Union, the taxpayers got a dishonest, corrupt, and fraudulent election.

That is bad enough. What is even worse is that the taxpayers had to pay in the first place to oversee a union election.

This is the largest union in the United States, I believe, relative to membership. It is a very wealthy union. It is obviously a union which has had some significant problems over the years, both with its leadership and with the management, and especially with its pension funds for its rank and file. But it clearly is a union which has the financial strength to pay the cost of oversight of its elections to assure that the rank-and-file membership of the union get a fair and honest election.

I personally felt sorry for the membership of the Teamsters Union which has been put through this election which has been so fraudulently managed. But I also think that the taxpayers have to be concerned. We have to be concerned about the taxpayers. Why should the taxpayers of this country be asked to pay for the cost of overseeing a union election for a union which is so wealthy? Clearly, for any oversight that occurs, the cost should be borne by the union itself. I should think it would want to in order to obtain an honest and fair election. But no, that didn't happen.

In the last election, the taxpayers came up with $17 million, which was clearly wasted. Have we been reimbursed for that? Have the taxpayers been reimbursed for that $17 million? No, we haven't. I realize that in Washington $17 million seems like a meager sum, but I have to tell you, it is a lot of money.

There are a lot of people in New Hampshire both who are union members and who are nonunion members, who work very hard and who work all year long to pay their taxes. And if you were to add up their taxes, you would find it didn't meet $17 million. I suspect that is probably for 5,000 or 6,000 people in the State of New Hampshire the tax burden for a year. I am not sure. That is a guess. But I suspect it is a large number of people who work all year paying their taxes so they can be put into this union election, which is then fraudulently run. And we didn't get the money back.

Now they come to us again. They say, ''We need another—we don't know what the final figure might be.'' But initially they need another $8 million of tax money in order to run this second election. Fool me once, and it is your fault. Fool me twice, and it is my fault. Clearly, it is the taxpayer who is being taken down the road. If the Congress allows this to happen again, it is the Congress that is being taken down the road, and as a result we are not carrying out our obligation to support the taxpayers.

So for us to pay another $8 million—it may end up being much more than that. It may be $20 million in order to support another union election after we haven't been reimbursed for the $17 million we spent in the last election, which was basically totally mismanaged. It is inconceivable. It is inappropriate. It makes no sense. Fortunately, that is my view. Unfortunately, there are a number of people around here who have a different view.

The White House wants us to spend this money. The Justice Department wants us to spend this money. The Speaker of the House wants to spend, I guess, this money. A number of Members of our own body want to spend this money. But to get this money, they have to, at least in theory, come to the committee that I chair and get me to authorize and reprogram to do it.

I want to go on record as to why I am not doing it. I am not going to reauthorize that reprogram because I am not going to go back to New Hampshire and be walking through a factory somewhere, or on a farm somewhere, or in a small software company somewhere, and have one of my constituents come up to me and say, ''You know, last year I paid *X* dollars in taxes, and you just sent it to run a corrupt election for the Teamsters. What are you doing with my money? Aren't you supposed to be taking care of that money down there? Aren't you supposed to be my fiduciary? Aren't you supposed to be overseeing it so it doesn't get wasted?''

If I approve this transfer, my answer to them would have to be, I am not doing my job, that I am not fulfilling my obligation to protect the taxpayers from the fraudulent misuse of their funds.

The Teamsters Union has the financial wherewithal to pay the cost of overseeing its own elections. The last election was such an abysmal failure from the standpoint of integrity, from the standpoint of appropriateness of an election process, that it is absolutely inexcusable that the Court, that the Justice Department, that the White House, or that anyone else would come to us again and say, Taxpayers, we are going to go down this road one more time. We are going to take you on this ride one more time. We are going to spend your money one more time to run another election for a union which has proven itself to be so corrupt in the manner in which it runs elections.'' It is just beyond my comprehension how we can pursue that course of action. But that seems to be the desire of a number of members in this body and a number of members of the other body, of the White House and of the leadership of the Justice Department. However, if they are going to do it, they are going to do it without my support, and I will do everything I can in this body to make sure that those tax dollars are not spent in this way.

Mr. President, I yield the floor.

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

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

The Senator from West Virginia.

ANNIVERSARY OF THE GREAT COMPROMISE

Mr. BYRD. Mr. President, today marks the 211th anniversary of one of the more momentous, but little-understood, perhaps, events in our country's history. I will just take a few minutes to remind ourselves of that event and to consider just how the course of this Nation's history might have been forever altered if not for what transpired on July 16, 1787.

It should be of special significance to Members of this body, because it was, fortunately for us, that those who attended the Philadelphia Convention were some of the ablest, brightest figures of the time; in fact, of any time. Ah, Mr. President, to have been a fly on the wall at that gathering! Truly, this was a gathering graced by an accumulation—nay, an abundance—of wisdom, learning, grace, and dignity of a like not seen since the conclaves at Mt. Olympus! From Virginia alone, there were Washington, James Madison, George Mason, and Edmund Randolph; from Massachusetts, Elbridge Gerry and Rufus King; from Pennsylvania, James Wilson, Gouverneur Morris and Benjamin Franklin; and from New York, Hamilton. Here was a constitutional dream team for the ages! And what a starting five! What foe could resist a lineup featuring Wilson's full-court vision, Madison's patience and tactical prowess, Hamilton's aggressive offense, Franklin's experience, and George Washington's dominating presence in the center, as the one who presided over the gathering.

These five were just the tip of the iceberg. Fifty-five men in all presented themselves at the Convention, representing every State, save one—Rhode Island. And with passion and gusto they soon set about devising a plan to guide the country past the shoals and rocks and storms that beset it and into a new sea of tranquility and prosperity.

Nowadays, many of us overlook the tremendous physical and mental effort that were expended in drafting the Constitution. In reading this short document—here it is, I hold it in my hand—in reading this short document, with its precise and careful phrases, it is easy to forget the toil, the sweat, the frustration, the shouting, the argumentation, the thinking, speechifying, and the pleading that went into its creation during that hot Philadelphia summer. For progress was unavoidably slow, and the greatest sticking point—''the most threatening that was encountered in framing the Constitution,'' according to Madison—was the question of whether States should be

represented in Congress equally or on the basis of population.

This question was far from academic, of course. In order to create a Constitution acceptable to the States, the delegates needed to assuage the fears of the small States that they would be swallowed up in a more centralized union. The smaller States looked to Virginia, Massachusetts, and Pennsylvania, with fear and with distrust. The small States feared that a Congress based on population would soon fall under the sway of the large States. New Jersey's delegates declared that it would not be ''safe''—the word is theirs, not mine—they would not be safe to allow Virginia 16 times as many votes as Delaware. They rejected the Virginia Plan, which was presented by Governor Edmund Randolph, with its legislature of two houses, and instead proposed a Congress with a single legislative chamber in which the States had an equal vote.

The Continental Congress, of course, had been a single Chamber, a unilateral legislative branch. It was followed by the Congress, under the Articles of Confederation, again, one body. It was legislative, executive and, to some considerable part, judicial all in one. There was no Chief Executive in the form of an individual. It was the Congress under the Confederation.

Days, and then weeks, of prolonged and acrimonious debate failed to resolve the issue. Some suggested redrawing State boundaries so that all the States would be of roughly equal size. The Convention considered, and then failed to agree upon, equal representation of States in the lower House of Congress. Several times, Connecticut advanced a proposal, initially made by Roger Sherman, calling for equal representation of States in the Senate. This, too, failed to win support. Madison—James Madison—labeled it unjust. Massachusetts' Rufus King angrily announced that he would not, could not, listen to any talk of equal representation in the Senate. James Wilson declaimed that the small States had nothing to fear from their larger brethren in the large States. To this, Delaware's Gunning Bedford retorted, ''I do not, gentlemen, trust you!'' and warned his colleagues that the small States might themselves confederate or even find ''some foreign ally of more honor and good faith who will take them by the hand and do them justice.'' Bedford was roundly rebuked for his words, but the threat of foreign alliances lingered in the stale and sticky summer air. There was no air-conditioning, much like it was in this Chamber up until 1929, when air-conditioning first came to this Chamber.

Efforts to resolve this question ''nearly terminated in a dissolution of the Convention''—it came that close; the effort to resolve this question—according to Luther Martin of Maryland, whose own impulsiveness and heated language did little to calm matters. Washington, that charismatic sphinx who presided over the Convention but kept his thoughts mostly to himself, confided to Hamilton in July that he ''almost despaired'' of success. And Sherman of Connecticut lamented that ''[i]t seems,'' he said, ''we have got to a point that we cannot move one way or another.''

On Monday, July 16—Monday, July 16—some 2 months after the Convention began—the question was finally resolved. Perhaps it was fear of failure that led the delegates to settle, for they knew that the country's future was in their hands—their hands. Perhaps it was exhaustion, for they had already spent many long days and weeks in earnest debate. It may have been because of the heat that had tormented them for so long. Maybe that finally broke that day. Or perhaps the open exchange of opinions, that wrenching but vital process of questioning, debating, and argumentation—that process had successfully whittled away extraneous detail and opinion to arrive at an essential verity. Franklin had described the Convention as ''groping . . . in the dark to find political truth''; perhaps they had at last stumbled upon it. In any event, this day, 211 years ago, the delegates agreed that Congress would be composed of a Senate with equal representation for each State and a House based on proportional representation. This was the Great Compromise, as it was, and has ever since been, called.

Perhaps, Mr. President, we would do best to avert our mind's eye from the horrors that might have befallen this country had the framers not struck the Great Compromise. Perhaps we would be better off simply to thank them, and to also thank Providence, for the miraculous document—the miraculous document; there it is in my hand—the miraculous document that is our Federal Constitution. Perhaps . . . but one thing is clear; without the Great Compromise, the Senate as we know it would not exist.

Without that compromise, without that Great Compromise, the Constitution might not even exist; the Senate, as we know it, you can be sure, would not exist. For this body was conceived that day, 211 years ago today, in Philadelphia when the framers agreed to an upper House of Congress in which each State—each State—had an equal number of votes, each State had equal representation. This is the forum that was born on that day. This is the body—the unique; the body sui generis—that was born on that day, the Senate of the United States. But for the Great Compromise, the Senate—that beloved institution to which so many of us have dedicated our lives, our hopes, our reputations, our strength, our talents, our visions—might never have seen the light of day, let alone played an often pivotal and dramatic role in our national history over the course of more than two centuries.

Mr. President, we would all do well to recall from time to time that the chamber in which we sit owes its existence to a remarkable instance of compromise and conciliation.

Senator DALE BUMPERS of Arkansas, Senator THAD COCHRAN of Mississippi, Senator ROBERT C. BYRD of West Virginia might never have met, might never have known one another, might never have had an opportunity to work together in the interests of our respective constituencies, in the interests of this great Republic.

When next we in the Senate are unable to reach agreement—when we find ourselves plagued by seemingly insurmountable obstacles—when we become frustrated at the obduracy and narrow-mindedness of our opponents—perhaps then, we should remember that minds far more intelligent, visions far more far seeing, persons far more learned—Ah, that learned group of men, they knew about the classics. They knew about Rome and Athens, Persia, Polybius, Plutarch. They knew about Montesquieu. They knew about the colonial experience, the history of England, the history of the ancient Romans.

They were able to find common ground on a matter of far greater import and controversy than much of what we discuss here today. And we should then think to ourselves that just maybe we, too, can find some compromise, some meeting of the minds such as our framers found on that day so long ago in Philadelphia.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I rise to express my profound gratitude to my distinguished colleague from West Virginia, Senator BYRD, for always injecting a meaningful, penetrating history lesson such as we have just been subjected to. It had not occurred to me that it has been 211 years since those magnificent days in Philadelphia brought us this sacred document we call the Constitution which has made us the longest living democracy on Earth, under a Constitution that is the longest living organic law under which any nation has ever lived.

I have made speeches on the floor time and again about what I call the trivialization of the Constitution. When one considers since Congress first convened there have been over 11,500 efforts to amend this document, over 11,500 resolutions introduced in the House and the Senate to amend the work of Madison, Franklin, Hamilton and Adams, and all those great minds which, as the distinguished Senator knows, the great scholar Arthur Schlesinger called the greatest assemblage of political genius ever under one roof—I don't quarrel with that for an instant.

As you have so eloquently pointed out, those men were schooled in the art and the nobility of government. They were historians and they were lawyers, but they were brilliant men. They knew there would be charlatans coming down the pike, trying to trivialize

the Constitution. I remember some since I came to the Senate.

I am very pleased to say that I will, at the end of this year, have been a Member of this body for 24 years. I voted for one constitutional amendment the first year I was in the Senate, and it was a mistake. I am often asked by some member of the press, ''Do you regret some of your votes?''

Of course I do; I am not infallible. If I were doing it over again, I don't know which ones offhand, but if I went through my record, there would be votes I would change. And one amendment to the Constitution which I supported—which, in my opinion today, was dead wrong—I will tell you, was the Equal Rights Amendment. We didn't need a constitutional amendment to provide women with equal rights. We did that in the Civil Rights Act of 1964, and it has been working just fine. We did not have to tinker with the Constitution to do it.

I believe my staff has told me I have voted 38 times against constitutional amendments. I think I want that on my epitaph. And, while noble men may disagree on this, I do not intend before I leave the Senate to cast a vote to change the Bill of Rights. The Bill of Rights—I defer to my colleague—I think they were ratified in 1791. But when the framers left Philadelphia, it was understood that James Madison was going to compose these 10 amendments to the Constitution. These are today called our Bill of Rights. That is the first ten amendments to the Constitution, which provide us freedom of the press, freedom of religion—we have more freedom of religion than most of us are taking advantage of now—and freedom of speech.

Sometimes when I read stories in the press, I think, surely there is some way we can change the freedom of the press clause in the Constitution to stop this sort of irresponsible reporting. But I am not going to do that, because I don't think you can do it without creating a lot more problems than you will solve.

Senator BYRD, if I had my way, no youngster would graduate from college without a fundamental, profound understanding of the Constitution. And precious few of them are graduating with that knowledge today.

Congress deserves a lot of credit. Oh, we take a lot of slings and arrows in this body about knuckling under the special interests, the voters, and the money, and all that sort of thing, but does it not speak well for the Congress that, out of 11,500-plus efforts to change the Constitution, we have only seen fit to do it 27 times? And that includes the first block of 10, called the Bill of Rights, in 1791. You take the 10 in the Bill of Rights out; that leaves 17 times we have actually amended the Constitution. And you remember, we decided we wouldn't drink, and later we decided we would drink; you take those 2 out and there are only 15 times. That is pretty amazing, is it not?

We are importing workers. You heard the debate here just recently about how we are going to allow 75,000 to 95,000 high-tech personnel from abroad, special visa status to come to this country to work. I didn't vote for that bill, incidentally. I still think it was a mistake. But one of the things that troubles me about that is why we are going all out in this country to train people to be computer experts or high-tech gurus. Yet this poor document, the Constitution—which is next to the Holy Bible in sacredness to me—youngsters are graduating from college, and they don't know who James Madison is—the father of the Constitution.

Now, I don't want to denigrate any of my colleagues, but I have to look very carefully at somebody today who thinks he can improve on the words of James Madison. I can assure my colleagues and my constituents back home that I will leave here this fall still only having voted for only one constitutional amendment in my 24 years here.

So, Mr. President, I might just quit on this one note. If I were going to confess to this body the one thing about the Constitution that disturbs me more than anything else—it was a good idea in its time, but I am troubled about it now—that is the fifth amendment requirement of grand juries. The States have long since pretty much eliminated grand juries. But the grand jury system was guaranteed for serious offenses in the Fifth Amendment because they wanted a jury of your peers to make the decision to indict, not the King.

As a matter of fact, the authors of the Constitution intended to make sure that we had no more kings, and they succeeded very admirably. We have had 42 Presidents, I guess, and no kings, since 1787. But I will say this. Their idea was that you could trust the people with your deciding fate and your innocence or guilt a lot more than you could the Crown or anybody representing the Crown.

And, so, the grand jury system had the noblest of intentions. But I would be remiss if I didn't relieve myself of this thought for the benefit of whoever wants to listen. I can tell you, what is going on with the grand jury system in this country right now is dangerous—dangerous in the extreme. I am not suggesting we change the Constitution to do away with grand juries, but I am saying that the grand jury system needs some control and it needs reforming. I have introduced legislation which will do that.

Well, Mr. President, this conversation has been the highlight of my day. I hadn't thought lately about that hot July in 1787 in Philadelphia. It was so hot and George Washington was so intent on everything being secret, they closed the windows and they almost suffocated just to make sure that nothing of the deliberations was heard on the street. But what a lucky people we are to have the honor and the privilege of living in this great country of ours because of those men. Some of them fought in the Revolution, sacrificed their families to fight in the Revolution. And they went there and provided us with this magnificent document.

I thank the Senator again for raising our awareness level on that point.

I yield the floor.

Mr. BYRD. Mr. President, we might pause tomorrow, July 17, to remember that it was on July 17, 1789, 2 years later, that the Senate of the United States passed the Judiciary Act. The Senate was not expected to originate legislation. That didn't mean it could not, but it was anticipated that the House would originate about all the legislation and the Senate would tamper with it, improve it, refine it, and so on.

But in the U.S. Senate, on July 17, 1789, history will always mark the passage of the Judiciary Act, which created the judicial system. Oliver Ellsworth was a key player in that matter. He later became Chief Justice of the United States. But he was never as a justice what he was as a legislator. Oliver Ellsworth. It all causes one to marvel at how that first Senate came to grips with these problems and legislated for the first time on so many of these things. And it was in that first Congress that the two Houses learned to work together and have conferences on bills, where they resolved the differences between the two Houses.

Our forebears were remarkable men. That was a remarkable time in history. I will never fail to believe that Providence had its hand in the destiny of this country when those marvelous things happened in Philadelphia. When one pauses to think about it, the real miracle—and there were many miracles that happened there—was when men of different minds and different experiences, different temperaments, viewpoints, and attitudes, were able to mold their opinions and give and take, compromise, and come to a conclusion. That was a miracle in many ways.

It seems to me that the greatest miracle of all was the convergence of circumstances and people that took place with the Convention. Perhaps 5 years earlier it would not have happened, because the country had not yet fully experienced all of the weaknesses and shortcomings of the Articles of Confederation. A consensus had not yet formed as to the necessity for a new Constitution. Its experiences under the Articles taught it many things to avoid in this new Constitution. And it was fortunate that the Convention was not delayed until 5 years later, as we consider the events that occurred in France with the French Revolution and all of the horrors that took place there with the execution of King Louis XVI.

The fruit ripened just at the right time. That, to me, showed the hand of Providence, and that was somewhat of a miracle in itself.

I thank the Senator and I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I join my friend from Arkansas in thanking the distinguished Senator from West Virginia for his comments today. It is always a pleasure to hear him recount the history of our country. In doing so, I can't help but remember the time and effort and diligence he put to the task of writing the ''History of the U.S. Senate,'' which we have in our offices and others have had an opportunity to enjoy and appreciate over the last several years. It is one of the remarkable acts of scholarship that has been turned in by a U.S. Senator and probably ranks No. 1 in the list of books written by active Members of the U.S. Senate, for all of which I think we owe a deep expression, and sincere expression, of gratitude to the Senator from West Virginia.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, there is just one final little anecdote that I would like to share with the Senate.

When my former colleague, Senator Pryor, left the Senate last year, he went home to the University of Arkansas to teach. He is sort of a roving professor. He taught one day at the school of business, and the next day the school of agriculture, and so on. He was at the law school one day. He said that some smart law student got up and said, ''Why don't you deliver a lecture someday on the comparison of our democracy and the Athenian democracy?'' Senator Pryor said he didn't know what to do. So he went back to his office and he called the Senate historian and he told him what he was up against. The historian said, ''You are lucky. Senator BYRD has just delivered about 15 speeches on Athenian democracy.'' He sent those to him, and he said everybody in the university thinks he is an Athenian scholar.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

The Senate continued with the consideration of the bill.

Mr. COCHRAN. Mr. President, I am hopeful that we can continue now with consideration of amendments of Senators who wish to offer them on the agriculture appropriations bill. We sent word out through the cloakrooms at 3 o'clock that we were prepared to conclude consideration and approve amendments, recommend acceptance of Senators' amendments, which have been brought to the attention of the managers, and those that could not be agreed upon, we would offer them for Senators and get votes on them if they wanted us to do that, or move to table them and dispose of them in that way, so that we could complete action on this bill. We need to complete action on the bill today and move on to other matters.

I notice the distinguished Senator from Iowa is on the floor. He has an amendment to offer. I am happy to yield the floor to permit him to do so.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

PRIVILEGE OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent the privilege of the floor during the debate on the agriculture appropriations bill be granted to Sarah Lister, a member of my staff.

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

AMENDMENT NO. 3175

(Purpose: To provide funding for the Food Safety Initiative with an offset)

Mr. HARKIN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa (Mr. HARKIN), for himself, and Mr. LEAHY, Mr. KENNEDY, Mr. TORRICELLI, Mr. DURBIN, Mr. WELLSTONE, Ms. MIKULSKI, and Mrs. MURRAY, proposes an amendment numbered 3175.

Mr. HARKIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 67, after line 23, insert the following:

SEC. 7. FOOD SAFETY INITIATIVE.

(a) IN GENERAL.—In addition to the amounts made available under other provisions of this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, to carry out activities described in the Food Safety Initiative submitted by the President for fiscal year 1999—

(1) $98,000 to the Chief Economist;

(2) $906,000 to the Economic Research Service;

(3) $8,920,000 to the Agricultural Research Service;

(4) $11,000,000 to the Cooperative State Research, Education, and Extension Service;

(5) $8,347,000 to the Food Safety and Inspection Service; and

(6) $37,000,000 to the Food and Drug Administration.

1. Amendment of the No Net Cost Fund assessments to provide for collection of all administrative costs not previously covered and all crop insurance costs for tobacco. Section 106A of the Agricultural Act of 1949, as amended, 7 U.S.C. 1445–1(c), is hereby amended by, in (d)(7) changing ''the Secretary'' to ''the Secretary: and'' and by adding a new clause. (d)(8) read as follows:

''(8) Notwithstanding any other provision of this subsection or other law, that with respect to the 1999 and subsequent crops of tobacco for which price support is made available and for which a Fund is maintained under this section, an additional assessment shall be remitted over and above that otherwise provided for in this subsection. Such additional assessment shall be equal to: (1) the administrative costs within the Department of Agriculture that not otherwise covered under another assessment under this section or under another provision of law; and (2) any and all net losses in federal crop insurance programs for tobacco, whether those losses be on price-supported tobacco or on other tobaccos. The Secretary shall estimate those administrative and insurance costs in advance. The Secretary may make such adjustments in the assessment under this clause for future crops as are needed to cover shortfalls or over-collections. The assessment shall be applied so that the additional amount to be collected under this clause shall be the same for all price support tobaccos (and imported tobacco of like kind) which are marketed or imported into the United States during the marketing year for the crops covered by this clause. For each domestically produced pound of tobacco the assessment amount to be remitted under this clause shall be paid by the purchaser of the tobacco. On imported tobacco, the assessment shall be paid by the importer. Monies collected pursuant to this section shall be commingled with other monies in the No Net Cost Fund maintained under this section. The administrative and crop insurance costs that are taken into account in fixing the amount of the assessment shall be a claim on the Fund and shall be transferred to the appropriate account for the payment of administrative costs and insurance costs at a time determined appropriate by the Secretary. Collections under this clause shall not effect the amount of any other collection established under this section or under another provision of law but shall be enforceable in the same manner as other assessments under this section and shall be subject to the same sanctions for nonpayment.''

2. Amendment of the No Net Cost Account assessments to provide for collection of all administrative cost not previously covered and all crop insurance costs. Section 106B of the Agricultural Act of 1949, as amended, 7 U.S.C. 1445–2, is amended by renumbering subsections ''(i)'' and ''(j)'' as ''(j)'' and ''(k)'' respectively, and by adding a new subsection ''(i)'' to read as follows:

''(i) Notwithstanding any other provision of this section or other law, the Secretary shall require with respect to the 1999 and subsequent crops of tobacco for which price support is made available and for which an Account is maintained under this section, that an additional assessment shall be remitted over and above that otherwise provided for in this subsection. Such additional assessment shall be equal to: (1) the administrative costs within the Department of Agriculture that are not otherwise covered under another assessment under this section or under another provision of law; and (2) any and all net losses in federal crop insurance programs for tobacco, whether those losses be on price-supported tobacco or on other tobaccos. The Secretary shall estimate those administrative and insurance costs in advance. The Secretary may make such adjustments in the assessments under this clause for future crops as are needed to cover shortfalls or over-collections. The assessment shall be applied so that the additional amount to be collected under this clause shall be the same for all price support tobaccos (and imported tobacco of like kind) which are marketed or imported into the United States during the marketing year for the crops covered by this clause. For each domestically produced pound of tobacco the assessment amount to be remitted under this clause shall be paid by the purchaser of the tobacco. On imported tobacco, the assessment shall be paid by the importer. Monies collected pursuant to this section shall be commingled with other monies in the No Net Cost Account maintained under this section. The administrative and crop insurance costs that are taken into account in fixing the amount of the assessment shall be a claim on the Account and shall be transferred to the appropriate account for the payment of administrative costs and insurance costs at a