

And in my judgment, this Congress would do well to decide to stand on principle and not entertain any longer the idea of selling the power marketing agencies.

Mr. President, I know there will be a substantial amount of debate and discussion about this in the Energy Committee on Wednesday, and I hope that when the dust settles, we will find a way to defeat this proposal.

RESTRUCTURING THE FARM PROGRAM

Mr. DORGAN. Mr. President, let me address one other quick item as long as no one is seeking the floor. A group of us just had a press conference about an hour ago to introduce a piece of legislation that calls for restructuring the Farm Program. That is not very important to most people if you are not involved in farming or do not live in a rural county or do not live in a rural State. It may not matter to you what kind of a Farm Program this country has. But if you are a family farmer trying to raise some kids and raise a crop and keep things together and make a decent living, the question of whether this country has a Farm Program is critical to your survival.

We have two different approaches to the Farm Program these days: One embodied in the most recent budget that says, let us cut \$14 billion out of the agricultural function, that says we should increase defense spending, build star wars, but we cannot afford a decent farm program; let us cut \$14 billion. The President, by contrast, said, let us cut \$4 billion.

Well, I accept that Agriculture should have some budget cuts and I supported budget cuts in the past for them. They have taken more than their share in the past than they should have, but more is to come. But not \$14 billion, \$4 billion to \$4.2 billion the President suggested is in the range that makes some sense.

But what is interesting to me is that now that this budget requirement is out there, one which I do not support by the way, we are discovering that the chairs of both committees in the House and the Senate in the agricultural area cannot write a farm plan. They cannot get a consensus on a farm plan. They cannot find 10 votes in the Senate committee for a farm plan apparently, because they paint themselves in a corner with a \$14 billion budget deficit reduction number in agriculture. You cannot write a decent farm plan with that.

Some say, well, we have a new approach called the freedom to farm bill. The freedom to farm bill, as my colleague, TOM HARKIN, said, is the "welcome to welfare" bill that disconnects in every single way an opportunity to have a long-term price support that is beneficial to family size farms.

I will not apologize for a minute to anybody for believing that investing in family farmers with a safety net that

makes sense is worthwhile for this country. Nobody in this Chamber ever ought to stand up and claim to be pro-family if you are not pro-family farmer. Nobody under any condition ought to talk about being pro-family unless they are willing to stand for the interests of maintaining a network of family farms in this country. That is where the nurturing and caring and sharing and the kind of development of family values in this country has always begun for 200 years and rolled across this country to our small towns and cities.

The fact is, it makes a difference in our future whether we have an inventory of agri-factories producing America's food or whether we have families out there living on the land where the yard light is on at night and sending kids to school and buying tractors in town. It makes a difference the kind of agriculture we have.

Family farm-based agriculture is critically important to this country's future. I know a group of us introduced legislation today that says you can create a better farm program and save money if you simply disconnect from the giant agri-factories and decide to focus a targeted price support on the family size farms.

People say, "What is a family-size farm?" I do not know the answer to that. We do not have a statistical definition of a family size farm. But we do not have enough money anyway, so you try to layer in the best price support you can for the first increment of production; and the effect of that is to provide the bulk of the benefits to family sized operations.

Now, we hope in the coming 3 or 4 weeks, in the time that is critical for the future of the new 5-year farm bill, that we can find a critical mass between Republicans and Democrats, all of whom, hopefully, will come together to get a network of family farms in this farm bill. And we hope we can do that.

There are some in this Congress who are willing to wave the white flag of surrender and say, "We give up. It cannot be done." What they do is consign rural counties in this country to economic despair and economic depression. My home county lost 20 percent of its population in the 1980's and 10 percent in the first half of the 1990's. It is shrinking like a prune. The current farm program does not work. And it is not going to help a thing by deciding to surrender and pass something called a freedom to farm act, which, as I said, is nothing more than a welcome to welfare act.

There is a better way to do this. Senator DASCHLE, myself, Senator CONRAD, Senator EXON, Senator HARKIN, and others introduced legislation today that we think puts us on the road, the right track, to deal with this country's farm problems. I hope all Members of the Senate will be able to review it and consider it as we evaluate what direction this country takes with respect to farm policy in the coming 5 years.

Mr. President, I yield the floor.

I make the point that there is not a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The Senate continued with the consideration of the bill.

Mr. DOLE. Mr. President, let me again remind my colleagues on both sides of the aisle, the managers of the Agriculture appropriations bill are on the floor. They have been on the floor throughout the day.

There are Members here who have amendments who, for some reason, are holding back offering those amendments. Let me repeat what I tried to indicate this morning, that if we can complete action on the six remaining appropriations bills this week and by the 30th of next week, by next Saturday, a week from this coming Saturday, we would, I think, be prepared to take the next week off, plus Columbus Day.

That is if we complete action on the appropriations. I do not mean complete the conference but complete action in the Senate Chamber so that either will be ready for conference as soon as we return.

We are trying to avoid the so-called train wreck come October 1, which I think can be avoided fairly easily.

I know some of my colleagues are around but they just have not come to the floor. It is very difficult for the managers to proceed with the bill.

If we finish this bill, this will be No. 8 out of 13. Then we will move to another appropriations bill, hopefully do three this week and three next week. But the managers of the bill cannot move unless they have the cooperation from Members.

Members sometimes are hard to move, but if you intend to offer an amendment to this bill, I would say to my colleagues on both sides of the aisle, please cooperate. We are only trying to accommodate the requests of many, many Senators the week of October 1. But we cannot accommodate those Senators unless we have the cooperation of all of our colleagues. There will be a vote sometime this afternoon, about 5:30.

Mr. COCHRAN. If the distinguished leader would yield, I can say that we are trying to reach an agreement on a vote at a time certain later this afternoon, certainly not before 5:30.

There is an indication that we could have a debate and a vote on the promotion program amendment which would be offered by the Senator from Nevada and the Senator from Arkansas, but that vote could occur as late as 8 o'clock, we are told.

We are trying to work out an agreement on what our options are. We would like to have a vote later this evening.

Mr. DOLE. Third reading would be one option. Can we go to third reading?

Mr. COCHRAN. I do not think that is appropriate since we have amendments where the yeas and nays have been ordered but we agreed that the votes will not occur until tomorrow.

We have two amendments by Senator BROWN from Colorado where the yeas and nays have already been ordered. We also have an agreement that has been entered into regarding an amendment by the Senator from California, Senator BOXER, where the vote will occur tomorrow afternoon after we have completed action on the welfare bill.

So we have made progress. Senators have cooperated. We do have outstanding amendments, and we appreciate your suggestion that those Senators who do want to offer amendments come and offer them and talk about them, and we will have a vote on one tonight and stack the rest of the votes for tomorrow.

Mr. DOLE. In addition, if they have an amendment, it may be some of the same Senators that had asked me about that first week in October. So I will keep that in mind when they come around the next time.

Mr. BUMPERS. Mr. President, in relationship to the discussion, I think Senator BOB KERREY has an amendment that is supposed to be on the floor at 5:30 to debate the amendment.

The distinguished chairman of the committee has suggested that we vote on the committee amendment, but I am also told that the committee amendment contains not only the disaster relief as proposed by the chairman, but also the provision that Senator BOXER objects to.

We could bifurcate.

Mr. COCHRAN. We would not want to vote on the one relating to the poultry issue that Senator BOXER is interested in, only that relating to the disaster assistance for cotton farmers.

Mr. BUMPERS. Frankly, I think it is important we tell people we are going to start voting sometime after 5:15, that we start voting. I am hoping we can vote either on the Kerrey amendment or the committee amendment.

Senator BOB KERREY is supposed to be on the floor at 5:30. If he is, we will work out an agreement. If he wants to vote right then, first, that is fine. It is fine with the chairman. Then we will vote on that part of the committee amendment.

Mr. COCHRAN. We do not have to vote on both of them.

Mr. BUMPERS. That is right.

Mr. DOLE. Or we could vote first and then hear the amendment.

Mr. BUMPERS. In any event, I hope we start voting here. Senator COCHRAN and I have waited patiently here all day long with not some grace, but, in any event, we have been here.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BROWN. Mr. President, I ask unanimous consent that I be allowed to vitiate the yeas and nays on my amendment No. 2689.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2689, AS MODIFIED

Mr. BROWN. Mr. President, I now will modify my amendment, provided the amendment has been delivered to the desk, and ask that it be considered as an amendment to the bill, not the committee amendment as previously.

The PRESIDING OFFICER. Is there objection?

Mr. FORD. Mr. President, reserving right to object, I will not object.

The PRESIDING OFFICER. The Chair will indicate that this does not require unanimous consent.

Mr. FORD. I understand the Chair. The Senator has the right to modify his amendment without asking unanimous consent. I will not object.

The amendment (No. 2689), as modified, is as follows:

At the appropriate place in the bill, insert the following:

"It is the Sense of the Senate that the current statute establishing the Tobacco Marketing Assessment, which raises revenues used solely for deficit reduction purposes and not in any manner to offset the costs of the tobacco program, should be amended to require that the current assessment be set at a level sufficient to cover the administrative costs of the tobacco program."

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. FORD. I thank the Chair.

Mr. President, let me express my appreciation to the Senator from Colorado for his working with Members this evening in order to arrive at what we think is a reasonable conclusion to his desire. I think and hope that it will reach what he is attempting to reach without having a confrontation. He has been very gentlemanly about it, and I do appreciate it. I hope that and believe that both sides will accept his amendment now and that we can move on to other amendments.

I thank the Chair. I thank the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Mr. President, I want to extend my thanks to both Senators from Kentucky; Senator FORD, who is

here, and has been so helpful. I might say that the Senator was expanding on the information that I got from the Congressional Budget Office, which was not clear, that the tobacco program has people who are paid for their grading and inspection already. I think that needs a clarification, and the RECORD should clearly reflect it.

I think it is also appropriate to note the existence of a payment to reduce the deficit which has been made by the program. This amendment's clear policy is that this ought to be approved—no-cost-to-the-Government provision—that it makes it clear in drafting the new farm program, or revising the existing farm program, that both the deficit reduction effort, as well as the administrative costs, which my amendment was concerned with, ought to all be completely paid for. I think that this is very helpful in that regard.

I yield the floor, Mr. President.

The PRESIDING OFFICER. Without objection, amendment No. 2689, as modified, is agreed to.

So, the amendment (No. 2689), as modified, was agreed to.

Mr. BROWN. Mr. President, I rise to offer an amendment and ask unanimous consent to set aside the pending committee amendment so it may be offered to the underlying bill.

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

AMENDMENT NO. 2690

(Purpose: To limit the use of funds by the Department of Agriculture to activities that do not interfere with the primacy of State water law)

Mr. BROWN. Mr. President, I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 2690.

Insert at page 84, between line 2 and line 3:

SEC. 730. None of the funds available in this Act shall be used for any action, including the development or assertion of any position or recommendation by or on behalf of the Forest Service, that directly or indirectly results in the loss of or restriction on the diversion and use of water from existing water supply facilities located on National Forest lands by the owners of such facilities, or result in a material increase in the cost of such yield to the owners of the water supply; *Provided:* nothing in this section shall preclude a mutual agreement between any agency of the Department of Agriculture and a state or local governmental entity or private entity or individual.

Mr. BROWN. Mr. President, this amendment has been improved by the helpful suggestions of the Senator from Arkansas.

What it is meant to do is address a rather unusual occurrence that happened several years ago; that is, water supplies, drinking water being delivered from reservoirs in the mountains of Colorado, being delivered to the cities on the plains which crossed Federal ground.

The Forest Service at one point had suggested that literally the cities

would have to forfeit a third, a half, a tenth, some portion of their water to be allowed to get a renewal of the existing permit to cross Federal ground. This was ironic because some of those permits predated the existence of the Forest Service itself.

This approach was taken by the Forest Service, localized in Colorado, and not, at least at that point, in other States, thankfully, by other departments of the Federal Government. You can imagine this would cause enormous chaos. There is a law and body of case law that relates to this and recognizes States rights in this area.

Let me emphasize, Mr. President, this phenomenon occurred where there was no change whatsoever anticipated in the use of the water or the means of transiting the Federal ground at all. All of us understand that there are important laws on the books that grant broad authority and grant new permits to either use or cross Federal ground. But this phenomenon had occurred at a point where they were talking about simply renewing an existing permit with no change whatsoever. The policy literally called into question then the water rights throughout almost all of the State.

As a matter of fact, if followed in other States, it could have endangered not only water rights throughout the entire West but property rights for States and citizens and municipalities throughout the entire Nation because, of course, once one is allowed to extract or extort concessions based on renewal of an existing permit without any changes, almost every city in the Nation has some vulnerability.

This, I think, makes the policy clear that that kind of extortion will not take place.

I want to thank both the Senator from Mississippi and the Senator from Arkansas for their help in crafting this limitation.

Mr. COCHRAN. Mr. President, I congratulate the distinguished Senator from Colorado for his amendment and for his successful negotiation of the amendment with the administration. We are happy to recommend the approval of the amendment and hope the Senate will support it.

Mr. BUMPERS. Mr. President, let me just echo the words of the distinguished Senator from Mississippi. The Senator from Colorado and several communities in Colorado have a very difficult problem in renewing easements and rights-of-way on municipal water supplies which cross Federal lands. Those are up for renewal.

I happen to come down very strongly on the human needs side when issues like this arise. It is not that there are not other problems that can and should be addressed in order to accommodate the future of those lines for the benefit of both parties, and that is the reason I personally favor and the administration favors the provision in this amendment that as long as both parties voluntarily agree to changes which

are beneficial to both, that is fine. But frankly, the Federal Government and Forest Service should not have the right to be arbitrary or capricious in renewing these rights-of-way which are critical to the very existence of some of these communities.

The Senator from Colorado has my gratitude for offering it, and I am happy that we were able to work out this language. We have no objection to the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 2690) was agreed to.

Mr. BROWN. Mr. President, I move to reconsider the vote.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PRESSLER. Mr. President, I ask unanimous consent that the quorum call be dispensed with.

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

Mr. PRESSLER. Mr. President, I ask unanimous consent to speak for 5 minutes as in morning business.

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

Mr. PRESSLER. Thank you, Mr. President.

MISLEADING ADS TO SENIOR CITIZENS

Mr. PRESSLER. Mr. President, there have been a number of ads run on television and newspapers regarding senior citizens programs in my State of South Dakota and, I understand, around the country. These ads are very misleading. They wrongly allege if current plans by the majority in Congress are carried out, certain people will not be able to get care for Alzheimer's disease or nursing care or medical treatment. These are scare tactics.

In my own case, I have taken great interest in senior citizens. In fact, my father, unfortunately, died of Alzheimer's disease. I have an Alzheimer's foundation. I am active on the board of the Alzheimer's association nationally and in my State. I have been a champion of senior citizens. I am very concerned about their welfare. That is why I was concerned greatly when Medicare's trustees—a majority being members of President Clinton's own cabinet—declared earlier this year that Medicare would go bankrupt unless we do something about it—we who hold responsibility.

A general plan to protect and preserve Medicare has been put forth by those courageous enough to be involved with it. I serve as a member of the Fi-

nance Committee, and I have been a part of the development of this plan. Our plan would not cut Medicare, but would slow its rate of increase from about 10 percent a year, which is well above inflation, to about what President Clinton once called for 2 years ago, about 6 percent, twice the inflation rate.

Now, Mr. President, it seems strange to me that all these baseless ads imply—and they list me by name in my State—that Senators who are trying to save Medicare are somehow forgetting senior citizens and people with Alzheimer's disease. I resent that deeply. As one who had a father die of Alzheimer's disease, I will not take a back seat to anyone regarding the care of senior citizens. I also do not intend to sit idly by and let Medicare go bankrupt. Nor will I allow our fiscal house be dismantled in order to protect well-intentioned, but wasteful or inefficient Government programs. We cannot go around promising everybody everything.

We have a huge deficit that threatens our children's future. We also have a Medicare system its trustees' have predicted will go broke if we do not do something about it. We can save Medicare by reforming Medicare. We can save Medicare by finding greater efficiencies, and eliminating waste, fraud and abuse. It means we have to use new telecommunication methods and other medical technologies to lower costs. It means we have to encourage greater choice in the kinds of medical services available to seniors, which would also lower costs. We can do all these things and more without cutting Medicare, but by slowing its growth rate in order for Medicare to be there for seniors well into the next century. And that is very appropriate.

Now, we should take a look at who is running these ads, at least in my State and maybe around the country. Who is disseminating this false information?

First of all, one of the sets of ads is being funded by the American Federation of State, County and Municipal Employees. Of course, one wouldn't know that by listening or reading the ads, because the ads are being run under a different name, the so-called Save America's Families Coalition. Another is run by the so-called American Health Care Association. I think that there should be truth in advertising here. Who are really behind these ads and what is their agenda?

Let me say that I know there are many sides to American politics. However, more and more, ads are being run on television and the radio and in the newspapers by front groups that try to hide the true source. It is hard to know by the disclaimer exactly who is behind these ads.

And so, Mr. President, I would say as one who comes from a family who has seen the tragedy of Alzheimer's disease firsthand that I am very, very concerned. I am concerned about our Nation's seniors. I have fought for our