

Mr. President, this most recent ruling comes more than 5 years after a group of Minnesota dairy farmers filed a class action lawsuit against then-Secretary of Agriculture Clayton Yeutter charging that class I prices were unlawful under the basic authorities of the authorizing statute. The plaintiffs also charged that the system had caused the loss of thousands of Upper Midwest dairy farms as the excessive prices provided to other regions stimulated surplus production driving down prices to farmers in our region. Since this lawsuit was initiated, Wisconsin has lost more than 6,000 family dairy farms who simply could not compete with the mega-dairies in other regions who were enjoying the artificially high fluid milk prices under the Federal order system. As a Wisconsin State senator at that time, I was able to secure funding for the State of Wisconsin to participate in the lawsuit as an *amicus curiae*. Since that lawsuit was filed, and since I have been a Member of the U.S. Senate, I and other members of the Upper Midwest congressional delegation have taken all steps possible to push for reform of this system. Legislative reform of class I prices has proved nearly impossible as Senators from regions benefiting from this system have rejected all suggestions for reform.

Two years ago, a different district court judge directed then-Secretary Espy to issue an amplified decision properly justifying a 1993 final rule on Federal orders which failed to reform class I prices. One-hundred and twenty days later on August 12, 1994, an amplified decision was issued by the Secretary. That decision, devoid of substance, was an insult to Wisconsin dairy farmers who have suffered from the Department's approach to this issue.

Following the issuance of that amplified decision, the Minnesota Milk Producers Association filed another motion for summary judgment charging that Secretary Espy's amplified decision was arbitrary and capricious because it was unsupported by evidence and inconsistent with the mandates of the authorizing statute.

On Monday, three Secretaries of Agriculture and four sessions of Congress after the initiation of this legal proceeding, the District Court of Minnesota agreed with the plaintiffs. The court concluded that "the Secretary has wholly failed to provide an explanation of his decision consistent with the requirements of the Agricultural Marketing Agreement Act." With respect to the use of Eau Claire, WI, as the reference point from which most fluid milk prices are determined, the court chided the Department for claiming it does not use Eau Claire as a basing point, despite evidence to the contrary. Judge Doty stated, "The Secretary may not enforce what is clearly a single basing-point system without explaining how it reflects reasoned consideration of the statutory factors.

If Eau Claire is to be the basing point, then the Secretary must explain why, for each market to which a contemplated order relates, distance from Eau Claire is a relevant consideration."

The court stopped short of finding class I prices illegal but found that they have never been adequately justified by the Department of Agriculture and as such, the decision to maintain them was arbitrary and capricious. Judge Doty remanded the decision to Secretary Glickman for 120 days after which the Secretary is to issue an amplified decision on class I prices that reflects the factors mandated by the authorizing statute.

It is my hope that in 120 days our current Secretary of Agriculture will do the right thing and announce comprehensive changes to the classified pricing system with class I prices based upon the economic factors required by the statute—supply-and-demand factors, prices of feeds, other inputs to production, and the public interest.

Interestingly, this time frame coincides with USDA's Federal order consolidation process required in the 1996 farm bill. I have always said, Mr. President, that reform of these discriminatory class I prices and the elimination of Eau Claire, WI, as the single basing point for milk prices could be accomplished through the legislative process, the administrative process or the judicial process. The recently enacted 1996 farm bill and Monday's district court ruling represent the confluence of these three processes.

The Congress, through the 1996 farm bill, has directed the Secretary to consolidate the number of Federal orders from the current 33 to between 10 and 14. Implicit in that directive is administrative reform of the pricing structure for those new orders—an authority which the Secretary holds under the Agricultural Marketing Agreement Act. Secretary of Agriculture Dan Glickman has publicly admitted, both to dairy farmers and to Congress, that class I prices are unfair to the Upper Midwest and have produced "regional inequities." He has committed to reduce class I differentials in the reform process. Now the district court ruling has provided a clear ruling that the Secretary shall follow the economic criteria of the original authorizing statute in setting those prices rather than bowing to political pressures from those regions that benefit from this discriminatory pricing system.

The Secretary has two choices.

He can comply with the court's order by reforming class I prices to bring them more in line with the economic realities in 1996. He can do that both in issuing an amplified decision that complies with the statute as required by the court as well as by implementing pricing reform as part of Federal milk marketing order reform required by 1996 farm bill.

Or he can continue to fight the Upper Midwest in this lawsuit by seeking to

delay the process further, rubber-stamping bad decisions by previous Secretaries, causing the loss of even more dairy farms in the Upper Midwest and imposing huge costs on our rural communities that depend on a thriving dairy industry.

I hope Dan Glickman chooses the first option.

This has been a long fight, Mr. President. It is time for it to end. It is time for the Secretary and the administration to do the right thing. I will work with them to make that happen.●

#### CONGRESSIONAL, PRESIDENTIAL, AND JUDICIAL PENSION FORFEITURE ACT

● Mr. REID. Mr. President, today I join Senators GREGG and NICKLES in introducing long overdue legislation which creates tough new sanctions for public officials who engage in wrongdoing while they are in office. This legislation, the Congressional, Presidential, and Judicial Pension Forfeiture Act, prohibits the receipt of pension benefits by Members of Congress, Presidents and members of the judiciary who engage in criminal conduct while in office. Those who engage in felonies that relate to abuse of office and undermine confidence in public officials should not be entitled to receive generous pension benefits.

Recently, I have heard from many constituents about this issue. This is really something that reflects on the integrity of this institution. It is an issue that affects any individual who aspires to public service. Most I have heard from are upset with the ability of public servants to collect pension benefits after they have been convicted of a felony while serving in a public office. Current law allows a former Member of Congress or a judge to collect their taxpayer financed pensions even after they have been convicted of such offenses as perjury.

The bipartisan legislation we are introducing today would put an end to this practice. Taxpayer financed pensions are not an entitlement. If public officials breach the public's trust they should forfeit their right to these pensions. They do not deserve these benefits if they commit crimes while serving in office. Serving in public office is an honor carrying tremendous responsibility. Whether you are the President, a Federal judge, or a Member of Congress you are always aware of this responsibility. Few undertake this responsibility lightly.

Yet all of us are aware of recent cases involving egregious violations of the public trust. Unfortunately, these individual cases, while isolated, tarnish the image of all public officeholders. They undermine public confidence in our democracy. They do so because the public is led to believe that crime committed while serving in public office pays. And to a certain extent, under the current law, it does. Public officials can commit fraud or perjury

while in public office and are still able to collect generous pensions. This is simply not right.

The bipartisan legislation we are introducing today will put an end to this. Judges, Members of Congress and the President will forfeit their pension benefits if they commit felonies while in public office. The list of felonies which would result in a loss of pension are directly related to the performance of official duties. Among the offenses listed in the bill are bribery and illegal gratuities, improper representation before the government, violation of antilobbying restrictions, false claims and fraud, abuse of the electoral process, conspiracy to defraud the United States, and perjury.

Public service is both an honor and a privilege. It represents a sacred trust and thus we ought to have harsh penalties for those who breach that trust. Those who violate this trust while serving in public office should not be entitled to their pensions. The taxpayers have helped finance these pensions. At a minimum, they are owed this kind of accountability.

Finally, I wish to thank Senators GREGG and NICKLES for their leadership and support on this issue. Senators GREGG, NICKLES and I had been working on a solution to this issue and I am confident that this legislation is the appropriate response. I believe this is a problem in need of bipartisan attention. Greater accountability will ultimately produce public greater confidence in our three branches of government.●

#### MEMORIAL DAY 1996: SIMPLE TRUTHS

● Mr. DOMENICI. Mr. President, I rise today to mention an upcoming, special American holiday, Memorial Day.

Last year, in honor of Father's Day, I read to you a letter from a fellow New Mexican, Chuck Everett. Mr. Everett originally wrote that letter while he was serving in Korea to his father who was back home in the United States.

In that letter, a younger Chuck Everett talked about certain simple truths—a son's longing to be with his dad on Father's Day; a soldier's patriotism; and hope for the future. The young soldier dedicated that particular day to fathers, the support of free will, free speech, freedom from fear, freedom of religion, and freedom of thought.

Today, in recognition of Memorial Day, I want to share with the Senate and the American people some more insightful thoughts by Mr. Everett. His poem, entitled "Simple Truths," serves as a good reminder to those of us who serve in this esteemed Chamber, as well as to all Americans, that while our country derives much strength from its diversity, we Americans also share basic ideals—ideals for which many men and women have given their lives. As the country remembers those brave Americans who fought for the United States, I submit that we are a

nation founded on ideas, notably the rights to life, liberty, and the pursuit of happiness. These are simple truths to be cherished and protected for future generations.

In memory of those who were killed or are still considered to be missing in action, I respectfully ask that the text of Mr. Everett's poem be printed in the RECORD.

The poem follows:

#### SIMPLE TRUTHS

Simple truths are emotions from the heart  
To state those feelings we wish to share  
With those with whom we do not stand apart  
And sharing those ideals about which we care.

We ever strive to serve our God and country,  
A nation born to hear the bells of freedom ring.

Bound not by the shackles of fear and  
affrontry.  
But living free of oppression by dictator or king.

We dedicate our lives to the support of democracy.

Building a nation with simple truths in mind.

Glorified in living free from any aristocracy,  
Striving for liberty and justice for all mankind.

Let our mission be to keep this country free,  
To stand tall for what we feel is right or wrong,

Embracing ourselves in the principles of liberty

And always being on the alert and ever so strong.—C. Everett.●

#### WAYLAND V.F.W. POST 7581

● Mr. LEVIN. Mr. President, this weekend America honors its veterans through Memorial Day activities across the country. It is a time when we thank our veterans for their service and remember those we have lost. Veterans of Foreign Wars Post 7581 in Wayland, MI, will be celebrating Memorial Day this year as it does each year. However, this year will be especially significant because it marks the 50th anniversary of the post.

Wayland VFW Post 7581 was chartered at a ceremony in the Wayland High School gym on June 10, 1946, with 43 members. In 1949, a Ladies Auxiliary to the post was instituted. VFW Post 7581 dedicated its headquarters on June 10, 1956. Most of the work on the building was done by the members of the Post. Over the years, post membership has grown dramatically. The post now maintains 289 members, including 74 life members.

During its 50 years, the post has dedicated its efforts to providing services for the Wayland community, including: Lite-a-Hike campaigns, blood banks, little league baseball, polio dances and the donation of flags to local schools. Last winter, the post made national news for helping stranded motorists during the blizzard. The post also conducts military funerals, participates in Memorial Day activities and assists veterans submitting claims to the Veterans' Administration.

Mr. President, the members of Wayland VFW Post 7581 have not only

proudly served our country in military service, but they continue to serve through their commitment to community. I know my Senate colleagues will join me in honoring the veterans of VFW. Post 7581 and congratulating them on their 50 years of service to the community of Wayland, MI.●

#### JANET RENO'S WORDS OF WISDOM

● Mr. HOLLINGS. Mr. President, we have a lot to be proud of in our country and we have many great role models. One role model, who recently visited my home state and spoke to the graduates of the University of South Carolina, is Janet Reno.

Janet Reno is our country's first female Attorney General and has excelled in the role. She is a dedicated, top-flight public servant. And indeed, that was also her reputation in Florida, where President Clinton plucked her in 1993 from her role as the State's attorney for Dade County. Janet Reno was known in Dade County as a tough, front-line crime fighter and she devoted herself to making communities safer, keeping children out of trouble, reducing domestic violence and helping families. She also targeted career criminals, dangerous offenders and drug traffickers, promising strict and certain sentences that put them away and kept them away.

Janet Reno grew up in Florida and worked her way through Cornell University. She wanted to pursue a law degree but was told that "woman didn't become lawyers." She ignored the advice and became one of only 16 women in a class of 565 students to enroll in Harvard Law School in 1960. When she graduated, people said, "No one will hire a woman lawyer." She proved them wrong, of course. Janet Reno was and is a trail-blazer.

In her speech to the USC graduates, Janet Reno talked about the frustrations that faced her and her predecessors as Attorney General. She said:

There is no vaccination for crime, as there is for polio. The only thing we have is hard work, seven days a week, parents raising children right, police walking the beat every single night, and prosecutors putting criminals behind bars, one by one. Our problems are complex and the answers rarely simple.

Janet Reno encouraged the graduates avoid the deadly sins of our public life: extremism, cynicism and defeatism. Her advice is sound and I think we could all benefit from it. I ask that her address be printed in the RECORD.

The address follows:

SPRING COMMENCEMENT ADDRESS BY U.S. ATTORNEY GENERAL JANET RENO

I am honored to share this day with you. It is so wonderful to look out to see so many who have worked so hard to obtain their diploma today. I especially want to say hello to my fellow chemistry majors. In 1960, I earned my chemistry degree from Cornell University. So, to you parents who worry that your graduating sons and daughters still lack a clear career goal, I suggest, give them a little more time; you never know what might happen.