

by the State of New York to prevent the Post Co. from buying Nabisco Shredded Wheat.

Judge Wood indicated at the time that the cereal industry was "highly competitive." She indicated that there was no collusion, and no one company was able to control prices in any market segment. She characterized the testimony of the State's star witness, Professor Cotteril, one of the hosts of today's mock hearing, as "unreliable," "flawed," and "erroneous."

Last year Congressman SCHUMER and GEJDENSON asked the Justice Department to initiate a criminal investigation into cereal prices. Justice declined the case, based on Judge Wood's decision.

Judge Wood has also noted in her decision that cereal prices rose only 6.6 percent between 1989 and 1993, while food prices rose 12.8 percent and the cost-of-living index rose 16.5 percent. Widespread use of coupons lowers the average retail price by 30 percent. Further, Judge Wood found that industry concentration declined about 27 percent between 1970 and 1994 and that store brand cereals' market share rose to 9 percent in 1993 from 4.8 percent in 1988. This trend is expected to double in the next 3 to 4 years, surpassing the market share of three of the five manufacturers.

Judge Wood also noted little brand loyalty among consumers. She also indicated that retailers may have had more to do with increasing prices. In 1994, one producer reduced its prices 40 percent, yet less than two-thirds of this price cut was passed on to consumers.

Anyone who has been in a grocery store recently knows that the range of options and prices is nearly overwhelming. Imports are adding new competition. Cereal manufacturers not only compete head on but also with other breakfast alternatives, which are also proliferating significantly. The business climate is hardly ripe for price collusion. It is hard to understand why a trend toward more competition and price increases well under cost of living increases would encourage the two Congressmen and Professor Cotteril to continue these efforts.

Professor Cotteril's Food Marketing Policy Institute has received earmarked funds from the Congress for quite a few years. If this is an example of its priorities, I believe the Congress should reconsider funding this institute.

I look forward to this debate as we pursue the fiscal 1997 appropriations.

#### CHAPLAIN OGILVIE'S 1-YEAR ANNIVERSARY

Mr. HATFIELD. Mr. President, a year ago today, my good friend, Dr. Lloyd Ogilvie joined the Senate family by becoming the 61st Senate Chaplain. I was fortunate to have known him before he became the Chaplain and now 99 other Senators have had the oppor-

tunity to be enriched by his friendship. But it is not just Senators who have been fortunate to experience the ministry of Chaplain Ogilvie. Following the example of his predecessor, Richard Halverson, Dr. Ogilvie has ministered to everyone he encounters.

I cannot speak for all of my colleagues, but I have thoroughly enjoyed Dr. Ogilvie's morning invocations. It is one of the highlights of my day. Each prayer is a poetic weaving of theological wisdom and spiritual encouragement. When I hear the Chaplain's resonant voice, I feel as if the Heavenly Father himself has entered our midst and is speaking to us here on the Senate floor. The Chaplain has the voice of God, but he is also a man after God's own heart. He has said that he sees himself as an intercessor for the Senators, and I know that he is faithful in his prayers for this body and its Members.

I have appreciated Dr. Ogilvie's careful efforts to keep the chaplaincy non-partisan, nonpolitical, and non-sectarian. His concern is genuine and he ministers indiscriminately to all who need encouragement. He is keenly aware of the spiritual needs of this body, and he makes himself readily available to address those needs.

We are fortunate to have Dr. Ogilvie among us. While I know that Dr. Ogilvie feels a special calling to his ministry as Chaplain, he has made some sacrifices to be with us. Before becoming chaplain, Dr. Ogilvie was a prolific writer, authoring over 40 books. This literary passion has taken a backseat to the pressures of the Senate. But you will hear no complaints from the Chaplain. He is engaged in his new ministry and he is committed to his new parish.

I want to congratulate the Chaplain for his year anniversary and thank him for his invaluable ministry. I am grateful for what he has done for us in the past year and I am excited about the many years ahead.

#### ON THE RETIREMENT OF DETECTIVE CHARLES J. BENNETT

Mr. MOYNIHAN. Mr. President, some while ago, the New York Historical Society conceived the notion of collecting holograph accounts of notable events in our city from contemporary New Yorkers, and thereafter auctioning them off to help with the expenses of that venerable institution. I was asked to participate and was happy to do. As would anyone my age, I have all manner of memories of our city, going back, for example, to December 7, 1941, when I learned about Pearl Harbor from a man whose shoes I was shining on the corner of Central Park West and 81st Street, across from the Planetarium. I do not really recall what I thought about all that; all I do recall for certain is that when I got home later in the day, the regular radio programming had been interrupted by bulletins from the Pacific. Between bul-

letins, the station played martial music. Well, sort of martial music. It seemed the only such record they had on was the "fight song," as they say, of the Fordham football team.

Pearl Harbor brought war to the United States but only seemed to enhance the greatness of our city. At war's end, it seemed only natural that New York should be chosen as the site of the headquarters of the United Nations, the victorious alliance that won that war.

The years since have not been so generous. At times, they have been ominous, putting our city in peril in a way world war never did, albeit much of the peril has come from abroad.

I thought of this matter, and, of a sudden, knew the event I would relate—with a penmanship that would mortify the brothers to this day. Here is what I wrote, on New Year's Day, 1995.

Early in 1985, I flew up from Washington to New York. As is our custom, I was met by Detective "Chuck" Bennett of the N.Y.P.D. On our way into town we discussed events of the day. BENNETT, with a detective's eye, commented that men were appearing on street corners snapping their fingers for no apparent reason. Two month's later he reported that they were selling something called "crack," the finger snapping being a form of street cry. It remained for Douglas Hurd, then British Home Secretary, to visit New York and tell our Drug Enforcement Agency that a new form of cocaine, which had appeared in the Bahamas in 1983, was known as "crack" and was spreading. The Plague had reached New York.

Charles Joseph Bennett, the detective who had met me at LaGuardia, was and remains a preternaturally subtle, observant, normally silent, at times near-to-invisible presence on our city streets for near quarter of a century. For 20 of those years, he has been keeping me out of harm's way. Not an easy thing to do, for public figures in our time are commonly threatened, sometimes openly, sometimes not. It has been his lot to assess the threats involved, first having learned of them or divined them. It was in this latter gift that "Chuck" excelled. Be it a U.S. Senator, the least of his worries, a head of state, a peace delegation, a terrorist infiltrator, a building, a bridge, a tunnel, there has been no threat of violence or subversion or sedition in a quarter century that he has not been involved with or aware of.

His personal qualities are legendary. Affable until the moment of danger when he can be terrifying; near-to-invisible until he must make everyone in the room stop instantly and do as he says; self-effacing, funny, deadly serious. It may seem an unusual quality for an officer of a very old organization, set in its ways and fixed in place, but "Chuck" Bennett has proved an extraordinarily adept ambassador. First with our own law enforcement organizations such as the Federal Bureau of Investigation and the Capitol Police here in Washington, but notably also with foreign detective forces, ranging

from London to Melbourne. He has formed lasting friendships not just between individuals but also between organizations that have hugely benefitted all concerned.

This April 28 he retires: at the top of his grade and the top of his form. He goes with the profound thanks of Liz, Tim, Tracey, John, Helen, and Maura for his friendship and his guardianship. And the great good wishes of all manner of New Yorkers for how well he has served us. Only Chuck Bennett would notice odd gestures on street corners and spot an epidemic on its way. Let us hope he returns regularly to New York, keeping an eye on things, and keeping in touch with those of us who love him so.

#### DR. RODNEY BELCHER

Mr. LEAHY. Mr. President, it is with great sadness that I rise today to inform the Senate of the tragic death of Dr. Rodney Belcher, an orthopedic surgeon from Arlington, VA, who was murdered in Kampala, Uganda, on March 13.

I was fortunate to have known Dr. Belcher. Seven years ago, shortly after I established the War Victims Fund, a \$5 million appropriation in the foreign aid program to provide medical and related assistance to war victims, Rod Belcher signed on with Health Volunteers Overseas. He had lived in Uganda before the civil war there, and the Agency for International Development sent him back to start a War Victims Fund program to assist people who had been disabled from war injuries. He and his wife Dawn had been there ever since.

There were tens of thousands of amputees, many victims of landmines, without access to artificial limbs. The Mulagro hospital and medical school, once the pride and joy of that country, were in ruins. There were not even basic medical supplies. There was not a single trained orthopedic surgeon in the country. The Ugandan Government was bankrupt.

Rod embraced that enormous challenge with enthusiasm, good humor, patience, and a deep, personal commitment to the Ugandan people. Over the years he won the trust and respect of the Ugandan Government, and of successive United States Ambassadors and the ambassadors of other countries who witnessed the impact he was having on the lives of so many people. He rebuilt the orthopedic clinic and trained every orthopedic surgeon in Uganda today.

When my wife Marcelle and I visited Uganda in 1990, Dr. Belcher took us around the orthopedic clinic. We saw what a difference the War Victims Fund had made, as a result of his efforts and the efforts of the Ugandans who worked with him. It was an experience that neither of us will ever forget. We saw what a difference this one American had made.

Since then I have often thought of that trip, and Rod Belcher became the

model for the volunteers that have been recruited for other War Victims Fund programs. He exemplified what we looked for in others. He had a warmth and gentleness, and a commitment to Uganda that was extraordinary.

Mr. President, on March 13, on his way to his office, Dr. Belcher was murdered when two men stole his car. He was shot in the chest and died right there.

It would be hard to conceive of a more senseless, horrible crime. Rod Belcher was a wonderfully generous human being who devoted his professional life to improving the lives of others. For the past 7 years he lived and worked in a country where getting even the simplest thing accomplished often required incredible ingenuity and persistence. Rod had both.

At his funeral, Dr. Belcher was honored by the Ugandan Vice President, the Minister of Health, the director of the hospital, the dean of the medical school, the American Ambassador, the British High Commissioner, and many others. The orthopedic clinic that he worked so hard to establish was formally named after him. The streets were lined with people who knew him personally or had heard of the American doctor who had done so much for the Ugandan people.

Rod Belcher will be terribly missed. But he leaves a legacy that anyone would be proud of. He gave the War Victims Fund its start, and for that I will always be grateful. And he leaves a core of trained Ugandan orthopedic surgeons who loved and admired him, who will carry on in his place.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### BALANCED BUDGET DOWNPAYMENT ACT, II

The PRESIDING OFFICER. The Chair lays before the Senate H.R. 3019. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes.

The Senate resumed consideration of the bill.

Pending:  
Hatfield modified amendment No. 3466, in the nature of a substitute.

Reid amendment No. 3478 (to amendment No. 3466), to restore funding for and ensure the protection of endangered species of fish and wildlife.

Hutchison/Kemphorne amendment No. 3479 (to amendment No. 3478), to reduce funding for endangered species listings.

#### AMENDMENT NO. 3479

The PRESIDING OFFICER. The amendment of the Senator from Texas to the amendment of the Senator from Nevada is in order.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Mr. President, I ask that the Chair advise the Senator from Nevada when I have 5 minutes remaining of the 15.

The PRESIDING OFFICER. The Senator may proceed.

Mr. REID. Mr. President, I have here a letter from the Evangelical Environmental Network consisting of a number of people, including Dr. Robert C. Andringa, president of the Christian College Coalition; Dr. George Brushaber, president of Bethel College and Seminary; Mr. Roger Cross, president of Youth for Christ/USA; Rev. Art DeKruyter, pastor of Christ Church of Oakbrook, and on and on with other religious leaders of this country.

The letter, written to all Senators, says, among other things:

This week the Senate will be voting on an omnibus appropriations bill that contains a subtle attack on God's handiwork. Buried in the legislation is a provision to continue the moratorium on listing plants and animals as endangered or threatened, under the Endangered Species Act.

Certainly there are scientific, economic, and medical reasons for saving endangered creatures, but for many individuals and congregations linked to the Evangelical Environmental Network, the moral and spiritual aspects are the more important. The Bible records "the everlasting covenant between God and all living creatures of every kind on Earth" and God affirms that covenant after using Noah to bring the creatures through the Flood and save their lives.

Mr. President, the letter continues:

If I am going to be in the right relationship with God, I should treat the things he has made in the same way he treats them.

The moratorium on listing species is nothing more than a back door attack. While we stand by and do nothing, this supposedly "temporary" measure may stretch over more than two years, with the cost of recovering species becoming greater and greater as time passes.

The moratorium was a bad idea when instituted; it is a bad idea today. . . .

Despite anti-ESA propagandists claim, neither law nor our environmental stance values plants or animals above people. At issue is not favoritism but just and moral treatment of all of God's creatures. God placed us here as stewards, not as exploiters, and we have no right to act in a callous manner toward any living creature.

With respect to the Endangered Species Act, we are compelled to speak out because this matter relates to the core of our faith and respect for God.

Mr. President, I have read only part of the letter, but the indication from these religious leaders is that the moratorium on the Endangered Species Act is wrong and it is immoral.

Mr. President, we have received letters from all over the country, not the least of which is a letter from a group of physicians. I talked about some of the things they said yesterday. But, in effect, what they say is that it is wrong to have this moratorium; it is wrong for health reasons to millions of people throughout the world.

This letter is signed by representatives of the Physicians for Social Responsibility, the National Association