme Court wisely rejected these absurd results.

Secretary Espy began his tenure as Agriculture Secretary facing challenges to the safety of our food supply, and he dealt with those challenges with enormous energy, compassion, and effectiveness. Just before he was sworn as Secretary, several children died because they ate contaminated hamburgers in Washington State.

I remember this very well. I remember Secretary Espy immediately flying to Washington State to be with the families, because he cares about people. I remember talking to him about that, because I was at that time chairman of the Senate Agriculture Committee. I know that when he flew back to Washington, he devoted himself to preventing these needless deaths. He started putting into effect policies which will save thousands of lives in our country. He fought the industry itself—a very powerful, well-heeled industry—to do the right thing.

History will record his tenure as a turning point in updating and modernizing our food safety standards—a tradition continued by Secretary Glickman and President Clinton.

But his ''trial by fire'' began at the hand of a special prosecutor run amuck. The unanimous jury verdict acquitting him underscores what I have been concerned about for some time—unaccountable prosecutors with unlimited budgets who can and will bring charges that no other prosecutor in the world would bring.

This special prosecutor is one who is extremely frustrating. If I thought that what he did was out of sheer stupidity, that would be one thing. It would be enough if we thought that this was a man who was just not bright enough to know his job. But along with his total lack of judgment, his total stupidity, came a man whose overwhelming ego was such that he cared less about anybody he was after. The taxpayers were paying his bill. He cared only about preening before the cameras himself.

He was particularly interested in promoting himself and patting himself on the back. He was among the first of the special prosecutors to establish his own Internet web page. It is like an advertisement for himself on this web page. Mr. Smaltz posted his reaction to the jury verdict and downplayed the acquittal since an ''indictment of a public official may, in fact, be as great a deterrent as a conviction of that official.'' That was the most flagrant admission of abuse of a prosecutor's power that I have ever seen—I was a prosecutor for nearly 9 years—and it remains posted on his web page today.

What he is saying is, it doesn't make any difference if the person is guilty or not. It doesn't make any difference if the jury acquitted over and over again, and the person is not guilty. All the prosecutor has to do is bring an indictment; that will teach them. This is no way to restore faith in the criminal justice system. This is an example of a prosecutor who indicts somebody for something that no jury would ever convict the person for, but says, ''I will show them because I am the prosecutor,'' or, ''I can do that because, after all, it is going to cost you hundreds of thousands and maybe millions of dollars to prove your innocence. And, besides, the taxpayers are paying my bill. So why should I care about you?''

What ego, what stupidity, what arrogant abuse of power. I really cannot think of words strong enough to condemn such actions.

No prosecutor should bring an indictment simply as a deterrent and without a good-faith belief that the case can be proved beyond a reasonable doubt. Prosecutors should not bring these charges simply to harass somebody, simply to cost them money. A prosecutor has a sworn duty not to bring a charge unless he or she thinks there is at least a reasonable chance they can prove the charge and the person is guilty. Common decency, saying nothing about the canons of ethics, would require that. Frankly, no prosecutor who has to answer to anybody would do that. Only a prosecutor who doesn't have to answer to anyone, only a prosecutor who has the taxpayers paying their unlimited bills, would do that.

Putting aside the harm to reputation and cost to the defendant and witnesses of bringing unwarranted charges, indictments based on flimsy facts can be dangerous. The Government is barred under our Constitution's double jeopardy clause from bringing a case twice. So a prosecutor has a responsibility to ensure that the Government can prove its case the first time around. There is no opportunity for a second ''bite at the apple.''

One item that Special Prosecutor Smaltz did not put up on his web page was, I thought, one of the most disgusting things I have seen any prosecutor do. It was so bad that apparently, even with his unbridled ego and his lack of intellectual honesty, he did not feel he could bring himself to put it on the web page. That item was: he congratulated his team of well paid prosecutors with gifts of wristwatches. According to the press reports, these watches ''look good, with Smaltz' name around an eagle in the center of the independent counsel seal and the case name, 'In re Espy.' ''

It is like he was on some big game hunt and these were the trophies. Stupidity one might excuse, and stupidity

was evident here. But this kind of arrogant, egotistical abuse of a public trust nobody can forgive. In fact, I have wondered whether the cost of those gratuities exceeded the costs of the gifts that Mr. Espy was charged with receiving. Watch gifts may not be criminal; I find them certainly offensive.

Mr. President, as we go into the debate we will have this year on whether we renew the Office of Independent Counsel—something, I predict, will not be done—let us not aim all our fire at the excesses of Kenneth Starr, or his tactics, or his misstatements of the facts to the Attorney General, or even some of the lies that came out of his office. Let us not focus just on that. Let's look at people like Donald Smaltz, a man who showed what happens when somebody of limited talent, of questionable ethics, of no integrity, how they can act when they are given unbelievable power, unlimited budget; and we in the Congress should ask ourselves whether we want to continue this.

The Office of Independent Counsel, when filled with good men and women—and there have been some very good men and women of both parties who have been there—who follow the restraints that prosecutors would normally expect to have, have done a good job. But when it is filled by people who would serve with a sense of self-aggrandizement, it hurts the whole Nation. It hurts an awful lot of innocent people—people found innocent by juries, people found innocent by appellate courts, people whose reputations are besmirched and their bankrolls exhausted by the actions of unconscionable, incompetent, out-of-control persons like this man.

Mr. President, I may speak more on this. I have tried to restrain myself in my comments about him today and to give him the benefit of the doubt. I have probably given him the benefit of the doubt more than he deserves.

Mr. President, seeing no one else seeking the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KERRY. 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. KERRY. Mr. President, I ask unanimous consent to speak as in morning business.

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

(The remarks of Mr. KERRY, Mr. KOHL, and Mr. JEFFORDS pertaining to the introduction of S. 918 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. KERRY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. LINCOLN. Mr. President, I ask unanimous consent to address the Senate for 10 minutes.

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

Mrs. LINCOLN. I thank the Chair.

AGRICULTURE SUPPLEMENTAL APPROPRIATIONS

Mrs. LINCOLN. Mr. President, I rise today to bring attention to a situation that grows more dim with each passing day. My colleagues and I came to the floor before the Easter recess and addressed this very issue.

The Farm Service Agency has depleted many of its accounts, and quick passage of the supplemental appropriations bill is absolutely vital to replenish these funds and to get our farmers back into the fields.

I was very pleased with USDA's emergency action on March 26 to keep loan money available and to keep temporary employees on staff. However, that funding has run out in many areas, and Congress has yet to complete action on the bill.

The billions of dollars in agricultural credit authority contained in the bill is literally the only hope of staying on the farm for hundreds of Arkansas producers and many farm families.

In Arkansas, we need an additional $41 million for FSA's loan programs. We are experiencing the largest USDA credit demand since the mid-1980s. As of April 23, our State FSA offices had delivered more than $179 million in credit assistance.

Due to bad weather, low prices and poor outlooks, the need for Government-guaranteed credit has increased substantially this year. Our agricultural industry is on a deadline with Mother Nature, and it cannot wait any longer.

The timeliness of this legislation cannot be overemphasized. For those of us in Southern States, our planting time has already come and is just about gone. We are in dire straits. All farmers across this Nation are in dire straits. It is so very important for us to act in this body in a timely fashion in recognizing this problem.

In addition, I take this opportunity to express to my colleagues that agriculture is vitally important to all of us across this Nation and to the rest of this world. It seems that every time I turn on the television, there is another story applauding the unbelievable success of our Nation's economy.

Unfortunately, not every segment of our society is sharing in this period of economic bliss. The agricultural community nationwide is suffering.

USDA economic projections for 1999 do not offer much hope for relief in the immediate future, and it will fall upon our shoulders to explore the short-term, as well as the long-term, policy resolutions to farm revenue problems.

It may not be the most popular issue of the day, but every one of us enjoys the safest, most abundant and most affordable food supply in the world today produced by American agricultural growers.

This safe and abundant food supply will not be there for this Nation or for the world if we do not support our family farmers at this critical time. Once those family farms are gone, they will no longer be back in production.

I certainly thank the President for allowing me to talk about this and to reiterate to my colleagues how absolutely important it is.

IN HONOR OF SENATOR DAVID PRYOR

Mrs. LINCOLN. Mr. President, I rise today to do something that I know my fellow colleagues in the Senate will be very interested in, and that is to pay tribute to one of the Senate's esteemed graduates and a role model for all Americans, former Senator David Pryor.

As a young woman and a former Congresswoman from Arkansas, I have always looked up to Senator David Pryor for his intelligence, his dedication, his tenacity and his compassion for his fellow man.

Now, I have found a new reason to admire my former colleague and longtime friend. For those of you who don't know, last week David Pryor left his current post at Harvard's Kennedy School of Government.

No, he didn't take a job at Yale or even an Ambassadorship. He has gone to Kosovo. Not as a diplomat or as a U.S. official, not even as a Harvard professor, but as a hands-on volunteer who is helping care for Kosovo refugees in Albania.

I am sure that many of you who served with David Pryor and already know him as a great humanitarian are not in the least bit surprised by this.

Senator Pryor recently signed on with the International Rescue Mission, a New York based group which was started by Albert Einstein to help those suffering under Hitler's regime. The organization is currently building shelters and assembling sanitation systems to improve living conditions for thousands of displaced Albanians.

Senator Pryor loaded up his suitcase with gifts for the refugee children—candy bars and crayons. And he told the International Rescue Mission that he was going there to work for 30 to 60 days.

Some may ask what prompted David Pryor to take this step. By all accounts, he has had a remarkable career—serving as a Senator and the Governor of my home state and the state legislature as one of its youngest members.

He has been able to continue his love of politics by teaching young people at