

goes beyond the authority granted to any other agency in the Federal Government.

By law, the IRS can audit individuals or businesses. It can impose penalties and impose a lien on a taxpayer's property or bank accounts, or seize them altogether. Average taxpayers and small business owners have few little administrative or legal remedies against such a powerful agency.

Its unlimited power has made the IRS a wasteful, arrogant, incompetent, intrusive, and abusive agency. The IRS is driven by illegal quotas and collection goals. It has targeted the underprivileged for audits. It has mistreated hundreds of thousands of innocent taxpayers. Clearly, this is an agency out of control, an agency in need of a complete overhaul.

But let us not forget how the IRS reached this troubled point. Congress deserves much of the blame for the present state of our hostile tax system, for it is Congress that created the IRS in the first place.

Congress grants the IRS its unlimited power. Congress writes the complicated Tax Code that taxes Americans' income over and over and provides loopholes to thousands of special groups, making the Tax Code too complicated for even most attorneys and tax accountants to fully understand. Congress requires the IRS to squeeze more tax money out of the taxpayers so that Congress has more to spend. On top of that, Congress does not have time to fully exercise its IRS oversight responsibilities. Even while it talks reform, Congress is making the Tax Code ever more burdensome—since last year, Congress has added 185 new sections and 824 changes to the Tax Code.

Most IRS employees are decent, hardworking people who face an impossible task: interpreting and applying the hundreds of thousands of pages of the Tax Code and its related regulations. A recent study shows that more than 8 million Americans each year receive incorrect bills or refunds due to IRS errors. Each year, Money magazine hires 50 professional tax preparers to calculate a return for a sample family. No two preparers have ever had the same result; answers can vary by thousands of dollars. It just shows that the Tax Code is confusing and arbitrary, and this in turn encourages waste, harassment, corruption and abuse.

Tinkering with the system by merely restructuring the IRS will not solve its fundamental flaws. It is clear that the real problem with the IRS is not management, or administration, but the Tax Code on which all IRS decisions are based. This is such an ugly agency it is hard to make it pretty by reforms.

We can replace the IRS management, we can improve its service, crack down on abuses, increase its efficiency, and reduce its waste, but the fundamental problems will not go away. Reorganizing the IRS without real reform of the Tax Code will send a false signal to the American people that once we re-

structure the IRS, all its problem will be solved and there will be no need to reform our tax system. Unfortunately, as the history books reveal, it is not that easy.

We have tried to overhaul the IRS in the past, and somehow the agency always comes back more powerful and more abusive than ever before. At least two versions of a "taxpayer bill of rights" previously enacted into law have had little effect in taming the IRS. Even after last year's IRS abuse hearings, which resulted in promised reforms, the abuses continue.

Mr. President, let me make this clear: it is vitally important that we continue our efforts to reform the IRS, and I strongly support Chairman ROTH's work and his legislation. My point is that we should not let this debate delay or derail real tax reform—to delay us from carrying out the demands of the taxpayers to scrap the Tax Code and replace it with one that is simpler, flatter, fairer, and friendlier.

This Chamber already passed a resolution to sunset the Tax Code. Now we should set a date to establish a new tax system. Once we have eliminated the Tax Code, there will be little, if any, need for the IRS and its playbook or its abuses.

Thank you very much, Mr. President. I yield the floor.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I ask unanimous consent to be able to speak as in morning business for 12 minutes.

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

Mr. DORGAN. Mr. President, I certainly would not object, but I ask the chairman if I might be able to speak for 8 minutes by unanimous consent following Senator CONRAD.

Mr. ROTH. A total of 20 minutes then. The manager has no objection.

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

Mr. CONRAD. I thank the Chair.

THE FARM CRISIS IN NORTH DAKOTA

Mr. CONRAD. Mr. President, I rose 2 days ago to alert my colleagues to the economic disaster that is befalling North Dakota with a dramatic drop in farm income. And I showed this chart; the headline: "North Dakota Farm Incomes Washed Away In 1997," that showed from 1996 to 1997 farm income dropped 98 percent in North Dakota.

In fact, in 1997, the total farm income in the entire State of North Dakota, one of the most agricultural States in the Nation, was down to only \$15 million—\$15 million—of farm income spread among 30,000 farmers. That was a farm income per farm of only \$500.

Mr. President, the Wall Street Journal yesterday had a front page article entitled "Off the Land," and they confirmed the basic outlines of the story

that I've been telling for the last 2 days on the Senate floor. And in their front page story, they pointed out, "On the Northern Plains, Free-Market Farming Yields Pain, Upheaval. After Deregulation, Drop In Wheat Prices Compels Many Growers to Quit. The Effect Spreads South."

Mr. President, the article in the Wall Street Journal goes on to report that:

Cheap wheat and bad weather are doing to Nathan Johnson what they couldn't do to three preceding generations of his farming family.

They are defeating him.

Mr. President, this is a story from northwestern Minnesota, but it is identical to what is happening right across the border in northern North Dakota.

This story goes on to say:

Last year, a disease called scab wiped out half the wheat [that Mr. Johnson] planted on the land around his family's 1887 homestead near the Canadian border. And now, a glut of foreign wheat is pushing down the grain's price at the local elevator to an unprofitable \$3 a bushel. These days, Mr. Johnson is trying to rent out his land and looking for work in the city.

Mr. President, the article goes on to say:

Across the Northern Plains, the long migration away from agriculture is turning into a stampede. From Montana to Minnesota, thousands who made their living growing wheat are quitting the prairie. A blizzard of barnyard auctions is sending chills down the Main Streets of the towns that live off farmers.

One man is quoted as saying:

"We're doing a sale every day," says Brad Olstad of Steffes Auctioneers Inc. in Fargo, N.D. "Wheat is a dying crop."

And wheat, of course, is the commodity that goes to make bread, to make pasta; and they are talking here about it being a dying commodity.

Bad years are nothing new around here. Wheat prices were lower in 1990, when a similar coincidence of bumper harvests around the globe swamped the market. The drought of 1988 destroyed wheat fields. But none of that was as deadly to farmers as what is happening now: deregulation.

Two years ago, Uncle Sam began withholding from the decades-old business of protecting farmers against the vagaries of weather and markets. Grain and cotton farmers no longer receive "deficiency" payments when prices are below target levels. Shelved, too, was the disaster-aid program that pumped \$18 million into Kennedy—

This is a small town in Minnesota that is being reported on in the Journal article—

and the rest of Kittson County after the 1988 drought.

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The bottom line: Many of Kittson County's farmers are suffering their biggest financial losses ever. "Deregulation is turning into a disaster for us," says Duane A. Lyberg, president of the Northwestern State Bank.

Now, that tells you something about the depths of this disaster. It is not just farmers reporting on it, not just, as I reported yesterday, implement dealers or other suppliers to farmers; but now the bankers are reporting to us what a financial disaster they are facing.

In fact, I just completed 2 weeks of meetings across the State of North Dakota. And in every small town where I went, the bankers took me aside and said, "Senator, there is something radically wrong in agriculture. Our farmers are not cash flowing. And they're not going to cash flow."

In North Dakota, the Journal article reports:

So many are throwing in the towel that state officials got a federal grant last month to retrain hundreds of growers for other jobs. "I've never seen it as bad as this," says Roger Johnson, North Dakota Commissioner of Agriculture.

They go on in this article to quote the former Secretary of Agriculture of the United States, and he says the following:

Unless the bankers get worried, nothing will get changed in Congress, says Bob Bergland, Agriculture Secretary during the Carter administration, who lives in nearby Roseau, where his family grows wheat. "The hourglass is running out for a lot of farmers around here."

That is the truth. We are in desperate trouble in the northern plains.

Let me just conclude with a final paragraph from the Wall Street Journal article.

Jim Tunhelm, the state legislator here, sits at his dining-room table, pointing all around him, in the direction of farmers he knows who are quitting. "Arnold, Lamar, Troy," he says. He stops at eight. "They should have called it 'Freedom to go broke.' [As he referred to the so-called Freedom to Farm bill we passed here in Congress in 1996.] We're going to disappear at this rate," [he concludes.]

That is the hard reality of what is happening in my home State. A 98-percent reduction in farm income in 1 year. Thousands of farmers leaving the land.

I started this series of reports 3 days ago. I pointed out that North Dakota had experienced this enormous drop in farm income. Yesterday, I reported on what others are saying who are close to the farm economy. Today, I am able to report the Wall Street Journal is confirming, in this front page story, precisely what I have been saying.

The fact is, we have a stealth disaster in North Dakota. It is brought on by low prices, by disease, and by weak Federal policy, a farm bill that does not sustain farmers in the bad times, or at least allow them to continue, and the lack of disaster program. The only disaster program we have now is low-interest loans.

So the Federal Government is saying to those farmers, those family farmers who dot the countryside, "If you are in trouble, go deeper into debt." That can't be the answer. We must do better.

I urge my colleagues to pay attention because this isn't just a matter for North Dakota. Yes, we are in the first trench, but it is just a matter of time before others experience what we are experiencing now.

I thank the chair.

Mr. BAUCUS. I very much thank the Senator from North Dakota for draw-

ing the Senate's attention to the Wall Street Journal article, and, more importantly, to the plight of our farmers in the northern Great Plains.

The article mentioned Montana and Minnesota. The Senator is absolutely correct. I have never seen it this bad. Just last weekend when I was home a banker pulled me aside and said virtually what you said, Senator; namely, it is getting so bad the bankers are getting worried about their loans and whether they will be repaid. It is true, the farmers can't cash flow. It is grim.

I urge farm organizations to dig down deep, put their heads together and come up with a solution that we, the Congress, can help with.

We passed Freedom to Farm. Most farmers in my State supported it at the time because the wheat price was high and the initial payments were high. We all knew the day would come when we would be paying the price for adopting that bill but it has come a lot earlier. It has come this year rather than a couple, 3 years from now and with much more strength. It is hurricane force and will drive more farmers off the land. Small towns in eastern Montana are drying up. People are leaving. You see shops on the main street boarded up. It is because the price of wheat, barley, and durum is so low and has been so low at a time when our Government has not done what it should be doing.

This is true of all administrations—to open up foreign markets, get those countries to reduce their barriers so we can sell more overseas. I am thinking particularly of China. China does not take Pacific Northwest wheat. It has not for years because of a bogus claim. That is one of the many examples of countries erecting trade barriers that make it difficult for us to sell a product.

I very much thank the Senator for raising this issue. I urge Senators to listen to the Senator's statement because we are going to be facing this issue here in the Senate fairly soon. I hope this is constructive in addressing the problems that the Senator mentions. It is happening in spades, today, in Montana, particularly eastern Montana.

I thank the Senator and I yield the floor.

The PRESIDING OFFICER (Ms. COLLINS). Under the previous order, the Senator from North Dakota, Senator DORGAN, is recognized.

Mr. DORGAN. Madam President, Senator CONRAD has raised the farm issue the last several days on the floor of the Senate, and I appreciate the comments he has made, as well as the comments of the Senator from Montana.

This is not just about dollars and cents. And it is not just a lesson in economics. My great-grandmother homesteaded in North Dakota when her husband died. She took six kids and homesteaded on the prairie, pitched a tent, homesteaded 160 acres, and began to

run a farm. It was a hard, tough life, I am sure. Farming is not easy. They live out in the country. They have a yard light burning at night. Farmers get up in the morning to do chores, and they work all day. If they have enough money to put in a spring crop and plant some seeds, they wonder whether the grasshoppers will come, whether crop disease will come, whether it will hail and wipe out their crop. Maybe none of that will happen and they will raise a crop and that crop will come out of the ground. Then they will combine it in the fall and they wonder, will there be a price so they can sell the crop at something more than it cost to produce.

The answer, sadly, except for one year in the past 20 years has been no. There is no price for your crop above the full economic costs of production. You do what you love to do and you lose money.

The article in the Wall Street Journal referenced today by Senator CONRAD talks about these farmers who decide they can't do this anymore. They just quit. They have to quit.

I had a banker call me about two hours ago and he said, "You know we only call when there are real problems, and you know I have one of the most conservative banks in the state." He said, "The fact is I am now turning away good farmers. Year after year after year I have given them operating loans to go into the field in the spring. I can't do it this year because they can't cash flow. And they will have to quit farming." He said, "That is what is happening out here in rural America."

One might ask, why does it matter? And some people in this Chamber think it doesn't matter who farms. Why does it matter that we have a family farmer out on the land? Well, you can have corporate agrifactories gassing up their big tractors and farming coast to coast and you won't have anybody living out in rural America.

Is there a difference between having a network of family farms, and farm families that dot the landscape of this country, versus having corporate agrifactories that gather up land by the sections and the townships and the counties and then farm as far as the eye can see forever? Is there a difference? It seems to me there is a huge difference for this country.

For social and economic reasons, this country ought to care about having a network of families out on the farms in this country being able, year after year, to produce food for this country. If we continue to go in the direction we are headed, we will see thousands and thousands of family farmers leaving the land. It is because we have a farm policy that says you can't make a living out there. It tells family farmers you can't make it. Then this country will have lost something significant.

The seedbed of family values in this country that we hear so much about has always been the family farm. These

values roll in from the seedbed of the family farm into small towns and into America's cities. We will lose something important in this country if we do not decide family farms are important and that we will do something to try to protect them.

Some say in this Chamber, let farmers operate in the free market. Well, there is no free market. Do you think farmers can raise a cow and ship it to China? I think not. Can they raise a pig and sell it in China? I don't think so. Do you think farmers can compete against Canada, which sends unfairly subsidized durum into our markets? Can farmers compete against the European communities that subsidize their commodities at 8, 10, and even 12 times the level of U.S. subsidies in recent years in trying to get foreign markets for European wheat? Is that fair? Is that free? I don't think so. Yet, we tell our farmers, you just go ahead and operate in that marketplace. We will just call it free.

What happens in this free marketplace? What happens is that the people who haul the grain make record profits.

The people who process the grain make record profits. The people who trade the grain make record profits.

The only people who suffer the losses year after year, sufficient so that they are now going out of business in record numbers, are the people who buy the tractors, get up in the morning and plant the seed in the ground, harvest the crop in the fall, and try to sell it. Those are the people who are losing money.

You go to your grocery store and ask yourself a question. When the price of wheat was \$4.50 or \$5.50 a bushel and it plummeted to \$3.30 a bushel, ask yourself what happened to the price of a loaf of bread in the grocery store. Did you see that price come down? I don't think so. How about when the price of beef plummeted? Did you go to the meat counter in your grocery store and see that the price of beef came down? I don't think so.

What does it say about this economic system of ours when we say to the people who do the hard work, the people who wear the work clothes, and start the tractor, and plow the ground, and plant the seed, and harvest: "You can't make any money. It is everybody else in this process who can make record profits. But if you grow the seed, you lose money."

When they take that wheat into a processing plant and puff it up and sell it on the grocery store shelf as puffed wheat breakfast food, they can charge more for the puff than the farmer is going to get from the wheat. One suffers and goes out of business, and the other makes a record profit.

If this Congress and this country doesn't start caring a bit about whether we have family farmers in our future, this country is going to lose something very important. When we talk about this subject around here, ev-

erybody talks about economics and dollars and cents. This isn't just about dollars and cents. This is not about knowing the cost of something. This is about knowing the value of something. We need to know the true value of family farmers in this country.

I am enormously frustrated. This article in the Wall Street Journal chronicles what we see and what we know every day in the streets of North Dakota, in our small towns, and out on the country roads, and the same is true in Montana. We have heard it farmers who come to our meetings and stand up. One farmer comes to mind who came to a meeting of mine. He was a big, burly guy and had kind of a beard. It was not a long beard, but kind of a short beard. He had friendly eyes. He stood up. He was a tall fellow. He said, "My granddad farmed, my dad farmed, and I have farmed for 23 years." And then his chin began to quiver. He got tears in his eyes, and he said, "But I have to quit this year because I don't have the money to continue. I'm out of business."

He was the third generation in the family to farm. He was going out of business because this country has a farm policy that says we are going to pull the safety net out from under family farmers. Now, we had better reconnect that safety net if this country cares about having a family farmer left in its future.

Senator CONRAD, myself, Senator BAUCUS, Senator DASCHLE, Senator WELLSTONE, and so many others on both sides of the aisle, care about the future of family farmers. We must, it seems to me, convince the rest of this Congress that this current approach is an approach that leads to failure.

Let me read a paragraph in the Wall Street Journal article:

The situation in Kittson County suggests that deregulation—

Which is the description of the current farm policy, which I voted against proudly—

is staying, and for a grim reason: Farmers are giving up. Nobody is organizing the type of protests that attracted national attention the last time so many farmers here were in trouble. That was in the mid-1980s debt crisis, when Randy Swenson would travel from his Kittson County farm to Fargo and Bismarck to join demonstrators demanding a federal bailout. Now, the 46-year-old grower is just quitting.

I say to those out there on the family farm who have struggled, who risk everything in trying to make a living every single day—and I hope my colleagues will join me in this—that they ought not to give up hope. There are plenty of us in Congress who understand that family farming is a way of life that this country ought to nurture and protect and help in its future.

I hope, as we proceed to discuss this in the coming weeks, that we can impress the need for a change upon those who were the architects of this farm program. The current program puts farmers into the marketplace, what-

ever that marketplace happens to be. There are those who think this is fine, because after all they think it is a free marketplace. I hope they come to understand that the marketplace is not free. It has never been free.

We can't have farmers compete against unfair trade. We can't have farmers compete in a marketplace dominated by millers who want low prices in the marketplace and grocery manufacturers who want lower prices in the marketplace. We can't ask them to compete against scab disease that will wipe out the crop yield and crop quality. We can't ask them to compete against a railroad that will haul their grain to market but charge them 20 or 30 or 40 percent more than is justifiable.

If somebody thinks that is a free marketplace, then somebody doesn't know what "free" or "marketplace" really means. We can do better than that. There are enough of us here to raise enough dust to require that we do better, so that in the coming days some of this policy can change to be helpful to family farmers.

Mr. CONRAD. Will the Senator yield for a question?

Mr. DORGAN. I am happy to yield.

Mr. CONRAD. I don't know if the Senator noticed in the Wall Street Journal article, former Secretary of Agriculture Bob Bergland said, "Unless the bankers get worried, nothing will get changed in Congress."

Isn't it the case that you and I just met yesterday morning with the bankers from our State and those bankers are worried? We had banker after banker from across the State of North Dakota tell us they are going to wind up farming. We just got a report that, for the first time in anyone's memory, land in the Red River Valley of North Dakota, which is the richest farmland in the world, will not be farmed this year; it will not be farmed.

Isn't it the case, Senator DORGAN, when we talked to our bankers, they told us they anticipate thousands of farmers leaving the land this year in North Dakota and a much more serious situation next year unless we take action?

Mr. DORGAN. That is exactly the case. I just hope that as we finish these comments now, we will all understand that there is work to do. When you see reports like this—reports that don't surprise us because we have been hearing it for some long while—we should understand that while part of this country is doing quite well and there is a lot of good economic news, there are also troubled spots in our economy that are causing enormous hurt and pain to people who don't deserve it.

America's family farmers are wonderful people. They are the people in this country who work, who grow, who risk, who come together, neighbor to neighbor, to help each other. But they can't help each other when they go to the market and discover that the price of wheat is \$3 or \$3.30, or when they go

to the field and discover that scab wiped out half the quantity of their grain, or when they go to the railroad and discover that the price to haul the wheat to market is vastly inflated, or when they go to the border up in Canada and discover unfair shipments of grain that undercut their prices, or when they say, I would like to sell my wheat to China, or my beef to China, but you can't get wheat or meat into China in any meaningful quantity because we don't have open markets overseas.

It is not fair to put farmers in that position, and we should not. It seems to me that we have a responsibility to provide a basic safety net if we want to protect a network of family farmers to be present in this country's future. I think we ought to do that. I think it is a priority for us in this Congress, and I hope that a number of us can work together on a bipartisan basis to see that this occurs in the coming weeks and months.

Madam President, I yield the floor.

Mr. HUTCHINSON. Madam President, what is the pending business?

The PRESIDING OFFICER. The pending business is H.R. 2676, the IRS reform legislation.

Mr. HUTCHINSON. Madam President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator is recognized for 10 minutes.

ASTHMA INHALERS

Mr. HUTCHINSON. Madam President, today, as you may be aware, is Asthma Awareness Day. I rise to discuss the issue of CFC-propelled asthma inhalers.

CFC-propelled inhalers are a necessary tool for proper management of asthma and other respiratory illnesses. Over 30 million Americans depend on these inhalers in order to function normally in their daily lives. In many cases, they are literally the difference between life and death.

I recently joined my colleague, Senator DEWINE, in introducing S. 2026, the Asthma Inhaler Protection Act. This bill is a revised version of legislation that I introduced last year in response to the Food and Drug Administration's announcement of its plans to issue a rule that will phase out the production of CFC-propelled inhalers.

The FDA's announcement to phase-out metered-dose inhalers was prompted by the Montreal Protocol agreement to eliminate ozone depleting chemicals, including CFCs. In the U.S., the manufacture of CFCs was discontinued in January of 1996. CFCs may still be used, however, as long as their use qualifies as an "essential use." Currently, inhalers are considered as "essential use" and are exempt from the CFC ban.

As the United States contemplates total elimination of CFCs and removal of the essential use designation for inhalers, we face several issues.

First of all, how fast should we phase out CFC inhalers and will patients' health be jeopardized? It is my understanding that the amount of CFCs released by metered-dose inhalers accounts for less than 1.5 percent of the total amount emitted into the atmosphere. Is the environmental benefit of phasing out inhalers without taking into account the full needs of patients worth placing lives in danger?

As a member of the Senate Environment and Public Works Committee and the Senate Labor and Human Resources Committee, I support the goal of ridding our environment of ozone depleting chemicals.

However, from a patient perspective, any transition to CFC-free alternatives that does not take into account the needs of all patients will do more harm than good.

Under the FDA's initial proposal, a whole class of inhalers could be removed from the market if only three alternatives exist. The method by which the FDA has grouped inhaler medications into classes assumes that they are medically and therapeutically equivalent. I suggest to my colleagues this is FALSE.

Inhalers vary in terms of formulation, dosage strength, delivery of medication, and their effectiveness for patients. Patients frequently test several inhalers under physician supervision before they find the inhaler that works best for them. To deny patients their inhaler without a suitable range of alternatives could potentially put their lives at risk.

Another concern that cannot be overlooked is how the removal of existing products and their generic counterparts will influence the marketplace. A decrease in competition has obvious consequences in terms of cost and the availability of drugs on the shelf.

Finally, the FDA should take into account other countries' strategies for phasing out CFCs in inhalers in order to ensure that the U.S. takes the best and most responsible approach. I know that Canada, for example, has rejected the class approach taken by the FDA and proposed a policy that will require a proper range of alternatives to exist for each medication type. It also provides for a transition period so patients can ease off of their current medication and make sure that there is a new product that accommodates their needs.

The Asthma Inhaler Protection Act addresses all of these issues by including three requirements. First, before any further rulemaking, the FDA must conduct assessments and report to Congress on the health and environmental risks associated with its initial proposal. It must also consider whether any measures adopted by the meeting of the Montreal Protocol this November will facilitate the United States' transition away from CFC inhalers.

Second, the FDA is required to develop criteria by which "essential use" allowances for CFC-propelled inhalers will be removed. These criteria shall require that a range of alternatives are available for each medication type, and that they are comparable in terms of dosage strength, delivery systems and safety and efficacy. Furthermore, the alternatives must be available in sufficient numbers to meet consumer demand.

Finally, the Asthma Inhaler Protection Act includes steps to ensure that manufacturers will begin to transition away from inhalers that employ CFCs. Under the bill, no new applications for products containing CFCs will be considered by the FDA after 1998 unless they represent a significant advance in technology. Any new approvals, however, will be subject to the same criteria as I described earlier.

Madam President, the transition to non-CFC propelled inhalers in the United States must be well-planned and take into account both patient and environmental concerns. It is clear that the FDA needs to rethink its approach. We knew this last year after the FDA published its proposal and was flooded by more than 10,000 comments from concerned patients, providers, state medical boards, and advocacy groups. These concerns were again raised last month during a Senate Labor and Human Resources Committee hearing which Chairman JEFFORDS held at my request.

The Asthma Inhaler Protection Act will ensure that the FDA balances patients needs with environmental concerns, and above all, does not jeopardize the lives of millions of Americans who depend on CFC metered-dose inhalers.

It is simply a matter of ensuring that the 30 million Americans currently dependent upon these inhalers—and all of us have seen them; these little canisters that asthmatics carry with them every day everywhere they go—we simply must ensure that as the FDA moves forward that they will do so in a way that ensures that patients all across this country are not allowed to go without medical care that they so desperately need; and that the policy of the FDA will be such that these patients will know that they are not going to have less choice than they have now; that the particular peculiar medical needs that asthmatics and others of respiratory diseases have will be met; that they will be assured that the needs that they have can be addressed; and, that the FDA will take those concerns into account as they move forward.

I believe the FDA will be responsive. This legislation, though, is there, and I am looking forward to working with Senator DEWINE, Congressman PATRICK KENNEDY and Congressman MARK FOLEY on the House side to ensure that as the FDA moves forward with its rulemaking that it will do so in a way that is going to ensure that 30 million