United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, WEDNESDAY, OCTOBER 13, 1999 No. 138

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Today our prayer is taken from the Jewish Book of Service, Daily Prayers.

Let us pray.

We gratefully acknowledge that You are the eternal one, our God, and the God of our fathers evermore; the Rock of our life and the Shield of our salvation. You are He who exists to all ages. We will therefore render thanks unto You and declare Your praise for our lives, which are delivered into Your hands, and for our souls, which are confided in Your care; for Your goodness, which is displayed to us daily; for Your wonders and Your bounty, which are at all times given unto us. You are the most gracious, for Your mercies never fail. Evermore do we hope in You, O Lord our God. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WAYNE ALLARD, a Senator from the State of Colorado, led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. ALLARD). The Senator from Mississippi.

SCHEDULE

Mr. COCHRAN. Mr. President, for the information of Senators, yesterday the Senate reached an agreement for 6 hours of debate on the Agriculture conference report. That time will expire today at 3:30 p.m. Senators may expect a vote on the conference report to occur then unless time is yielded back. The time will be controlled 2½ hours on each side, with 1 hour under the control of the Senator from Minnesota, Mr. WELLSTONE.

During the rest of the session today, the Senate will go back into executive session to complete consideration of the Comprehensive Nuclear Test-Ban Treaty. There are approximately 3 hours remaining for debate, so a vote is expected to occur prior to adjournment today. The Senate is also expected to begin consideration of the campaign finance reform legislation or any conference reports that may be available for action by the Senate.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the conference report accompanying H.R. 1906, which the clerk will report.

The bill clerk read as follows:

Conference report to accompanying H.R. 1906, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2000, and for other purposes.

Mr. COCHRAN. Mr. President, under the agreement, I yield myself such time as I may consume on the Agriculture conference report.

As Senators will remember, we invoked cloture on this conference report yesterday. I think the vote was 79–20. So by a very decisive vote, the Senate has expressed its will that we should complete action on this conference report. So debate has been limited, by agreement, to 6 hours, as described in the announcement to the Senate.

I am very pleased we have reached this point. This has been a very difficult and hard to resolve conference agreement. There have been a lot of issues extraneous to the appropriations process this year that had to be considered because they were raised either in the Senate or during consideration of the conference report.

We have reached the point, though, that it is time to complete action on this conference report. We are appropriating funds for the fiscal year that began on October 1. So we have already begun the fiscal year during which the funds we will approve today will be needed. These funds are going to be allocated for administration by the Department of Agriculture among a wide range of programs. Sixty billion dollars are made available under the terms of this bill for programs of the Department of Agriculture including agricultural research, food and nutrition service, conservation programs, agricultural support programs, and rural development. We also have the responsibility of funding the Food and Drug Administration and the Commodity Futures Trading Commission activities under this bill. So funds are provided for those agencies as well.

I am very pleased that the conference agreement reflects a very strong commitment to the food safety initiatives. The President has been very active in his effort to increase funding for a number of those programs. Funds are provided for that—not all that the President wanted for every aspect of the program, but it is a well-balanced program.

We also fund the Food Safety Inspection Service of the Department of Agriculture. Under that program, we have inspection that is conducted at food processing plants throughout the country, trying to make sure the food that is made available in the marketplace

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

in our country is safe and wholesome, trying to alleviate concerns and the risks of foodborne illnesses.

I daresay we have the best record of any country in the world in protecting our citizens from foodborne illnesses, and this is due in large part to those industries and those people who are involved every day in preparing and marketing the foods that make up the U.S. food supply. So they are the ones who really deserve the credit, in my opinion, and we very often do not recognize that. Government officials like to take the credit for just about everything, and I think that is wrong. In our society, we have a lot of people who work very hard and in a very conscientious way with the latest technologies to try to help make this country the best in the world, and they have done it.

We try to support the activities of food processors and producers, but we sometimes fall short. This year, for example, we have had a very serious problem in production agriculture because of low commodity prices. There is an oversupply of some commodities in the world market that has depressed prices a great deal. We have seen a lot of weather-related disasters strike production agriculture this year. So in this bill there is a response to that problem. A generous disaster assistance program totaling $8.7 billion is included in this conference report, providing emergency assistance for production agriculture.

The head of the Mississippi Farm Bureau was interviewed after the House approved this conference report to get his reaction to the need in agriculture for the funds that were provided in this bill. Here is what David Waide of the Mississippi Farm Bureau Federation said about this emergency assistance: It ''could well mean the difference in massive foreclosures and the ability to continue farming'' in Mississippi. ''It's that serious,'' he said, ''because of the market situation and the extremely low commodity prices and the natural disaster we've had with weather, every producer is impacted to some degree.'' He went on to say, ''With the type of market losses that we're seeing as a result of an extremely dry year, the producers are still going to have to struggle.''

I point this out because there are some who think we have overreacted to the problems in agriculture this year. Every farmer in every area of the country may not be seriously affected by the problems I have discussed and described but most are. In my State of Mississippi, David Waide has it right. He has described what the problems are and what the needs are, why it is important for this appropriations bill with this emergency disaster assistance program to be approved.

I am hopeful Senators will come to the floor under the order that we have provided for debate. We have a good amount of time available for the discussion of sanctions legislation we adopted in the Senate on an amendment offered by Senator ASHCROFT, which would have limited the unilateral power the President has to impose embargoes, in effect, or trade embargoes, stopping the flow of agricultural commodities from this country into the international marketplace as a means for trying to discipline other countries or coerce them into some kind of change of behavior. For many, this has seemed to be an area where we have unfairly targeted agriculture and made agricultural producers and exporters bear the brunt of American foreign policy and, in many cases, it hasn't worked. It hasn't worked to change the behavior of those countries against whom the trade embargoes or sanctions were imposed. And it has hurt our own economy—not just the agricultural producers and exporters but others, because it has had a ripple effect throughout our economy. So I supported that initiative and I hope we can see legislation of that kind enacted. But because it was legislation, a change in law, there were objections to it being included on this appropriations bill.

So there will be other opportunities to take up that issue, and I hope the Senate will address that at the earliest possible time. We have time available for Senator ASHCROFT and others who are interested in discussing that issue. Under the impression that there will be Senators coming to the floor soon to discuss those issues and others, I am prepared to yield the floor.

I suggest the absence of a quorum, and I ask unanimous consent the time under the quorum call be charged equally to both sides under the order.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ASHCROFT. 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. ASHCROFT. Mr. President, I rise today to make comments on the Agriculture appropriations conference report. It is a bill which I think is very important for America's farmers and ranchers. Clearly, the agricultural community in America is in dire straits. Farmers need relief quickly. But the irony about this bill is that farmers are getting, in my judgment, shortchanged. They are getting short-term financial relief, but they have been robbed of good policy; that is, a policy to reform the unilateral embargoes of food and medicine that have kept our farmers from being able to sell their products around the world.

Before I get substantially into my remarks, I thank the Senator from Mississippi, the chairman of the agriculture appropriations subcommittee, for his support and vote to end unilateral food embargoes, and for his very mannerly handling of this issue on the floor and in the Senate-House conference. He has a strong record of supporting an end to the food embargoes. I know he recognizes the incredible groundswell of support for this policy change that is in the Congress and, more importantly, in the farm community. Senator COCHRAN is to be commended. I thank him. He has done an outstanding job.

Farmers in America are aware that the current U.S. embargoes tie their hands and give an advantage to Canada, Brazil, Europe, and South America, farmers from around the world, when competing against the United States. Current U.S. policy favors foreign farmers—not U.S. farmers. It is a tragedy that our own policies throw roadblocks between our farmers and the world marketplace so producers in other countries have a better opportunity to be more successful than producers in our country.

Make no mistake about it. The history of U.S. food embargoes is that they almost uniformly hurt only two parties: the American farmer and innocent people overseas.

Food embargoes generally don't succeed in changing other nations. They succeed in taking dollars out of our farmers' pockets and in putting dollars in the pockets of foreign farmers. They succeed in undermining our farmers' reputation as reliable suppliers in the world market. We understand that because farmers have talked to us. Farmers have come to me. I have met with them. Senator BOND and I have several times sat down together and discussed it with farmers in the last 3 or 4 months at various places. We were in the foothills of Missouri. We were in the central part of the State. We have been at various places around the State. They have helped me understand this issue more clearly than ever before.

A number of other Senators are very attuned to this. This is something that goes on on both sides of the aisle. This is not an issue that is defined by parties in this Congress. Senators HAGEL, BAUCUS, DODD, BROWNBACK, DORGAN, KERREY, along with myself and many others—you notice this is one of those things where you can go back and forth across the aisle as you name the Members of the Senate—have been working on a bill that would lift embargoes involving U.S. farm products.

I wish to recognize the fact that Senator LUGAR has for a long time been working on measures to do the same and is chairman of the Agriculture Committee in the Senate.

This understanding about the need to have markets where farmers can sell what they produce is a pretty substantial understanding. It is not partisan. We did not surprise anyone with this proposal. Americans have long agreed it is generally unwise for the United States to use food as a weapon. The weapon usually backfires and hurts us more than it hurts anyone else.

Congress has endorsed the values of the American people. Our job is to represent the values of the American people and not to allow a select few inside Washington, DC, to go behind closed doors and impose their values on America. I am here today to do what I was elected to do—to promote farm policies that reflect the values of the farm belt instead of caving in to the values of the beltway.

If Members listen to their farmers, they will most likely hear what I have been hearing. This is a letter from Kansas City, MO, signed by 10 people with a strong interest in this issue. Let me read a part of it:

We believe that this legislation—

that is the legislation to allow farmers to market their products to change the way we have embargoes imposed so we don't have the unilateral embargoes against food and medicine imposed by the President without Congress.

We believe that this legislation will help the United States sell its valuable farm products and medicines as well as help the receiver countries.

The President and Congress ought to review more carefully unilateral embargoes against any country. Withholding food and medicine is an affront against human rights as well as a politically foolish practice. Such sanctions have never toppled governments, but only serve to perpetuate hatred, hunger, and poverty among the ordinary citizens.

This was signed by 10 individuals. This is one of a number of letters I would like to submit for the RECORD.

I ask unanimous consent that it be printed in the RECORD.

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

LATIN AMERICAN TASK FORCE,
CATHOLICS FOR JUSTICE,
Kansas City, MO, September 13, 1999.

Hon. JOHN ASHCROFT,
U.S. Senate, Washington, DC.

DEAR SENATOR ASHCROFT: Thank you for introducing the Food and Medicine for the World Act as an amendment to the agricultural appropriations bill and for championing it through this far. We hope that you and Senator Bond will continue to work to pass this important amendment.

We believe that this legislation will help the United States sell its valuable farm products and medicines as well as help the receiver countries.

The President and Congress ought to review more carefully unilateral embargoes against any country. Withholding food and medicine is an affront against human rights as well as a politically foolish practice. Such sanctions have never toppled governments, but only serve to perpetuate hatred, hunger, and poverty among the ordinary citizens.

Thank you for your attention; we will look forward to a report on the outcome of Food and Medicine for the World Act.

Letter signed by 10 people.

Mr. ASHCROFT. Mr. President, not only do members of my constituency and citizens of Missouri write letters to me, but they write letters to the editor. They talk to the press and farm focus forums about the significance of lifting food embargoes. Senator BOND and I not only were in Columbia at one of these farm forums, but we were at the State fair.

I am reading from a newspaper article out of Sedalia, MO, entitled, ''Farmers Meet with Bond, Ashcroft at State Fair.''

This is what some farmers said. This is what the article begins with. It includes quotes by farmers.

Some farmers who are worried by low prices and the recent lack of rain felt encouraged after talking with Missouri's two U.S. Senators about emergency relief and trade barriers.

''I hope the relief comes soon,'' said Brent Sandidge, a hog farmer. ''[But] rather than always giving us immediate relief, help us so that we can live so that emergency money won't be needed.

That is what the hog farmer was saying. Give us the capacity to sell our products so emergency money won't always be needed.

One such long-range plan is Ashcroft's Food and Medicine for the World Act. . . .

The article continues, and then Brent, the hog farmer who was with us, said:

. . . lifting embargoes makes sense. We need to use the agriculture in this country to feed the grave hunger of people around the world.

I am pleased to have had that article in the Sedalia paper. The bottom line is this: The final Agriculture appropriations conference report should have included the embargo reform that was overwhelmingly supported by American farmers and adopted by the Senate. Frankly, it is a great disappointment to me that the Agriculture conference report does not include reform for food embargoes. First of all, this reform, which we had included in the Senate version of the Agriculture bill, was a reform that would have required the President to collaborate with Congress and get approval before imposing any unilateral sanction that would embargo food or medicine.

The Senate approved that amendment by an overwhelming vote of 70–28. That included a majority of positive votes from both sides of the aisle—both Democrats and Republicans. This vote shows that not only do we have more than a majority, but 70 votes would be more than enough to invoke cloture, if these votes remain committed, more than enough votes to even override a Presidential veto.

After the Senate 70–28 vote when the Agriculture appropriations bill went to the conference, the House conferees voted on a proposal to make the Senate reform even stronger. This is significant because it reflects the view of many of the House Members with whom I have talked that embargoes be brought to the House of Representatives for a straight up-or-down vote, and the proposal would receive the same kind of overwhelming support in the House that it received in the Senate. They were confident of that if voted on by the House. Also, eight Senate conferees to three favored keeping the Senate provisions along with the stronger House provisions.

It is a mystery that the House wanted this, the Senate wanted this, we voted 70–28 to have it, and then behind closed doors a decision was made to strip out the reform provision that received overwhelming bipartisan support in the Congress. It is something that the American farmers want, that will help sell American goods overseas, that will help reverse the currently depressed prices, that will help provide food and medicine to people all around the world, and a reform that would reverse the rather ridiculous policy in which America finds itself alone so often as a nation using food and medicine as a weapon of foreign policy.

A select few in Congress have tried to make the issue of embargoes on food an issue about Cuba. I reject this narrow interpretation. It is about the importance of consistent U.S. policy on food and medicine embargoes. Since Cuba is one of those countries that we sanction or embargo exports of wheat, rice, pork, and other vital farm products, let me address that. Does it really make sense for the United States not to sell food to Cuba when the entire rest of the world already does? I don't think so. Does it really make sense for the United States to deny food and medicine and thereby bolster Castro's anti-American distortions?

Let's hear from the countryside on this issue. Here is an e-mail I received from one of my constituents, Thomas Capuano, from Kirksville, MO:

Dear Senator ASHCROFT, I want you to know that I favor loosening the embargo on Cuba. The best way for understanding between our two peoples is by means of free markets, free exchange of ideas and goods and services, and freedom of movement. . . .

I ask unanimous consent to have this printed in the RECORD.

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

To: John Ashcroft.
From: Tom Capuano.
Date: 15 July, 1999.
Subject: Cuba embargo.

DEAR SENATOR ASHCROFT: I want you to know that I favor loosening the embargo on Cuba. The best way for understanding between our two peoples is by means of free markets, free exchange of ideas and goods and services, and freedom of movement between Cuba and the U.S. Please consider supporting the exemptions that are currently being proposed to ease the embargo. Food and medicine should be totally exempted from the embargo.

Thank you for your attention.

Mr. ASHCROFT. Here is another e-mail received from Ms. Janelle Sharoni:

The blockade against Cuba has been going on for so many years we have nearly forgotten about the terrible suffering of the Cuban people and the total lack of any results to point to from this blockade. The blockade has not worked and has alienated us from other Latin Americans.

All this does is exempt food, agricultural supplies, medicine and medical supplies for the trade embargo. It does NOT indicate any change in American policy, just a change in how we deal with the poor and suffering.

That is a description of the Food and Medicine for the World Act.

I ask unanimous consent to have this printed in the RECORD.

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

To: Senator Ashcroft.
From: ''Janell H. Sharoni''.
Date: 21 July, 1999.
Subject: End the Cuban Embargo.

DEAR SENATOR ASHCROFT: The blockade against Cuba has been going on for so many years, we have nearly forgotten about the terrible suffering of the Cuban people and the total lack of any results to point to from this blockade. This blockade has not worked and has alienated us from other Latin Americans.

Businessmen are trying, against of course the wishes of the Miami community, who seem to control our entire congress, to make headway in working to establish relations with Cuba. Please support or co-sponsor SB926 to end the embargo against Cuba.

All this does is exempt food, agricultural supplies, medicine and medical supplies for the trade embargo. It does NOT indicate any change in American policy, just a change in how we deal with the poor and suffering in the third world. Is it not obvious that Fidel Castro will die in office and never be removed?

This is the first step in ending our stupid cold war relationships with a person who is head and shoulders above most of the dictators we have supported in the past in our anti communist stance.

The Pentagon is not afraid of Cuba, and especially the Cuban people. Why, Senator Ashcroft, do we continue this terrible ordeal against the people of a nation so close to our shores.

Sincerely,

JANELLE H. SHARONI.

Mr. ASHCROFT. I received many letters about this issue. Here is one from a constituent in St. Joseph, MO, Mr. Craig Drummond, who is the Drake University student body vice president.

I don't know why he went all the way to Iowa to get his education, but Drake is a fine institution.

He states it this way:

The United States is a country that was founded on the premise of freedom, democracy and sovereignty. We enact policies, laws and regulations that best exhibit the highest ideals of democracy and the American public. For the most part, we do a good job and function well as a powerful global leader. I am a proponent of democracy and capitalism and hold the values and ideas of the aforementioned paramount to any other country or government. The United States has problems and for the most part we are aware of these and have good people working to rectify our problems and wrongs. That is why this whole Cuba situation intrigues me so much.

Why does America continue to have an embargo against trade with Cuba? Why have we chosen to isolate Cuba and ourselves from each other?

I think the point here that ought to be made is a point that needs to be made over and over again. For food and medicine, we don't strengthen the regime; we strengthen the people. Strengthening oppressed people is what is fundamentally appropriate in terms of eventually allowing them to survive oppressive regimes.

I ask unanimous consent to have this letter printed in the RECORD.

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

JUNE 22, 1999.

DEAR SENATOR JOHN ASHCROFT OF MISSOURI: I am writing this letter in regards to the United States' embargo against Cuba. I recently visited Cuba through a U.S. Treasury Department licensed trip that was part of a class for Drake University. In Cuba I was immersed in their culture and sense of community and feel that after this experience, it is my Lockean duty as an American citizen to write my elected leaders and express my concern at the status quo foreign policy that America practices in regards to Cuba.

The United States is a country that was founded on the premise of freedom, democracy and sovereignty. We enact policies, laws and regulations that best exhibit the highest ideals of democracy and the American public. For the most part, we do a good job and function well as a powerful global leader. I am a proponent of democracy and capitalism and hold the values and ideas of the aforementioned paramount to any other country or government. The United States has problems and for the most part we are aware of these and have good people working to rectify our problems and wrongs. That is why this whole Cuba situation intrigues me so much.

Why does America continue to have an embargo against trade with Cuba? Why have we chosen to isolate Cuba and ourselves from each other? This puzzles me dearly and I have searched, with a patriotic mindset, to find answers, yet I have not found any viable ones. Cuba operates as a socialistic government and this government is by far one of the best examples of true socialism that I have seen. The people are educated, have access to medical care and the leaders do not live lavish lifestyles. Cuba is poor and the people need money and have wants, yet the division of wealth appears to be fair and from the government leaders to the person on the street, the people support their governmental system.

Why then has the United States, the world leader in human rights, let itself place greed and the desires of a limited minority of American businessmen above the needs of a people, fair foreign policy, and the search for social justice in U.S. action? American businessmen are upset because their companies were nationalized in the Revolution of 1959. Cuba has since offered retribution, but the former owners have declined it on the grounds that the retribution is not for the real amount that the assets were worth. Well, as someone who has invested in foreign markets, I personally know of and accept the higher degree of risk that is taken when investing in foreign markets that are not under direct U.S. control. A foreign investor must accept this risk and realize that there is additional risk associated with transacting or operating a business in a foreign country.

Cuba is a nation of great beauty and opportunity. The Cuban people desire and need the help of the United States. I see no reason for the current embargo and would ask you to compare Cuba to China when talking about foreign policy and governmental structures. I am asking as a constituent and citizen that you look into this matter so that you can form an educated opinion on this subject. Hopefully, education on this subject will foster a desire to rise up and make the necessary change to lift this embargo. There may have been reasons in the past for the implementation of the embargo, but Cuba and the U.S. have both changed since the 1950's and it is time for our foreign policy to change as well.

The lifting of the embargo will not only help the Cuban economy, but it will inevitably act as an impetus to spark American investment and exports to Cuba. Such transactions could only be considered a positive for the U.S. economy. Thank you and if you have any questions or comments please do not hesitate to contact me.

Sincerely,

CRAIG W. DRUMMOND,
Drake University Students Body Vice-President.

Mr. ASHCROFT. A final letter from Mrs. Joan Botwinick in University City, MO:

I want to thank you for introducing a bill which would lift the embargo on food and medicine. Not only is it the humane thing to do, but it would also benefit our farmers.

That is a clear statement of what I think is the important truth.

I ask unanimous consent to have the letter printed in its entirety in the RECORD.

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

UNIVERSITY CITY, MO,
Sept. 24, 1999.

DEAR MR. ASHCROFT: I want to thank you for introducing a bill which would lift the embargo on food and medicine in Cuba. Not only is it the humane thing to do, but it would also benefit our farmers.

The broader issue is: Do we promote democracy by putting sanctions on countries we don't like or who may be a threat to us, or do we try to help improve their economies by engaging in commerce and dialogue. I believe our best course is the latter.

Sincerely,

JOAN BOTWINICK.

Mr. ASHCROFT. Comments about lifting the food embargo come not just from the Midwest. An editorial from the Fort Lauderdale Sun-Sentinel, August 16, 1999, states:

It clearly would be in America's best interest to expand trade in food and medicine to Cuba, for more reasons than one.

I continue to quote:

If nutrition and health-care conditions don't improve in Cuba under the easing or lifting of U.S. trade restrictions, Castro won't have the embargo to blame for his government's failures.

In other words, we provide Castro with an opportunity to blame America for hungry people, to blame America for sick people, as long as we embargo food and medicine.

Quite frankly, there is a ground swell of support to lift the food and medicine embargo on Cuba—and other countries.

An article from the Omaha World-Herald commends the cosponsor of this legislation, Senator CHUCK HAGEL of Nebraska, who has been such a leader in this respect. I will read from that article:

Sens Chuck Hagel, R-Neb., and John Ashcroft, R-Mo., added to the Senate's recent farm spending bill an amendment that would exempt most food and medical supplies from U.S. sanctions against foreign nations.

As an editorial in this space said on August 10, Cuba provides the closest example of why Hagel and Ashcroft have a good idea: Such sanctions usually harm only the people who deserve it least, and they pointlessly exclude U.S. farmers and pharmaceutical manufacturers from significant international markets.

I ask unanimous consent to have this editorial from the Omaha World-Herald, Friday, August 20, 1999, printed in the RECORD.

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

[From the Omaha World-Herald; Fri. August 20, 1999]

A GENTLER FACE TOWARD CUBA

Maybe it's just a coincidence of timing. But lately it seems that Midwesterners are at the forefront of a push to start easing some of the barriers between the United States and Cuba.

Sens. Chuck Hagel, R-Neb., and John Ashcroft, R-Mo., added to the Senate's recent farm spending bill an amendment that would exempt most food and medical supplies from U.S. sanctions against foreign nations.

As an editorial in this space said on Aug. 10, Cuba provides the closest example of why Hagel and Ashcroft have a good idea: Such sanctions usually harm only the people who deserve it least, and they pointlessly exclude U.S. farmers and pharmaceutical manufacturers from significant international markets.

Senate Minority Leader Tom Daschle of South Dakota and Sen. Byron Dorgan, D-N.D., recently came back from a visit to Cuba with figures that undergird that idea. They said officials in Cuba told them the country imports nearly $1 billion in food and medicine annually and food imports could double in five years. Cuban doctors and hospital officials told the Americans that more than 200 important pharmaceuticals are not to be found in Cuba and that a pressing need exists to restock.

One must consider the source of such assertions. But even if the numbers were substantially exaggerated, they still point to real markets and real needs.

Now there's the visit to Havana by the Gold Nemesis from Lincoln, Nebraska's top under-17 soccer team, with its people-to-people sports diplomacy stint. What are the young players (many of whose parents have no memory of a time when there wasn't an embargo against Cuba) learning?

''People from Cuba are not stereotypical, real hard-nosed, mean people,'' Gold nemesis co-captain Christian Mangrum told the Associated Press. ''They're actually really nice, really genuine.''

No surprise there, surely. The faceoff between the two nations has never been about Americans vs Cubans. It is about the corrupt and dictatorial regime of Fidel Castro and his dreams of Pan-American revolution. And harbor no illusions: Castro remains Castro. All in Cuba is not sweetness and light

Dorgn reported that Castro staunchly defended the current system. ''He staunchly defends what he has done,'' Dorgan said. ''He rejects the notion that there are human rights violations.'' Dorgan said Cuban officials had told him and Daschle they were free to speak to any Cuban. But that proved to be untrue when they wanted to talk to four dissidents recently sentenced to prison.

The overthrow of Castro is not a realistic prospect, but after all, he will not live forever. It is time to think about what happens after he's gone. If Americans demonstrate to Cubans that we as a nation aren't out to starve them or deprive them of medical care; if we show them more about average Americans and the kind of life that is possible under a more progressive form of government: doesn't it make sense that in the post-Castro era they'll be open to a free and open society?

For that reason, when the House of Representatives resumes its session next month, it should join the Senate in easing the food and medicine embargo.

Mr. ASHCROFT. Most people realize it is the good thing to do for our farmers and it is the right thing to do in terms of humanitarian interests of those abroad. That is why the Senate overwhelmingly approved this concept, and that is why it should have been retained in the conference report which provides relief for American farmers.

We provide financial relief, but we ignore the need for structural relief so that their market can be expanded. It is no secret that what happened to the appropriations bill for farmers has been construed by some as an affront to farmers. Missouri farmers are not duped; they are not fooled. They understand that while there is additional financial assistance being given out, they are still being deprived of their markets, and Missouri farmers want to be able to produce and to sell. That is what farming is all about. They are bewildered as to how their freedom to market, which had majority support from both sides of the aisle, could be stripped out of the bill. I will do everything I can to make sure they get the freedom to market we have been promising them for years; we must deliver.

Quite frankly, there is growing consideration of an idea that says we can't have Freedom to Farm if we don't have freedom to market. We have never given it a real chance to work. We have to give our farmers the chance to market what they produce as well as the freedom to be producers.

If what happened over the last 2 weeks on sanctions policy keeps up, I do not think we will be seeing this program work. We have to have both freedoms: The freedom to farm and the freedom to market; and who will be to blame but those who kept us from passing the freedom to market?

Our amendment, the Food and Medicine for the World Act, is designed to allow our farmers to market around the world and is designed to restructure the way in which agricultural embargoes, or food embargoes, would be imposed—if at all. That proposal would have put United States farmers on more competitive ground with the Canadians and more competitive ground with the Europeans and South Americans in world markets. It would have put money in the pockets of U.S. farmers—clear and simple; just a fact; there would have been money in the pockets of American farmers.

It is hard to believe we simply—we? I should not say ''we.'' From somewhere, in the dark of night in the conference committee, out goes that provision which had overwhelming support, I believe, in both Houses of the Congress. It would have restored the credibility of the Congress worldwide, across America, and would have restored our farmers' credibility worldwide as suppliers.

I will continue my efforts to win final approval for ending unilateral food and medicine embargoes. Next week the sponsors of the amendment, that was approved 70 to 28 and was added to the Agriculture appropriations bill, intend to introduce the embargo reform as a freestanding bill. We will bring it to the Senate and the Congress. We will say to the Congress: This is not part of the Agriculture appropriations measure as it was before, but we want to present this to the Congress. I am grateful the majority leader of the Senate has made a commitment to me to bring the proposal back to the Senate floor for separate consideration this session. That is important to me.

I wanted the measure approved as part of the Agriculture appropriations bill and sent to the President for signature. It would have been easier. It certainly was an overwhelming consensus of this body and I believe an overwhelming consensus of the House. But if that can't be, then we try plan B. Plan B is to bring it up separately and get it passed through the Senate, get it passed through the House of Representatives, and sent to the President.

I thank the majority leader of the Senate who has made a commitment to bring the proposal back to the Senate floor for separate consideration. This debate will continue, therefore.

Let me reiterate a few points that are vital to the proposal we are advancing. The general framework is this. We do not make it impossible to have an embargo. We just say, before there can be an embargo, the Congress has to approve it. So we do not tie the hands of the President, but we ask him to shake hands with the Congress before you take this draconian, drastic step which hurts American farmers, before you have sanctions on food, fiber, and medicine. We will not allow the President, with the stroke of a pen, to damage the livelihood of American farmers or to cut off the subsistence of oppressed people around the world. It will require consultation with the Congress.

I want to make one thing as clear as I can. This is genuinely a proposal that supports the policy of helping our farmers and putting products which will eliminate suffering and hunger into the hands of those who need them most. This is not about shipping military equipment or even dual-use items—things that could be used in the military setting—to other countries. We want to keep those kinds of things out of the hands of tyrants. But we do not want to assist tyrants, or strengthen the hands of tyrants, by allowing them to blame America for hungry people who are oppressed or people who are ill in health, so that the tyrant can say: The reason you are ill and the reason we don't have good medicine is the United States of America won't allow you to have good health or won't sell us food.

Our approach helps us show support for the oppressed people who need to be strengthened in these countries, at the same time we send a message that the United States in no way will assist or endorse the activities of the rogue

leaders of these nations which threaten our interests. If these rogue leaders don't spend the money with the American farmers to buy food, that leaves them hard currency to buy weapons and destabilize countries around the world. We ought to hope they spend all their money on food for their people instead of weaponry they use either to repress people in their own regimes or destabilize neighboring countries.

Ending unilateral embargoes against sales of U.S. food and medicine is good, solid foreign policy, it is good farm policy, and it promotes U.S. interests around the world. In the past, we have imposed embargoes that have done exactly the opposite from what we intended. If we use food as a weapon, we have to be careful it doesn't backfire. Using food as a weapon has really resulted in more backfiring than forward firing. We have actually enriched the people we were seeking to hurt, and we have hurt the people, the American farmers, who have been the producers of what has made this Nation the greatest nation on the face of the Earth, where hunger has been virtually abolished—or it should be.

Let me just give this example. It is a tragic example. It is not humorous, but it is almost funny because it backfired so badly. Everyone remembers the Soviet grain embargo in the 1970s. We canceled 17 million tons of high-priced exports from the United States. We told farmers: You cannot make those sales; we are not going to allow you to ship that grain to Russia.

Here is what happened. The Russians, having been relieved of their contractual obligation to buy what they wanted to buy, went into the world marketplace. Do you know what they did? They bought all the stuff which we refused to sell them, and they saved $250 million in the process. We really hurt the Russians with that one. Robert Kohlmeyer of ''World Perspectives'' brought that story to the committee as we had hearings on sanctions. I thought to myself, that gun backfired in a big way. The only people with powder burns, the only people suffering as a result of that volley, were American farmers and individuals in the production of American agriculture.

Our market reputation as a supplier in the world went down, and other people decided they would bring on land to be producers, in South America and other settings, so they could supply what we would refuse to supply. All of a sudden, we brought new competitors into the arena; we destroyed our reputation; we helped our enemy get $250 million he wouldn't otherwise have gotten, and we hurt American farmers. Seldom can a gun backfire so accurately in so many directions. I say seldom, but it is just generally so in the arena of embargoes. Our embargoes more often deny people who suffer under such regimes the food and medicine they need and desire rather than hurting the leaders in those countries.

America has been a nation that promotes freedom worldwide. We should continue to talk truthfully about political oppression in other countries. We should do so, though, without denying food and medicine to the oppressed people who need to be strengthened, not weakened. How can we ever expect to topple a regime by starving those who populate it? Our foreign policy interests should be to strengthen, not to weaken, those who could resist an oppressive regime.

We need to stop using food as a weapon against the innocent. It is not good foreign policy. It is failed foreign policy. That gun backfires. It is not working. It is hurting those abroad and is hurting those of us who are back home. In terms of market access for farmers, we can talk about the roadblocks that are laid down by foreign governments—and I am pretty distressed about those roadblocks. The Europeans have vast subsidies that make it hard for us to compete with them overseas. But let us also be aware we have to stop throwing roadblocks in the way of our own farmers here at home. We have built a solid brick wall in front of our own farmers. Simply, it is an impenetrable wall when it relates to embargoes and sanctions imposed unilaterally on food and medicine against a number of countries around the world. My message today to the Congress is simply this: Tear down this wall we have built.

Let our farmers be free. Our food embargoes have failed. Our food embargoes are not effective. Food embargoes are not the way for us to win. That gun backfires. It is time to tear down this wall. And we will. Starting next week, we will do our best to bring this measure up as an independent, freestanding measure.

While I believe it is important to help our farmers in the Agriculture appropriations bill upon which we are going to be voting, that is a financial assist in the short term for a disastrous year, but we need the long-term structural reform that the hog farmer in Sedalia, Brett, came to me and said: We need the ability to market so we don't need to come back for financial assistance over and over again. Tear down this wall.

I yield the floor.

Mr. BROWNBACK addressed the Chair.

The PRESIDING OFFICER (Mr. ROBERTS). The distinguished Senator from Kansas is recognized.

Mr. BROWNBACK. I thank the Presiding Officer, the other distinguished Senator from Kansas. I appreciate his recognition. I ask unanimous consent to speak for up to 10 minutes on the Ag appropriations conference report which is before the Senate.

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

Mr. BROWNBACK. Mr. President, I rise in support of what my colleague from Missouri just spoke about. As he was speaking, I was thinking where I was when the embargo happened. In the late seventies, I was a farm broadcaster in Manhattan, KS, when President Carter put the embargo on the Soviet Union. My dad was farming, as he is today. We were both long in wheat. Wheat went down lock limit for 3 days in a row with that embargo. The markets did not recover when that big of a sale was taken out of the system. We lost a lot of money.

Senator ASHCROFT was talking about how much we lost as a nation and how much our farmers lost. I remember what we lost as a family in that embargo, not that it should be any deciding factor, but it galvanized in my mind what happens when we do these sorts of things. That is, we lose markets, we lose money, our farmers are penalized, punished—and the Soviet Union got cheaper grain out of the deal. It was bad for us all the way around.

One of my great disappointments with the Ag appropriations conference report is that we had a chance to end once and for all the use of food and medicine as a foreign policy tool. We did not take that chance, and we are poorer for it. We should have gotten this monkey off the back of U.S. farmers.

I rise to state my strong disappointment with this conference report, even though my colleague from Mississippi, who chairs this subcommittee, has done everything he possibly can. There is a lot of good in this appropriations conference report, but we missed a chance to lift these unilateral sanctions on food and medicine.

As you have already heard several times, the Ashcroft amendment was adopted overwhelmingly in this body by a vote of 70–28. It is important to keep mentioning that fact because it is astonishing to me that such a clear message from the Senate could be so easily ignored.

In a place as diverse as America and as compact as Congress, there are bound to be honest disagreements about any number of issues, including sanctions. These disagreements were given a thorough and extensive airing in the Senate, and the result was an overwhelming majority decided it was not an effective policy tool to use food and medicine in foreign policy. This is a conclusion that a vast majority of the American public has already recognized for some time and certainly the farming public has recognized this for a long period of time.

What has occurred with the Agriculture appropriations bill is an attempt to avoid this important policy issue. I am delighted we are going to bring it back up next week and discuss it, but it is an unfortunate tactic that has moved us to next week rather than now in deciding this critical policy issue for U.S. agriculture and for America's foreign policy. Compounding this wrong is the fact that U.S. agriculture is in the midst of an economic struggle, and sanctions serve to limit U.S. markets for no real policy effect.

Unilaterally using food and medicine as foreign policy weapons fails to take into account that the U.S. has competition in agriculture. If we do not

sell it, somebody else will, and that is what has taken place in the past. It is time we limit the possibility of this happening again in the future to the United States.

Even if the U.S. denies trade with another nation, other countries will, and do eagerly, sell these products. We know this for a fact. The only one who gets hurt in this process is truly the U.S. farmer, the farmers across Kansas who do not get to make these sales.

While it is difficult to calculate the actual gain that lifting sanctions would bring in the short term it is easy to see the long-term benefits of sanctions reform. These benefits include the increased sales to new markets because we tell that new market we will be a reliable supplier; we will not just step in willy-nilly on this; we will be reliable in our supplying. Perhaps even more profound, this policy serves to reassure all our trading partners that the U.S. will continue and will always be that constant and reliable supplier of agricultural goods. This assurance is necessary in a competitive market.

Efforts to reinstate this important sanctions relief language or find a compromise have certainly been valiantly put forward by Senator ASHCROFT, Senator DORGAN, and a number of others, including the Chair. I commend my neighbors in this principled fight and their persistence on this issue. Still the few who oppose sanctions reform have blocked any progress.

Reluctantly, I will vote for this bill because farmers and producers are depending on the emergency aid funding contained in this bill. But I truly believe the future of U.S. agriculture depends on the long-term reforms such as this Senate-passed amendment lifting unilateral sanctions. I will continue to fight on this issue and insist that the will of the majority be followed.

In conclusion, we had a chance to once and for all remove the use of food and medicine as a foreign policy tool, and we missed it. We could do something good, something right, morally on the high ground, the right thing for U.S. farmers, the right thing for those consumers in places around the world who need and should have this good, high quality food product we have. We missed that opportunity. We are poorer for it, and so is the rest of the world. We will have this fight again next week. I hope we can still move this bill this session of Congress. I lament we did not do it on this piece of legislation.

Mr. President, I yield the floor.

Mr. KOHL addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from Wisconsin is recognized.

Mr. KOHL. I thank the Chair. Mr. President, I am glad to join my colleague, Senator COCHRAN, in support of the conference report to H.R. 1906, the fiscal year 2000 Agriculture appropriations bill.

I congratulate Senator COCHRAN, chairman of the subcommittee, for guiding us past many obstacles that have stood in the way of final passage of this measure. At the end of today's debate, we will send to the President an agricultural spending bill that will result in immediate aid to hundreds of thousands of farmers across our country. That is an accomplishment of which we can all be proud.

At times, work on this bill was contentious. The money we had available to work with made it very difficult to fund adequately the most critical programs at USDA, FDA, and the other agencies in this bill.

Senator COCHRAN did a masterful job in finding a balance of priorities, given the budgetary constraints under which we had to work. In fact, we were even able to increase spending for some critical programs. This conference report provides an increase for the President's food safety initiative, as well as additional funds to help avoid a shortfall in inspectors at the Food Safety Inspection Service. An increase is provided for the WIC Program to help maintain caseload. Other programs, such as research and education, conservation and rural development are all funded at a very healthy level.

Most important, we have managed to include $8.7 billion in emergency aid to farmers suffering from the price collapse that has hit too many commodities. I realize some of my colleagues, especially those from the Northeast, will argue that more is needed to address the needs of farmers suffering from the effects of this summer's drought and Hurricane Floyd. I agree. The administration should send us a separate emergency request for these recent disasters, and Congress ought to act on it immediately. But our commitment to help the farmers of the Northeast overcome the natural disasters of the last several months should not stop us from enacting aid for farmers all over the country suffering from the economic disasters of the last several years.

I also want to note the efforts made to ensure that harmful legislative riders, such as attempts to undermine USDA reform of dairy policy, did not become part of this conference report. We have spent months putting together a fair bill—not perfect, but fair. Efforts to incorporate dairy compacts into this legislation were defeated more than once. It is time to pass this bill and get much-needed funding to dairy farmers and to hardworking farmers across the country.

And let me emphasize that last point. This bill contains almost $9 billion in emergency assistance to struggling farmers everywhere. Within days of the President signing the bill, almost $5 billion of that aid will be on its way to farmers. It is all well and good for us to spend days listening to talk about this money—how it is distributed and how much there should be—but there are hundreds of thousands of farmers who need it now to plant, feed, and operate. All the words in the world will not help farmers get next year's crop in the ground or milk the cows. We have talked enough—it is time now to pass this bill.

In closing, let me say how much I have enjoyed working with Senator COCHRAN. This is my first year as ranking member on this subcommittee and his exceptional leadership, good judgment, and helpful hand has been indispensable in making this a positive experience for all of us. I would also like to thank his distinguished staff, Rebecca Davies, Martha Scott Poindexter, Les Spivey, and Hunt Shipman, for their important contributions to this bill. And, of course, I must thank Galen Fountain of the minority staff for his wisdom and patience. Galen is an invaluable resource to me, to all Democratic Senators, and to the Senate itself.

I ask unanimous consent that a letter on the Foreign Market Development Program from the USDA be printed in the RECORD.

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

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, September 29, 1999.

Hon. HERBERT KOHL,
Committee on Appropriations, Washington, DC.

DEAR SENATOR KOHL: This is in reply to your request for information about the Commodity Credit Corporation (CCC) Charter Act and the President's budget to fund the Foreign Market Development Program (FMD) through CCC.

The President's budget proposes to shift funding for FMD from the FAS appropriated account to the Commodity Credit Corporation (CCC). The budget also proposes to fund a new Quality Samples Program through CCC. In conjunction with the budget, the Administration has forwarded to Congress legislation authorizing the use of CCC funds for FMD and capping expenditures for that purpose at the Fiscal Year (FY) 1998 program level of $27.5 million.

You questioned whether such legislation was necessary or whether the Administration has the authority to fund these programs through CCC administratively. You are indeed correct: although it is the Administration's position that such legislation should be enacted, CCC has the authority to fund FMD and the proposed Quality Samples Program under the Section 5(f) of the CCC Charter Act without additional legislation. The legislation we submitted does not expand the Secretary's existing authority; it limits it by imposing a cap on CCC expenditures for the two programs.

If FMD ultimately is funded through CCC rather than from the FAS appropriated account, the Administration intends to continue to fund FMD at not less than the historic level of $27.5 million annually.

Please feel free to contact me if you need any additional information.

Sincerely,

AUGUST SCHUMACHER, Jr.,
Under Secretary for Farm and Foreign Agricultural Services.

Mr. KOHL. I thank the Chair and yield the floor.

Mr. REED addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. KOHL. I yield to the Senator from Rhode Island.

The PRESIDING OFFICER. The distinguished Senator from Rhode Island is recognized.

Mr. REED. I thank the Senator from Wisconsin for yielding and also thank him and the Senator from Mississippi for their efforts on behalf of this legislation. But I must come to the floor today in opposition to this bill because it is not fair legislation for all the farmers of America—certainly not fair to the farmers of the Northeast, in Rhode Island, New England, the Mid-Atlantic States, because they have suffered a tremendous loss this year because of a drought that has historic implications. It was the worst drought in the history of this region in over 105 years of record keeping by the National Oceanic and Atmospheric Administration. This has had a devastating impact on the farmers of my State and of the region.

Most people do not consider the Northeast to be a place where there are lots of farms, but in my own small State of Rhode Island there are over 700 farmers who grow vegetables, turf, nursery stock, cranberries, strawberries, and potatoes. We also have numerous orchards and dairy farms. All of these farms have suffered devastating losses. And these are family farms; these are not large agricultural combines—certainly not in Rhode Island. They are family farms that are struggling to make do. This year they had a difficult struggle because of this historic drought.

We originally thought that farm losses would be about 50 percent of the crop—a serious blow. But I have just been given data today from our agricultural authorities where in Rhode Island they are suggesting that the August estimates were not as severe as the reality is turning out to be. In fact, the estimate is that the percentage loss of sweet corn in the State is 80 percent, silage corn is 70 percent, potatoes is 60 percent, mixed vegetables is 75 percent, and hay is 50 percent. These are difficult losses to bear, particularly difficult to bear without assistance.

We have received some rain through the last few weeks, but it has not been enough to reverse the damage that already was done April through August with the worst drought in the history of our region.

That is why I am here today, because, frankly, the resources in this legislation that are being made available to the Northeast, to the Mid-Atlantic farmers, are insufficient. We have tried, over the last several months, to structure a meaningful relief package that would help the farmers throughout this country—every region.

In the 1999 emergency supplemental appropriations bill, Democrats offered an amendment to provide disaster relief for America's farmers and ranchers which would have taken care of all of our farmers throughout the country. This provision was rejected by the majority. Later, Democrats offered additional disaster relief amendments to the fiscal year 2000 Agriculture appropriations bill as it was being considered in the subcommittee. Those amendments were rejected also.

On the floor of the Senate in August, I joined my Democratic colleagues in supporting an emergency farm package that would provide over $10 billion to producers in need of relief, including $2.6 billion in disaster relief and $212 million in emergency conservation assistance, both of which would have been very critical to my farmers in Rhode Island and throughout the Northeast. Sadly, that proposal was also rejected. There was even discussion to try to work out a compromise, a bipartisan effort, on the order of $8.8 billion. This, too, failed.

Finally, I think in the hopes of moving the process forward, we did agree to the final $7 billion package proposed by the majority, as a downpayment, if you will, on the necessary support we hoped we could obtain through the conference process and we hoped we would be voting on today in this final conference report.

But today we are faced with a bill which we cannot amend, which we must either accept or reject; and, sadly, despite all the efforts, all the earnest efforts of my colleagues, I must vote against it because it does not provide the kind of assistance that is necessary for the farmers of my State and my region.

Of the $8.7 billion in emergency farm relief in the appropriations bill, only $1.2 billion is set aside for all disasters declared by the Secretary of Agriculture in 1999. In the Northeast alone, our Governors have told us we are facing nearly $2 billion in total losses. And as today's data indicates, those are probably conservative estimates. For the Department of Agriculture to cover 65 percent of our region's losses alone would cost about $1.3 billion. Yet we have only appropriated $1.2 billion for the entire country—every region, for every natural disaster from January 1 to December 31.

So as you can see, all of this money that is within this bill could easily be used in the Northeast, in the Mid-Atlantic alone, but it will be spread throughout the country and, in fact, be spread in such a way that my farmers will be particularly disadvantaged.

It is unlikely this $1.2 billion of disaster relief money will be available to my farmers until sometime in the middle of next year because, as the legislation is written, the Secretary must wait until the end of the year to calculate all of the damages throughout the country and then begin the cumbersome process of proration and distribution of these funds, which could take months. That is another problem with the legislation. Not only are there insufficient funds available to the Northeast, but these funds may not come until the middle of next year.

That is in contrast to what my colleague from Wisconsin pointed out with respect to those farmers who are part of the Agricultural Market Transition Act. There is $5.5 billion there. That money will be flowing out immediately. They will get assistance immediately. Not only will they get this assistance, but they will also qualify for this $1.2 billion of natural disaster money if they suffered their loss through a natural disaster. They will get essentially two bites of the apple, where my farmers in the Northeast will get what is left.

There are many States throughout this country that qualify for this disaster program, this $1.2 billion—33 States, in fact. So there will be a long line of farmers who have to be satisfied by this insufficient amount of money.

There are things we could have done, I believe we should have done, in addition to putting more money into the natural disaster program so we could take care of the real needs of all the farmers across the country.

I had hoped we could have increased the Crop Loss Disaster Assistance Program, which is something that has been helpful in the past. There is also a Livestock Feed Assistance Program which is also critically important to my farmers in the Northeast because much of the silage has been lost. In our dairy farms particularly, that is a critical loss.

We also, as we go forward, should think about the structure of the program for noninsured crop disaster assistance, the NAP program. There is a trigger in that program that requires a 35-percent areawide loss. Sometimes we can't meet that loss, but, frankly, most of the crops in my State are noninsured. They are strawberries, vegetables, et cetera. They individually sometimes can't meet this trigger, and they are denied any assistance whatsoever. If that program were more flexible, we could address some of the concerns we are talking about today in terms of insufficient funding.

In addition to this lack of resources, in addition to the unfairness of the distribution, in addition to the lack of timely response to the problems of my farmers in the Northeast and Rhode Island, there is also the issue of the dairy compact. Failing to extend this undercuts a program that was working, a program that provided not only support to the dairy industry in my State but, frankly, provided consumers with milk at reasonable prices. It also provided tremendous environmental benefit to the State of Rhode Island and other States because of the pressure of development, particularly in the Northeast. Many of these dairy farms, given the choice of producing at a loss each year or selling out to developers, will sell out. In Rhode Island, the little green space we have becomes less and less and less.

For all these reasons, I must oppose this legislation. I hope in the remaining days of this session we can, in fact, find ways and other legislative vehicles, perhaps even a supplemental, to

direct assistance to the farmers throughout this country, including farmers in the Northeast, particularly in my home State of Rhode Island.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. COCHRAN. Mr. President, I yield such time as he may consume to the Senator from Minnesota, Mr. GRAMS.

The PRESIDING OFFICER. The distinguished Senator from Minnesota is recognized.

Mr. GRAMS. Mr. President, I will talk a few minutes this morning in support of the Ashcroft amendment to the Agriculture appropriations bill dealing with sanctions. I know this Agriculture appropriations bill covers many areas, including dairy, as we just heard our colleague from Rhode Island discuss. I have a different view, of course, on the dairy situation. I hope to have more on that in another statement that will also be entered into the RECORD in regard to the Agriculture appropriations bill.

I was disappointed the conferees decided to drop the Ashcroft Food and Medicine for the World amendment added by 70 Senators to the Senate Ag appropriations bill. I am a cosponsor of the bill to be introduced by Senator ASHCROFT and the cosponsors of his amendment. While I would prefer this bill addressed all unilateral sanctions, not just food and medicine, I strongly support the bill as a good start to reforming our sanctions policy. As a cosponsor of the Lugar Sanctions Reform Act, I believe it is long overdue that the administration and the Congress think before we sanction.

it makes no sense to punish the people of a country with which we have a dispute. Denying food and medicine does nothing to penalize the leaders of any country. Government leaders can always obtain adequate food and medicine, but people suffer under these sanctions, whether they are multilateral or unilateral. Those two areas should never be a part of any sanction.

At the same time our farmers suffer from the lingering effects of the Asian financial crisis as well as those in other areas of the world, we either have, or are debating, sanctions that further restrict markets for our farmers and medical supply companies. Since most of our sanctions are unilateral, it makes no sense to deny our farmers and workers important markets when those sales are made by our allies. I need not remind any of you that we are still experiencing the aftermath of the Soviet grain embargo of the early 1980's when the United States earned a reputation as an unreliable supplier.

Another example of how we have harmed our farmers is the Cuban embargo. I have for several years supported Senator DODD's Cuba food and medicine bill, similar to this proposal. For 40 years this policy was aimed at removing Fidel Castro—yet he is still there. This is a huge market for midwestern farmers, yet it is shut off to us for no good reason. Because Cuba has fiscal problems, many of its people are experiencing hardship. Those who have relationships with Cuban-Americans receive financial support, but those who don't have relatives here need access to scarce food and medical supplies. Higher shipping costs from other import sources has restricted the volume of food that can be imported. Yet here we are 90 miles away. We could help these people, but we cannot. It is time to develop more contact with the Cuban people and time to help those who do not have relatives in the United States. This bill does not aid the government, as United States guarantees can only be provided through NGOs and the private sector. Currently, donations are permitted, as well as sales of medicine, but they are very bureaucratically difficult to obtain, and they don't help everyone. Our farmers are in a good position to help and they should be allowed to do so.

I applaud Senators ASHCROFT and HAGEL and many others for there work to ensure farmers and medical companies will not be held hostage to those who believe sanctions can make a difference. Any administration would have to get Congressional approval for any food and medicine sanction. This is our best opportunity to help farmers and to show the world we are reliable suppliers. I urge the support of my colleagues for this long overdue legislation.

I yield the floor.

Mr. COCHRAN. Mr. President, seeing no Senators seeking recognition, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally among all sides to the debate.

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

The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. COCHRAN. 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. COCHRAN. Mr. President, I yield such time as he may consume to the Senator from Wyoming, Mr. THOMAS.

The PRESIDING OFFICER. The distinguished Senator from Wyoming is recognized for as much time as he may consume.

Mr. THOMAS. I thank the Chair.

Mr. President, I thank the chairman of the Appropriations Committee for the work that has been done on both sides. I know this is a very difficult issue, one about which Members have very different ideas concerning resolution. I do appreciate the work that has been done.

Certainly, one of the things that has occurred and has an impact on what we are talking about today has been the difficult times we are having in agriculture. In my State of Wyoming, we have basically three areas of economic activity. This is one of the three; minerals is the other. Both have not been good lately. Fortunately, there are some signs of improvement, particularly in the livestock area, which is of course the most important part of Wyoming's agriculture.

I come to the floor to talk about what we need to do in the long run. We are talking in this bill about a great deal of fairly short-term remedies. I don't argue with those particularly. I guess maybe we have spent a little more money than we should, used the emergency technique for some things that probably are not bona fide emergencies. On the other hand, we have a great deal to do in our community in agriculture and all that needs to be done.

No one doubts the urgency of providing the short-term relief, whether it be from emergencies in weather, from emergencies in markets, or whether it be other kinds.

But the fact is that this, in my view, is not the long-term solution to the problems we have. Producers in Wyoming generally do not favor returning to the Government farm programs. I think they would much prefer the idea of being in the marketplace, producing for the marketplace, developing new markets.

We had an agricultural seminar in our State recently, and those were the things that were talked about—that we do need to develop markets; we need overseas markets because we are great producers. We produce efficiently and at good prices. But in order to do that, we have to continue to develop markets. I think we have to, in addition, reduce the kinds of restrictions that prohibit the sort of production we choose. So we need to follow up, and I think many of the agricultural leaders in the Senate believe we have some things we have to do to make Freedom to Farm work. Those are the things we must do in following up to make that marketplace work.

One of them, of course, is to reduce unfair trade barriers throughout the world. We have a great many of those, and probably the most pressing one is the European Union, where they have found various ways through tariff barriers, or nontariff barriers, to keep agricultural products in the country moving—beef, for example, which is important to me and others.

We have a great opportunity, as we go forward with the WTO meetings in Seattle soon, to take to that meeting the kinds of things that are important to us. I happen to be involved as chairman of the subcommittee on Asia and the Pacific rim. So I have been involved with some of the countries with which we deal to a great extent.

Japan has a 40-percent tariff on American beef. This is not a realistic thing to do. If we are going to have trade organizations and trade treaties that are designed to level the playing field and be fair, those kinds of things should not happen. We have some opportunities in China, as a matter of

fact, where they moved this summer to suggest they would take more wheat and also more beef. So we have some great opportunities to do that. We just this week had some hearings with respect to the NAFTA treaty with Canada. In this instance, we had some hearings before the International Trade Commission to seek enforcement of those trade agreements.

So what I am saying, of course, is that these are the kinds of things, over the long term, that we have to do to cause American agriculture to produce for the market and to be able to produce from that market a reasonable price. We can do that.

Unilateral sanctions. We have had a great deal of talk and discussion about unilateral sanctions. I think most people would agree that unilateral sanctions are not an effective tool for foreign policy. Basically, what we do is bar our own producers from selling in those particular places and gain no advantage from it. If there have to be sanctions, they certainly ought not to be unilateral. They should be through some kind of a trade organization.

So that, coupled with enforcement, I believe, of trade agreements is something that agricultural people are very anxious about. Obviously, foreign trade is not the only remedy, but it is one of the major ones. It was unfortunate that at the time we were moving into the marketplace in agriculture, we had the currency crisis in Asia, a place where we have a potential for great markets. Of course, now, hopefully, the Asian market is strengthening and we will find we will be able to move back there again.

As I mentioned, foreign trade is not the only remedy and not the only issue on which we ought to be working. I think we have to have some other innovative avenues to spur market competition. I think one of them that, again, was talked about at our seminar in Wyoming was producer-owned cooperatives that move on through to the retail marketing of these products.

I think it is pretty clear, particularly in the case of beef—or at least it is very appropriate there—where you had a major reduction in the price received by producers but no reduction in the retail market, no reduction in the grocery store when you went there—so there is some sort of a problem in between. We think producer-owned cooperatives may be a way to do the processing and to ensure that, indeed, producers are given their fair share of the final product. Another is niche marketing. A great number of things are taking place on the Internet, where people are marketing products in specialties areas.

I think we need to look at the concentration of packers, where there are only two or three packers that handle 80 to 85 percent of the livestock. I think there are some similarities in the grain industry, where very few buyers are available to go into the marketplace. So you have to ask the question, Is there, indeed, a competitive, fair marketplace? We have the Packers and Stockyard Act which is designed to do that. Over the years, we have appealed to the Justice Department a number of times to look at whether there was, indeed, a monopoly factor. They have said that, under the law, there is not. Not everybody agrees with that. Nevertheless, that has been the result.

We are going to, I think sometime this week, introduce a proposition that would have to do with packers' ownership of livestock and see if we can do something about reducing the potential for monopolies so the market prices are there. In this bill, I think there is a market-price-revealing requirement that is very important.

Financial solvency, of course, for agriculture is always difficult.

Crop insurance. The Senator who is presiding at this time continues to do a great deal with crop insurance, and we need to do that—at least from the weather emergency standpoint. That is the kind of thing that needs to be in place to protect the investment of farmers. In the form of tax relief, we have tried to do some things to extend income averaging. As you can understand, because some years are good and some are not, there needs to be the ability to income average.

There is interest in estate taxes. Most agricultural people have their estate in property, and they make very little profit often, but it accumulates toward their estate under the circumstances, and after they get beyond the exemption of 55 percent, that estate has to be paid in taxes. That is extremely difficult for agriculture. So we are going to be doing some things there.

Regulatory relief is particularly important in States such as ours, where 50 percent of the land belongs to the Federal Government, where much of agricultural activity, particularly livestock, is carried on, on public lands. The restrictions sometimes are very difficult.

So I am pleased we are going forward with this bill. As is the case with many, it probably isn't the way I would do it if I were in charge. But I am not in charge, nor is anyone else. So when you put it all together, it is difficult. I think the committee has done the best they could and has done a good job, but we need to focus on the long-term prosperity in agriculture, the family farm. We need to focus on continuing to keep U.S. producers competitive in the world market and, finally, opening those markets throughout the world for our agricultural products on a fair basis, so we are not kept out of those markets by nontariff barriers, and, in addition, of course, to develop domestically the things we do.

So, again, I say to the chairman, the Senator from Mississippi, good job. He has worked very hard in doing this, and we are pleased that this bill will be sent to the White House.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. HUTCHINSON). The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, let me, first of all, repeat what I said on the floor yesterday, which is that I am going to support this emergency package, both the financial emergency package and the disaster relief emergency package.

I am going to do so because, may I say for the Record, Tracy Beckman tells me this will mean $620 million in AMTA payments to Minnesota, and this will be important for some 60,000-plus producers. I hasten to add that most of this money to farmers will end up being used to pay back bankers.

I also am going to support this because I want to get some assistance out there. I don't think we are going to have enough with this $8.7 billion package. I don't think there is enough for disaster relief.

Clearly, our farmers in the Northeast are saying we don't figure in. And in northwest Minnesota where we have had so much wet weather and some farmers haven't been able to get a crop in or much of a crop in, I fear there won't be enough assistance.

But I think that when we are at least talking about something we can pass. We need to get this to the President and have President sign it in order to get some of this financial assistance out to our communities within the next couple of weeks. For this reason, I am going to support it. I also want to say that I hope to have to never vote for such a package again.

I believe these disaster relief bills are becoming a disaster. I think they are a complicated way of acknowledging the fact that we have a failed agricultural policy. Who would ever have dreamed that we would have spent over $19 billion now to keep farmers going post-Freedom to Farm bill. This doesn't make a lot of sense.

The producers in my State, the farmers in my State, much less the rural communities, the small businesses that are affected by this, the implement dealers, and those who sell tools all say: What we want is a decent price.

I want to make it real clear that I wish—though I appreciate the work, I don't think there is any Senator on the floor who has any unkind words to say about Senator COCHRAN, publicly or privately, because I think he is held in such high regard—I wish we were doing this through a somewhat different mechanism because I fear that too much of the support will be in reverse relation to need. I think we will have yet another supplementary emergency package to deal with, especially disaster relief because there is not enough in here.

In any case, we ought to deal with the root of the problem. The family farmers in my State of Minnesota and in the rural communities that have been so affected by this economic convulsion in agriculture—it is a depression in agriculture—I want to see a

new policy. The Freedom to Farm bill has become the ''freedom to fail'' bill. I do not hear very many Senators talking any longer about staying the course. We have to change the course of agricultural policy.

I make a plea on floor of the Senate that before we finish, before we adjourn, before we leave Washington, before we go back to our States, we pass legislation to change farm policy; that we pass some legislation to deal with the price crisis; that we pass legislation to give our farmers and our producers some leverage in the marketplace so they can make a decent price and so they can support their families.

The plea or the cry in rural America from family farmers is nothing more than to say for all you people who believe there should be a family wage, or a living wage, and a parent or parents ought to be able to make enough of a wage to support their families, well, those of us who produce the food and the fiber for families in this country ask for the same thing.

That is what this is all about.

I want to translate this crisis in personal terms.

Lynn Jostock is a Waseca, MN, dairy farmer. He tells his story:

> 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 schoolwork. We don't have other help. 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?

Gary Wilson, an Odin farmer, says:

> Received the church newsletter in the mail. What's normally to the entire congregation had been addressed to only farmers. The newsletter said farmers should quit farming if it was not profitable. If larger, corporate-style farms were the way to turn a profit, the independent farmers should let go and find something else to do. ''What he doesn't understand is that the farmers are his congregation. If we go, he won't have a church.''

Oh, how right Gary Wilson is.

The point is, if we continue with this failed policy, we are going to lose a generation of producers. We are going to see this convulsion in agriculture play out to the point where we have a few large conglomerates that control all phases of the food industry. Believe me, if you have just a few landowners versus a lot of family farmers who live and buy in the community and invest in the community, there won't be the support for the church. There won't be the support for the synagogue. There won't be the support for the small business. There won't be the support for the school system.

Darrel Mosel is a Gaylord farmer.

> Farming for 18 years. When he started farming in Sibley County, which is one of Minnesota's largest agricultural counties, there were 4 implement dealers in Gaylord, the county seat. Today, there are none. There's not even an implement dealer in all of Sibley County. The same thing has happened to feed stores and grain elevators. Since the farm policies of the 1980s and the resulting reduction in prices, farmers don't buy new equipment they either use baling wire to hold things together or quit. ''The farm houses have people in them but they don't farm. There's something wrong with that.''

That is a direct quote from Darrel.

John Doe—this is a farmer who wants to remain anonymous:

> This family has gone through a divorce and the father and three children are operating the farm. The father has taken an off farm job to make payments to the bank and has his 12 year old son and 14 year old daughter are operating the farming operation, unassisted while he is away at work. The neighbors have threatened to turn him in to human services for child abandonment and so he had to have his 18 year old daughter quit work and stay at home to watch the two younger children.
>
> The 12 year old boy is working heavy farm equipment, mostly alone. He is driving these big machines and can hardly reach the clutch on the tractor. It's this or lose the farm.

I could go on and on, but I will not. I want to repeat what I have said, which is that I am going to support this emergency assistance package. But all it does, at best, is enable farmers to live to farm another day. The truth of the matter is it isn't going to help the farmers who it needs to help the most.

In addition, I am going to support it because at least it gets some assistance to some families. It doesn't do anything for the small businesses. Most important of all, farmers simply will not have any future.

Ken and Lois Schaefer from Greenwald, MN, will not receive much assistance. Ken and Lois are one of the few small, independent hog operations still remaining, with roughly 400 hogs. They raise feeder hogs and sows. Lois has an off-farm job to make ends meet. Ken is considering an additional job. This is common. People who farm have jobs off the farm; it is unbelievable stress on the family. There is no choice if they are to survive.

A recent hog operation opened near the Schaefer farm and is seeking employees. Ken's neighbor started working part time for the hog factory. Ken and Lois will not receive much assistance; there is not near enough livestock assistance. However, Ken and Lois do not necessarily want assistance. What they want is a decent price for their hogs.

They ask the question: How can it be that we as hog producers are facing extinction and these packers are in hog heaven? How can it be that we as hog producers are facing extinction and the IBPs and the Cargills and the ConAgras are making record profits?

Several weeks ago, I spoke about the crisis that is ravaging rural America. I told my colleagues about farmers I visited in Minnesota, Iowa, Missouri, South Dakota, and Texas. Today, I want to talk about why there is this convulsion, why every month more and more family farms are put on the auction block; why every month more and more family farmers are forced to give up their way of life; why they lose their work; why they are losing their hope; and why they are sometimes losing their communities.

We ought to act now. I have said to the majority leader three or four times that I want an opportunity to bring to the floor of the Senate some legislation that will alleviate the suffering. I want to talk about this today. I want the opportunity to have an up-or-down vote on a moratorium on any further mergers or acquisition of any huge agribusiness. We have a frightening concentration of market power. These big conglomerates have muscled their way to the dinner table and are driving out family farmers. At the very minimum, we can put into effect the moratorium and have a study so over the next 18 months we can come up with legislation while this moratorium is in place that will put some competition and free enterprise back into the food industry, giving our family farmers, our producers, a fighting chance.

Several weeks ago I spoke on the floor at some length about the crisis that is ravaging rural America today. I told my colleagues about some of the farmers I've visited with in Minnesota, in Iowa, in Texas, and around the country who are on the brink of financial disaster because of record low farm prices.

Farmers from all around the country were in Washington, DC, that week because they know that the future of the family farm is at stake. Every month, more and more family farms are put on the auction block. Every month, more and more family farmers are being forced to give up their life's work, their homes, and their communities. We must act now.

In Minnesota, about 6,500 farmers are expected to go out of business this year. That's about eight percent of all farmers in my state. In northwest Minnesota, which has been hit especially hard by this crisis, about 11 percent are expected to go under. An August 1999 survey of Minnesota County Emergency Boards reported that more Minnesota farmers are quitting or retiring with fewer farmers taking their place; more Minnesota farm families are having to rely on non-farm income to stay afloat; and the number of Minnesota farmers leaving the land will continue to increase unless and until farm prices improve. We must act now.

Today I want to take a step back and look at the larger picture. I want to examine what is going on in American agriculture and why; what it means for farmers and for us as a society; and, most importantly, what we can do about it.

I want to talk about record low farm prices. I want to talk about record high

levels of market concentration and the absence of effective competition in almost every major commodity market. I want to talk about the failure of our antitrust enforcement authorities to do much of anything about this.

I want to talk about the need for Congress to take immediate action to restore competitive markets in agriculture and give farmers more equal bargaining power against corporate agribusiness. And I also want to make the case for a moratorium on large agribusiness mergers and acquisitions, effective immediately, which I have recently proposed along with Senator DORGAN.

In my travels around Minnesota and around the country, I've found that many people are not even aware of the crisis afflicting rural America today. Even fewer have any idea to what extent market concentration and anti-competitive practices have substantially eliminated competition in agriculture. So let me just start by ticking off a few statistics that some of my colleagues may find surprising.

In the past decade and a half, an explosion of mergers, acquisitions, and anti-competitive practices has raised concentration in American agriculture to record levels.

The top four pork packers have increased their market share from 36 percent to 57 percent.

The top four beef packers have expanded their market share from 32 percent to 80 percent.

The top four flour millers have increased their market share from 40 percent to 62 percent.

The market share of the top four soybean crushers has jumped from 54 percent to 80 percent.

The top four turkey processors now control 42 percent of production.

49 percent of all chicken broilers are now slaughtered by the four largest firms.

The top four firms control 67 percent of ethanol production.

The top four sheep, poultry, wet corn, and dry corn processors now control 73 percent, 55 percent, 74 percent, and 57 percent of the market, respectively.

The four largest grain buyers control nearly 40 percent of elevator facilities.

By conventional measures, none of these markets is really competitive. According to the economic literature, markets are no longer competitive if the top four firms control over 40 percent. In all the markets I just listed, the market share of the top four firms is 40 percent or more. So there really is no effective competition in the processing markets for pork, beef, chicken, turkeys, ethanol, flour, soybean, wet corn, dry corn and grain.

This development is not entirely new. In some sectors of agriculture, there was already considerable horizontal concentration at the turn of the century. Pork and beef slaughtering and processing were dominated by Wilson, Armour and Swift. That's why Congress passed the Packers and Stockyards Act in 1921.

But now, with this explosion of mergers, acquisitions, joint ventures, marketing agreements, and anti-competitive behavior by the largest firms, these and other commodity markets are becoming more and more concentrated by the day.

Recently the Justice Department approved a modified merger between Cargill and Continental. Just a few weeks ago Smithfield Foods, a major meat processor, announced the acquisition of Murphy Family Farms, a giant hog producer. DuPont is buying Pioneer Hi-Bred International. ADM is buying more and more of IBP. Among seed companies and input suppliers, there has been more than $15 billion worth of combinations in the last three years.

In my hands I have a monthly listing of new mergers, acquisitions, and other agribusiness deals through March 1999. Let me just read a sample of some of the headlines to give you a sense of how rapidly this concentration is taking place. March 1999: Dupont to buy Pioneer. Farmland-Cenex to discuss combining grain operations. Smithfield to acquire Carroll's.

February 1999: Three California dairies preparing for merger. December 1998: Monsanto completes Dekalb purchase. Smithfield gains control of Schneider. Cargill buys Bunge's Venezuelan units. November 1998: Cargill buys out rival grain operation; deal boosts firm's hold on market. Dow Chemical completes purchase of Mycogen. IBP buys appetizer business in expansion move. And so on.

The effect of this surge of concentration is that agribusiness conglomerates have increased their bargaining power over farmers. When farmers have fewer buyers to choose from, they have less leverage to get a good price. Anybody who has been to an auction knows that you get a better price with more bidders. Moreover, when farmers have fewer buyers to choose from, agribusinesses can more easily dictate conditions that farmers have to meet. And fewer buyers means farmers often have to haul their production longer distances, driving up their transportation costs.

In addition to this horizontal concentration among firms in the same line of business, we are also seeing another kind of concentration. It's called vertical integration. Vertical integration is when one firm expands its control over the various stages of food production, from development of the animal or plant gene, to production of fertilizer and chemical inputs, to actual production, to processing, to marketing and distribution, to the supermarket shelf.

The poultry industry is already vertically integrated, by and large. 95 percent of all chicken broilers are produced under production contracts with fewer than 40 firms. Now the same process is occurring in the pork industry. Pork packers are buying up what's called captive supply—hogs that they own or have contracted for under marketing agreements. If these trends continue, grain and soybean production may soon be vertically integrated just like poultry.

The problem with this kind of vertical concentration is that it destroys competitive markets. Potential competitors often never know the sale price for goods at any point in the process. That's because there never is a sale price until the consumer makes the final purchase, since nothing is being sold outside the integrated firm. It's hard to have effective competition if prices are not publicly available. Today there is essentially no price discovery, and therefore no effective competition, for chicken feed, day old chicks, live chicken broilers, turkeys and eggs. If vertical integration of pork and dairy continues at the current pace, we can expect much the same in those industries.

Vertical concentration stacks the deck against farmers, as we can see clearly in the case of the rapidly consolidating hog industry. An April 1999 report by the Minnesota Land Stewardship Project found that:

> Packers' practice of acquiring captive supplies through contracts and direct ownership is reducing the number of opportunities for small- and medium-sized farmers to sell their hogs;
>
> With fewer buyers and more captive supply, there is less competition for independent farmers' hogs and insufficient market information regarding price; and
>
> Lower prices result.

Even the USDA's Western Corn Belt hog procurement study showed price discrimination against smaller farmers. Smaller farmers were paid lower base prices, lower premiums, and they were given little or no access to long-term marketing contracts.

The combined effect of these two different kinds of concentration is to put enormous market power in the hands of a handful of global agribusiness giants. Not only do these conglomerates dominate processing for all the major commodities, but the same firms appear among the top four or five processors for several different commodities. ConAgra, for example, is among the Top Four for beef, pork, turkeys, sheep, and seafood, and it's number five for chicken broilers. To make matters worse, many of these firms are vertically integrated. Cargill, for example, is among the Top Four firms trading grain, producing animal feed, feeding hogs and beef, and processing hogs and beef.

Farmers clearly see the connection between this concentration and lower farm prices. Leland Swensen, president of the National Farmers Union, recently testified that

> The increasing level of market concentration, with the resulting lack of competition in the marketplace, is one of the top concerns of farmers and ranchers. At most farm and ranch meetings, market concentration ranks as either the first or second in priority

of issues of concern. Farmers and ranchers believe that lack of competition is a key factor in the low commodity prices they are receiving.

Well, no wonder. How else can you explain the record profits that the large agribusiness conglomerates are racking up, at the same time low prices are causing a depression for family farmers? IBP's earnings in 1998, for example, were up 62 percent. In the second quarter of this year, they were up a whopping 126 percent. Packing plants, food processors and retailers are all reporting record profits.

While corporate agribusiness grows fat, farmers are facing lean times. The commodity price index is the lowest since 1987. Hog prices are at their lowest since 1972. Cotton and soybean prices are the lowest they've been since the early 1970s. Feed grain prices are the lowest they've been since the mid-1980s. Food grain prices are at the lowest levels since the early 1990s. Agricultural income in the mid-Western states is predicted to fall between 15 and 60 percent this year.

Current prices are so low that many family farmers are lucky to stay in business. Market prices are lower than their cost of production. The value of field crops is expected to be more than 24 percent lower in 1999 than it was in 1996—42 percent lower for wheat, 39 percent lower for corn, and 26 percent lower for soybeans. But farmers' expenses aren't falling by the same amount. In fact, they're not falling at all. Farmers can't cash flow if their selling prices are falling through the floor while their buying prices are shooting through the roof.

It all comes down to market power. Corporate agribusinesses are using their market power to lower prices, without passing those price savings on to consumers. The gap between what consumers pay for food and what farmers get paid is growing wider. According to the USDA, the so-called farm-to-retail price spread—the difference between the farm value and the retail price of food—rose 4.7 percent in 1997. From 1984 to 1998, prices paid to farmers fell 36 percent, while consumer food prices actually increased by 3 percent.

In other words, the farmer's share of farm profit is falling. The farmer share of every retail dollar has fallen from 50 percent in 1952 to 25 percent today. By the same token, the profit share of farm input, marketing, and processing companies is rising. The agribusiness conglomerates claim that this is because they're putting more ''added value'' into food products. Actually, it looks like they're taking additional value out.

Some people have blamed low farm prices on other factors, such as declining exports. That's a big debate that will have to wait for another day. But let me just say this. We can hardly expect export growth to translate into higher prices for American farmers if the multinational agribusinesses still have enough bargaining power to keep farm prices down.

As Jim Braun, a third-generation Iowa farmer, wrote recently, ''Unfortunately, increased exports do not necessarily mean more money for farmers. IBP has doubled exports since 1990 and quadrupled profits in 1998, while it destroyed family farmers by paying below Depression-era prices for hogs. If Cargill, ConAgra, or ADM, the three major grain processors and exporters, could sell corn overseas for $20 per bushel, they could still pay American farmers below the cost of production simply because they have the power to do so.''

What we do know for sure is that low farm prices are driving thousands of farmers into bankruptcy, and concentration is helping to depress prices. That's reason enough why we should take immediate action to address the problem of concentration. But there are plenty of other reasons why we should be concerned about concentration in agriculture.

First of all, concentration is bad for the environment. When large-scale corporate feedlots replace family-size farms, they create large amounts of waste in a relatively small space. That puts enormous strain on the local ecology. The lower prices resulting from unequal bargaining power also put pressure on farmers to abandon careful soil and water conservation practices.

There's another reason why we should be concerned about concentration in agriculture. The price effects of unequal bargaining power are tremendously destructive of community and family values. This connection was made explicit in an infamous 1962 report by the Committee for Economic Development, whose members included some of the biggest food companies.

Amazingly, the Committee had this to say about community and family values. They recommended investment ''in projects that break up village life by drawing people to centers of employment away from the village . . . because village life is a major source of opposition to change.'' They went on to say, ''Where there are religious obstacles to modern economic progress, the religion may have to be taken less seriously or its character changed.''

So the largest agribusinesses were afraid that ''village life'' and religion would stand in the way of modern economic progress. But what exactly did they mean by the term ''modern economic progress''? It turns out they meant the bankruptcy and forced emigration of two million farmers. That's what their report recommended. These agribusiness giants were advocating lower price supports for farmers in order to lower farm prices. And the primary benefits of lowering farm prices, they argued, would be to lower input prices for the food companies, to increase foreign trade, and to depress wage levels by putting two million farmers out of business and dumping them into the urban labor pool.

There's a third reason why we should be concerned about concentration in agriculture. As the Committee for Economic Development report makes clear, this concentration is harmful to the economic development of rural communities. It's been estimated that when a farm goes under, three to five jobs are destroyed. For every six farm failures, one rural business shuts down.

The reason is pretty simple. When production is controlled by more non-local corporations, profits don't get reinvested in the community. When family businesses operate local farms, elevators, and grocery stores, they plough profits right back into other local businesses. Those revenues circulate locally three or four times, creating what's called a multiplier effect. But there's no multiplier effect when non-local corporations drain profits out of the community. Rural communities become little more than a source of cheap labor inputs for agribusiness multinationals—to be purchased as cheaply as possible in competition with low-wage labor overseas.

Obviously, this kind of concentration is not good for the social and economic health of rural communities. According to the Nebraska Center for Rural Affairs, virtually all researchers have found that social conditions deteriorate in rural communities when farm size and absentee ownership increase. Studies have shown that communities surrounded by large corporate farms suffer from greater income polarization—with a few wealthy elites, a majority of poor laborers, and virtually no middle class. The tax base shrinks and the quantity and quality of their public services, public education, and local government declines.

John Crabtree of the Center for Rural Affairs sums it up this way: ''Replacing mid-size farms with big farms reduces middle-class entrepreneurial opportunities in farm communities, at best replacing them with wage labor. . . . A system of economically viable, owner-operated family farms contributed more to communities than systems characterized by inequality and large numbers of farm laborers with below-average incomes and little ownership or control of productive assets.'' He concludes that ''Societies in which income, wealth, and power are more equitably distributed are generally healthier than those in which they are highly concentrated.''

I think this last point is true not only of rural communities, but of our country as a whole. ''Societies in which income, wealth, and power are more equitably distributed are generally healthier than those in which they are highly concentrated.'' In other words, we all do better when we all do better. When we have a thriving middle class, including a thriving family farm sector, our economy performs better. Our democracy functions better.

The idea that concentrations of wealth, of economic power, and of political power are unhealthy for our democracy is a theme that runs throughout American history, from Thomas

Jefferson to Andrew Jackson to the Progressive Era to the New Deal. But this idea was perhaps most forcefully expressed by the People's Party of the late 1800s, sometimes called the Populists.

The People's Party embodied popular disgust with rampant monopolization and concentration of economic and political power. The Populist platform from the 1892 nominating convention in Omaha declared, ''The fruits of the toil of millions are boldly stolen to build up colossal fortunes for a few, unprecedented in the history of mankind.'' People's Party founder Tom Watson thundered, ''The People's Party is the protest of the plundered against the plunderers.''

In the Gilded Age of the late 1800s and the Progressive Era of the early 1900s, the danger of concentrated economic power was widely recognized and hotly debated. The Populists argued that a free and democratic society cannot prosper with such concentration of power and inequalities of wealth. As the great Supreme Court Justice Louis Brandeis said, ''We can have democracy in this country, or we can have wealth in the hands of a few. We can't have both.''

The Populists were reacting to a concentration of wealth, economic power, and political power that was remarkably similar to what we've experienced in the late 1900s. Today, despite wage gains for low-income workers over the past couple years, inequality in America has reached record levels.

According to reports by the Center on Budget and Policy Priorities and the Economic Policy Institute, the gap between rich and poor is greater today than at any time since the Great Depression. CBO data shows that after-tax income is more heavily concentrated among the richest one percent of the population than it has been since 1977. CBO projects that in 1999 the richest 1 percent of Americans (2.7 million people) will receive as much after-tax income as the poorest 38 percent (100 million people) put together.

At the same time, we are witnessing the biggest wave of mergers and economic concentration since the late 1800s. Not only in agriculture, but in media and communications, banking, health care, airlines, energy, hi-tech, defense, you name it. There were 4,728 reportable mergers in 1998, compared to 3,087 in 1993; 1,529 in 1991; and a mere 804 in 1980. And as Joel Klein, head of Justice Department's Antitrust Division, has pointed out, the value of last year's mergers equaled the combined value of all mergers from 1990 through 1996 put together.

Former Speaker Newt Gingrich, the political scientist E. J. Dionne, and the philosopher Michael Sandel, among others, have all drawn parallels between the conditions of today and the heyday of monopoly power in the 19th Century. In the Gilded Age, the welfare of farmers, rural communities, and small businesses was sacrificed for the economic interests of burgeoning bank, railroad, and grain monopolies. Today, the welfare and future of our family farmers and rural communities is being sacrificed to the economic interests of near-monopoly global agribusiness.

While the Sherman Act was written by a Republican senator and signed into law by a Republican president, in 1896 William McKinley and the Republicans openly sided with the titans of industry and decided to write off rural America. They felt that the ''social reformers, agrarian rebels, church leaders, and others who challenged the authority of the industrial giants'' were being hopelessly sentimental, as E.J. Dionne puts it. The McKinley Republicans presumed that monopoly interests were on the right side of history, of economic progress, and of civilization.

Interestingly enough, Populist demands were initially rebuffed with many of the same arguments that have become conventional wisdom today. The Populists were told that monopoly power was the legitimate outcome of free markets, that concentration was the inevitable result of technological progress, that concentration represented economic efficiency, and that there were no viable alternatives.

These arguments are no truer today than they were at the turn of the century. The current trend towards concentration in agriculture is not the product of the ''free market,'' nor of Adam Smith's invisible hand. For starters, with no effective competition in the major commodity markets, these can hardly be held up as models of free market competition. What they really stand for is market failure.

In any event, these near-monopolies were not created by the free market at all. They were created by government, just like the railroad monopolies of the 19th century. Instead of Adam Smith's invisible hand, we are seeing the hand of multinational food conglomerates, in the words of Iowa farmer Jim Braun, ''acting inside the glove of government.''

The role of government in creating and fostering these monopolies is probably most obvious in the context of intellectual property rights, such as patents and copyrights. These are monopolies by definition. The whole point of intellectual property protection is to prevent competition. Without that patent protection, there would be a lot more companies selling seed and other inputs to the farmer, there would be a lot more competition, and the farmer would pay much lower prices. And because of that protection, intellectual property rights generate outsized profits and market power.

My point is not that these patent protections are a good thing or a bad thing. The answer will probably depend on a lot of different factors in each particular case. My point is that they are not an example of the free market at work. On the contrary, these are monopolies formally granted by the government.

The issue here is not just competition for the patented goods, but barriers to competition for the entire agribusiness industry. If one of these conglomerates engages in high-handed behavior, new businesses could normally be expected to enter the market and steal its market share. But smaller competitors can't enter the market if the barriers to entry are too high. And intellectual property rights are a mighty high barrier.

In fact, one of the motors driving consolidation of agribusiness today is biotechnology. Soon biotech companies will be able to control the entire food production chain with their genetics. Already Monsanto, DuPont, and Novartis are gobbling up smaller biotech companies' market share, patent rights, and customer base. And biotech patent monopolies on plant and animal genomes will be a nearly insurmountable barrier to market entry in the future.

Professor Bill Heffernan, who was commissioned by the National Farmers Union to study these trends, projects that the entire agricultural sector will soon consolidate into a small number of ''food chain clusters,'' revolving around intellectual property firms. The number of these clusters will be limited by the small number of firms with intellectual property protection and by extremely high barriers to market entry.

A handful of vertically integrated food chain clusters are already poised to control food production from the gene to the supermarket shelf. Professor Heffernan identifies three existing food cluster chains: Cargill-Monsanto, ConAgra, and Novartis-ADM. He predicts that another two or three will eventually develop. Smaller seed firms, independent producers and other independent businesses will face a dilemma. Either they join one of alliances to obtain inputs and sell their production, or they go out of business.

The emergence of these titanic food conglomerates is not the inevitable outcome of technological progress, but of conscious policy choices. Our government-funded research programs, for example, have chosen to fund expensive technologies that generate greater sales for the largest agribusinesses and diminish the role of farmers in the production of food.

Government support for private-sector monopoly over the ''terminator gene'' is a good example of the bias inherent in these choices. The terminator gene is a gene that can be inserted in plants to make their seeds sterile. It forces farmers to buy new seeds every year instead of reusing their own.

This is not a neutral technology. It raises the income of the seed suppliers and intellectual property holders by forcing farmers to pay more for seed. As Lee Swenson of the National Farmers Union recently has testified, ''Biotechnology and the terminator gene have put the farmer at the mercy of

the food cluster for seed to plant crop. If the firms in the processing stage of the cluster require specific genetic material and the farmer cannot get that seed, the farmer has no market access.'' Yet this technology was developed with support from none other than the USDA.

While choosing to invest in technologies such as the terminator gene, the government has generally failed to invest in technology that would benefit the family farmer. Research dollars have not been directed towards technologies that would reduce farmers' costs for capital or inputs, for example, or help them produce higher value products. Dr. Neil Harl of Iowa State University also calls for more government support of cutting edge seed varieties that should be made available to smaller seed companies, helping them compete against the emerging food clusters.

Instead, Congress has chosen to cut funding for publicly available research in biotechnology. One seed company CEO, when asked what farmers could do to resist the growing vertical integration of agriculture, said, ''Absolutely nothing, because these are property rights owned by the companies, so the farmer is going to become more and more at the mercy of the few who own intellectual properties. Again, it goes back to the shortsightedness of funding basic research in such a parsimonious fashion. Without government funding, companies are going to fund research and control it.''

Economic concentration is not dictated by economic efficiencies any more than it is by free markets and technological progress. In the late 1800s, John D. Rockefeller made the classic argument for the economic efficiencies of monopoly power. He claimed that Standard Oil's monopoly was good for the public because it created efficiencies that could be passed along to the consumer in the form of lower oil prices. That argument wasn't compelling then, and it's not compelling today.

First of all, efficiency is not what's driving the trend towards concentration in agriculture. Research by Iowa State University economist Mike Duffy shows no further economies of scale beyond 600 acres of row crops and about 150 sows. But the most rapidly growing farming operations in Iowa are much larger than that, so economies of scale cannot be driving their expansion.

One Iowa farmer writes, ''Today efficiency and cost of production have nothing to do with determining which farmer will survive as a food producer.'' The most important factor is probably the special relationships the integrating firm has with other businesses. In industries undergoing vertical integration, especially, farmers who don't have special relationships with feed or slaughtering firms often have to pay more for inputs and have more problems selling their product. And smaller farmers are being forced to sign production contracts with input suppliers to obtain new technologies they need to stay competitive.

Another critical factor determining who survives in these non-competitive markets is deep pockets and market share. Conglomerates with multiple holdings can cross-subsidize one of their operations with profits from another operation, making it harder for smaller, less diversified firms to compete. They can also drive local non-diversified firms out of business by excess production or processing of a commodity, driving price down below the cost of production.

These cross-subsidies are increasingly taking place on a global scale. A firm like Cargill, which has operations in 70 countries, can absorb losses in one country so long as it can cross-subsidize with revenues from another country. Because they control supplies in more than one country, these multinationals can also drive prices down to the detriment of farmers in both countries.

Even if concentration did produce economic efficiencies, such efficiencies wouldn't concern us if they weren't passed on to the consumer. But we've already seen that the agribusinesses' price windfalls are not being passed on to the consumer. That's because they are able to exploit their economic power to increase profit share at the expense of farmers.

So it's simply not true that there are no viable alternatives to continued economic concentration. Concentration is not dictated by free markets, by technological progress, or by economic efficiency. It's occurring because of government-created monopolies, biased choices in technology policy, special relationships, and cross-subsidies. And it's occurring because our choices in farm and trade and antitrust policies. In the end, concentration is driven by policy choices that could be made differently.

Consider all the policy choices that have brought American agriculture to where it is today. When we paved the way for family farming with the Homestead Act and the defeat of slavery, that was a policy choice. When we enacted parity legislation in the 1940s, leading to an increase in the number of farmers, expansion of soil and water conservation practices, and a decline in farm debt, that also was a policy choice.

When we cut loan rates in the 1950s and 1960s to lower farm prices, that was a policy choice. When we interlinked domestic commodity markets with lower world prices through trade agreements, that was a policy choice. When we eliminated the safety net for farmers with the Freedom to Farm Act, that was a policy choice.

When we invest public resources in technology that tilts the scales against family farmers, that is a policy choice. When we fail to fund enough economists at GIPSA or enough antitrust staff at Justice and the FTC, that is a policy choice. And when we encourage global concentration through our trade policies while allowing corporate agribusiness to destroy competitive markets here at home, that too is a policy choice.

Now the policy choices before us are clear. We can take legislative action that will help preserve family-based agriculture. Or we can continue on our present course, which is leading unmistakably in the direction of contract farming, rural depopulation, and global oligopoly.

In August, the Omaha World Herald carried a story about one economist's projections for the future of American agriculture. ''Farmers who stubbornly insist on being their own boss will end up in the economic scrap heap,'' he said. This economist described a trend toward ''polarization of farms by size, with the number of large farms growing at a rapid pace''; ''separation of land ownership from land production, with more and more people owning land as an investment and leasing property for production''; and contract farming, which will change the role of farmers from that of an independent producer to skilled tradesman.''

Can any Senator honestly tell me this is the vision he or she supports? Do we really want a world of contract farming, in which farm laborers are stuck with one-sided contracts and inadequate price information and struggle to get out from under mountains of debt? Do we really want a world in which our rural areas become depopulated because family farmers have to leave the land? Do we really want a world in which vertical integration and contract farming shift ever more bargaining power to agribusinesses?

Do we really want a world in which management decisions are made by a small group of corporate executives, removed from the land thanks to new precision farming technologies? Do we really want a world in which titanic food chains face little pressure to pass on price savings to the consumer?

Do we have any say in this matter? I think we do. We don't have to accept this vision of the future if we don't want to. We can propose a different one, and we can fight for it. These are all policy choices.

These choices are made more difficult by the immense power of corporate agribusiness—not only economic power, but political power as well. As Lee Swenson of the NFU recently testified,

> The remaining firms are increasing market share and political power to the point of controlling the governments that once regulated the firms. Some of the biggest corporations have gotten tax breaks or other government incentives. . . . Corporate interests have also called on the government to weaken environmental standards and immigrant labor protections in order to allow them to reduce productions costs.

The bigger these agribusinesses get, the more influence they have over our public policy choices. The bigger they

get, the more money they have to spend on political campaigns. The bigger they get, the more lobbyists they can afford to amass on Capitol Hill. The bigger they get, the more likely they are to be named special U.S. trade representatives, like the CEO of Monsanto. The bigger they get, the more likely public officials will be to confuse their interests with the public interest, if they don't already do that. And the bigger they get, the more weight they will pull in the media.

It's a vicious circle. These agribusiness conglomerates used their political clout to shape public policies that helped them grow so big in the first place. Now their overwhelming size makes it easier for them to dictate policies that will help get even bigger.

This was just as much a problem at the turn of the century as it is now. American democracy suffered greatly as a result of concentration of economic power in the late 1800s. But the Populists and their successors showed us that there is a different path, that there are alternatives, and they proceeded to lay the groundwork for the Progressive Era.

Even before the founding of the People's Party, populists and labor and progressives began working to rein in the concentration of economic power. With the help of some forward-looking Republicans, they fought for and passed the Sherman Act and the Clayton Act and the Packers and Stockyards Act and the Federal Trade Commission Act. They also reined in the trusts through regulation of banks and railroads. And they demanded more and better democracy through the direct election of senators.

Judge Robert Bork notwithstanding, I don't believe the Sherman Act was motivated by concerns over economic efficiency and consumer welfare. In fact, during consideration of the Sherman Act, Congressman Mason directly responded to the efficiency arguments raised by John D. Rockefeller.

> If the price of oil, for instance, were reduced to one cent a barrel, it would not right the wrong done to the people of this country by the trusts which have destroyed legitimate competition and driven honest men from legitimate business enterprises.

As Richard Hofstadter has written, the Sherman Act was ''a ceremonial concession to an overwhelming public demand for some kind of reassuring action against the trusts.'' During debate on the Act, Senator John Sherman himself railed against the ''kingly prerogative'' of men with ''concentrated powers.'' He vowed that ''We will not long endure a king over production, transportation, and sale of any of the necessities of life.''

But the antitrust laws, in the words of Supreme Court Justice William O. Douglas, are now ''mere husks of what they were intended to be.'' In the last 20 years, the courts have been unduly influenced by the anti-antitrust views of Judge Bork and the Chicago School. Today tremendously unfair market power routinely goes unpunished, especially with regard to vertical integration.

Courts have limited the effectiveness of the antitrust laws by narrowing their focus to questions of economic efficiency and consumer welfare. The focus on consumer welfare is an obstacle to antitrust enforcement in agriculture, even though farmers were an integral part of the original antitrust movement. Conventional antitrust analysis focuses on the ability of dominant firms to charge higher prices to consumers; price declines are generally not regarded as a problem. But farmers today are drawing attention to the ability of dominant firms to abuse their market power to pay lower prices to producers, not consumers.

The Justice Department's recent approval of the Cargill-Continental merger raises troubling questions about the future of antitrust enforcement in agriculture. If DOJ can't stop the merger of Cargill and Continental, what merger will it ever stop? Will it ever be able to take any action at all to arrest the trend towards concentration in agriculture?

The Packers and Stockyards Act is a similar story. Enacted in 1921 to combat the market abuse of the top five meat packers, it has extremely broad and far-reaching language. Under the Packers and Stockyard Act, it is unlawful for any packer to ''engage in or use any unfair, unjustly discriminatory, or deceptive practice or device.'' It is unlawful to ''make or give any undue or unreasonable preference or advantage.''

However, some court decisions have limited its scope, and USDA is unwilling to test its regulatory authority in court. Meanwhile, concentration in the meat-packing industry today is higher than it was when the FTC issued its original report leading to enactment of the 1921 Act.

Clearly, we cannot simply rely on the current antitrust statutes and antitrust authorities to address the rapid consolidation of the agricultural sector. We must change our antitrust laws. Whether or not our antitrust agencies have authority that they are unwilling to exercise, we need to force their hand. And we must develop a new farm policy. Realistically, however, we know that doing these things may take some time. We must act now.

There is something we can do in the short term. I am offering legislation with Senator DORGAN that would impose a moratorium on mergers and acquisitions among agribusinesses that must already submit pre-merger filings under current law (annual net revenue or assets over $100 million for one party and $10 million for the other). This moratorium would remain in effect for 18 months, or until Congress enacts legislation to address the problem of concentration in agriculture, whichever comes first.

Over the longer term, however, we need to focus on equalizing the bargaining power between farmers and the global agribusiness giants. A growing disparity of economic power is shifting a larger share of farm income to agribusiness. We need to reverse that trend and level the playing field. Unless we ensure that farmers and ranchers receive a fair share of the profit of the food system, little else we do to maintain family-size farms is likely to succeed.

Of course, there's more than one way to attack the problem of unequal bargaining power. The antitrust statutes helped equalize bargaining power by increasing competition, thereby reducing the market power of monopolies. The formation of agricultural cooperatives under the Capper-Volstead Act helped equalize bargaining power from the opposite direction—by increasing the market power of farmers. Under either approach, farmers improve their bargaining position and are likely to obtain a greater share of farm income.

Yet there are some inherent disparities in market power that can only be remedied through farm policy. Because there are so many farmers, no single farmer can influence price on his or her own. On their own, farmers cannot limit production waiting for prices to rise or until they can shift crops. Farmers are unable to reduce supply without assistance from the government, which is where farm policy can play a role.

Farm policy can also remedy inherent disparities in market power by placing a floor on prices. Laws guaranteeing workers the right to bargain collectively and a minimum wage are based on the same idea. The minimum wage law recognizes that there is unequal bargaining power between employers and workers, and that wage negotiation would often lead to wages that are too low. The bargaining power between agribusiness conglomerates and farmers is similarly unequal, and it is resulting in farmer prices that are too low. Farmers today essentially need the equivalent of a minimum wage.

Of course, bolstering the market power of family farmers is inimical to the economic interests of corporate agribusiness, and it will be fiercely resisted. But in the past we have managed to tame concentrations of economic and political power, and I refuse to believe we cannot do so again. For this reason, the examples of the Populist movement and the Progressive Era are enormously instructive and encouraging.

Finally, I want to mention the fiery closing speech at the People's Party convention in 1892, which reads like it could have been written yesterday. It was delivered by a remarkable Minnesotan—an implacable foe of monopoly power named Ignatius Donnelly. Donnelly affirmed that ''the interests of rural and urban labor are the same,'' and he called for a return to America's egalitarian founding principles. ''We seek to restore the government of the

Republic to the hands of the 'plain people' with whom it originated,'' he said.

We should do no less. If we want to sustain a vibrant rural economy and a thriving democracy, we need urgent reform of our farm and antitrust laws. We must act now. We can start by passing an 18-month moratorium on the largest agribusiness mergers.

I yield the floor, and I reserve the remainder of our time for the minority.

Mr. COCHRAN. 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. INHOFE. 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. INHOFE. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

Mr. COCHRAN. Mr. President, I ask unanimous consent—and I do not intend to object—that the time consumed by the Senator be charged equally to all time under the order on the appropriations bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The Senator is recognized.

Mr. INHOFE. Mr. President, I am not going to take much time. I certainly hope the Senator from Minnesota did not cut his remarks short because he certainly is articulating something in which we are all very interested. I would do what I could to protect his rights to get a vote if he needed a vote, the same as I ask my rights be protected to either get a vote or to object to a unanimous consent request, which I have been doing with regularity in the last few days.

Mr. WELLSTONE. Mr. President, I thank my colleague for his remarks.

COMPREHENSIVE NUCLEAR TEST-BAN TREATY

Mr. INHOFE. Mr. President, I will take a few minutes to share with the Senate something that has not been mentioned yet in this whole CTBT debate.

First of all, let me respond to a couple of things that were said by the last speaker who spoke in favor of the Comprehensive Test Ban Treaty. I hate to be redundant, but I cannot let these things continue to go by. People will actually believe them when, in fact, they are not true.

The statement was made by one of the Senators that the Directors of the labs—the three energy labs—were in favor of this treaty. I listened to this, and yet we had them before our committee which I chair. They were very emphatic about their feelings. I am going to read to make sure the record reflects this.

Dr. Paul Robinson, one of the Directors, said:

> The Treaty bans any ''nuclear explosion,'' but unfortunately, compliance with a zero-yield requirement is unverifiable. The limitations of verifiability introduce the possibility of inconsistent observance of the ban under the threshold of detectability.

The threshold of detectability is something that is there. What that means is, no matter what equipment we use, we are unable to detect certain tests that are underground under certain yields. This is a zero-yield test.

We kept hearing from the same individual yesterday that they can get on-site inspections. Onsite inspections are not assured. Under this treaty, it is very specific. Going back to Paul Robinson, the Director of Sandia Lab:

> The decision to approve a request for an onsite inspection must be made by an affirmative vote of at least 30 of the 51 members of the treaty organization's Executive Council.

I know there is supposedly some informal agreement that we in the United States would be a member of that executive council. I do not see anything in this treaty that says we are. We are putting our fate in the hands of some 30 nations, and we do not know at this point who those 30 nations will be.

I will quote further to get my point across, although the Senator was well meaning yesterday in making the comment this was endorsed by the Directors of the labs. I will quote Dr. Paul Robinson again. He was referring to himself and the Directors of the other two labs. I am talking about all three labs:

> I and others who are or have been responsible for the safety and reliability of the U.S. stockpile of nuclear weapons have testified to this obvious conclusion many times in the past. To forego that validation through testing is, in short, to live with uncertainty.

He goes on to say:

> If the United States scrupulously restricts itself to zero yield while other nations may conduct experiments up to the threshold of international detectability—

The one I just talked about—

> we will be at an intolerable disadvantage.

We have to read that over and over because people are not getting that message.

The second thing he said was, what is the rush? This morning, I heard the President in his press conference of yesterday talk about the rush. Here is the President who has been saying over and over that he demands this come before this Senate and be acted upon by November of this year. Here it is. That is next month. We are doing exactly what he wanted. Yet now he wants to withdraw this treaty because he does not believe he has the votes for the ratification. I agree. He does not have the votes. It would shock me if he had the votes.

Yet we have had a chance for a very deliberative session. We have talked for hours and hours, some 22 hours of debate and committee activity on this subject. We are all very familiar with it.

I also suggest that any Member of the Senate who stands up now and says we should not be doing this and how unconscionable that we are considering something of this magnitude right now, any one of those Senators saying that had the opportunity, as the Senator from Illinois would have had the opportunity, to object to bringing it up because it was done so by unanimous consent.

The third thing they were talking about is how everyone is a strong supporter of this treaty. For the record, one more time, we have 6 former Secretaries of Defense and several former Directors of Central Intelligence, as well as some 13 former commanding generals, all of whom are in the RECORD right now, and I do not need to put it in again, I have already put that in the RECORD; also, the statement by Bill Cohen. There is no one for whom I have greater respect than my former colleague on the Senate Armed Services Committee, the former Senator Bill Cohen, now Secretary of Defense Bill Cohen.

But I had to remind him, during our committee meeting, that maybe now his attitude is different on some of these critical things because he is now working for the President. But what he said in September of 1992—and I remember when he said it when he was leading the fight to stop this type of a treaty; in fact, it is the same provisions—he said:

> . . . [W]hat remains relevant is the fact that many of these nuclear weapons which we intend to keep in our stockpile for the indefinite future are dangerously unsafe. Equally relevant is the fact that we can make these weapons much safer if limited testing is allowed to be conducted. So, when crafting our policy regarding nuclear testing, this should be our principal objective: To make the weapons we retain safe.
>
> . . . The amendment that was adopted last week . . .

This is back in 1992, but this is the same language we are talking about today—

> does not meet this test . . . [because] it would not permit the Department of Energy to conduct the necessary testing to make our weapons safe.

Here is the same Secretary of Defense, back when he was in the Senate, talking about the fact that our weapons are not safe. By the way, we had a chart that we showed of information that came from all three of the Energy labs which is in the Cloakroom right now, but we have used on the floor several times, showing specifically not one of the nine weapons in that arsenal meet the safety tests today. In other words, we have gone 7 years now without testing, and it has now taken its toll. We are having a problem. So anyway, that is very significant to remember those words of Secretary Cohen.

I have been asked the question by a number of people as to why I am so adamant about objecting to the unanimous consent request—and I do not care who makes it—to take this from the calendar and put it back into the Foreign Relations Committee.

I do so because there is something that has not even been discussed on