

Though I accept that some level of reform to the program is inevitable and necessary, I do not believe emasculating or outright elimination is wise.

My grandfather and grandmother emigrated from Japan to work at McBryde Sugar Co. on the Island of Kauai in 1899. In my office here in Washington I have a framed copy of the contract on which my grandfather, Asakichi Inouye, placed his "X." The contract includes a photograph of this brave young man and his wife, and a little baby boy they are holding. My father.

Nearly a century later, Asakichi Inouye's grandson is proud to be representing the State of Hawaii in the U.S. Senate. McBryde Sugar is phasing over to coffee production, but sugar is still the biggest agricultural activity in Hawaii. Sugar is still the third biggest business in Hawaii, trailing only tourism and defense spending.

I am proud to represent the 6,000 men and women in Hawaii who still work directly or indirectly for the sugar industry, and their families. All these people's livelihoods are at risk if the U.S. sugar policy is eliminated.

I am proud to represent agricultural workers who are among the world's most productive. Hawaii produces more sugar per worker, and per acre, than anywhere in the world.

Our workers have enjoyed collective bargaining for decades and are rewarded for their productivity with good wages, with some of the best health care benefits in the country, and with generous benefits for insurance, retirement, and in many cases, housing. Their safety and their health are bolstered by some of the strictest worker protection rules and highest environmental standards in the nation, and possibly in the world.

These workers, many of whose families have been in sugar for three or four generations, lead comfortable, but by no means extravagant lives, can put their children through college, and can look forward to a decent retirement.

Sadly, Hawaii sugar production has dropped nearly in half in just the past 7 years as half our sugarcane plantations have shut down. Why have these farms closed? Because producer prices for sugar have been flat, or even declining, for the past decade. Despite their extraordinary productivity, these farmers cannot reduce costs rapidly enough to cope with inflationary prices for their inputs and flat or declining prices for their output.

In the absence of U.S. sugar policy, an abrupt decline in U.S. producer prices for sugar is a virtual certainty. If U.S. producer prices for sugar decline further, Hawaii's remaining sugarcane farms will close. Thousands more of my constituents will lose their livelihoods.

This sad situation will not be unique to Hawaii if we lose the Sugar Program. Similar scenes will be played out in the many rural areas of this country dependent on the sugar industry.

Let me say, however, that I would not object to the elimination of the

Sugar Program if other nations also eliminated any and all measures to favor their domestic sugar producers, processors and consumers. However, we must consider the realities of world market conditions such as the sugar price support in the European Union, which is 35 percent higher than that of the United States. A U.S. Sugar Program is a necessary response to generous production and export subsidy programs in other countries.

Opponents of the Sugar Program say that it costs Americans over a billion dollars annually and point to the low world price of sugar, which hovers around \$0.14 per pound, as the savior of the American sugar consumer. However, this fictitious world price is created by the direct financial subsidies and export incentives provided to foreign producers by their own governments, which in turn allow these producers to dump excess sugar on the supposed world market at substantially below production cost. If we think there is an endless supply of this dump-priced sugar, we are fooling ourselves into relinquishing control of our domestic market to foreign producers.

I believe that if we had a level playing field, we could play at the highest level of competition with anybody. While the GATT, the NAFTA, and the Canadian Free-Trade Agreement are moving us in that direction, I do not believe we are there yet.

I would also ask, 'How has the U.S. Sugar Program fared as a domestic public policy?' While there are several dimensions to such an evaluation, I focus on three particular aspects: impact on the American consumer, impact on the innovativeness of the producing and processing components of the U.S. sugar industry, and impact on the Federal Treasury.

Under the U.S. Sugar Program, American consumers have enjoyed a retail price of refined sugar that is lower than that paid by consumers in other developed countries. On average, sugar prices paid by Americans are nearly 30 percent lower than in other developed nations.

In April of this year, the average retail price of a pound of sugar in developed nations was \$0.54; the price was only \$0.39 a pound in the U.S., but over \$1.00 in Japan and about \$0.69 in France. Relative to other developed countries, U.S. consumers save approximately \$2.6 billion annually on purchases of sugar and products sweetened with sugar.

However, besides price, American consumers demand consistent quantity and quality. In other words, when consumers go to the grocery store to purchase sugar, they expect a high quality product that is safe and contaminant free, and identical with every purchase. They also expect to find such products on the shelf whenever they want to buy them. This is exactly what the American consumer gets from the U.S. sugar industry—so much so that we take it for granted. However, one need only re-

call the shortages in the former Soviet Union to know that this is not a universal occurrence. Thus, from a consumer viewpoint, I give high marks to the sugar program as domestic public policy.

Another aspect of public policy is how well it stimulates innovation in the production and processing components of the industry. Simply looking at the increasing productivity of domestic sugar producers and processors will clearly signal the fact that the sugar program has not stifled innovation.

You do not get the deserved reputation as one of the most efficient sugar producing nations in the world by suppressing innovation. Support of domestic sugar production and processing has been maintained at a level to protect against unfair competition, but not at a level to preclude fair competition. Thus, from the innovation-encouraging perspective, I give high marks to the sugar program as domestic public policy.

Finally, Federal law requires that the sugar program operate at no cost to the Federal Treasury. U.S. sugar growers receive absolutely no subsidy from the Government. The only payments are from the producers to the Government. In fact, through a congressionally mandated marketing assessment, the U.S. sugar industry actually contributes more than \$30 million annually to the Federal Treasury. So, considering its benefit to the Federal Government's economic condition, I again give high marks to the Sugar Program as domestic public policy.

Let me close by saying again that I am not opposed to necessary and useful reform to the U.S. Sugar Program this year; though I do not think that unilateral disarmament is the solution. The sugar industry has committed itself to supporting an elimination of the Sugar Program if and when other sugar producing nations take the same action. I will make this commitment as well. Until we reach that time, however, we must protect our industry, our market, and our consumers from subsidized competition from abroad.

SOME SECOND THOUGHTS ON THE FIRST AMENDMENT AND CENSORSHIP

Mr. LIEBERMAN. Mr. President, I rise today to call my colleagues' attention to a thought-provoking speech recently given by Judge Robert Bork about the media, and our perceptions of the first amendment and censorship.

Judge Bork, who is now a resident scholar at the American Enterprise Institute, made these remarks at a forum sponsored by AEI entitled, "Sex and Hollywood: What Should Be the Government's Role?", at which I had the privilege of speaking. As the title suggests, this forum sought to examine what effect the media's bombardment of sexual messages is having on our children and our culture, and what

steps the Government can and should take to address the public's growing concern about the threat posed by these increasingly explicit messages.

In his comments, Judge Bork argued that this threat puts not only our children at risk, but our civil society as well. If the entertainment industry's standards continue to drop, he suggested, the Government would be well within its constitutional bounds to take more active steps to protect children by regulating lewd and indecent content. In making this argument, Judge Bork reminded the audience that the Government has regularly played the role of censor—albeit a limited one—for most of our history, and that in recent years the general notion of what forms of expression are fully protected by the first amendment has, in Judge Bork's eyes, become distorted. Judge Bork's comments remind us that our commitment to free expression must be balanced by our commitment to protect our children and the moral health of our Nation.

With that, Mr. President, I ask unanimous consent that the text of Judge Bork's statement be printed in the RECORD.

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

SEX AND HOLLYWOOD: WHAT SHOULD THE GOVERNMENT'S ROLE BE?

(Remarks at the Sexuality and American Social Policy Seminar, Washington, DC, Friday, September 29, 1995)

Lionel Chetwynd is surely correct in reminding us that motion pictures and television are not solely, perhaps not even primarily, responsible for the social pathologies that are rampant in America today.

An interesting fact that tends to bear out that conclusion is that in both the United States and the United Kingdom the rates of illegitimacy and violent crime, after long periods of stability, began rising in 1960. That was well before movies and television became as sex- and violence-drenched as they are today.

It is also true that Hollywood's selling of sex has to be seen in the context of all the sexual messages that flood our culture.

That said, it is impossible to believe that Hollywood's sexual messages have no significant impact on sexual behavior. I find persuasive Jane Brown's and Jeanne Steele's giving of a qualified "yes" to the questions whether the sexual messages being sent promote irresponsible sexual behavior, encourage unwanted pregnancies, and lead to teenagers having sex earlier, more frequently, and outside of marriage.

One of the most persuasive items of evidence is the effect movies and television have had on levels of violence. Why images and words would affect one form of activity and not the other is unclear, particularly since one who contemplates violence must also contemplate the possibility that he is the one who will be hurt. There is no such deterrent to one contemplating sex. The prospect of pregnancy is unlikely to deter teenagers with a short time horizon.

I am unpersuaded by the argument that the market will take care of the problem. We are told that there is more sex on prime time TV this year than ever before. As for the movies, we will have to wait to see whether "Showgirls" is commercially successful. If it is, the market will ensure that the floodgates open.

There is a major problem caused by the fact that Hollywood must compete with other modes of delivering sexual messages, messages that are increasingly perverted. Some of this is the material on cable channels, which are, I suppose, part of the generic term "Hollywood." But there is also Internet, which supplies prose and pictures of small boys and girls being kidnapped, mutilated, raped, and killed, and even supplies instructions on the best time of day to wait outside a girls' school, how best to bundle a girl into your van, and the rest that follows. Soon it will be possible to get digital films of such materials on home computers.

The market will not take care of that problem. We already have the evidence for that conclusion. The pornographic film business exploded in profitability when it was no longer necessary to go to an "adult" theater to see pornography. It has been possible for some time to avoid the embarrassment of being seen entering such a theater by renting pornographic video tapes. The business is making billions of dollars annually and is expanding rapidly.

But when pornographic and frequently perverted films are available on home computers, the customer will not even have to face a clerk in getting a videocassette or be seen browsing the X-rated film racks. What we have learned is that the more private viewing becomes, the more salacious and perverted the material will be. On Internet, people are downloading still pictures of pedophilia, sadomasochism, defecation, and worse. Among the most popular pictures are sex acts with a wide variety of animals, nude children, and incest.

I don't think there is any doubt that competition from pornographic digital films, which can be sent from anywhere in the world, will pull Hollywood in the direction of more and more shocking sexual films and television.

Is there a role for government? I think the answer is yes. It may be impossible to do anything about Internet and films on home computers. Technology, it is said, is on the side of anarchy. But it is possible to do something about movies, television, and rap music.

There are those who say the solution is to build a stable and decent public culture. How one does that when the institutions we have long relied on to maintain and transmit such a culture—the two-parent family, schools, churches, and popular entertainment itself—are all themselves in decline it is not easy to say.

It is also no answer to say, "If you don't like it, don't go to the offensive movies, use the remote to change the television channel, don't listen to rap." Whether or not you watch and listen, others will, and you and your family will be greatly affected by them. The aesthetic and moral environment in which you and your family live will be coarsened and degraded. Michael Medved put it well: "To say that if you don't like the popular culture to turn it off, is like saying, if you don't like the smog, stop breathing. . . . There are Amish kids in Pennsylvania who know about Madonna."

The cultural smog has several bad effects. I have mentioned the ugliness of the aesthetic and moral environment, which includes everything from the use in public of language that used to be confined to the barracks and was sometimes frowned upon there to attitudes about sexuality which must translate into attitudes about fidelity and preserving marriages.

Stanley Brubaker argues that in a republican form of government, where the people rule, it is crucial that the character of the citizenry not be debased. The late Christopher Lasch pointed out that democracy

cannot dispense with virtue. He said that we forget "the degree to which liberal democracy has lived off the borrowed capital of moral and religious traditions antedating the rise of liberalism." Those traditions are dissipated by the kinds of entertainments we have been discussing.

There is, however, a third point. The attitudes and actions expressed in rap lyrics, on Internet, and soon on home computer movies are incitements to action. Do we really think that a heavy diet of pornography, of rape scenes, of coercing children to have sex cannot ever trigger action? If we do not think that, then some form of regulation is called for. The pleasure that a million addicts get from a thousand depictions of rape is not worth one actual rape.

What, then, can government do? This brings us to the topic of censorship. Almost everybody has been so influenced by liberal ideology that censorship is considered unthinkable. Irving Kristol, who also favors censorship, says it might be more palatable if we spoke of the regulation of public morals, but I don't think anybody would be fooled.

Somebody is bound to say that any regulation of pornography would violate the First Amendment. That view is a recent development and ignores the historical understanding. Until very recently, not even pornographers thought the First Amendment was relevant in prosecutions for producing and selling the stuff. They raised no such defense.

As recently as 1942, a unanimous Supreme Court said in *Chaplinsky v. New Hampshire*: "There are certain well-defined and narrowly limited classes of speech, the prevention and punishment of which have never been thought to raise any Constitutional problem. These include the lewd and obscene, the profane, the libelous, and the insulting or 'fighting' words—those which by their very utterance inflict injury or tend to incite an immediate breach of the peace. I have been well observed that such utterances are no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality."

That Supreme Court understood that the Amendment intended to protect the expression of ideas and that lewd and obscene were no necessary part of such expression.

We don't have to imagine what censorship would be like. We lived with it for over three hundred years on this continent and for about 175 years as a nation. And we had a far healthier public culture. Ratings systems for recordings and movies have proved a farce. The era of the Hayes office in Hollywood was also the golden age of the motion pictures. And maybe something like the Hayes office would be the way to start. Government could encourage the producers of movies, television, and music to set up such self-policing bodies. We could see if those industries would comply. If not, or if the modern version of Hayes offices proved ineffective, we could contemplate the next step. That next step would be direct government action, which is what we used to have.

One thing seems clear, however, if the depravity of popular culture continues and worsens, we must either attempt one or another form of censorship or resign ourselves to an increasingly ugly and dangerous society.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, as of the close of business yesterday, October 26, the federal debt stood at