United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143 WASHINGTON, THURSDAY, JULY 24, 1997 No. 106

House of Representatives

The House met at 10 a.m.

The Reverend David F. Dzermejko, Mary, Mother of the Church, Charleroi, PA, offered the following prayer:

God of Abraham, Isaac, and Jacob, and Father of the Lord Jesus, in the elective leadership of our office, we gather as members of this magnificent assembly of Representatives, filled with the desire to serve all our people, irrespective of their color, creed, or social class, and at this moment we seek Your divine presence in our midst.

In this 221st year of our independence, so beautifully commemorated at the beginning of this month, we once more pledge ourselves to You as did the founding generation of our mighty Nation, and look for Your guiding spirit to give us wisdom beyond our years, justice beyond our geographic boundaries, and truth beyond our political affiliation.

We pray that the legislative decisions we make this day will reflect the glory of Your kingdom where one day we shall together share life forever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania [Mr. MASCARA] come forward and lead the House in the Pledge of Allegiance.

Mr. MASCARA led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 709. An act to reauthorize and amend the National Geologic Mapping Act of 1992, and for other purposes; and

H.R. 1226. An act to amend the Internal Revenue Code of 1986 to prevent the unauthorized inspection of tax returns or tax return information.

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2158. An act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2158) ''An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BOND, Mr. BURNS, Mr. STEVENS, Mr. SHELBY, Mr. CAMPBELL, Mr. CRAIG, Mr. COCHRAN, Ms. MIKULSKI, Mr. LEAHY, Mr. LAUTENBERG, Mr. HARKIN, Mrs. BOXER, and Mr. BYRD, to be the conferees on the part of the Senate.

The message also announced that the Senate had passed concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. Con. Res. 40. Concurrent resolution expressing the sense of the Congress regarding the OAS–CIAV Mission in Nicaragua; and

S. Con. Res. 41. Concurrent resolution calling for a United States initiative seeking a just and peaceful resolution of the situation on Cyprus.

WELCOMING FATHER DAVID DZERMEJKO, GUEST CHAPLAIN

(Mr. MASCARA asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. MASCARA. Mr. Speaker, I would like to welcome Father David F. Dzermejko, my pastor and today's guest chaplain, to our Nation's Capital.

Father David, along with Father John Marcucci, are the dedicated and hard-working spiritual leaders of Mary, Mother of the Church, my parish back in Charleroi, PA.

I would like to thank Dr. Ford, the House Chaplain, for his kindness and assistance in extending an invitation to Father David to give the opening prayer at this session of the U.S. House of Representatives. I am sure his message will help guide us through our journey today as we do legislative work.

I know Father David joins me in sending greetings and best wishes to Father John and the entire parish family at Mary, Mother of the Church.

While many of us on Capitol Hill talk about family values, I can say without hesitation and qualification that our parish family could serve as a national model for family values. The church has certainly served as an inspiration to my wife Dolores, me, and my entire family.

Hopefully Father David will enjoy his stay in Washington, DC. I assure everyone back home that I will take excellent care of the good Father.

Father David, again welcome and thanks for joining me in this morning's opening session. It is truly an honor to have you with us today.

Printed on recycled paper containing 100% post consumer waste

HONORING THE 150TH ANNIVERSARY OF THE ENTRY OF PIONEERS INTO THE STATE OF UTAH

(Mr. CANNON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. CANNON. Mr. Speaker, I rise in honor of today's 150th anniversary of the entry of the pioneers into Utah. The pioneer exodus was an event of monumental proportions. Seeking a land of opportunity and freedom, over 80,000 Mormon pioneers made the trek west in wagons, on horses, and on foot, covering the rugged trail from the shores of the Mississippi to the valley of the Great Salt Lake. It was blistering hot in the summer and deathly cold in the winter. Obstacles included disease, fatigue, hunger, and hostile natives.

My great grandfather, George Q. Cannon, was among those pioneers. At the age of 17, he lost both parents along the trail. Yet young George trekked on. He went on to become a Utah leader, fighting for statehood while serving in this very body as a territorial representative.

Today I honor my ancestor and his fellow pioneers for having the courage, fortitude, and the faith in every footstep to push on despite the obstacles, creating a legacy of faith and freedom.

TAX RELIEF FOR FAMILIES WHO TRULY NEED IT

(Mr. GEPHARDT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. GEPHARDT. Mr. Speaker, I would like to introduce to all of my colleagues the Boyer family of Ste. Genevieve, MO, in my district. No strangers to hard work and sacrifice, the Boyers are struggling to provide their children with a quality education.

Cecil is a janitor in the County Sheriff's Department; Mary, a biology and algebra teacher for the past 23 years at Valle Catholic High School, has started working a second job as an attendant at a local gas station.

Now not only are the Boyers taking out student loans, but their daughter, Cathy, a junior at Central Missouri State and their son, Kevin, a Jefferson Community College student are also working part-time jobs. Combined, the Boyer family, four people working five jobs, make about $50,000 a year, middle class by anybody's definition of the word.

Under the Democratic tax plan, the Boyers would receive a $1,584 tax cut; under the Republican vision of tax relief the Boyers would receive only $528 in tax cuts.

Republicans have taken weeks to reach agreement on a unified tax cut proposal, but for most middle-income families like the Boyers it was not worth waiting for.

We hope the President can persuade Republicans to move toward the Democratic tax cut and direct relief into the pockets of the families who truly need it.

MOVING TOWARD THE GOAL OF LESS GOVERNMENT AND MORE FREEDOM FOR THE AMERICAN PEOPLE

(Mr. RYUN asked and was given permission to address the House for 1 minute.)

Mr. RYUN. Mr. Speaker, this morning I would like to review some recent history. It is a matter of record that the American people have not had a tax cut in 16 years. It is also a matter of record that the Federal budget has not balanced in 28 years. It is a matter of record that we have never had Medicare reform.

Mr. Speaker, the 105th Congress is about to change all of that. This Congress is on the verge of passing the first tax cut in 16 years. This Congress is about to achieve the first balanced budget since 1969. This Congress is about to enact the first major reform in the Medicare Program in history.

While I do not believe the tax cuts go far enough and the budget will not be balanced soon enough, I do believe that we are moving toward the goal of less government and more freedom for the citizens of this Nation. The American people whom we serve deserve this.

INDEPENDENT CONTRACTOR PROVISION IS BAD FOR THE FUTURE OF OUR ECONOMY

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, the independent contractor provision is a potential disaster for the working people of our country. What would it do if adopted?

It would take away health care and pension benefits from millions of employees.

It would punish socially responsible employers and reward companies which refuse to invest in their workers.

It would mean an instant tax increase for workers who would pay twice as much in Medicare and Social Security taxes.

It would deny workers their legal protections against sex, race, age, and disability discrimination.

It would lead to the misclassification of millions of employees, and this would cost the U.S. Treasury billions of dollars.

Mr. Speaker, the independent contractor clause is bad for employees, bad for legitimate businesses, and bad for the future of our economy. Twelve Republicans wrote to the Speaker of the House citing their serious reservations about this clause. Seventy-nine Democrats wrote to the President asking him to delete this provision.

Let us reaffirm our commitment to America's workers and eliminate this provision from the final budget bill.

REPUBLICANS WANT TO EMPOWER FAMILIES BY TAKING AWAY SPENDING DECISIONS OF IRS AND PUTTING THEM BACK WHERE THEY BELONG

(Mr. ROGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGAN. Mr. Speaker, every morning in America, working families get up, send someone to work, sometimes two parents to work; they earn a paycheck, and they are required by law to send a big chunk of it back to the IRS in Washington, DC, so bureaucrats can make spending decisions for their families.

The Republicans in this Congress have proposed empowering families by taking those spending decisions away from the IRS and putting them back where they belong.

Our friends on the left do not agree with that proposal. They want to stop this tax cut, and the only way they can do it is to find some reason to be against it, and the argument we hear day after day is that it is a tax cut for the rich.

We should ask ourselves who they mean by the rich. They mean people earning $50,000 a year, like the family that the distinguished gentleman from Missouri [Mr. GEPHARDT] showed us. If someone owns a TV set and can listen to this debate, they are probably the rich they are talking about.

AMERICA'S WORKING FAMILIES DESERVE TAX RELIEF, NOT A TIME BOMB

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, the $50,000 argument my friend makes; it is not $50,000. Sixty percent of their bill, their tax bill, goes to people who make $250,000 a year or more. This tax plan is a time bomb. It reminds me of those crazy TV furniture commercials that we see on TV: No money down, no interest, no payment until 1999.

Mr. Speaker, who is going to get stuck with the bill taking care of these people making a quarter of a million a year that are going to get 60 percent of this bill? It is going to be America's working families.

Under this bill, a young police officer supporting a family makes $23,000 a year, puts his life on the line every day. He would not get a single dollar in child tax credit, not a single dollar. But when the deficit starts to soar again, he is going to foot the bill for those millionaires and those wealthy people.

The numbers do not lie. This Republican plan will create a deficit of $750 billion just as millions of baby boomers start to retire. It is a giveaway, an irresponsible giveaway to the wealthy in this country, it is not fair. America's working families deserve tax relief, not a time bomb.

THE TRUTH ABOUT TAX RELIEF

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KNOLLENBERG. Mr. Speaker, I want to respond to my friend from Michigan, Mr. BONIOR.

The administration continues to crunch numbers, trying to make most Americans rich; Americans, by the way, that are struggling, who are not rich.

I believe, finally, there is a balance here in this body that wants to give a tax cut to those people that deserve it. There are those on the other side of the aisle who complain about the tax cut, and I think they are really showing their true colors. They do not really care about struggling families, they do not want a tax cut anyway. What they want is to increase our taxes, they want the Government to have more of our money.

So if my colleagues really want a tax cut, just admit it and do all the working people in this country a favor: Tell them they do not know what is best for their family, tell them they need to pay more taxes, tell them they would rather take more money out of their pocket, tell them they should give more to the IRS. But please tell them the truth about tax relief.

□ 1015

GOOD NEWS AND BAD NEWS

(Mr. ROTHMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHMAN. Mr. Speaker, now is the time to give a tax cut to working and middle-income Americans. But there is good news and bad news in America today. The good news is that in the last 4 years, the Democrats, under President Clinton, have brought down the deficit, reduced the size of government, and we are on course to balance the Federal budget. It is time to give American families some of their hard-earned money back.

But the bad news today is that the Republicans want to give most of the tax cuts to the very wealthiest of Americans. Under the Republican plan, almost 70 percent of the tax cuts would go to the top 20 percent of income earners in America. Working and middle-class Americans need and deserve the tax cuts more. There is a difference between the Democrat tax cut plan and the Republican tax cut plan.

I have put forward a bill called the Lifetime Learning Affordability Act, which would actually give parents tax deductible IRA-like savings accounts so hardworking Americans could provide for their children's college education in a cheaper and safer way. Mr. Speaker, it is time we invest in working and middle-class Americans with a tax cut for them, not the rich.

A NEW DAWN IN AMERICA

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, there is a new dawn in America for working men and women. The Republican tax cuts will enable all hardworking Americans to keep more, not less, of the money they earn, giving them more freedom to grow, more freedom to prosper, and more freedom to create new jobs for others.

It will allow them to meet their personal needs and to fulfill their family responsibilities. A working father and mother will not have to take that second job that takes them away from their kids or from doing the things they enjoy. They will have more time to make a positive difference in their community. They will not have to go into debt or mortgage the family home or business just to send their kids to college. They can pursue that once out of reach dream of starting their own business.

Too often, Mr. Speaker, the crushing burden of Federal taxes undermines these vital opportunities and takes away our freedom to pursue our dreams. The Republican tax relief package is a first step in restoring those stolen dreams and freedoms, or creating new opportunities for all Americans to explore and enjoy.

I urge all my colleagues to support the Republican tax plan.

WINDFALL FOR THE RICH

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, what my colleagues on the other side of the aisle are not telling us about is the $22 billion windfall they are providing to the richest corporations in this Nation, the Exxons, the Boeings, where they would phase out in some instances the tax obligations of the richest corporations in the United States; yes, Mr. Speaker, zero, some of these corporations would pay zero in tax dollars, while hardworking middle-income American families would have to continue to pay their taxes, and these folks would get away with it.

Mr. Speaker, let me just tell the Members that they have come up with a new tax plan which is in the papers this morning, that proved that they have not changed their spots at all. This proposal combines the worst policies of the House and Senate tax bills. Do not take my word for it, let me quote from an editorial in this morning's Washington Post. I quote:

> The tax provisions remain the worst aspect of the GOP legislation. They are tilted hugely toward the very rich, and in the long run, would be a far larger drain on the Treasury than their authors acknowledge.

This latest budget proposal makes Republican priorities clear, clear as a bell: Huge tax breaks for the richest individuals and corporations in the United States.

REPUBLICAN CONSENSUS ON TAX RELIEF

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, I am very proud of my fellow Republicans. Last night we met for 3 hours and openly and honestly discussed our faults and our hopes for the future. We have heard and read the rumors about the nonexistent or alleged coup attempt, and we all know the Republicans do not always agree. But we decided to work together to overcome the obstacles that we have.

I admire our leadership. They open themselves to the media every day. Their lives are scrutinized by the public microscope, and this makes us all very guarded. Yet last night they opened themselves, they were vulnerable, honest, and frank. Any differences we had yesterday morning are now behind us. We are looking forward now.

As a team we are fighting for tax relief for working Americans. Together we will do all we can to overcome any reason, any excuse the opponents have to overcome tax relief, or to oppose tax relief.

Eventually there will be only one vote for tax relief. It will be at the request of the American people, with the consent of Congress, and with the agreement of the President. Either Members are for tax relief or they are against it. The Republicans have come together to get tax relief for working Americans.

BEWARE OF UNITED STATES-CHINA RELATIONSHIP

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, the country that tried to buy our presidency is now a country that holds the fate of the U.S. economy in its claws. While politicians in Washington are playing politics, China is now holding the third largest United States debt, right behind England and Japan. Beam me up.

And make no mistake, the people running China are Communists. Communists do not give a damn about democracy, and Communists have never supported America.

Beware, Democrats alike, do not take China lightly and do not take John Huang lightly. Huang just did not have friends at the Commerce Department, Huang has friends in high Communist places.

I yield back the balance of some problems here.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The Chair would remind Members to refrain from using anything close to profanity in their remarks.

HELP THE POOR, SUPPORT ECONOMIC GROWTH

(Mr. PAPPAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAPPAS. Mr. Speaker, what do the poorest Americans think of our tax relief proposal? What do those forgotten Americans who face great obstacles in life think about a tax plan that begins with the idea that Americans should be allowed to keep more of their own money? If it were up to them to design the tax bill, what would it look like?

I suspect what many of the poorest among us lack most is hope, so the question is, which tax relief measure would give those folks the most hope? Which tax bill would do the most for economic growth? Which tax bill would do the most to encourage job creation?

I know that economic growth is not something that liberals like to talk about, but economic growth is what would give the most hope for the future. That is why the tax on savings and investment needs to be reduced. If Members disagree, then I have but one question: Would lower economic growth help the poor?

REPUBLICAN TAX PLAN: HUGE TAX BREAKS FOR THE WEALTHY AND A BALLOONING DEFICIT

(Mr. PALLONE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Mr. Speaker, we found out this morning that the Republicans have come together on a unified budget bill that is far worse for the average working American than the previous versions that passed the House and Senate. Their unified tax bill is even more unfair to working families and deeply skewed to help the wealthy. In particular, the Republicans have refused to scale back on one of their prize tax breaks for the wealthy, allowing investors to index their capital assets to inflation and thereby reducing their taxes.

Of course, the media and the American people are waking up to this Republican proposal. Today in the Washington Post the headline in the editorial said ''A Dismal Budget Prospect.'' If I could read from a section, it says:

> The tax provisions remain the worst aspect of the legislation. Why? The President has stated two great objections to them: They are tilted hugely toward the very rich, and in the long run, would be a far larger drain on the Treasury than their authors acknowledge. The Republicans today in this unified tax plan have given no ground on either count;

again, huge tax breaks for the wealthy and a ballooning of the deficit.

THE REPUBLICAN TAX BILL IS RIGHT, FAIR, AND TIMELY

(Mr. SUNUNU asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SUNUNU. Mr. Speaker, this week Congress will finalize its proposal for tax relief for all Americans and begin discussions on that tax proposal with the President. During the past month Republicans have worked consistently to lower taxes for all Americans, with a $500-per-child tax credit, relief for families sending their children to college, providing death tax relief for small businesses and family farms. In fact, 75 percent of the tax relief in this proposal goes to those earning less than $75,000.

I hope the President will avoid the class warfare rhetoric we have heard today, but I am not optimistic. This administration's record falls short. In 1993 they pushed through the largest tax increase in America's history. This administration has proposed higher taxes on health care, taxes on energy, even taxes on camping equipment. They have called the reduction in the capital gains tax as being unnecessary and suggested that relief from death taxes is selfish.

The administration's record is one of higher and higher taxes. This is wrong. Americans deserve this tax relief. This bill is right, it is fair, and the time is now.

REPUBLICANS SHOULD COME BACK WITH A TAX PROPOSAL THAT HELPS AVERAGE WORKING FAMILIES

(Mr. BLAGOJEVICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLAGOJEVICH. Mr. Speaker, let me give an example of who benefits under the Republican tax plan. Sandy Weill is a CEO who last year earned $94 million. Under the Republican plan, he would enjoy a capital gains tax cut adding up to $7 million. The average American family earns a little more than $32,000 per year. Their entire annual income is, now get this, only four one-thousandths as big as the capital gains tax cut Sandy Weill would get under the Republican plan.

America has been good to people like Sandy Weill. With $94 million in income last year, I think he can wait for his tax cut. But most Americans cannot wait. They can use a tax cut now. Working families need it to pay their rent or mortgage, buy their groceries, raise their children, and maybe have a little left over for a rainy day.

I implore my Republican colleagues to take a second look at their plan and come back with a proposal that actually helps average working families. I know they can do it. They just have to want to.

TIME FOR THE LEFT TO STOP TWISTING THE TRUTH ABOUT TAX RELIEF

(Mr. BOB SCHAFFER of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, it is time for the left to stop twisting the truth about tax relief. That is the headline of the editorial in this week's U.S. News & World Report.

Here is what the editorial says. It says that ''The middle-class families that benefit from the Republican tax plan should hardly be considered rich.'' The editorial goes on: ''The way the left is trying to twist the tax debate, boldly ragging successful Americans as a way to achieve political points, trivializes the real issues and divides us as a people.'' That is what the U.S. News & World Report says.

The editorial suggests that the Democrat approach to this tax debate is a lot like the phony get-rich-quick schemes we often see on television, suggesting that somehow you magically become wealthy overnight. If Members are inclined to believe that kind of baloney, I would direct their attention to the get-rich-quick scheme presented here on my left.

All the Democrats, call the U.S. Treasury Department, 202–622–0120, and they can find out how, by applying their philosophy on taxes and income, their middle-class income actually makes them wealthy overnight, overnight. All Members have to do is call the Treasury Department, and they, too, can find out how the Democrats believe they are rich. Call the Treasury now, 202–622–0120. Democrat operators are standing by.

AN UNJUST AND UNFAIR REPUBLICAN TAX PLAN

(Mr. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, one purpose of Government is to suppress injustice. The Republican tax plan does just the opposite. This plan unjustly benefits the top 5 percent of income earners by giving them over 50 percent of the cuts. This plan unjustly

excludes working and middle-income students trying to pay for an education.

Take, for example, Tina, a single parent, mother of four, and student at Malcolm X College. With an income of $25,000, she pays $1,400 in tuition and fees. She would receive no break under the Republican plan. That is unjust. Under the Democratic plan, Tina would receive a $400 tax break. That is justice for a single mother of four attempting to get an education.

In addition to Tina, 4.8 million other Americans are left out by the Republican plan: Police officers, schoolteachers, dental assistants, and carpenters would not receive a break. The Republican plan can be summed up in three words: Unjust and unfair. Give America a break. Let us support a fair and just plan.

□ 1030

SUBPOENA TO CHAIRMAN OF HOUSE COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, something is wrong. How can it be that a House committee serves a subpoena on a Federal agency one day and 3 days later that same agency subpoenas the campaign records of that committee's chairman? Talk about politicizing the Justice Department.

Yes, it is curious but that is exactly what happened 2 weeks ago. The gentleman from Indiana [Mr. BURTON] sent a subpoena about campaign fundraising to the Justice Department on July 8. Bingo. On July 11, an FBI agent walks into his Indianapolis campaign office with a subpoena for all ''Burton for Congress'' records. We are not the only ones to think this is strange. Even Dan Rather on CBS News raised it on his program.

This is not what good government should be about, Mr. Speaker. It should not be a game of tit for tat. The gentleman from Indiana [Mr. BURTON] should not have to face a political prosecution or persecution just because he is trying to do his job. The Attorney General should not politicize our system of justice in this way.

CUTTING AMERICAN WORKERS

(Mr. GREEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GREEN. Mr. Speaker, the Republican majority has placed a provision in the budget bill to expand the definition of independent contractor. Because of the negotiation on tax cuts and health insurance for children and Medicare, not much has been said about this issue.

Mr. Speaker, this provision goes a long way toward taking away many of the benefits that employees need. We are not talking about personal parking spaces or perks. We are talking about health insurance coverage, pensions, and employer contributions to Social Security and unemployment insurance.

Employers say they want clear rules on how to classify an independent contractor. We can clarify those rules very easily without leaving a hole that one can drive a Mack truck through.

If this provision passes, perhaps millions of workers will lose their benefits and be classified as working for themselves, even though this is not the case. Outside of Washington people are concerned about and oppose this systematic downsizing and lowering of our standard of living. That is what this provision will do.

There is lots in that tax bill to be concerned about, but one of the things I am concerned about is the complaint of the American people that their standard of living is being lowered. They are doing it with this Republican bill.

MOTION TO ADJOURN

Mr. OBEY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The question is on motion offered by the gentleman from Wisconsin [Mr. OBEY].

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 64, nays 322, not voting 48, as follows:

[Roll No. 307]

YEAS—64

Abercrombie
Ackerman
Andrews
Berry
Bonior
Brown (CA)
Brown (FL)
Brown (OH)
Carson
Clay
Conyers
Coyne
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Doggett
Evans
Farr
Fazio
Filner
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Hastings (FL)
Hefner
Hinchey
Jefferson
Kennedy (RI)
Kilpatrick
Klink
Lantos
Lewis (GA)
Lowey
McCarthy (NY)
McNulty
Millender-McDonald
Miller (CA)
Mink
Moakley
Moran (VA)
Obey
Olver
Owens
Pallone
Pascrell
Pelosi
Sabo
Sanders
Sandlin
Serrano
Slaughter
Thompson
Torres
Vento
Waters
Waxman
Weygand
Woolsey
Yates

NAYS—322

Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Boyd
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Castle
Chabot
Chambliss
Christensen
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cramer
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (VA)
Deal
DeLay
Deutsch
Dickey
Dicks
Dixon
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Fattah
Fawell
Flake
Foley
Forbes
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kildee
Kim
King (NY)
Kingston
Kleczka
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Martinez
Mascara
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek
Menendez
Metcalf
Mica
Miller (FL)
Minge
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nadler
Nethercutt
Neumann
Ney
Northup
Nussle
Oberstar
Ortiz
Oxley
Packard
Pappas
Parker
Pastor
Paul
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sanchez
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Velazquez
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
White
Wicker
Wise
Wolf
Wynn
Young (FL)

NOT VOTING—48

Barton	Gilchrest	Neal
Berman	Graham	Norwood
Blumenauer	Hooley	Paxon
Boswell	Hoyer	Pomeroy
Brady	Hyde	Radanovich
Cardin	Johnson, E. B.	Rangel
Chenoweth	Johnson, Sam	Roemer
Cox	Kaptur	Sawyer
Crane	Kennelly	Schiff
Davis (FL)	Kind (WI)	Skaggs
Diaz-Balart	Lampson	Stark
Dingell	Markey	Stokes
Dooley	Matsui	Sununu
Engel	McCarthy (MO)	Thurman
Eshoo	McDermott	Whitfield
Foglietta	Molinari	Young (AK)

□ 1055

Messrs. PACKARD, GEKAS, LEACH, CASTLE, LEWIS of California, HINOJOSA, SMITH of Michigan, BONO, BOEHNER, KANJORSKI, and Ms. SANCHEZ, changed their vote from ''yea'' to ''nay.''

Mr. OWENS changed his vote from ''nay'' to ''yea.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. SKEEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill (H.R. 2160) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1998, and for other purposes, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from New Mexico?

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore. Pursuant to House Resolution 193 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2160.

□ 1058

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2160) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1998, and for other purposes, with Mr. LINDER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, July 22, 1997, the bill had been read through page 27, line 23, and pending was the amendment by the gentleman from Wisconsin [Mr. OBEY].

Pursuant to House Resolution 193, no further amendments to the bill or amendments thereto are in order except the amendments printed in the CONGRESSIONAL RECORD before July 22, 1997, the amendments printed in the CONGRESSIONAL RECORD numbered 21, 22, 23, and 35, one amendment by the gentleman from California [Mr. COX] regarding assistance to the Democratic People's Republic of Korea, and the amendment by the gentleman from Wisconsin [Mr. OBEY], pending when the Committee of the Whole rose on July 22.

Each amendment is considered read, debatable for 10 minutes, except as provided in section 2 of the resolution, equally divided and controlled by the proponent and opponent.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

After a motion that the Committee rise has been rejected on a day, the Chairman of the Committee of the Whole may entertain another such motion on that day only if offered by the Chairman of the Committee on Appropriations or the majority leader or their designee.

After a motion that the Committee rise with the recommendation to strike out the enacting words of the bill has been rejected, the Chairman of the Committee of the Whole may not entertain another such motion during further consideration of the bill.

Pending is the amendment by the gentleman from Wisconsin [Mr. OBEY].

Pursuant to the resolution, the gentleman from Wisconsin [Mr. OBEY] and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

□ 1100

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, 2 years ago, when the majority party tried to cut the School Lunch Program, this Congress and the Nation finally rejected that. Last year, they tried to cut the WIC Program, the feeding program for women, children, and infants. The country rejected that. Now we are back with this bill, and this bill is $30 million short of the amount that is apparently required in order to prevent 55,000 women and children from being knocked off the program.

At the same time, this Congress is being asked to approve a tax cut which will provide, on average, a $27,000 tax cut to the richest 1 percent of people in this country. I think that is unconscionable. The bill itself is $180 million below the President's budget for the WIC Program.

The amendment that I am offering today simply does not even restore the President's request. We simply try to restore $27 million so that we assure that no person is knocked off the program in the coming fiscal year. Now how do we pay for it? We pay for it simply by eliminating $36 million, which has been put in this bill above the President's budget to pay for subsidies for commissions for insurance agents who write crop insurance.

This is not aimed in any way at changing what farmers receive by way of crop insurance. This is not aimed in any way at affecting what farmers pay. It is simply aimed at the abuses in the commissions which were described by the General Accounting Office when they pointed out that they had discovered above-average commissions paid to agents by one large company. They discovered the Government was being charged for corporate aircraft and excessive automobile charges, we were being charged for country club memberships and various entertainment activities for agencies and employees such as skybox rentals at professional sporting events.

This amendment is, purely and simply, aimed at ending the rip-off of both farmers and taxpayers by some people who are involved in this program so that we can free up some money for starving and malnourished kids. It is as simple as that. I urge support of the amendment

Mr. Chairman, I reserve the balance of my time.

Mr. SKEEN. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to the Obey amendment.

I would like to point out that we have worked long and hard to put together a bill that is reasonable and fair to all aspects of USDA, FDA, CFTC, and farm credit. I think we have before this House a bill that is balanced. It takes care of the needs of farmers and ranchers; research related to nutrition and ag production; housing, rural development, and nutrition of low-income people and the elderly; food, drug and medical device safety; and food for the needy overseas.

I appreciate the gentleman from Wisconsin [Mr. OBEY] trying to do what he is trying to do. If my colleagues look at this bill, they will see that we both regard WIC as the highest priority item in it. WIC received the largest increase in this bill, at $118.2 million over last year. This is on top of $76 million that was recently provided in the supplemental. With this increase, WIC is funded at $3.924 billion in fiscal year 1998. This amount fully supports the current participation level of 7.4 million.

My colleague, the gentleman from Wisconsin [Mr. OBEY] says that if this amendment does not pass, 55,000, now they are going up about 5,000 a day from what I can gather after hearing the new statistics, 55,000 women, infants and children will be taken off the program.

I do not know where this information came from. We have two Statements of Administration Policy from the Executive Office of the President concerning this bill, and neither one says a word about people being forced off the program with the funding level included in this bill as it is now. We have heard these scare tactics before, let us not fall for them again.

Mr. Chairman, I have presented this House with a balanced bill. This is a bill of compromises. The amendment in full committee to increase crop insurance also provided an increase for the FDA food safety initiative and tobacco regulation enforcement activities. This is a bill that can and should be supported by every Member of this body. I support this bill and ask my colleagues also to support it, and I oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, could I inquire how much time each side has remaining?

The CHAIRMAN. Each side has 12½ minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the gentleman from New York [Mr. HINCHEY].

Mr. HINCHEY. Mr. Chairman, we live in a country where our agricultural production is so bountiful that it exceeds that which our people can consume. We have excess agricultural production each and every year. At the same time, hundreds of thousands of people in our country go to bed hungry every night. Many of these people who are hungry are women who are carrying infants, pregnant women. Others are young mothers, their infants and children.

This is a brutal paradox. And the brutality of it is made worse by the bill before us, because the bill before us would deprive, it is estimated, 50,000 people, young mothers, pregnant women, young children, infants, from the ability to participate in the women, infants and children program, which provides basic nutrition for those folks.

The Obey amendment seeks to correct that brutal situation by restoring $24 million to the women, infants and children program so that some of those pregnant women, some of those young mothers, some of those infants, and some of those children will get proper nutrition. This is a reasonable thing to do.

The opposition says that the Obey amendment is going to hurt farmers. The facts of the matter are quite the contrary. The Obey amendment will help farmers. It will help farmers by taking care of some of that excess agricultural production. Dairy, for example. We have excess dairy production all across the northeastern part of this country and elsewhere in the United States.

The Obey bill will make sure that some of that excess milk and other dairy products are consumed by people who are hungry and need the nutrition. It is a sensible, reasonable thing to do. He takes the money, the $24 million, from the commissions of people who sell crop insurance. And he talked a little bit earlier about some of the specific benefits, like skyboxes and airplane trips and things of that nature, that are enjoyed by these commissioners. And they will be, unfortunately, deprived of those amenities, but that money now will be used to make young mothers, pregnant women, young children whole, give them better nutrition, make them strong, make them healthy. It is a good amendment, and I hope that all Members of this House will support it.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon [Mr. SMITH].

Mr. SMITH of Oregon. Mr. Chairman, I thank the gentleman from New Mexico [Mr. SKEEN] for yielding me the time.

Maybe it is time that we reviewed the facts in this issue rather than listen to the rhetoric. So let me just review the facts for one moment. The gentleman from Wisconsin [Mr. OBEY] offers to reduce the crop insurance program by $23 million, adding it to a $3.9 billion program for WIC. That is almost an insignificant addition, if we understand the immensity of the WIC program already.

However, if we take that same amount from the crop insurance program, we destroy the crop insurance program, we reduce it by 20 percent, it will not be available for agriculture. There will be nobody to deliver the crop insurance.

So while all of us are concerned with the WIC Program, as we should be, I note that this issue was never raised in committee. There were no negative votes on this question. Everybody seemed to have their arms thrown around the program offered by the chairman, until we reach the floor. Is this a hit-and-run on the committee system? I suggest it well may be.

Where should this whole thing be decided? We have added, as mentioned, $118 million to WIC at the same time in committee. Where should this be decided? It should be decided where it has always been decided. The Secretary of Agriculture of the United States of America and crop insurers ought to sit down and negotiate this program. That is what is being done now. We should not take away the negotiation opportunity for farmers by passing this kind of legislation.

So, please, reject the Obey amendment and allow this to be done, as it is properly done, between the Secretary of Agriculture and crop insurers.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Colorado [Ms. DEGETTE].

Ms. DEGETTE. Mr. Chairman, one of the measures of a strong and prosperous nation is its ability and willingness to take care of its neediest communities. I believe, we as a country, have an obligation to address the problems of our most vulnerable citizens. We have a whole wealth of new research indicating importance of proper care for children, particularly at-risk children during their first few years of life.

The very least we can do for these young children is to make sure that they have access to proper nutrition during these formative years. WIC has been proven to be one of our most successful programs at reducing low birth weight, infant mortality, and child anemia. It is one of the most effective social programs that we have.

Why, then, would we fund WIC coming out of the committee $30 million short of what we need to simply maintain the current caseload in 1998? This subtraction of the $30 million will have a direct impact on children's health in this country. I think that the cost could be exacerbated, in fact, if the cost of food is higher in fiscal year 1998.

I think we need to look carefully at funding this program at levels that we have funded it in the past. I am sympathetic with the concerns of small farmers, but the money that this amendment is taking it from comes from insurance premiums. A GAO study in fact showed that the money that these insurance agents are taking from this program is being used for things like skyboxes. And frankly, if you weigh children's nutrition and healthful food and infant formula against skyboxes, I think the choice is pretty clear.

This is not an intention to hurt farmers. And in fact, I think that we should support our farmers of this country, and I think the farmers of this country would support and do support programs that benefit young children.

And so, for those reasons, I think this is a great amendment. I thank the gentleman for raising it.

□ 1115

Mr. SKEEN. Mr. Chairman, I yield 3½ minutes to the gentleman from South Dakota [Mr. THUNE].

Mr. THUNE. Mr. Chairman, I would just like to point out because I was down here on the debate on the supplemental disaster bill and I was one who voted for $76 billion additional spending on the WIC Program. As was noted earlier today, we have a $118 million increase in WIC over last year's level in this appropriation bill.

What I would like to speak about for just a minute because I was listening with great interest a couple of nights ago to the debate on crop insurance, I found somewhat humorous, if not tragic, the constant reference to skyboxes. I can tell my colleagues about the typical crop insurance agent in my State of South Dakota. Their business is on Main Street. They are mom and pop operations whose main line of business is probably another field of insurance, but they are also involved in crop insurance because somebody has to do it. They are not cutting a fat hog. They are making a living, having a tough

time of it, because they are dealing with a program which is fraught with redtape and bureaucracy.

As I have listened to the crop insurance agents explain to me how difficult it is to be in this business, one of the things that repeatedly comes up is how much bureaucracy and redtape there is. I think as I look the our State of South Dakota, we have 77,000 square miles. Agriculture is our No. 1 industry. We do not have a professional sports team in South Dakota, so our guys are not going to skyboxes. But we have a lot of small crop insurance agents who make this program work. As a matter of fact, 90 percent of the farmers, the producers in South Dakota, are in the crop insurance program and 75 percent at the buyup level.

That is precisely what we wanted to do by changing Government policy in this country, to encourage our producers to protect themselves against future loss so that we do not down the road have to come in with taxpayer dollars in the form of disaster assistance.

Let me tell Members what I think are the alternatives if we do not have a workable crop insurance program. The first one is it will go back to the Federal Government. We will have a delivery system where the Federal Government is once again in the business of crop insurance. I think that is a lot less preferable than having people in the private sector who are delivering this program in a way that makes sense and is efficient and saves the taxpayers dollars.

The second alternative is to have no program at all. Where does that leave us? That leaves us exactly where we were before, and that is year in and year out as a disaster strikes we will be coming back to the Congress and asking for disaster assistance to go to producers in the States that are in the business of agriculture.

I think we have an efficient system that is delivering the product, that is working, and it is to our advantage to have a program that works for the producers, for the people who are trying to make a living, in the business of selling crop insurance, and if we do not have that sort of a system in place, those are the alternatives that we are left with.

I would like to say, because I heard the other night the discussion on skyboxes, it might please the gentleman from Wisconsin to know that I am a Green Bay Packers fan and have been since I was about 5 years old. I have never been to a Green Bay Packers game, but I hope that someday in the future I will. I can assure the gentleman that if and when that happens that I probably will not be in a skybox. I would be happy to sit in general admission, which is where the crop insurance agents in my State of South Dakota, who are small businesses, mom and pop operations, will be sitting with me.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, I am very interested in all this discussion about small farmers. I am probably one of the few small farmers in this body. I have a small farm. I sure do not get whole lots of Federal subsidies or insurance agents. I never heard of this commission. But I do know about women's health. I do know what it means when a woman who is pregnant gets good nutrition. I do know what it means when a small child gets good nutrition. All these subsidies for farmers, come on. Farmers are in business. We do not subsidize farmers, or we should not. We certainly should not subsidize insurance agents, at the cost of health care and nutrition. We know that every dollar we put into health care and nutrition for pregnant women is a dollar that pays back time and time again.

What does America stand for? Does it not stand for our children? Let us support the Obey amendment because the Obey amendment is sensible. It is common sense. It is common sense to invest in prevention. All this talk about skyboxes, gee, I never as a small farmer have ever seen one of these commissioners. I buy insurance because I think that is the American way. We buy things for small business. We do it ourselves. We do not take money and food out of the mouths of pregnant women and children so that we in business can get a little subsidy.

As a farmer, I say let us support WIC. I say let us support the Obey amendment. Let us say finally that this is not a country that subsidizes everybody who wants to be in business. This is a country that stands for something. One of the things we stand for is healthy children, healthy mothers. I thank the gentleman from Wisconsin [Mr. OBEY] for presenting this amendment. I say we should all support it.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. I thank the gentleman for yielding me this time.

Mr. Chairman, let me first say that if there is a greater supporter of the WIC Program in this body than CHARLIE STENHOLM, I do not know who it might be. I am a great supporter of WIC. It does wonderful things for people that need wonderful things done for them.

This bill, as presented to us, increases by $118 million the amount of dollars in the WIC Program. If it will take more, I will be glad to join with my colleagues in supporting more. But let me remind all of us, we are dealing with tight budgets. That means we have got to scrutinize all programs, including the good ones, if we are going to do our job.

In regard to crop insurance, I am a great supporter of crop insurance. We have some terrific problems, and time will not permit me to talk about some of the frustrations I have with the crop insurance program today. But this is not the time and the place to revise and reform the crop insurance program. That belongs in the authorizing committee, and we are going to do that.

Let me remind everyone in regard to agents, right now we are racheting down the reimbursement rate for crop insurance agents from 31 percent to 29 percent. We are scheduled to go to 28 percent in 1997. This bill takes it to 27 percent 1 year earlier. Therefore, all of the rhetoric about where this is going and how it is going to do, let me say to my colleagues, this is not the place to make arbitrary judgments regarding the crop insurance plan for some alleged wrongdoing. Stick with the committee bill, defeat the Obey amendment. We are all going to be supportive of WIC. We all are going to be supportive of crop insurance reform, but let the authorizing committee do its work, which I will publicly admit we have not done as yet, and that is a black mark on us, not the appropriators.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, let me try to place this debate and discussion in some context. The fact of the matter is that in the last session of the Congress, the Republican majority did not appropriate enough money for the WIC Program, Women, Infants and Children Program. They were forced, and in fact we helped to force them, to increase those dollars at the end of the process so that women, infants, and children would not be thrown off of the program. In fact, in several States that process has started. But the Democrats forced that debate in order for there to be an increase in funding in the WIC Program, what my colleague from Wisconsin is trying to do, because once again the Republican majority is shortchanging the WIC program and we will find ourselves in the same position where we will look at approximately 55,000 people, women, infants and children, who will not be able to avail themselves of the program. My colleague from Wisconsin is trying to avoid that situation and in fact restore money so that we will not have to take women, infants and children off of this program. This program, we find, is a cost-effective one. It saves us dollars in other programs. It is a wise investment. What the Obey amendment is suggesting is that what we take the money from is the increase in the insurance rates to those who offer crop insurance to farmers. This does not decrease the amount of dollars to farm subsidies.

I understand the problem of small farmers, or I try to do that. The fact of the matter is that the insurance agents are the ones who are benefiting from this effort. I trust the fact that we are trying to bring down the number, but we are talking today about 24 percent of premium. This is a hefty amount of premium. This should not go to the insurance agents but to women, infants and children.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. BONILLA].

Mr. BONILLA. Mr. Chairman, I stand in opposition to the Obey amendment. As working families in every corner of the country go to the grocery store today, they will find about 10,000 items to choose from. In many cases, the overwhelming majority of the cases, they will find good prices for good food products that people can buy in this country. People take that for granted, not understanding how important our agriculture industry is to this country. To amend this bill and to hurt farmers eventually will hurt consumers as they try to buy food in the grocery store.

I know in this day and age we have become a victim to a great degree of our materialistic success and as we go to buy food in stores many Americans think somehow it just comes from the back storeroom or from a truck that came down the road, but that all started out on a farm in some State in this country. To do this to our farmers is a sad commentary on what we are arguing about here today.

The WIC Program is something that we all support. We on our subcommittee in a bipartisan way have supported increased funds for the WIC Program because it is important. But to demagog this issue in the way that it is being demagoged this morning is a real tragedy. I hope Members will look in their hearts and look for the truth in what we are debating about here today and support the position that we have taken on the subcommittee to fully fund crop insurance and fully fund the WIC Program.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from New Jersey [Mrs. ROUKEMA].

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Chairman, I want to address my concerns very briefly to the colleagues who have fiscal concerns. There is no better way to put it than to say we should not be penny wise and pound foolish on this subject. This is not profligate Government spending we are debating here. The WIC Program is a program that works and in the longer term actually saves Federal money. For every $1 used in the prenatal segment of the WIC Program, Medicaid saves untold amounts of money and gives healthy productive lives to all these children. WIC works, to put it very bluntly. It is not an area where we should be penny wise and pound foolish.

I guess I have got to say, Mr. Chairman, and speaking now as a Republican fiscal conservative, in this the wealthiest Nation in the world, we should not see children going to bed hungry.

Mr. Chairman, I rise in support of the Obey amendment to increase funding for the WIC Program by over $24 million by implementing offsetting cuts in funding for crop insurance sales commission.

Mr. Chairman, this amendment is a natural follow-on to the farsighted decision made by this Congress in May to fully fund the WIC Program in the disaster supplemental.

Today, we are reducing for crop insurance sales commissions to provide food and health security for our children. Mr. Chairman, in the constant struggle to make sure that we set our priorities straight, this amendment is another step in the right direction.

For those of my colleagues who have fiscal concerns—don't be penny-wise and pound-foolish.

This is not profligate Government spending we are debating here. The WIC Program is a program that works, and in the longer term, actually saves Federal money. For every $1 used in the prenatal segment of the WIC Program, Medicaid saves untold moneys and gives healthy productive lives to these children and cannot be measured in dollars and cents.

WIC works. It reduces the instances of infant mortality, low birthweight, malnutrition, and the myriad other problems of impoverished children. The WIC Program also provides valuable health care counseling for expectant mothers for both mothers and children.

In recent months Time and Newsweek magazines have written feature articles on the importance of the years from birth to age 3. These articles validate longstanding research based on up-to-date studies of prenatal and early childhood development. WIC funding is a big part of the future development of these infants. Let's not be penny-wise and pound-foolish.

This $24 million for the WIC Program is good investment. A wise investment, at that.

Mr. Chairman, this is the wealthiest Nation in the world and yet, children still go to bed hungry.

WIC must remain fully funded and should be off limits. Only then will we preserve food for hungry babies.

Mr. Chairman, we can take advantage of an opportunity today.

We can meet the challenge of fiscal responsibility in two ways: First, through budget neutrality, that is finding offsets as we appropriate funds to different programs, and second, by making wise investments.

This is a wise investment.

With this amendment, we have the opportunity to enhance WIC funding and thereby protect low-income women and children and—incidentally—the taxpayer.

I urge support of this amendment.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. MINGE].

Mr. MINGE. Mr. Chairman, I certainly count myself among those in this body that fully support the WIC Program. I think that it ought to be funded so that it can operate and provide services and food to all that meet eligibility requirements. That, I do not think, is what is at issue here this morning. We are talking about a zero sum game. We are trying to increase the funding of one program at the expense of another. Of course it sounds more attractive to say we are going to feed infants and pregnant women at the expense of providing insurance agents with commissions. But I submit that is not really the issue. The issue is what type of a crop disaster program do we wish to have. Do we wish to have one that is based on an insurance principle or do we want ad hoc disaster payments? In the past we have paid out billions of dollars in some years in ad hoc disaster payments to farmers for crop losses. With an insurance-based program, the farmers are purchasing insurance. In order to make that program effective we have to have agents selling the insurance, and this program is essential to maintain that commission program and those agents.

□ 1130

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. LATHAM].

Mr. LATHAM. Mr. Chairman, I spoke the other evening on this subject, and there is a lot been made about the WIC program and caring for women, infants and children. There is plenty of money already in the bill for that, more than what is needed as far as the carryover. But I think one thing that is being very much forgotten here is the women, infants and children of farm families that they are going to destroy by taking away an opportunity for them to protect the risks that they have out there.

Mr. Chairman, when we look at the hope and dream of a small family farm which is made up, by the way, of women, infants and children, they would rather have them apparently go on the welfare rolls than they would to survive in their businesses. All we are asking for is the opportunity for these people, these small farm families, to protect their risk so that they do not have to get on a Government program, so that we do not have to have disaster bills which cost us billions of dollars every year.

If my colleagues want to think about women, infants and children, why do they not think about those on family farms?

Mr. OBEY. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Wisconsin has 3 minutes remaining.

Mr. OBEY. Mr. Chairman, I yield myself the remaining time.

Mr. Chairman, a propaganda sheet has been circulated by lobbyists who are lobbying against my amendment, claiming that this is an amendment that attacks farmers. That is certainly not true. I represent farmers, I have fought for them all my life; in my view farmers are not hurt by this amendment, they are hurt by two things. They are hurt by the misguided farm policies of the Reagan, Bush, and Clinton administrations that we suffered through for the last three administrations, and they are also being hurt by the failure of the Committee on Agriculture to reform the crop insurance program so that we do not get ripped off by some of the agents involved in this program. Most of the agents involved are perfectly rational, responsible and fair-minded people, but the fact is that nonetheless the program is

being ripped off. If we separate fact from fiction, the fact is that nothing in this amendment changes crop insurance for farmers, nothing in my amendment changes what farmers will pay for crop insurance. What we are trying to do is to stop the rip-offs on the commissions that some of the insurance agents are getting.

Now the lobby sheet that is being circulated says that 10 percent commission is not enough. We are not cutting this to 10 percent. We are trying to cut the commission from 28 percent to 24½ percent, which is the amount USDA and the Office of Management and Budget both say is sufficient to run the program. We are not cutting it to 10 percent. And the reason we are doing that, as I said earlier, is because we have a General Accounting Office report which indicates that some of the commissions being charged included charges for corporate aircraft, excessive automobile charges, country club memberships, rental of things such as skyboxes, and they suggest that the best way to tighten up this program is to do exactly what we are doing in this amendment.

I know we passed a freedom to farm program last year. I did not vote for it because I thought it was a lousy bill. But the fact is, freedom to farm is not freedom to milk farmers. It is also not freedom to milk taxpayers as some of these commissions are doing.

The fact is my amendment is supported by the U.S. Department of Agriculture, it is supported by the Office of Management and Budget, it is an attempt to end the rip-offs of this program, and that is in the benefit of farmers. It is an attempt to use the money we save to help starving infants and to help malnourished mothers who are about to give birth to children who we want to be healthy. That is what it does.

Stick with the kids. Do not listen to this propaganda sheet being pedaled by some of the agents. I urge support for the amendment.

Mr. SKEEN. Mr. Chairman, I yield 30 seconds to the gentleman from Maryland [Mr. BARTLETT].

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Chairman, three of the six counties in our district are in Appalachia where WIC is a very important program. I am a strong supporter of WIC, and if I believed for 1 minute that this bill shortchanged the WIC Program, I would be supporting the Obey amendment.

I think the facts indicate otherwise. The WIC Program is completely funded in this program. We need to vote ''no'' on this amendment.

Mr. SKEEN. Mr. Chairman, I yield myself the balance of my time.

Let me close and let me state the facts, the facts, once again. This bill does not force anyone to be taken off the program. I do not know where they are getting this information, but we have two statements of administration policy from the Executive Office of the President concerning this bill, and neither one says they are worried about people being forced off the program with the funding level included in the bill. We have heard these scare tactics once again raised, but, Mr. Chairman, they are not true, we have given our colleagues the facts, and I oppose this amendment.

Ms. MILLENDER-McDONALD. Mr. Chairman, I rise to thank and support my colleague, Mr. OBEY, for introducing such an important amendment today. The current bill provides just enough money to maintain current participation levels, but it is based on the assumption that the number of women and children in need and the cost of food will remain absolutely constant. A similar miscalculated assumption brought all of us to the floor 2 months ago to vote on increased funding for WIC in the middle of the 1997 fiscal year.

The WIC funding level does not provide enough funding to ensure that no women, child or infant will be cut from this critical program. The cost of infant formula, for example, depends in part on the contract the State WIC program secure with formula manufacturers. This is not a fixed price. Furthermore, the prices for which the manufacturers have offered to sell formula to State WIC programs have been steadily increasing. If this trend continues, which many expect that it will, then this appropriations bill will fall far short of ensuring that current participation levels are maintained.

The Office of Management and Budget and the U.S. Department of Agriculture project that the funding level the committee has provided would result in the loss of 55,000 to 60,000 women, infants, and children next year alone. In my State of California, 1,225,800 low income and nutritional at risk pregnant women, infants, and children benefit from WIC. It is not fair to suddenly strip many of these women, infants, and children of this vital program in the middle of the 1998 fiscal year simply because we have lacked the foresight now to make accurate predictions of the needs of WIC recipients.

The WIC program is one of the most cost-effective and successful programs in the country. The Government saves $3.50 for each dollar spent on WIC for pregnant women in expenditures for Medicaid, SSI for disabled children, and other programs. More importantly, research has demonstrated how effectively WIC reduces low-birthweight babies, infant mortality, and child anemia.

On behalf of the State of California, which operates the largest WIC program in the country, I urge all of my colleagues to join me in voting ''yes'' on the Obey amendment. I yield back the balance of my time.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 195, noes 230, not voting 9, as follows:

[Roll No. 308]

AYES—195

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berman
Bilirakis
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Conyers
Costello
Coyne
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Dooley
Doyle
Ehlers
Engel
Ensign
Eshoo
Evans
Fattah
Fawell
Filner
Flake
Foglietta
Forbes
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Furse
Gejdenson
Gephardt
Gibbons
Gilman
Green
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Horn
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Moakley
Moran (VA)
Morella
Nadler
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pappas
Pascrell
Pastor
Payne
Pelosi
Porter
Poshard
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Riggs
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Salmon
Sanchez
Sanders
Sawyer
Saxton
Schumer
Scott
Serrano
Shays
Sherman
Skaggs
Slaughter
Smith, Adam
Stokes
Strickland
Stupak
Sununu
Tauscher
Thurman
Tierney
Torres
Towns
Traficant
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Weygand
Wise
Woolsey
Wynn
Yates
Young (FL)

NOES—230

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bateman
Berry
Bilbray
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Boyd
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chambliss
Chenoweth
Christensen
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Deal
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Farr
Fazio
Foley
Ford
Fowler
Frost
Gallegly

Ganske	Leach	Ryun
Gekas	Lewis (CA)	Sandlin
Gilchrest	Lewis (KY)	Sanford
Gillmor	Linder	Scarborough
Gonzalez	Livingston	Schaefer, Dan
Goode	Lucas	Schaffer, Bob
Goodlatte	Manzullo	Sensenbrenner
Goodling	McCollum	Sessions
Gordon	McCrery	Shadegg
Goss	McDade	Shaw
Graham	McHugh	Shimkus
Granger	McInnis	Shuster
Greenwood	McIntosh	Sisisky
Gutknecht	McIntyre	Skeen
Hall (TX)	McKeon	Skelton
Hamilton	Metcalf	Smith (MI)
Hansen	Mica	Smith (NJ)
Hastert	Miller (FL)	Smith (OR)
Hastings (WA)	Minge	Smith (TX)
Hayworth	Mollohan	Smith, Linda
Hefley	Moran (KS)	Snowbarger
Herger	Murtha	Snyder
Hill	Myrick	Solomon
Hilleary	Nethercutt	Souder
Hinojosa	Neumann	Spence
Hobson	Ney	Spratt
Hoekstra	Northup	Stabenow
Holden	Norwood	Stearns
Hooley	Nussle	Stenholm
Hostettler	Oxley	Stump
Houghton	Packard	Talent
Hulshof	Parker	Tanner
Hunter	Paul	Tauzin
Hutchinson	Paxon	Taylor (MS)
Inglis	Pease	Taylor (NC)
Istook	Peterson (MN)	Thomas
Jefferson	Peterson (PA)	Thompson
Jenkins	Petri	Thornberry
John	Pickering	Thune
Johnson, Sam	Pickett	Tiahrt
Jones	Pitts	Turner
Kasich	Pombo	Upton
Kim	Pomeroy	Walsh
King (NY)	Portman	Wamp
Kingston	Pryce (OH)	Watkins
Klug	Radanovich	Watts (OK)
Knollenberg	Redmond	Weldon (FL)
Kolbe	Regula	Weller
LaHood	Riley	White
Largent	Rogan	Whitfield
Latham	Rogers	Wicker
LaTourette	Rohrabacher	Wolf
Lazio	Royce	

NOT VOTING—9

Barton	Kaptur	Schiff
Dingell	Molinari	Stark
Hyde	Neal	Young (AK)

□ 1156

The Clerk announced the following pair:

On this vote:

Ms. KAPTUR for, with Mr. BARTON of Texas against.

Ms. DANNER and Messrs. CLYBURN, COX, ENGLISH of Pennsylvania, ROHRABACHER, and MOLLOHAN changed their vote from ''aye'' to ''no.''

Messrs. PAPPAS, GIBBONS, SUNUNU, and STRICKLAND changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRY

Mr. OBEY. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] will state his parliamentary inquiry.

Mr. OBEY. Mr. Chairman, I would like to ask, what are the rules of the House in terms of distributing literature at the door which absolutely, totally misdescribes and libels the amendment that was just offered by me?

There is a sheet that was distributed which says ''Vote no on the Obey amendment to kill crop insurance''. It does absolutely no such thing. This House has a rule against that kind of misinformation. I would like to know what the rule is.

The CHAIRMAN. The rule is that anything that is handed out at the doors or on the floor must bear the name of the Member authorizing it.

Mr. OBEY. Could I ask, Mr. Chairman, what are the rules with respect to sheets which are absolutely, totally false and erroneous?

□ 1200

The CHAIRMAN. The rules of decorum may generally be applied to the contents of such handout.

Mr. OBEY. Mr. Chairman, I have a further parliamentary inquiry.

Mr. Chairman, under the rules of the House, what are the remedies available to a Member when the amendment that he has offered to the House is being falsely described in a sheet handed out by another Member?

The CHAIRMAN. The Chair is reluctant to address the question in a hypothetical manner but would be pleased to consult with the gentleman.

Mr. OBEY. Mr. Chairman, I do not understand that response. This is not a hypothetical situation. This just occurred. I thought there was a requirement for truth on the sheets that are being distributed.

The CHAIRMAN. The Chair suspects the remedy would be the same as the remedy for any action by any Member in any committee.

Mr. OBEY. Mr. Chairman, I suggest this is an outrageous misstatement of the facts. The truth is regular order.

The CHAIRMAN. The Chair understands the gentleman's concern but has not had an opportunity to examine the flier.

AMENDMENT NO. 4 OFFERED BY MR. MEEHAN

Mr. MEEHAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. MEEHAN:

In the item relating to ''RISK MANAGEMENT AGENCY'' in title I, after the last dollar amount, insert ''(reduced by $14,000,000)''.

In the item relating to ''SALARIES AND EXPENSES''—''FOOD AND DRUG ADMINISTRATION'' in title VI, after the aggregate dollar amount in the first undesignated paragraph, insert ''(increased by $10,000,000)''.

The CHAIRMAN. Pursuant to House Resolution 193, the gentleman from Massachusetts [Mr. MEEHAN] and a Member opposed, each will control 5 minutes.

Does the gentleman from New Mexico seek the time in opposition to the amendment?

Mr. SKEEN. Yes, Mr. Chairman, I do. I rise in opposition.

The CHAIRMAN. The gentleman from New Mexico [Mr. SKEEN] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Chairman, I yield 2½ minutes to the gentleman from Utah [Mr. HANSEN], my Republican colleague, a leader in the fight to protect America's children against tobacco and the cochair of the task force on tobacco and health in the Congress.

(Mr. HANSEN asked and was given permission to revise and extend his remarks.)

Mr. HANSEN. Mr. Chairman, most of my colleagues know that throughout my 17 years in this body I have been keenly interested in decreasing the use of alcohol and tobacco products by our children. I have no issue with the adults who choose to responsibly use legal tobacco and alcohol products, but I have become increasingly upset at the dramatic increase in tobacco use among our young people today.

Cigarette smoking among high school seniors is at a 17 year high. Smoking among eighth and tenth graders has increased 50 percent since 1991. These 13 and 14 year old children are being sentenced to shorter and unhealthier lives by addictive tobacco products. Even the tobacco industry now agrees to this conclusion. Tobacco smoking is a problem that clearly starts with our children. Almost 90 percent of today's adults who smoke started before the age of 18. The average youth smoker begins at age 13 and becomes a daily smoker at age 14. It is self-evident that the message that tobacco kills is not reaching our children or our grandchildren.

We have worked with the Food and Drug Administration over the past 2 years to develop regulations to curb youth tobacco abuse. The comprehensive FDA plan intends to reduce tobacco use by our young people by 50 percent in 7 years.

Some of the initiatives in the plan would require photo ID for the sale of cigarettes and tobacco smoke just like we do for alcohol. It would prohibit vending machine cigarettes, eliminate free samples and the sale of single cigarettes and packages with less than 20 cigarettes, known as kiddie packs, that are known to be given to children.

The FDA rule will also strive to make tobacco products less appealing to children by banning outdoor advertising within 1,000 feet of schools and prohibiting giveaways of products like hats or gym bags that carry cigarette or smokeless tobacco products. These measures will have no effect on adults who choose to use this product.

However, our children should not be bombarded with advertising and promotion which tell them that the illegal use of tobacco products is fun, it is glamorous, it is cool. The age restrictions on tobacco products which are in law in every State exist because children lack sufficient information and experience to decide whether to use a product as harmful as cigarette or spit tobacco.

The proposed FDA regulation would also require tobacco companies to notify consumers about the unreasonable health risks of their product, including warning labels on packages that kids

can understand, for example, warning: Cigarettes kill.

I would urge Members to support the Meehan-Hansen amendment which would do something great for this country on health.

Most of my colleagues know that throughout my 17 years in this body, I have been keenly interested in decreasing the use of alcohol and tobacco products by our Nation's children. I have no issue with adults who choose to responsibly use legal tobacco and alcohol products. But, I have become increasingly upset at the dramatic increase in tobacco use among young people today. Cigarette smoking among high school seniors is at a 17-year high. Smoking among 8th and 10th graders has increased by over 50 percent since 1991. These 13- and 14-year-old children are being sentenced to shorter and unhealthier lives by addictive tobacco products. Even the tobacco industry now agrees with this conclusion.

Tobacco smoking is a problem that clearly starts with our children: Almost 90 percent of today's adult smokers started using tobacco before age 18. The average youth smoker begins at age 13 and becomes a daily smoker by age 14½. It is self-evident that the message that tobacco kills is not reaching our children and grandchildren.

I have worked with the Food and Drug Administration [FDA] over the past 2 years to develop regulations to curb youth tobacco abuse. The comprehensive FDA plan intends to reduce tobacco use by young people by 50 percent in 7 years.

Some of the initiatives included in the FDA plan would: Require photo ID for the sale of cigarettes and smokeless tobacco, just like for alcohol; prohibit vending machine sales of cigarettes; eliminate free samples and the sale of single cigarettes and packages with fewer than 20 cigarettes, known as kiddie packs.

The FDA rule will also strive to make tobacco products less appealing to children by banning outdoor advertising within 1,000 feet of schools, and prohibiting giveaways of products like hats or gym bags that carry cigarette or smokeless tobacco product names or logos. These measures will have no effect on adults who choose to legally use these products.

However, our children should not be bombarded with advertisements and promotions which tell them that their illegal use of tobacco products is fun, glamorous, or cool. The age restrictions on tobacco products, which are law in every State, exist because children lack sufficient information and experience to decide whether to use a product as harmful as cigarettes or spit tobacco. When tobacco products are seen as popular and cool, you can count on an increase in underage smoking.

The proposed FDA regulations will also require tobacco companies to notify consumers about the unreasonable health risks of their products, including descriptive warning labels on packages of cigarettes that kids can really understand:

WARNING: Cigarettes Kill

WARNING: Cigarettes Are Addictive

WARNING: Cigarette Smoking Harms Athletic Performance

WARNING: Smoking During Pregnancy Can Harm Your Baby

Similar warnings will be included on smokeless tobacco products, such as:

WARNING: Use of smokeless tobacco can make your teeth fall out.

Who among us will stand up and argue with the accuracy of these warnings? This will be the first national program ever undertaken to reduce youth access to tobacco. I believe these are major strides in the right direction.

However good these ideas may be, enforcement is the key to their success. Today, it is far too easy for kids to buy cigarettes and spit tobacco. Studies of over-the-counter sales have found that children and adolescents were able to successfully buy tobacco products 67 percent of the time. Despite the fact that it is illegal in all 50 States to sell cigarettes and smokeless tobacco to minors, our young people purchase an estimated 1.26 billion dollars' worth of tobacco products each year.

Strong enforcement is the key to reducing youth access to tobacco. The Food and Drug Administration seeks $34 million to fund the enforcement of these regulations. The funding sought by FDA will not create a new Federal bureaucracy and the majority of these funds will go directly to State and local officials for enforcement.

Let me repeat that, this funding will not create a new Federal bureaucracy and the majority of these funds will go directly to State and local officials for enforcement.

The current Agriculture appropriations bill funds this vital program at only $24 million. The Meehan-Hansen amendment would provide the full funding request for this vital program.

The offset for these funds would come from the Federal Crop Insurance Corporation's Crop Insurance Sales Commission, by decreasing that program's funding by $14 million and increasing the FDA's funding by $10 million, for a net savings of $4 million. The Agriculture appropriations bill currently funds the Crop Insurance Sales Commission at $188 million—an increase of over $36 million above the President's request. This program reimburses private insurance companies for expenses associated with selling and servicing crop insurance policies.

A recent GAO audit of this program uncovered numerous inappropriate expenses, such as business acquisitions and lobbying. Also included in the program's expenses were: $22,000 for a trip to Las Vegas; $44,000 for a fishing trip to Canada; country club memberships; tickets to sporting events, including $18,000 for a baseball skybox rental and $6 million to fund above average individual agent sales commissions by one large company.

In my humble opinion, these are not valid uses of taxpayer money. It appears this program is clearly one that can afford to spare a small percentage of its budget to improve and protect the health of our children and grandchildren. Even with the $14 million decrease in funding contained in this amendment, the program will still be funded at 114 percent of what Secretary Glickman deems necessary.

Please join with 87 percent of the American public in supporting the FDA policy for restricting tobacco use among children. This is the right thing to do for the health of our children and future generations. I urge my colleagues to vote ''yes'' on the Hansen-Meehan amendment to fully fund the FDA efforts to enforce tobacco regulations to keep these products out of the hands of our children.

Mr. SKEEN. Mr. Chairman, I yield myself such time as I may consume.

We started on this bill last Wednesday, and yesterday we offered a unanimous-consent request that would have allowed 30 minutes of debate on this amendment. We were informed to not bother making the offer because it would be objected.

The bill is supported by the administration and they are very happy with this bill. They are very happy with the Food and Drug Administration number. Last year FDA spent $4.9 million on its antismoking tobacco program. The committee bill provides $24 million for this program, quadruple what it had last year. In all my years here, I have not ever seen a program that could absorb money that fast and spend it wisely.

Nonetheless, this is an important initiative, and it is obvious that the committee supports it, but enough is enough. They are damaging one program, crop insurance, that also needs help. I ask Members for a no vote.

Mr. Chairman, I reserve the balance of my time.

Mr. MEEHAN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I rise today because what we need to do with this amendment is fully fund the tobacco initiative. The administration does not support this. The administration requested $34 million to carry out the necessary enforcement and outreach that will effectively curtail sales of tobacco products to children. I would hope that we could all agree, there are 50 States that have laws that are in effect, to regulate tobacco use to children. This allows the FDA to fully enforce those laws. That is what this is all about.

It does not affect tobacco farmers. It does not deal with the contentious or controversial issues relative to FDA regulation like marketing restrictions and advertising. All this attempts to do is give the FDA the resources that the administration says they need to effectively inform retailers of what they are to be doing; namely, carding a consumer who is underage who comes to buy tobacco products. The evidence is overwhelming that retailers are selling these products that kill children to children. The only thing we are trying to do with this amendment is allow the FDA to implement a program of education so that they can make sure that retailers know how they should protect children from sales. We have to card people, to educate people.

We are talking about tobacco, the leading preventable cause of death in America. In nearly every category, children are using tobacco products more and more, 3,000 children experiment with tobacco products a day, 1,000 of them have their lives cut short. The minimum that we can do, the minimum we can do is enforce the laws that are in effect now. Let us make them card people. Let us make the retailers stop selling this destructive product to children.

The way we do that is by giving the FDA the authority and the resources they need. Even with this money that

is available, the Department of Agriculture will still get 114 percent of what they asked for. There is no excuse for not passing this amendment. It is in the interest of America's children.

This is a bipartisan bill. It is not a Democratic amendment. It is a bipartisan amendment. There are Members here who have been fighting all across America, attorneys general who have been fighting, hours and months of negotiating to keep tobacco products away from children. Let us join with those health experts. Let us join with the President and protect America's children. Vote for this amendment.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. WHITFIELD].

Mr. WHITFIELD. Mr. Chairman, I rise to speak in opposition to this amendment. Obviously this is an emotional issue. As the gentleman from Massachusetts said, 50 States already prohibit the sale of tobacco products to minors, and those States have the responsibility to enforce those regulations. In addition, as the chairman said, the gentleman from New Mexico [Mr. SKEEN], $24 million is in this bill to give FDA the authority to enforce its regulations.

I would remind the gentleman from Massachusetts and the proponents of this amendment that the FDA in the Fifth Circuit in the U.S. District Court in North Carolina has stayed all of the FDA regulations with the exception of carding children 27 and below at retail establishments. There is sufficient funds available for that.

In addition to that, in 1992, this Congress passed the SAMSA regulations with HHS. They also are enforcing these regulations. So this money is absolutely not needed at this time.

Mr. SKEEN. Mr. Chairman, I yield the balance of my time to the gentleman from Oregon [Mr. SMITH].

Mr. SMITH of Oregon. Mr. Chairman, I rise against the Meehan amendment and the Hansen amendment. Mr. Chairman, certainly none of the arguments posed here can be objected to by anyone. No one wants children to smoke. As a matter of fact, I do not want adults to smoke. I am so strong in that that I quit myself. But the idea here is simply that we are moving the funding to the wrong area.

It has been said that there is an additional $24 million in this program. I support that idea. The problem here is that we are affecting all of agriculture. We are affecting wheat and corn and soybeans and all other agricultural products. This is not just directed at tobacco. This is directed against crop insurance.

This is the risk management tool, Mr. Chairman, that we talked about in the last amendment; here again, no one is opposed to increasing WIC. No one is opposed to increasing the battle against children smoking and for tobacco itself. But in this amendment, maybe mistakenly, we have impacted all of agriculture and, again, we are attacking a program that must stay in place for a whole industry, and that is agriculture.

Please, I ask all of my colleagues, again, oppose the Hansen-Meehan amendment.

Mr. CASTLE. Mr. Chairman, I rise in support of this amendment to fully fund the FDA's tobacco initiative to enforce restrictions on the sale of tobacco to children. Thirty-three States have pledged to work hand in hand with the FDA to ensure that provisions of its tobacco initiative are fully enforced. This amendment is critical to ensuring our Nation's success in reducing youth access to tobacco.

Cigarette smoking among high school seniors is at a 17-year high, and smoking among 8th and 10th graders has increased by more than 50 percent since 1991. According to a University of Michigan study, an astonishing 18.6 percent of eighth graders smoke. And they are getting cigarettes from stores—on average, kids are able to buy tobacco products over-the-counter 67 percent of the time.

I cannot emphasize enough how important it is to stop kids from smoking. Very few adult smokers picked up their habit after age 20. In fact, 9 percent of adult smokers started smoking before age 12, and 90 percent started before age 18. Every day, approximately 3,000 young people begin smoking, and over half of them become addicted.

Despite the fact it is against the law in all 50 States to sell cigarettes and smokeless tobacco to minors, kids purchase an estimated $1.26 billion worth of tobacco products each year. The FDA's initiative will make it more difficult for kids to sustain their smoking habit by reducing their access. It will require retailers to conduct ID checks of all tobacco purchasers who appear to be under age 27. This may appear to be a pretty high age for an ID check, but teens—particularly older teens—are notorious for being able to make themselves look older and more sophisticated.

There are other important reasons to stop kids from smoking—including a finding that heavy teen smokers are far more likely than nonsmokers to use heroin or other illegal drugs. Young smokers are also susceptible to a host of other health problems, including decreased physical fitness, respiratory illnesses, early development of artery disease, and reduced lung development.

The offset for this amendment, the Crop Insurance Sales Commission program, reimburses private insurance companies for expenses associated with selling and servicing crop insurance policies.

The GAO has found many inappropriate expenses included in reimbursement rates, including funds to cover country club memberships, a $44,000 fishing trip to Canada, and tickets to sporting events—including $18,000 for a baseball skybox rental.

As a remedy, the GAO recommended a $152 million appropriation. Even if this amendment is adopted, the Insurance Sales Commission program will still be funded at $174 million—well above what GAO recommended.

Passage of this amendment is critical to reducing teen access to tobacco. The price of our failure to do so will be millions of tobacco-addicted adults, billions of dollars in lost productivity and health care costs, and unmeasurable pain and suffering. Let's cut our losses and support this amendment.

Mrs. MORELLA. Mr. Chairman, I rise in strong support of the Meehan-Hanson amendment which would increase funding for the Food and Drug Administration [FDA] by $10 million. This money would be used for outreach efforts to educate businesses about their responsibilities regarding the sale of tobacco products to children.

Yes, it is against the law to sell tobacco to children. Unfortunately, these laws are rarely enforced. A review of 13 studies of over-the-counter sales reveals that children and adolescents were able to successfully buy tobacco products 67 percent of the time. Young people purchase an estimated 1.26 billion dollars' worth of cigarettes and smokeless tobacco each year.

The bill that is on the House floor does not adequately fund the FDA's initiative to reduce children's access to tobacco products. The FDA's tobacco initiative mandates that retailers must check the photo identification of individuals who want to buy cigarettes. Without full funding, the FDA will not be able to adequately enforce this crucial restriction on the sale of tobacco to children.

Tobacco continues to be a major health problem in the United States. The American Heart Association emphasizes that:

> more people die each year in the United States from smoking than from AIDs, alcohol, drug use, homicide, car accidents, and fires combined.

Tobacco use accounts for more than $68 billion in health care costs and lost productivity each year.

Nearly all tobacco use begins in the teenage years. Adolescent smokers become adult smokers. The key to reducing the rate of disease resulting from tobacco use is to discourage young people from starting to use tobacco products.

Mr. Chairman, we can no longer close our eyes to a product that brings into its deathly fold 3,000 children each day. Teenage smoking is a national health care crisis that can be curbed by fully funding the FDA's tobacco initiative.

It is my understanding that, in order to pay for this increase in funds to the FDA, $14 million would be taken from the crop insurance sales commissions of the USDA's Risk Management Agency. Under this program, private insurance companies are reimbursed for expenses incurred in the process of providing crop insurance for Federal programs. I believe this is a reasonable offset because the bill provides $36 million more than was recommended in the President's budget for this program, which is funded at $188 million. I also understand that a GAO report has raised some concerns about this program. According to the GAO, in past years, some of the reimbursements have included expenses for a trip to Las Vegas, $22,000, rental of a skybox, $18,000, and fishing in Canada, $44,000.

What kind of an America will we leave for our children if we do not take steps to prevent yet another generation from becoming addicted to tobacco? Providing the FDA with adequate funds to implement and enforce

their tobacco initiative will change for the better the landscape of smoking in the United States.

I urge my colleagues to support the Meehan-Hansen amendment.

PARLIAMENTARY INQUIRY

Ms. JACKSON-LEE of Texas. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentlewoman will state it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, with so many of our children that are 18 years old——

The CHAIRMAN. The gentlewoman will state her inquiry.

Ms. JACKSON-LEE of Texas. Mr. Chairman, emphasizing the facts of how many of our children are smoking, the inquiry is, Mr. Chairman, with so many of our children dying from tobacco, why this debate is limited to 5 minutes? What are the rules and why are we limited to not allowing the 24 Members who want to speak on this amendment, why can they not speak on this amendment opposing death by cigarettes to children?

The CHAIRMAN. The gentlewoman is not stating a parliamentary inquiry.

Ms. JACKSON-LEE of Texas. Mr. Chairman, why can we not speak beyond the 5 minutes or the 10 minutes allotted?

The CHAIRMAN. The gentlewoman has not stated a parliamentary inquiry.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of the Meehan amendment to H.R. 2160, the Agriculture Appropriations Act of 1998.

This amendment would transfer $14 million of the excess funds over the Department's request for their Federal Crop Insurance Sales Commission Program to fully fund the Food and Drug Administration's tobacco initiative. This transfer of funds from the Federal Crop Insurance Sales Commission would leave that account with 114 percent over the President's request for that area.

The Federal Crop Insurance Sales Commission Program reimburses private insurance companies for expenses associated with selling and servicing crop insurance policies. This amendment would leave $22 million in funding over the President's request.

According to the University of Texas-Houston School of Public Health study titled "Why Kids Start to Smoke," the smoking prevalence rates for minorities in Texas are slightly higher than the national statistics according to Dr. Steven Kelder, assistant professor of behavioral sciences and principal investigator with the Southwest Center for Prevention Research at the university.

According to Dr. Laura K. McCormick, smoking is clearly a danger to health, and the number of teenagers who do smoke is considerable.

Tobacco use is a problem that starts with children. Almost 90 percent of adult smokers began smoking at or before age 18. Every day 3,000 children and adolescents become regular smokers, 1,000 of whom will eventually die prematurely because of tobacco use. More than 5 million children under age 18 alive today will die from smoking-related disease unless current rates are reversed.

Thirty-three State attorneys general have requested that the FDA receive full funding for the tobacco initiative to help their States fight to protect kids from tobacco. Today, in our Nation 4.5 million kids age 12 to 17 are current smokers, while smoking among high school seniors is at a 17-year high.

Since 1991, the answer to the question, "Have you smoked over the past month," the response among eighth graders and tenth graders has increased by almost 50 percent. If we do not act to stem the tide of teenage smokers more than 5 million children under age 18 alive today will die from smoking-related disease, unless current rates are reversed.

This amendment will have no effect on individual farmers. It leaves the Federal Crop Insurance Sales Commission Program very well funded by $22 million more than USDA Secretary Glickman has indicated is needed to effectively fund the crop insurance program.

The Food and Drug Administration will use the funds made available by this amendment to begin work through training programs for the half million retailers in this country who sell tobacco products regarding their responsibilities under the law regarding tobacco sales to minors.

I thank Congressman MEEHAN for his leadership in bringing this amendment to the House for adoption to the Agriculture appropriation bill.

I would like to encourage my colleagues to support this amendment.

The question is on the amendment offered by gentleman from Massachusetts [Mr. MEEHAN].

The question was taken; and the Chairman announced that the noes appeared to have it.

□ 1215

Mr. MEEHAN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 193, further proceedings on the amendment offered by the gentleman from Massachusetts [Mr. MEEHAN] will be postponed.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act, as amended, such sums as may be necessary, to remain available until expended (7 U.S.C. 2209b).

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 1998, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be $783,507,000 in the President's fiscal year 1998 Budget Request (H. Doc. 105–3)), but not to exceed $783,507,000, pursuant to section 2 of the Act of August 17, 1961, as amended (15 U.S.C. 713a–11).

OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 1998, the Commodity Credit Corporation shall not expend more than $5,000,000 for expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6961: *Provided*, That expenses shall be for operations and maintenance costs only and that other hazardous waste management costs shall be paid for by the USDA Hazardous Waste Management appropriation in this Act.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, $693,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–590f) including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $610,000,000, to remain available until expended (7 U.S.C. 2209b), of which not less than $5,835,000 is for snow survey and water forecasting and not less than $8,825,000 is for operation and establishment of the plant materials centers: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974, as amended (43 U.S.C. 1592(c)): *Provided further*, That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 (16 U.S.C. 590a–590f) in demonstration projects: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed $25,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That qualified local engineers may be temporarily employed at per diem

rates to perform the technical planning work of the Service (16 U.S.C. 590e–2): *Provided further,* That the Secretary is authorized to transfer ownership of land, buildings and related improvements of the plant materials facilities located at Bow, Washington to the Skagit Conservation District.

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1001–1009), $10,000,000: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $110,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1001–1005, 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $101,036,000, to remain available until expended (7 U.S.C. 2209b) of which not more than $50,000,000 shall be available for technical assistance: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $200,000 shall be available for employment under 5 U.S.C. 3109: *Provided further,* That not to exceed $1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), as amended, including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1010–1011; 76 Stat. 607), the Act of April 27, 1935 (16 U.S.C. 590a–f), and the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $29,377,000, to remain available until expended (7 U.S.C. 2209b): *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 shall be available for employment under 5 U.S.C. 3109.

FORESTRY INCENTIVES PROGRAM

For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized in the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, $6,325,000, to remain available until expended, as authorized by that Act.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), $2,000,000, to remain available until expended.

TITLE III

RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, $588,000.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, as amended, to be available from funds in the rural housing insurance fund, as follows: $3,950,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which $3,000,000,000 shall be for unsubsidized guaranteed loans; $30,000,000 for section 504 housing repair loans; $15,000,000 for section 514 farm labor housing; $128,640,000 for section 515 rental housing; $600,000 for section 524 site loans; $25,000,000 for credit sales of acquired property; and $587,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $128,500,000, of which $6,900,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $10,300,000; section 514 farm labor housing, $7,388,000; section 515 rental housing, $68,745,000; credit sales of acquired property, $3,492,000; and section 523 self-help housing land development loans, $17,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $354,785,000, which shall be transferred to and merged with the appropriation for ''Rural Housing Service, Salaries and Expenses.''

MULTI-FAMILY HOUSING GUARANTEES

For gross obligations for the principal amount of guaranteed loans for the multi-family housing guarantee program as authorized by section 538 of the Housing Act of 1949, as amended, $19,700,000.

For the cost of guaranteed loans for the multi-family housing guarantee program as authorized by section 538 of the Housing Act of 1949, as amended, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $1,200,000.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, as amended, $493,870,000; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided,* That of this amount not more than $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further,* That agreements entered into or renewed during fiscal year 1998 shall be funded for a five-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $26,000,000, to remain available until expended (7 U.S.C. 2209b).

RURAL COMMUNITY FIRE PROTECTION GRANTS

For grants pursuant to section 7 of the Cooperative Forestry Assistance Act of 1978 (Public Law 95–313), $2,000,000 to fund up to 50 percent of the cost of organizing, training, and equipping rural volunteer fire departments.

RURAL HOUSING ASSISTANCE PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, agreements, and grants, as authorized by 7 U.S.C. 1926, 42 U.S.C. 1472, 1474, 1479, 1486, and 1490(a), except for sections 381E, 381H, and 381N of the Consolidated Farm and Rural Development Act, $86,488,000, to remain available until expended, for direct loans and loan guarantees for community facilities, community facilities grant program, rural housing for domestic farm labor grants, very low-income housing repair grants, rural housing preservation grants, and compensation for construction defects of the Rural Housing Service: *Provided,* That the cost of direct loans and loan guarantees shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That the amounts appropriated shall be transferred to loan program and grant accounts as determined by the Secretary: *Provided further,* That of the total amount appropriated, not to exceed $1,200,000 shall be available for the cost of direct loans, loan guarantees, and grants to be made available for empowerment zones and enterprise communities as authorized by Public Law 103–66: *Provided further,* That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1998, they remain available for other authorized purposes under this head.

SALARIES AND EXPENSES

For necessary expenses of the Rural Housing Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, as amended, title V of the Housing Act of 1949, as amended, and cooperative agreements, $58,804,000: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944, and not to exceed $520,000 may be used for employment under 5 U.S.C. 3109.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, $16,888,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)): *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans of $35,000,000: *Provided further,* That through June 30, 1998, of the total amount appropriated, $3,345,000 shall be available for the cost of direct loans for empowerment zones and enterprise communities, as authorized by title XIII of the Omnibus Budget Reconciliation Act of 1993, to subsidize gross obligations for the principal amount of direct loans, $7,246,000.

In addition, for administrative expenses to carry out the direct loan programs, $3,482,000 shall be transferred to and merged with the appropriation for ''Rural Business-Cooperative Service, Salaries and Expenses.''

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, as amended, for the purpose of promoting rural economic development and job creation projects, $25,000,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, up to $5,978,000, to be derived by transfer from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, as amended, to remain available until expended.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1932), $3,000,000, of which up to $1,300,000 may be available for cooperative agreements for appropriate technology transfer for rural areas program.

RURAL BUSINESS-COOPERATIVE ASSISTANCE PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1928, and 1932, except for sections 381E, 381H, and 381N of the Consolidated Farm and Rural Development Act, $51,400,000, to remain available until expended, for direct loans and loan guarantees for business and industry assistance and rural business enterprise grants of the Rural Business-Cooperative Service: *Provided,* That the cost of direct loans and loan guarantees shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That $500,000 shall be available for grants to qualified nonprofit organizations as authorized under section 310B(c)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932): *Provided further,* That the amounts appropriated shall be transferred to loan program and grant accounts as determined by the Secretary: *Provided further,* That, of the total amount appropriated, not to exceed $148,000 shall be available for the cost of direct loans, loan guarantees, and grants to be made available for business and industry loans for empowerment zones and enterprise communities as authorized by Public Law 103–66 and rural development loans for empowerment zones and enterprise communities as authorized by title XIII of the Omnibus Budget Reconciliation Act of 1993: *Provided further,* That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1998, they remain available for other authorized purposes under this head.

SALARIES AND EXPENSES

For necessary expenses of the Rural Business-Cooperative Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, as amended; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926; for activities relating to the marketing aspects of cooperatives, including economic research findings, as authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $25,680,000: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944, and not to exceed $260,000 may be used for employment under 5 U.S.C. 3109.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), shall be made as follows: 5 percent rural electrification loans, $125,000,000; 5 percent rural telecommunications loans, $75,000,000; cost of money rural telecommunications loans, $300,000,000; municipal rate rural electric loans, $400,000,000; and loans made pursuant to section 306 of that Act, rural electric, $300,000,000 and rural telecommunications, $120,000,000, to remain available until expended.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935 and 936), as follows: cost of direct loans, $12,461,000; cost of municipal rate loans, $16,880,000; cost of money rural telecommunications loans, $60,000; cost of loans guaranteed pursuant to section 306, $2,760,000: *Provided,* That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $34,398,000, which shall be transferred to and merged with the appropriation for ''Rural Utilities Service, Salaries and Expenses.''

RURAL TELEPHONE BANK PROGRAM ACCOUNT

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out its authorized programs for the current fiscal year. During fiscal year 1998 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be $175,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), $3,710,000.

In addition, for administrative expenses necessary to carry out the loan programs, $3,000,000, which shall be transferred to and merged with the appropriation for ''Rural Utilities Service, Salaries and Expenses.''

DISTANCE LEARNING AND MEDICAL LINK PROGRAM

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., as amended, $15,030,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas: *Provided,* That the costs of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES ASSISTANCE PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1928, and 1932, except for sections 381E, 381H, and 381N of the Consolidated Farm and Rural Development Act, $577,242,000, to remain available until expended, for direct loans, loan guarantees, and grants for rural water and waste disposal, and solid waste management grants of the Rural Utilities Service: *Provided,* That the cost of direct loans and loan guarantees shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That the amounts appropriated shall be transferred to loan program and grant accounts as determined by the Secretary: *Provided further,* That through June 30, 1998, of the total amount appropriated, $18,700,000 shall be available for the costs of direct loans, loan guarantees, and grants to be made available for empowerment zones and enterprise communities, as authorized by Public Law 103–66: *Provided further,* That of the total amount appropriated, not to exceed $18,700,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of the Consolidated Farm and Rural Development Act, as amended: *Provided further,* That of the total amount appropriated, not to exceed $5,200,000 shall be available for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further,* That an amount not less than that available in fiscal year 1997 be set aside and made available for ongoing technical assistance under sections 306(a)(14) (7 U.S.C. 1926) and 310(B)(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932): *Provided further,* That of the total amount appropriated, not to exceed $8,750,000 shall be for water and waste disposal systems pursuant to section 757 of Public Law 104–127.

SALARIES AND EXPENSES

For necessary expenses of the Rural Utilities Service, including administering the programs authorized by the Rural Electrification Act of 1936, as amended, and the Consolidated Farm and Rural Development Act, as amended, and for cooperative agreements, $33,000,000: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944, and not to exceed $105,000 may be used for employment under 5 U.S.C. 3109.

Mr. SKEEN (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill, through page 47, line 7, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Consumer Service, $454,000.

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $7,766,966,000, to remain available through September 30, 1999 of which $2,548,555,000 is hereby appropriated and $5,218,411,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided,* That none of the funds made available

under this heading shall be used for studies and evaluations: *Provided further,* That up to $4,124,000 shall be available for independent verification of school food service claims.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $3,924,000,000, to remain available through September 30, 1999: *Provided,* That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further,* That up to $12,000,000 may be used to carry out the farmers' market nutrition program from any funds not needed to maintain current caseload levels: *Provided further,* That notwithstanding sections 17 (g), (h) and (i) of such Act, the Secretary shall adjust fiscal year 1998 State allocations to reflect food funds available to the State from fiscal year 1997 under section 17(i)(3)(A)(ii) and 17(i)(3)(D): *Provided further,* That the Secretary shall allocate funds recovered from fiscal year 1997 first to States to maintain stability funding levels, as defined by regulations promulgated under section 17(g), and then to give first priority for the allocation of any remaining funds to States whose funding is less than their fair share of funds, as defined by regulations promulgated under section 17(g): *Provided further,* That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of the Child Nutrition Act of 1966: *Provided further,* That State agencies required to procure infant formula using a competitive bidding system may use funds appropriated by this Act to purchase infant formula under a cost containment contract entered into after September 30, 1996 only if the contract was awarded to the bidder offering the lowest net price, as defined by section 17(b)(20) of the Child Nutrition Act of 1966, unless the State agency demonstrates to the satisfaction of the Secretary that the weighted average retail price for different brands of infant formula in the State does not vary by more than five percent.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), $25,140,479,000, to remain available through September 30, 1998, in accordance with section 18(a) of the Food Stamp Act: *Provided,* That $100,000,000 for the foregoing amount shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided further,* That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further,* That funds provided herein shall be expended in accordance with section 16 of the food Stamp Act: *Provided further,* That this appropriation shall be subject to any work registration or workforce requirements as may be required by law: *Provided further,* That $1,204,000,000 of the foregoing amount shall be available for nutrition assistance for Puerto Rico as authorized by 7 U.S.C. 2028: *Provided further,* That $100,000,000 of the foregoing amount shall be available to carry out the Emergency Food Assistance Program as authorized by section 27 of the Food Stamp Act.

AMENDMENT NO. 12 OFFERED BY MRS. CLAYTON

Mrs. CLAYTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mrs. CLAYTON:

Page 49, line 21, insert ''(increased by $2,478,000,000)'' after the first dollar figure.

Page 49, at the end of line 14, add the following:

Each amount otherwise appropriated in this Act (other than this paragraph) is hereby reduced by 5 percent.

Mr. SKEEN. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The CHAIRMAN. The point of order is reserved.

Pursuant to House Resolution 193, the gentlewoman from North Carolina [Mrs. CLAYTON] and the gentleman from New Mexico [Mr. SKEEN] will each control 5 minutes.

The gentlewoman from North Carolina [Mrs. CLAYTON] is recognized.

Mrs. CLAYTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment increases the funding for food stamps by $2.4 billion in fiscal year 1998. The increase will result in food stamps being funded at the same level as in fiscal year 1997. This amendment is paid for, Mr. Chairman, by an across-the-board decrease of 5 percent on all other accounts, mandatory and discretionary.

Mr. Chairman, last Congress we agreed that our welfare system needed to be reformed, and we were right, but reforms should be directed to moving people out of poverty, not into poverty. Nutrition programs are essential for the well-being of millions of our citizens: the disadvantaged, our children, the elderly and the disabled.

These are groups of people who, in many instances, cannot provide for themselves and need assistance for their basic existence. They do not ask for much, just a little help in sustaining them through the day, to keep their children alert in class, or to help others be productive on their jobs or as they seek and search for jobs.

Nutrition programs in many cases provide the only nutritious meals that many of our Nation's poor receive on a daily basis. Many of those I am speaking about, far too many, are working people, working families. These working Americans are struggling to make ends meet and still cannot afford to feed their families.

One-fifth of families receiving food stamps are working families who have a gross income below the poverty level. Of the 27 million people served by the food stamp program, over half, 51 percent, are children; 7 percent are elderly.

The program allows only 75 cents per person per meal. When was the last time any of us had to exist off of 75 cents per meal?

I am concerned that in our zeal to balance the budget, we are failing to balance our priorities. That failure is demonstrated in a telephone call to my office recently. It was from a woman who, having labored for a lifetime, now lives on her Social Security of $6,500 a year.

Her Social Security payment was increased by $16. Because of that increase, her food stamp allotment was lowered by $7. Her State then made adjustments in their Medicaid Program. Two types of needed medication that had cost her $1 each before, now cost her a total of $100. The $16 increase cost her a $107 cut in her already paltry income.

We may be gliding toward a balanced budget, Mr. Chairman, but many of our citizens are sliding rapidly to the bottom, and this Congress has an obligation to understand what we are doing. The best efforts of the four Presidents and thousands of people who were in Philadelphia recently talking about voluntarism could not make up the difference required in the food banks and shelters if indeed we do not make that money available.

It is time for us to stop picking on the poor, Mr. Chairman. It is time for us to understand that we, too, have an obligation to them. Hunger has a cure, and Congress is part of that remedy. I urge my colleagues to consider the needs of the poor and those who receive food stamps.

Mr. Chairman, I had wanted to make that point so Congress is aware of our responsibility through the food stamp program and how we had been serving the food stamp program and what those cuts will mean to America.

Mr. Chairman, because I know I will have a point of order, I will not call for a vote, and I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note) and provide administrative expenses pursuant to section 204 of the Emergency Food Assistance Act of 1983, $141,000,000, to remain available through September 30, 1999: *Provided,* That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)), and section 311 of the Older Americans Act of 1965, as amended (42 U.S.C. 3030a), $141,165,000, to remain available through September 30, 1999.

AMENDMENT NO. 18 OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. SANDERS:

Page 51, line 6, insert after the dollar amount ''(increased by $5,000,000)''.

Page 56, line 15, insert after the second dollar amount ''(reduced by $5,470,000)''.

The CHAIRMAN. Pursuant to House Resolution 193, the gentleman from Vermont [Mr. SANDERS] and a Member opposed each will control 5 minutes.

Does the gentleman from New Mexico [Mr. SKEEN] seek time in opposition to the amendment?

Mr. SKEEN. Mr. Chairman, yes, I stand in opposition to the amendment.

The CHAIRMAN. The gentleman from New Mexico [Mr. SKEEN] will control 5 minutes.

The Chair recognizes the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey [Mr. LOBIONDO] to speak on this bipartisan amendment which increases funding for Meals on Wheels.

Mr. LOBIONDO. Mr. Chairman, I want to thank the gentleman from Vermont [Mr. SANDERS] for his cooperation and work on this very important amendment.

Mr. Chairman, in my district the Meals on Wheels programs in Cumberland, Gloucester, Cape May, Atlantic, Burlington and Salem Counties consistently provide a valuable humanitarian service to thousands of seniors. Typically, the recipients of this service are individuals who are unable to leave their homes for a variety of reasons, sometimes due to chronic illness, sometimes because of a handicap, sometimes because of a temporary physical ailment.

At a cost of between $5 and $6 per meal per day, county employees and volunteers, I may stress a large number of volunteers, deliver a meal on weekdays and sometimes on weekends to the doorsteps of needy senior citizens. These meals are hot, well planned and nutritionally balanced.

More importantly, Mr. Chairman, these programs safeguard the well-being of local seniors. For instance, volunteers delivering meals can check to see if the water is running. They can check to see, during this summertime when the temperatures are soaring, if air conditioning is working, if the seniors need any help. Library books are often delivered along with the meals. And an ambulance can be sent or help can be summoned if in fact the volunteer determines there is a need.

I have personally participated in delivering Meals on Wheels with volunteers in the past, and can tell my colleagues from firsthand experience that this is a program that makes a positive difference to elderly Americans.

As the gentleman from Vermont will point out, Meals on Wheels is also an efficient Federal program. For every $1 spent, $3 are saved on other senior programs like Medicare and Medicaid. And as we struggle to find those dollars, I think it is important to note how cost-effective these are. There are not many programs that can match this fiscal rate of success.

Clearly, Mr. Chairman, Meals on Wheels is the kind of successful Federal and local partnership that Congress should be encouraging and looking to do more with. It strengthens the support of family, friends and neighbors. It encourages volunteerism. It is cost-effective.

And yet, despite all these positive aspects, the Meals on Wheels program suffers from a chronic shortage of funding. In fact, this problem is starting to have a tangible effect on the local level.

Mr. Chairman, I urge all my colleagues to vote for this amendment.

Mr. SKEEN. Mr. Chairman, I yield myself such time as I may consume, and rise in opposition to the gentleman's amendment.

This amendment would reduce the funding for the Food and Drug Administration and increase funding for the elderly feeding program. And let me say to my colleagues, we have funded the elderly feeding program at the President's budget request and the same level as last year.

Funding for the operation of this program, also known as Meals on Wheels, is actually contained in the Labor-HHS appropriations bill. The program is administered through the Department of Aging, not USDA. USDA has no say or control over the program. All USDA does is provide a cash reimbursement for each meal served. Increasing the funding for this program in this bill will not increase participation in the program. The funding level provided in the bill supports the President's request.

We all know how important FDA is to the health and safety of this country. We have had hundreds of letters sent to us asking that we increase FDA's funding for food safety and tobacco regulation enforcement. We have done the best we could to meet everyone's needs. The gentleman's amendment reduces funding for FDA, which will negatively impact these and other safety programs.

And let me remind my colleagues that the elderly feeding program is not authorized, but the committee felt strong enough to continue its funding and it is funded at the level the President says it needs.

I ask that the Members oppose this amendment, and ask the gentleman from Vermont to work with the authorizing committee to get this program reauthorized.

Mr. Chairman, I reserve the balance of my time.

Mr. SANDERS. Mr. Chairman, I yield myself such time as I may consume.

What we are trying to do in a bipartisan way is to provide $5 million to some of the weakest and most vulnerable people in this country, senior citizens who are in need of nutrition but are too weak to get out of their own homes to get it, and we are taking that money from the salary and expense account of the FDA. I think it is the proper thing to do.

Mr. Chairman, I reserve the balance of my time.

Mr. SKEEN. Mr. Chairman, we have no further requests for time, and I yield back the balance of my time.

Mr. SANDERS. Mr. Chairman, I yield 45 seconds to the gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. Mr. Chairman, I thank the gentleman from Vermont for yielding me this time.

Mr. Chairman, no person in this country should go hungry. For years, Congress has shown a bipartisan commitment to ensuring adequate nutrition for our citizens, especially children and the elderly. We provide assistance to those in need through food stamps and other Federal nutrition programs, yet 41 percent of the programs still have a waiting list. These are real people.

Now, $5 million may sound like too much money to some here, it may sound like too little to make a difference to others, but every day millions of people depend on senior nutrition programs.

□ 1230

According to studies, this $5 million will save $15 million in Medicare, Medicaid, VA health cost because undernourished people are less healthy.

I urge the Members to support this amendment.

Mr. SANDERS. Mr. Chairman, I yield 45 seconds to the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, one of my highest priorities since coming to Congress has been to ensure that our Nation's elderly are able to live with dignity. One can judge the humanity of any society by how it treats its very young, and its very old, the most vulnerable in our society.

This is personal to me. My own mother, who until her death at the age of 94, 2 years ago, was able to remain in our own family home only because of the Meals on Wheels Program. And because of that, she lived with dignity and with peace of mind. I think we should treat all the people of America as I would want my mother treated. This is a very important program. It is fiscally and morally sound.

Mr. SANDERS. Mr. Chairman, could I inquire how much time I have remaining?

The CHAIRMAN. The gentleman from Vermont [Mr. SANDERS] has 30 seconds remaining.

Mr. SANDERS. Mr. Chairman, I yield all of 15 seconds to the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Chairman, I rise to support this. This is the better public-private partnership I am aware of. Meals on Wheels helps seniors in every State of the Union. We must restore half the cut from last year. Let us support the Sanders-LoBiondo amendment.

Mr. SANDERS. Mr. Chairman, I would just conclude and suggest that

last year there was a cut in this program. We are trying to restore half of the cut to the weakest and most vulnerable people in this country. It is the right thing to do. It is a bipartisan effort. I urge the Members to support it.

Mr. Chairman, the elderly nutrition programs funded in this bill, which include Meals on Wheels and congregate meals are excellent examples of good government and common sense, as well as Federal-State-local and public-private partnerships. This is exactly the sort of senior citizen program we should be funding. Therefore, I am delighted to be joined by Mr. LOBIONDO, Mr. KILDEE, Mr. NEY, Mrs. THURMAN, Mr. FOX, and many more of our colleagues in offering a compromise amendment to increase funding for these programs by $5 million, making up half of the $10 million cut made last year.

Mr. Chairman, across America today, about 6 million hot Meals on Wheels have been served to senior citizens who do not have the capacity to leave their homes, and another 6 million hot meals have been served to lower-income senior citizens at senior centers and other community locations through the congregate program.

Mr. Chairman, this program is terribly important to millions of Americans. For many recipients of Meals on Wheels, the driver who delivers their meals may be their only visitor, their only contact with the world, in a given day. The Urban Institute recently estimated that as many as 4.9 million seniors—about 16 percent of the population aged 60 and older—are either hungry or malnourished. According to studies from the University of Florida, 89 percent of Meals on Wheels recipients are at moderate to high risk for malnutrition. Meals on Wheels and congregate meals help these Americans stay healthy. Yet, 41 percent of Meals on Wheels programs nationwide have waiting lists today—lists of senior citizens who go hungry because we are not funding this program at an appropriate level.

Let me also point out that today in America, 4 million seniors live in poverty, and another 16 million are near poverty. Half of our senior citizens in this country live on incomes of $15,000 or less per year.

As Mathematica Policy Research found last year, the senior nutrition programs are well-targeted at poor elderly Americans. The average beneficiary of these programs is 77 years old, and 90 percent of beneficiaries live below 200 percent of poverty; about 40 percent have subpoverty incomes.

At this time, Mr. Chairman, I would like to tell you about how one of my constituents' lives was saved by a Meals on Wheels driver. On March 25 of this year, my constituent Cecil Utley of Barre, VT, fell and broke his hip. Unable to move, he lay on his floor for 5 hours until David Stevens, a Meals on Wheels driver for the Central Vermont Council on Aging, was troubled that Mr. Utley did not answer his door. He had another Council on Aging worker, Kathy Paquet, try to reach Mr. Utley by phone, and when they failed they obtained help from a neighbor who had a key to Mr. Utley's house. They found him barely conscious and called an ambulance. I am pleased to report that Mr. Utley is now doing well in his recovery.

As his son Gayle wrote to the program, "Without your help and concern, my father would probably not have survived this accident. You * * * will always be remembered fondly by our family. Keep up the great work."

Mr. Chairman, this program not only makes good social policy sense, it also makes excellent fiscal policy sense. Every $1 spent on these senior nutrition programs saves $3 in Federal Medicare, Medicaid, and veterans' health care costs since malnourished patients stay in the hospital nearly twice as long a well-nourished seniors, costing $2,000 to $10,000 more per stay.

Mr. Chairman, this is a modest, compromise amendment. Last year, the elderly nutrition programs in this bill were cut by $10 million, from $150 to $140 million. In my view, that was a penny-wise, pound-foolish cut to make. Given inflation and the aging of our population, funding for these programs is not keeping pace with either the rising cost of food or the increase in Meals on Wheels customers. Further, when Congress reauthorized the Older Americans Act in 1992, it said the per-meal reimbursement rate of these programs should not fall below 61 cents. Unfortunately, the rate has fallen to an estimated 58.5 cents per meal this year, and will fall further if our amendment is not adopted.

This amendment is fully paid for with a modest, 0.6 percent cut in the FDA through its salary and expenses account. I am not here to bash the FDA or its hard-working staff, and it is not my intent to cut food safety initiatives or tobacco control enforcement activities with this amendment, but I do believe this $5 million will better serve the country if it is spent on hot meals for homebound senior citizens rather than administrative expenses at FDA.

Mr. DIAZ-BALART. Mr. Chairman, I rise in strong support of the LoBiondo amendment to add $5 million in appropriations for the extremely successful Meals on Wheels Program.

Because of this Federal-State-local program, many home-bound senior citizens in my district are able to receive at least one nutritious meal daily. Because many seniors on this program have disabilities, the $3 meals provided by this program are especially critical to seniors on a fixed income in Florida, who live alone or do not have anyone to care for them.

As the Appropriations Committee's base bill essentially freezes fiscal year 1998 funding at the fiscal year 1997 level, this small increase in funding is very important to serve the growing number of elderly people who qualify for the program and to reduce the number of disabled who are being placed on waiting lists. I commend my colleague from New Jersey for advancing this meritorious amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MEEHAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts [Mr. MEEHAN] on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 177, noes 248, not voting 9, as follows:

[Roll No. 309]

AYES—177

Ackerman
Allen
Andrews
Bachus
Baldacci
Barrett (WI)
Becerra
Bentsen
Berman
Bilbray
Blagojevich
Blumenauer
Borski
Brown (CA)
Brown (OH)
Callahan
Campbell
Capps
Cardin
Carson
Castle
Clay
Conyers
Cook
Coyne
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dickey
Dicks
Dixon
Doggett
Doyle
Duncan
Engel
English
Ensign
Eshoo
Evans
Fattah
Fawell
Filner
Flake
Foglietta
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Furse
Gallegly
Gejdenson
Gephardt
Gilman
Gonzalez
Green
Gutierrez
Hall (OH)
Hansen
Harman
Hayworth
Hinchey
Holden
Hooley
Horn
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (WI)
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
LaTourette
Leach
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Menendez
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Moran (VA)
Morella
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pappas
Pascrell
Pastor
Payne
Pelosi
Porter
Quinn
Ramstad
Rangel
Reyes
Riggs
Rivers
Roemer
Rothman
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanchez
Sanders
Sawyer
Scarborough
Schumer
Serrano
Shays
Sherman
Skaggs
Slaughter
Smith (NJ)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Stupak
Tauscher
Tierney
Torres
Traficant
Velazquez
Vento
Visclosky
Waters
Waxman
Weldon (PA)
Wexler
Weygand
Wise
Woolsey
Yates

NOES—248

Abercrombie
Aderholt
Archer
Armey
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Berry
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Deal
DeLay
Diaz-Balart
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Etheridge
Everett
Ewing
Farr
Fazio
Foley
Forbes
Fowler
Frost
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte

Goodling	McCollum	Schaefer, Dan
Gordon	McCrery	Schaffer, Bob
Goss	McDade	Scott
Graham	McHugh	Sensenbrenner
Granger	McInnis	Sessions
Gutknecht	McIntosh	Shadegg
Hall (TX)	McIntyre	Shaw
Hamilton	McKeon	Shimkus
Hastings (FL)	Meek	Shuster
Hastings (WA)	Metcalf	Sisisky
Hefley	Mica	Skeen
Hefner	Minge	Skelton
Herger	Mollohan	Smith (MI)
Hill	Moran (KS)	Smith (OR)
Hilleary	Murtha	Snyder
Hilliard	Myrick	Solomon
Hinojosa	Nethercutt	Souder
Hobson	Neumann	Spence
Hoekstra	Ney	Spratt
Hostettler	Northup	Stabenow
Houghton	Norwood	Stearns
Hulshof	Nussle	Stenholm
Hunter	Oxley	Stokes
Hutchinson	Packard	Strickland
Hyde	Parker	Stump
Inglis	Paul	Sununu
Istook	Paxon	Talent
Jefferson	Pease	Tanner
Jenkins	Peterson (MN)	Tauzin
John	Peterson (PA)	Taylor (MS)
Johnson, E. B.	Petri	Taylor (NC)
Johnson, Sam	Pickering	Thomas
Jones	Pickett	Thompson
Kasich	Pitts	Thornberry
Kilpatrick	Pombo	Thune
Kim	Pomeroy	Thurman
King (NY)	Portman	Tiahrt
Kingston	Poshard	Towns
Klink	Price (NC)	Turner
Klug	Pryce (OH)	Upton
Knollenberg	Radanovich	Walsh
Kolbe	Rahall	Wamp
LaHood	Redmond	Watkins
Largent	Regula	Watt (NC)
Latham	Riley	Watts (OK)
Lazio	Rodriguez	Weldon (FL)
Lewis (CA)	Rogan	Weller
Lewis (KY)	Rogers	White
Linder	Rohrabacher	Whitfield
LoBiondo	Ros-Lehtinen	Wicker
Lucas	Ryun	Wolf
Manton	Sandlin	Wynn
Manzullo	Sanford	Young (FL)
Martinez	Saxton	

NOT VOTING—9

Barton	Hastert	Schiff
Dingell	Livingston	Stark
Greenwood	Molinari	Young (AK)

□ 1252

Messrs. CONDIT, SNYDER and STOKES and Ms. DANNER changed their vote from ''aye'' to ''no.''

Messrs. CLAY, GALLEGLY, PAPPAS, SERRANO, RIGGS and BACHUS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, $104,128,000, of which $5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp coupon handling, and assistance in the prevention, identification, and prosecution of fraud and other violations of law: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $150,000 shall be available for employment under 5 U.S.C. 3109.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES MANAGER

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954, as amended (7 U.S.C. 1761–1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $128,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (U.S.C. 1766), $135,561,000, of which $3,231,000 may be transferred from the Export Loan Program account in this Act, and $1,035,000 may be transferred from the Public Law 480 program account in this Act: *Provided,* That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1736) and the foreign assistance programs of the International Development Cooperation Administration (22 U.S.C. 2392).

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1691, 1701–1715, 1721–1726, 1727–1727f, 1731–1736g), as follows: (1) $225,798,000 for Public Law 480 title I credit, including Food for Progress programs; (2) $12,250,000 is hereby appropriated for ocean freight differential costs for the shipment of agricultural commodities pursuant to title I of said Act and the Food for Progress Act of 1985, as amended; (3) $837,000,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title II of said Act; and (4) $30,000,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title III of said Act: *Provided,* That not to exceed 15 percent of the funds made available to carry out any title of said Act may be used to carry out any other title of said Act: *Provided further,* That such sums shall remain available until expended (7 U.S.C. 2209b).

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct credit agreements as authorized by the Agricultural Trade Development and Assistance Act of 1954, as amended, and the Food for Progress Act of 1985, as amended, including the cost of modifying credit agreements under said Act, $175,738,000.

In addition, for administrative expenses to carry out the Public Law 480 title I credit program, and the Food for Progress Act of 1985, as amended, to the extent funds appropriated for Public Law 480 are utilized, $1,780,000.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $3,820,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which not to exceed $3,231,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Foreign Agricultural Service, and of which not to exceed $589,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Farm Service Agency.

EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than $5,500,000,000 in credit guarantees under its export credit guarantee program extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 202 (a) and (b) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

EMERGING-MARKETS EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than $200,000,000 in credit guarantees under its export guarantee program for credit expended to finance the export sales of United States agricultural commodities and the products thereof to emerging markets, as authorized by section 1542 of Public Law 101–624 (7 U.S.C. 5622 note).

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; $857,971,000: *Provided,* That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701.

In addition to the foregoing amount, not to exceed $91,204,000 in fees pursuant to section 736 of the Federal Food, Drug, and Cosmetic Act may be collected and credited to this appropriation and shall remain available until expended: *Provided further,* That fees derived from applications received during fiscal year 1998 shall be subject to the fiscal year 1998 limitation.

In addition, fees pursuant to section 354 of the Public Health Service Act may be credited to this account, to remain available until expended.

In addition, fees pursuant to section 801 of the Federal Food, Drug, and Cosmetic Act may be credited to this account, to remain available until expended.

POINT OF ORDER

Mr. BURR of North Carolina. Mr. Chairman, I rise to make a point of order against the language in title VI of the Agricultural Appropriations Act for the Fiscal Year 1998 on page 56 of the bill, lines 18 through 24, based on the ground that this provision constitutes legislation in an appropriations bill, in violation of rule XXI, clause 2 of the Rules of the House.

The Prescription Drug User Fee Act, an act within the jurisdiction of the Committee of Commerce, authorizes the collection of user fees. However, this authority expires at the end of the fiscal year 1997. This provision of H.R.

2160 would authorize the collection and expenditure of these user fees beyond the year 1997. Therefore, I make a point of order against the language because it constitutes legislative language in an appropriations measure in violation of rule XXI, clause 2.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

As argued by the gentleman from North Carolina, the unprotected language on page 56 effectively would extend statutory authority that would otherwise expire. The language therefore constitutes legislation in violation of clause 2(b) of rule XXI. The point of order is sustained and the unprotected paragraph on page 56 is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $21,350,000, to remain available until expended (7 U.S.C. 2209b).

RENTAL PAYMENTS (FDA)

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act, $46,294,000: *Provided,* That in the event the Food and Drug Administration should require modification of space needs, a share of the salaries and expenses appropriation may be transferred to this appropriation, or a share of this appropriation may be transferred to the salaries and expenses appropriation, but such transfers shall not exceed 5 percent of the funds made available for rental payments (FDA) to or from this account.

DEPARTMENT OF THE TREASURY

FINANCIAL MANAGEMENT SERVICE

PAYMENTS TO THE FARM CREDIT SYSTEM FINANCIAL ASSISTANCE CORPORATION

For necessary payments to the Farm Credit System Financial Assistance Corporation by the Secretary of the Treasury, as authorized by section 6.28(c) of the Farm Credit Act of 1971, as amended, for reimbursement of interest expenses incurred by the Financial Assistance Corporation on obligations issued through 1994, as authorized, $7,728,000.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act, as amended (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed $25,000 for employment under 5 U.S.C. 3109; $57,101,000, including not to exceed $1,000 for official reception and representation expenses: *Provided,* That the Commission is authorized to charge reasonable fees to attendees of Commission sponsored educational events and symposia to cover the Commission's costs of providing those events and symposia, and notwithstanding 31 U.S.C. 3302, said fees shall be credited to this account, to be available without further appropriation.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $34,423,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided,* That this limitation shall not apply to expenses associated with receiverships.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the fiscal year 1998 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 394 passenger motor vehicles, of which 391 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

SEC. 703. Not less than $1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by the Acts of August 14, 1946, and July 28, 1954 (7 U.S.C. 427, 1621–1629), and by chapter 63 of title 31, United States Code, shall be available for contracting in accordance with said Acts and chapter.

SEC. 704. The cumulative total of transfers to the Working Capital Fund for the purpose of accumulating growth capital for data services and National Finance Center operations shall not exceed $2,000,000: *Provided,* That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.

SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended (7 U.S.C. 2209b): Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, and integrated systems acquisition project; Farm Service Agency, salaries and expenses funds made available to county committees; and Foreign Agricultural Service, middle-income country training program.

New obligational authority for the boll weevil program; up to 10 percent of the screwworm program of the Animal and Plant Health Inspection Service; Food Safety and Inspection Service, field automation and information management project; funds appropriated for rental payments; funds for the Native American Institutions Endowment Fund in the Cooperative State Research, Education, and Extension Service; and funds for the competitive research grants (7 U.S.C. 450i(b)), shall remain available until expended.

SEC. 706. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 707. Not to exceed $50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to Public Law 94–449.

SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 709. Notwithstanding any other provision of this Act, commodities acquired by the Department in connection with Commodity Credit Corporation and section 32 price support operations may be used, as authorized by law (15 U.S.C. 714c and 7 U.S.C. 612c), to provide commodities to individuals in cases of hardship as determined by the Secretary of Agriculture.

SEC. 710. None of the funds in this Act shall be available to reimburse the General Services Administration for payment of space rental and related costs in excess of the amounts specified in this Act; nor shall this or any other provision of law require a reduction in the level of rental space or services below that of fiscal year 1997 or prohibit an expansion of rental space or services with the use of funds otherwise appropriated in this Act. Further, no agency of the Department of Agriculture, from funds otherwise available, shall reimburse the General Services Administration for payment of space rental and related costs provided to such agency at a percentage rate which is greater than is available in the case of funds appropriated in this Act.

SEC. 711. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 712. With the exception of grants awarded under the Small Business Innovation Development Act of 1982, Public Law 97–219, as amended (15 U.S.C. 638), none of the funds in this Act shall be available to pay indirect costs on research grants awarded competitively by the Cooperative State Research, Education, and Extension Service that exceed 14 percent of total Federal funds provided under each award.

SEC. 713. Notwithstanding any other provisions of this Act, all loan levels provided of this Act shall be considered estimates, not limitations.

SEC. 714. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 1998 shall remain available until expended to cover obligations made in fiscal year 1998 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; and the rural economic development loans program account.

SEC. 715. Such sums as may be necessary for fiscal year 1998 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 716. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the ''Buy American Act'').

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the

statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 717. Notwithstanding the Federal Grant and Cooperative Agreement Act, marketing services of the Agricultural Marketing Service and the Animal and Plant Health Inspection Service may use cooperative agreements to reflect a relationship between the Agricultural Marketing Service or the Animal and Plant Health Inspection Service and a State or Cooperator to carry out agricultural marketing programs or to carry out programs to protect the Nation's animal and plant resources.

SEC. 718. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 719. None of the funds made available in this Act may be used to provide assistance to, or to pay the salaries of personnel who carry out a market promotion/market access program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) that provides assistance to the United States Mink Export Development Council or any mink industry trade association.

SEC. 720. Of the funds made available by this Act, not more than $1,000,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 721. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an export enhancement program if the aggregate amount of funds and/or commodities under such program exceeds $205,000,000.

SEC. 722. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 723. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 724. None of the funds appropriated or otherwise made available in this Act may be expended or obligated to fund the activities of the Western Director and Special Assistant to the Secretary within the Office of the Secretary of Agriculture or any similar position.

SEC. 725. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board.

SEC. 726. None of the funds in this Act shall be used to fund the immediate office of the Deputy and Assistant Deputy Administrator for Farm Programs within the Farm Service Agency.

SEC. 727. NONRURAL AREA.—The last sentence of section 520 of the Housing Act of 1949 (42 U.S.C. 1490) is amended by inserting before the period at the end the following: '', and the City of Galt, California, shall not be considered rural or a rural area for purposes of this title''.

Mr. SKEEN (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 68, line 16, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

POINT OF ORDER

Mr. KENNEDY of Massachusetts. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I make a point of order against section 727 as constituting legislation on an appropriations bill in violation of House rule XXI, clause 2(b). It amends section 520 of the Housing Act of 1949 concerning the definition of rural areas for the purposes of providing USDA funds.

The CHAIRMAN. Does any Member in addition seek to address the point of order?

If not, the Chair is prepared to rule.

The unprotected general provision in section 727 of the bill proposes a direct change in the Housing Act of 1949. The provision is therefore legislation in violation of clause 2(b) of rule XXI. The point of order is sustained and section 727 is stricken from the bill.

AMENDMENT NO. 9 OFFERED BY MR. NETHERCUTT

Mr. NETHERCUTT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. NETHERCUTT: Strike section 726 (page 68, lines 8 through 11), regarding limitation on the use of funds for immediate office of the Deputy and Assistant Deputy Administrator for Farm Programs within the Farm Service Agency.

The CHAIRMAN. Pursuant to House Resolution 193, the gentleman from Washington [Mr. NETHERCUTT] and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Washington [Mr. NETHERCUTT].

Mr. NETHERCUTT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to join in the offering of this amendment with the gentleman from Texas [Mr. STENHOLM], who authored this amendment initially, and the gentleman from California [Mr. DOOLEY], in restoring the funding for two particular offices within the U.S. Department of Agriculture.

Incidentally, I had earlier in the full committee proposed and had adopted by the full committee an amendment which struck funding for the Deputy and the Assistant Deputy Administrator for Farm Programs within the Farm Service Agency. I proposed that amendment and argued in favor of it and was successful in getting it put into this bill because of my dissatisfaction, and others within my State, with the way the Conservation Reserve Program was administered by this office, or these offices, that we were seeking to grab the attention of.

□ 1300

In the last signup there was acreage across the country earlier this spring permitted to be enrolled in the conservation reserve program, which is a very good program that preserves highly erodible land and involves the farm service agency and the USDA in making sure that highly erodible land is preserved. In my State, relative to every other State in the country that had enrollments, my State received 21 percent of those acres that were sought to be enrolled were enrolled. That is compared to my neighboring States of Oregon and Idaho which had about 80 percent that property that was sought to be enrolled enrolled, and there were problems in the administration of this program around the country and other States as well, but it has been dissatisfactory to the members of the minority as well as members of the majority.

So my efforts in the full committee were to bring attention to what we expect to have as legislators, the fair administration of a program that is good for the country, and I had not felt that our State was treated fairly. So I looked for many options and found that this was perhaps the only option that we had at the time and wanting to make sure that there is a fair administration of the conservation reserve program for all States, not the least of which is my own.

After conferring with the gentleman from Texas [Mr. STENHOLM], conferring with the gentleman from California [Mr. DOOLEY], and having several good conversations with the Secretary of Agriculture this week and previously, it was my judgment that based on assurances that we received that there is going to be fair treatment of all States

in the next signup, which we expect to be September, not the least again of which is my own State, and understanding that the Congress and Members of Congress who are in farm-affected States will have the ability to talk with the Secretary and the agency and have input as to a fair signup ratio so that we do not have these terrible disparities that in my opinion are very unfair to my own State and others, I felt it was appropriate that at this time I join with the gentleman from Texas [Mr. STENHOLM] and the gentleman from California [Mr. DOOLEY] and others who objected to my approach and the tactics we used to draw attention to this disparity, that we go ahead and do this now and that we allow this bill to proceed unencumbered.

Mr. Chairman, I am pleased that the Secretary is in my State today meeting with our farmers, addressing their concerns, and I think there is more to do. We need to make sure that the farmers from the districts of the gentleman from Texas [Mr. STENHOLM] and the gentleman from California [Mr. DOOLEY] and the gentleman from Minnesota [Mr. PETERSON] and other farmers, Members who represent farmers, have their needs met so that there is a fair administration of this program. The bureaucracy sometimes gets out of control and is unwilling to be fair and unwilling to change its mind, I shall say more accurately. But nevertheless, Richard Neumann, who is the deputy administrator for farm programs, I believe is a fine person, and understanding a little more about this amendment, my sense is that he was not involved in this decision or what I perceive to be a failure on the part of the Department to correct the mistake. So I have since learned that he is a fine person and a high-quality administrator. But I think there has to be more work done at the assistant deputy administrator's office. I know these Federal employees are trying their best in this very difficult bill to implement, but, by golly, I think that the rest of us in Congress and people who care about farmers and agriculture have the right to expect high standards and high responsibility on the part of all Federal agencies.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. NETHERCUTT. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I wanted to say to the gentleman how impressed I am and our Members are on the manner in which you conducted yourself on this issue. I think the citizens of the State of Washington are extremely well represented, and I want to thank the gentleman for the manner in which he has operated in order to bring his concerns to the Department.

Mr. NETHERCUTT. Mr. Chairman, I thank the gentlewoman from Ohio [Ms. KAPTUR] and cosponsors of this amendment.

The CHAIRMAN. Does any Member seek time in opposition?

If not, the question is the amendment offered by the gentleman from Washington [Mr. NETHERCUTT].

The amendment was agreed to.

AMENDMENT NO. 35 OFFERED BY MR. WYNN

Mr. WYNN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 35 offered by Mr. WYNN:

On page 68, after line 16, add the following new section:

''SEC. . For an additional amount for the purposes provided for under the heading 'Departmental Administration' in Title I of this Act, $1,500,000, and the amount provided under 'National Agricultural Statistics Service' is hereby reduced by $1,500,000.' ''

The CHAIRMAN. Pursuant to House Resolution 193, the gentleman from Maryland [Mr. WYNN] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Chairman, I yield myself such time as I may consume.

I am delighted to be offering this amendment this afternoon along with my colleague the gentlewoman from North Carolina [Mrs. CLAYTON] and the gentleman from Alabama [Mr. HILLIARD]. I am also pleased to have been able to work with the subcommittee chairman, the gentleman from New Mexico [Mr. SKEEN]. I want to thank him for his cooperation in helping me with this amendment.

This is a very simple amendment. It seeks to add $1.5 million to the Department of Agriculture's civil rights division. The purpose of this amendment and these additional funds is basically to assist the civil rights division in addressing its backlog of equal opportunity claims.

Many of us on both sides of the aisle have said it is absolutely important that we address the problem of discrimination with our existing EEO laws. These additional funds will enable us to do that in an efficient way. The Secretary has said that with additional funds he can address the backlog with additional investigators and we can begin to move forward in resolving these complaints.

We also have concerns about the problems and the plight of the black farmers in America, and these funds will also enable some of those concerns to be addressed.

So I believe there is bipartisan support for this approach, and I am pleased to be here, as I say, with the gentlewoman from North Carolina [Mrs. CLAYTON].

Mr. Chairman, I yield to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, I want to commend the leadership of the gentleman from Maryland [Mr. WYNN] and thank both the chair of the subcommittee and our ranking member of the subcommittee for both of them agreeing that this is the right thing to do.

Let me just say parenthetically the $1.5 million will go a long ways. It does not represent the total amount of moneys we need to represent. It goes a long ways to represent what we need, but it does not represent the entirety. I think the department said they needed at least $3 million.

So I want to think this is a step in the right direction. We need a few more steps before indeed we have enough funds to do the kind of investigation that is warranted to make sure those persons who have complaints have their complaints investigated properly.

Mr. WYNN. Mr. Chairman, I want to thank the gentlewoman from North Carolina for her outstanding work on this measure. I do not believe we have any speakers in support of the amendment.

Mr. Chairman, on that basis I yield back the balance of my time.

Mr. SKEEN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Maryland [Mr. WYNN] to say that there have been several versions of this amendment and some of the other ones had scoring problems and this latest version appears budget-neutral and I will be happy to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. WYNN].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the last three lines.

The Clerk read as follows:

This Act may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1998''.

AMENDMENT OFFERED BY MR. COX OF CALIFORNIA

Mr. COX of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. COX of California: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 728. None of the funds appropriated or otherwise made available by this Act may be made available to provide assistance to the Democratic People's Republic of Korea, except for assistance that is provided to needy people by the United Nations World Food Program or private voluntary organizations registered with the United States Agency for International Development, and not by the Government of the Democratic People's Republic of Korea.

The CHAIRMAN. Pursuant to House Resolution 193, the gentleman from California [Mr. COX] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California [Mr. COX].

Mr. COX of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to be offering this amendment with my colleague from Ohio [Mr. HALL]. I am

pleased because this is a completely bipartisan amendment and one that I expect will be supported by Members on both sides.

The purpose of the amendment is simple, to ensure that the United States of America, while doing all that it can to assist starving people victimized by the horrifying manmade famine caused by a half century of Stalinist agriculture policies in North Korea, does not empower the dear leader, Kim Jong-il. North Korea is one of the worst pariah states on Earth. North Korea spends over $5 billion a year militarizing itself. It is one of the most controlled societies on Earth, and the starvation caused by its Communist government and by those Communist government policies is horrific.

We have, of late, been providing through the United Nations and nongovernmental organizations assistance to starving people in North Korea, but we are distressed to learn that this aid is not reaching its intended beneficiaries all too often.

North Korea's chief ideologist, Hwang Jang-yop, defected to South Korea this year, and on July 10 he gave a news conference. He told the world that Kim Jong-il uses food to control people. U.S. taxpayers and the United States of America's policy ought not to support that. What he said at his press conference was that North Korea controls people with food, North Korea controls the entire country and people with food distribution. In other words, the food distribution is a means of control, quote, unquote.

Observers report that Kim Jong-il is practicing regional triage, sealing off the hardest-hit regions in the north and northeast and leaving them to starve so that he can feed the elites, in particular the military. Kim Jong-il has spent tens of millions of dollars in a successful effort to develop medium-range missiles. He is spending many millions more to develop long-range missiles. We heard testimony in February of this year that North Korea was on a military shopping spree for aircraft and air defense systems, submarines, landing ships, and automatic weapons. This year he ordered a massive series of war-fighting exercises that consumed huge amounts of food and fuel.

General Shalikashvili, the outgoing chairman of the Joint Chiefs of Staff, noted this recent increase in North Korea military exercises and asked,

> If they are in such great difficulty, and if they are in need of assistance, why are they spending their resources on this kind of exercising? You have to ask yours.

Secretary of Defense Cohen recently stated that North Korea is seeking food to keep its citizenry fed while its military continues to function and soak up what limited sources they have. So in the view of the Secretary of Defense, we are indirectly subsidizing the North Korean military.

Other expenditures by Kim Jong-il should also give us pause as we ask U.S. taxpayers to foot the bill for assistance that ultimately is controlled by Kim Jong-il: $83 million recently for a mausoleum for Kim il-Sung, the great leader, the great Stalinist; $134 million for the dear leader's own residence, for Kim Jong-il's own humble abode; $6 million to embalm Kim il-Sung; millions more just 2 weeks ago for nationwide ceremonies to honor Kim il-Sung.

No wonder Jim Lilley, our former Ambassador to South Korea, has described these massive expenditures which dwarf our food aid as a veritable death cult.

It is for these reasons that the gentleman from Ohio, Mr. TONY HALL, and I have developed a bipartisan compromise that permits the administration to continue its policy but safeguards the delivery of this food so that the military may not receive it and the government of North Korea may not deliver it. By cutting them out of this process, the amendment will decrease the risk that Kim Jong-il's military government will succeed in diverting the food the United States sends to North Korea or manipulating its distribution.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does any Member seek time in opposition to the amendment offered by the gentleman from California [Mr. COX]?

If not, the Chair recognizes the gentleman from Ohio [Mr. HALL], to control the 5 minutes in opposition.

Mr. HALL of Ohio. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I certainly rise in support of this amendment. It is not a perfect amendment, but it brings the bill in line with a long and proud American tradition, and that is extending humanitarian aid to people who are facing starvation. Not one jot of food should be used to feed North Korea's standing army, and under the current approach the food we donate to the world food program is reaching the program is reaching the children and ordinary civilians who are facing starvation, and that is verified by independent monitors.

The policy we are pursuing towards North Korea is one we have painstakingly coordinated with our allies in South Korea. I believe it offers the best hope for making sure our humanitarian aid does not help North Korea's military.

□ 1315

In a few weeks, North Korea and China are meeting South Korea and the United States for peace talks. Negotiations to arrange these talks took more than a year. They offer the first real promise for peace in nearly five decades, since the Korean war ended.

But now, nearly 50 years later, the best hope is not for a collapse of North Korea's regime. Observers say that almost certainly this would almost endanger the 37,000 American troops who safeguard South Korea's borders. They predict it would send millions of refugees fleeing into South Korea and China, and that only a $1 trillion investment would prevent it. No one expects South Korea would bail out North Korea on its own. I am sure none of us wants to see the United States facing that kind of a bill.

Most experts say that the best hope today is for reforms that will bring to North Korea the prosperity and stability that has made South Korea the world's 11th largest economy. The shape of this reunification is the topic of considerable debate among experts here and in South Korea. But all agree that those changes start with peace.

Undercutting American foreign policy now may make some Members of the House feel good, but it is the wrong thing to do and it is potentially a dangerous course. The right thing to do is to support the approach the United States and allies are taking.

I have seen the conditions in North Korea, and I believe they are as desperate as the dozens of international and nongovernmental organizations working there constantly report that they are. I have watched the humanitarian approach to this difficult situation, and I believe it should be strengthened and not weakened. It is the innocent people in North Korea who suffer, and that is the group I am interested in, not the military. I support this amendment and I urge the House to support it.

Mr. BEREUTER. Mr. Chairman, this Member would congratulate the gentleman from California [Mr. COX] and the gentleman from Ohio [Mr. HALL] for working so diligently on this issue. The compromise is a good one, and this Member certainly supports it.

This Member had tried to be helpful in the effort to reach common language on the North Korean famine, and was prepared to offer a second degree amendment that would have reflected the view that has been expressed in the Committee on International Relations. While the Parliamentarian ruled that the International Relations Committee's language would have been authorizing in an appropriation bill and was not in order. This Member would note, however, the intention of the International Relations Committee to move its North Korea policy language as part of the Foreign Assistance Act. This Member will discuss the components of the Bereuter perfecting amendment momentarily.

Certainly it can be agreed that this Nation should be willing to provide food to starving women and children, regardless of the despicable nature of the regime under which they live. And, there is no more heinous regime than that of the Democratic People's Republic of Korea. It is perhaps the last Stalinist regime, and certainly one of the most brutal regimes that ever has existed.

As chairman of the Subcommittee on Asia and the Pacific of the International Relations Committee, this Member has conducted three hearings and countless briefings on the situation in North Korea in the last several years. The subcommittee has followed this issue very carefully.

Certainly there is starvation—some of it as the result of unprecedented flooding, but most due to the utterly incomprehensible and counterproductive agricultural policies of the North Korean Government. This Member would tell his colleagues that this famine is largely Government-induced, and not the result of natural catastrophe. But the famine is real. We have reliable reports of women and children eating grass and tree bark. The famine is so bad that many industries have simply ceased to exist because the workers no longer have the energy to perform even the most simple tasks.

When the United States began working with the World Food Programme to provide humanitarian food aid to the North, this Member, together with the distinguished chairman of the International Relations Committee, Mr. GILMAN, and the distinguished ranking member, Mr. HAMILTON, set forth certain criteria that were absolute preconditions for any U.S. food aid program. These included: One, assurance that our South Korean allies were consulted and supportive of the food aid deliveries; two, assurance that previous food aid and official confessional food deliveries have not been diverted to the military; three, North Korean military stocks have been tapped to respond to the North Korean unmet food needs; four, the World Food Programme would have the monitors on the ground to oversee the delivery and ensure that food aid is not diverted from the intended recipients; and five, that the United States Government encourage the North Korean Government to undertake a fundamental restructuring of its agricultural system.

These basic, commonsense conditions are the essence of the Bereuter second degree amendment that this gentleman would have been prepared to offer had it been ruled in order.

These types of basic conditions were deemed necessary because, in the past, food aid deliveries had in fact been diverted by the North Korean military. This Member would hasten to point out that U.S. humanitarian assistance was not diverted, but significant diversions of assistance from other countries has been detected.

It would be entirely unacceptable if the North Korean military were to benefit from our humanitarian outpouring of good will. This body must be vigilant against this possibility. The Asia and the Pacific Subcommittee and the International Relations Committee are working very closely with the administration to ensure that these conditions have been met. We have taken steps to ensure that the administration dramatically increases the number of trained monitors on the ground to supervise the dispersal of food assistance. The International Relations Committee also has been working with excellent organizations such as Catholic Relief Services and CARE to ensure that the monitoring teams are adequate to perform the tasks they have been assigned. We continue to work with the administration, and this Member can assure his colleagues that the Asia and the Pacific Subcommittee and the International Relations Committee are following this extremely important matter very, very closely.

Again, this Member commends the gentlemen for crafting an amendment that addresses the very real famine in North Korea while at the same time addressing the legitimate security concern that we not provide comfort to the North Korean military.

The CHAIRMAN. The question is on the amendment offered by gentleman from California [Mr. COX].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Ms. KAPTUR. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to rule 193, further proceedings on the amendment offered by the gentleman from California [Mr. COX] will be postponed.

AMENDMENT NO. 3 OFFERED BY MRS. LOWEY

Mrs. LOWEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mrs. LOWEY:

At the end of the bill, insert after the last section the following new section:

SEC. . None of the funds made available in this Act may be used to provide or pay the salaries of personnel who provide crop insurance or noninsured crop disaster assistance for tobacco for the 1998 or later crop years.

The CHAIRMAN. Pursuant to House Resolution 193, the gentlewoman from New York [Mrs. LOWEY] and a Member opposed will each control 15 minutes.

The Chair recognizes the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I yield myself such time as I may consume.

The bipartisan Lowey-DeGette-Hansen-Meehan-Smith amendment will eliminate Federally-based crop insurance for tobacco and begin to get the Federal Government out of the tobacco business for good. According to the CBO, this amendment will save taxpayers at least $34 million.

Tobacco products kill 400,000 Americans each year. Every day more than 3,000 American teenagers start smoking. One in three will die from cancer, heart disease, and other illnesses caused by smoking. American taxpayers should not be subsidizing this deadly product.

The Federal Government is spending millions on crop insurance for tobacco; at the same time, we are spending almost $200 million to warn Americans about the dangers of tobacco and prevent its use. It is time for this hypocrisy to end. We must make our agricultural policy consistent with our public health policy.

Mr. Chairman, opponents of this amendment will say that we are denying a service to tobacco growers that is available to all other farmers. That is simply not true. Only 65 of nearly 1,600 crops grown in the United States are eligible for Federal crop insurance; honey, broccoli, watermelon, squash, cherries, cucumbers, not covered.

Opponents of this amendment will also say that it will hurt small tobacco farmers. But what they do not tell us is that tobacco is one of the most lucrative crops in America. An acre of tobacco yields a 1,000-percent higher price than an acre of corn. Today we have an historic opportunity to dissolve the Federal Government's partnership with the tobacco industry. We must stop using taxpayer dollars to subsidize a product that kills millions of adults, addicts our kids, and costs billions a year in health care.

Mr. Chairman, I reserve the balance of my time.

Mr. SKEEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent that one-half of my time be yielded to the gentlewoman from Ohio [Ms. KAPTUR], and that she be allowed to further yield time.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The CHAIRMAN. The gentlewoman from Ohio [Ms. KAPTUR] will control 7½ minutes, and the gentleman from New Mexico [Mr. SKEEN] will control 7½ minutes.

The Chair recognizes the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Chairman, I yield 1½ minute to the gentleman from North Carolina [Mr. PRICE].

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to the Lowey-DeGette amendment.

Mr. Chairman, I am not a reflexive defender of the tobacco industry. I favor effective public health and education measures, and I wish Joe Camel good riddance. But I find this amendment deeply offensive, punitive, and unfair, and I hope fair-minded colleagues will hear me out before they reflexively support it.

Crop insurance is a protection that we offer to farmers of all major crops, as determined by yield, demand, and value. This amendment would stigmatize and deny this protection to one group of farmers. It targets the people who farm, punishing them for the crop which they are able to grow by virtue of climate and geography and the size of their farms. If that is not discrimination, if that is not unfairness, I would like to know what name you would put on it?

Mr. Chairman, in North Carolina, the climate and soil are ideal for growing tobacco. Many of our farms are successfully diversifying, and we are attracting light industry to the countryside. But with an average size farm of just 160 acres, our farmers don't have the luxury of enough acreage to make a living planting only corn or cotton or soybeans; they have to make their living with what is theirs to work.

Denying crop insurance or disaster relief to these individuals will not change their geography or climate or the economic facts of life. It will not miraculously enable them to turn to some other crop or other line of work. It will simply ruin many of them economically, especially those on the margins of profitability, those on the small farms.

The burden of proof is on those who would withdraw crop insurance for one

and only one group of farmers. The Lowey amendment has nothing to do with smoking and health, everything to do with driving the small farmer off the land and hastening the day of corporate and contract farming. To stigmatize a group and exclude them from a common benefit simply because of the size of their farm, their climate, their geography, and what they grow, is the sort of discrimination we would reject out of hand in other realms. I urge my colleagues to reject it here.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Washington [Mrs. LINDA SMITH], a cosponsor of the amendment and a fighter on antitobacco programs.

Mrs. LINDA SMITH of Washington. Mr. Chairman, I rise in support of this amendment. I think the major argument before us today will be that it is discrimination if we do not subsidize tobacco. I want to stand here before Members and tell them, there is only a handful of crops that qualify for Federal crop insurance, only a handful, less than 65.

Mr. Chairman, I believe if people look to their own States and find out which crops are not insured, they will find that good crops, like in the State of Washington, peaches, berries, cherries, Christmas trees, alfalfa forage, are not insured. I would beg Members to go back to find out which crops in their State are discriminated against as they are voting for certain States to get preference.

Let us look at the benefits of a peach. A peach is good for a kid. Now let us look at the benefits of tobacco. Tobacco kills kids. Where is the value for America? I looked up the amount of money pumped into this place for campaigns in the month of June. I did not see a whole lot from peaches. But I sure saw a whole lot from tobacco.

Why would tobacco think, up against this vote, that they had to pump hundreds of thousands, yes, millions of dollars into campaigns of people incumbent in Congress? I did not see them walking down the streets handing out checks to the tourists. I did not see them mailing them to people in my home district. But they do report that they have given hundreds of thousands to this body in the month of June, anticipating this vote.

I would beg Members to go home and look at their priorities, look at the crops that are being discriminated against in their State, and then justify to their constituents why they voted to subsidize tobacco.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Oregon [Mr. SMITH].

Mr. SMITH of Oregon. Mr. Chairman, I rise in opposition to this amendment, and to all the tobacco growers in Oregon, I want to explain why. By the way, we do not have tobacco growers in Oregon.

First of all, Mr. Chairman, there are three reasons here that this is a bad idea. One, it unfairly singles out tobacco farmers for punishment. Second, it undermines the Federal crop insurance program, which we have discussed here at great length under the other two amendments. Finally, and most importantly, this does absolutely nothing to stop people from smoking.

Mr. Chairman, if there is an effort here sincerely to stop people from smoking, I will join it. But I am not here to punish farmers. I am here to protect farmers. Listen to this, Mr. Chairman: 124,000 farms in 21 States grow tobacco, 90,000 tobacco policies are under the crop insurance program of over $1 billion. To say that this amendment does not hurt farmers, listen to those numbers.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from Colorado [Ms. DEGETTE], a proud cosponsor of the amendment.

Ms. DEGETTE. Mr. Chairman, in 1989 Pat Rose died of lung cancer after smoking for 38 years, starting at the age of 16. Pat Rose was my mother, and she left behind me and my four younger siblings. Millions of Americans like my family are affected every year by smoking, and a new study shows that thousands of kids in this country every year die because of direct or indirect effects of smoking.

The United States recognizes that smoking is not good for our children or our families, which is why last year we spent $200 million trying to get Americans to stop smoking. Paradoxically, last year we also spent $80 million for tobacco crop insurance. This is a policy that is schizophrenic and must change now.

Let us debunk some myths, first of all. Members have heard that not every farmer has crop insurance. Only about 65 of the 1,600 crops grown in this country receive it. Healthy crops, as Members have heard, do not get a dime of Federal crop insurance, yet tobacco crops, which have no nutritional value, obtained this insurance. When our amendment passes, tobacco farmers can still obtain crop insurance, just not at the Government's expense.

I daresay that as we move from tobacco in this country, we need to spend our time not arguing about whether we should grow it, but helping these small farmers to find alternative sources of income. I am very sympathetic with the small farmers. I think we need to support their ability to move into healthy crops. I also daresay there are many small tobacco farmers who are killed by the effects of smoking and whose families are affected by smoking as well.

I urge all of my colleagues to think about our constituents, our friends and our families who are struck every year with the effects of tobacco, and the fact that smoking is increasing more than 50 percent among 8th through 10th graders. We must do everything in our power to discourage tobacco and to help the small farmers.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina [Mr. COBLE].

Mr. COBLE. Mr. Chairman, I thank the gentleman. Here we are, Mr. Chairman, on our perennial trip to the whipping post. Who is to be whipped? Tobacco, of course, men and women who work 14 to 16 hours a day to get their crop to the barn and then to the market to make lives better for their children, workers who are employed at Lorillard in my hometown, nearby Phillip Morris, Reynolds, and Leggett, formerly, until American was forced to close their doors. And finally, the companies are to be whipped because they pay a million dollars of taxes to local and State governments, to enable these governments to extend services to thousands of citizens.

□ 1330

Tobacco, Mr. Chairman, has traditionally been known as the golden weed in my part of the country. One would think to hear this rhetoric in this hall that the weed was scarlet, the color of sin. Protect the golden weed. That is all we are asking. This is unconscionable what is being done here today, Mr. Chairman. I urge my colleagues to oppose the amendment of my friend from New York and see it go down in flames.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Utah [Mr. HANSEN], a cosponsor of this amendment.

(Mr. HANSEN asked and was given permission to revise and extend his remarks.)

Mr. HANSEN. Mr. Chairman, here we go again, confusing the public. I have never seen anything that confuses the public more than what we are doing right now. We spend $177 million to warn people of the use of this tobacco product. Then on the other hand here we are guaranteeing to subsidize the product.

It is interesting, another statistic that I recently pulled out. We are spending $50 billion in health care in America to take care of this particular product. But we are still going to subsidize it. We confuse the public a little more. We now find out that more lives are lost due to this product than murder, suicide, AIDS, alcohol and car accidents combined. Still here we go again, let us subsidize the product.

Is it a lucrative product? You bet it is. This amendment that we are working on does not affect the no net cost tobacco price support program for Federal Extension Services. Tobacco farmers are still able to grow tobacco and will still be able to sell it to the tobacco companies. This amendment is simply putting our agricultural policy in line with our health policy. I urge support for the amendment.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina [Mr. MCINTYRE].

(Mr. MCINTYRE asked and was given permission to revise and extend his remarks.)

Mr. MCINTYRE. Mr. Chairman, if the idea today is to do away with the tobacco industry and smoking, this amendment will not work. All it will do is take some hard-working families from their farms.

The only victims of this scheme are the small farmers. No one will stop smoking because of this amendment. The only thing it will do is take away the already endangered family farm. If we take away crop insurance from our tobacco farmers, we punish them for making an honest living from the soil of the earth. We punish them by keeping them from getting bank loans.

Nobody asked for the two hurricanes that hit my district and destroyed crops in all eight counties last year. Are we going to punish the farmers for something they cannot help. This is what this amendment would do. It is a loser. Families first? No. Families last under this amendment. Mr. Chairman, we need to oppose this amendment and preserve the family farm.

Mr. Chairman, I rise today in strong opposition to the Lowey-DeGette amendment that would eliminate Federal crop insurance and Federal disaster compensation for tobacco farmers. Mr. Chairman, proponents of this amendment would have you believe that it will curb smoking levels across the country. They would have you believe that removing Federal crop insurance for tobacco would somehow injure the tobacco industry which they hold responsible for youth smoking. The results of this amendment, however, will not be felt by the tobacco industry. That is the big deception. The true fall-out, Mr. Chairman, will be felt by tobacco farmers and their families.

The truth of the matter, Mr. Chairman, is that the Lowey-DeGette amendment would do absolutely nothing to deter or stop the production of tobacco or punish cigarette companies. Can anyone honestly say that removing Federal crop insurance for tobacco farmers would promote a single smoker to give up the habit, or deter a single nonsmoker from initiating one? No.

Mr. Chairman, let's look at exactly who this amendment will affect. The Lowey-DeGette amendment will take away the ability of small farmers to keep their families above the poverty line. Let me repeat that. The Lowey-DeGette amendment will prevent small farmers from growing a legal crop that often means the difference in their efforts to provide food, clothing, and shelter for their families.

As an editorial in today's Fayetteville Observer-Times stated,

If the plan is to do in the tobacco industry, it won't work. What it will do is separate some hard-working people from their family farms.

Picture this (because this is all that the proposed legislation would accomplish). The people who provide the growers with the many things they need to get a crop started wouldn't be affected. Neither would the warehousemen, the corporate buyers, the manufacturers or the retailers. Only growers would fall under its provisions.

Moreover, the victims, if this scheme were to become law * * * would be small farmers.

Whatever the outcome, tobacco will still be produced, sold, processed, re-sold, and smoked. The only thing that will come close to disappearing is the already endangered family farm.

To paraphrase Shakespeare—and I can say this as a lawyer—the proponents of this awful, unfair, ugly amendment ought to say, ''The first thing let's do is to kill all the farmers,'' for economically speaking, that is exactly what supporters of this amendment will be doing.

Go ahead. Make the farm killers' day. Just blow 'em away. Let a hurricane or tornado or hail storm ruin their lives and the lives of their families.

If we take away crop insurance from our tobacco farmers, we punish them for making an honest living from the soil of the Earth, we punish them by keeping them from getting bank loans, and we punish them again if disaster strikes. Do not do it. Do not take away their chance to make an honest living an be able to provide for their families.

The U.S. Department of Agriculture classifies small farmers whose income total $20,000 or less for 2 consecutive years as limited resource farmers. The States with the largest numbers of limited resource farmers are Kentucky, Tennessee, Virginia, and North Carolina. It is no coincidence that these States also make up a majority of the leading tobacco producing States in the Nation. Mr. Chairman, the limited resource farmers that grow tobacco are by no means wealthy people. They sweat and toil on small plots of land where oftentimes the only crop that can be grown in such small quantities and still bring a financial return sufficient to maintain their operation from year to year is tobacco. The argument put forth by proponents of the Lowey-DeGette amendment that tobacco farmers could replace tobacco with another commodity is simply not true. The average size farm in tobacco country is 169 acres, of which tobacco is usually grown on 50 to 100 acres. In order to replace the gross income from just 50 acres of tobacco, a farmer would have to produce 235 acres of peanuts, 372 acres of cotton, 1,442 acres of wheat, 1,161 acres of soybeans, or 747 acres of corn. The small amounts of land that are typically available to limited resource farmers makes any of these options mathematically impossible.

My friends in the House, limited resource farmers do not grow tobacco to get rich. They do not grow tobacco so that cigarette companies can get rich. Limited resource farmers grow the legal crop tobacco in order to put a roof over their families' heads. They grow tobacco to put food on their families' tables. They grow tobacco so that they can someday send their children to school; so that they can provide the opportunity of a better life for their children.

Mr. Chairman, proponents of the Lowey-DeGette amendment would have us believe that not a single farmer will lose his or her job as a result of their language. This, my colleagues in the House, is absolutely false. My friends, tobacco is an extremely difficult crop to grow. It is vulnerable to a variety of diseases, infestations, and is especially sensitive to weather variations. In addition, due to its proximity to the Atlantic Ocean, our tobacco farmers are also at the mercy of competely unpredictable natural disasters like hurricanes, two of which hit my district last year and wiped out entire tobacco fields across the region in all eight of the counties which I represent. The delicate nature of tobacco requires that farmers secure insurance in order to receive operating loans that many farmers rely on for the funding necessary to initiate planting each year.

Without that insurance, farmers will not even be considered for the loans that enable them to begin planting each year. Without insurance, tobacco farmers will not have a means to make a living. USDA Secretary Dan Glickman recognized this and has made the availability of Federal crop insurance a top department priority. In a statement he made this past May, Secretary Glickman said, ''I am determined that everyone will have access to crop insurance—large farmers and small farmers alike, especially those with limited resources, minorities, and producers in all areas of the country.'' In addition, Secretary Glickman announced last week the formation of a National Commission on Small Farms to find new ways to support small farms and limited resource farmers. It would appear, then, that eliminating Federal crop insurance which is relied upon so heavily by small, limited resource farmers is not at all in line with the USDA. It is simply advancing someone's political agenda at the expense and heartache of farmer families. It is stealing bread off of the table. It is discrimination in its ugliest form. It is taking advantage of someone else who falls victim to a natural disaster.

Mr. Chairman, limited resource farmers depend on Federal crop insurance and the protection it provides simply because they cannot afford the high cost of private insurance which proponents of the Lowey-DeGette amendment like to point to as an alternative. Let's take a closer look at that alternative. Limited resource farmers are simply unable to afford current premiums on private insurance. If they could afford it, they would certainly look in that direction for protection, for private insurance offers much more comprehensive coverage than its Federal counterpart. I have spoken with several private insurers in my district about the ramifications of losing Federal coverage. Without hesitation, they provided me with figures that indicate their premiums would increase nearly threefold, making private insurance even further out of reach financially for limited resource farmers. In addition, private insurers are in no way compelled to offer insurance to everyone who applies for it. The harsh truth is that even if limited resource farmers were to attempt to pull together enough capital to apply for private insurance, they would likely be denied. So don't listen to the falsehoods you are being told. Many tobacco farmers simply cannot go out and buy private insurance. No insurance means no loans. No loans means no tobacco crop. No crop means no income, no food, no future for their kids, no retirement. It means moving people from work to welfare—something I thought we were trying to get away from.

This is reality, not the big deception that proponents of the Lowey-DeGette amendment are trying to sell. The Lowey-DeGette

amendment will put farmers out of work, period. Mr. Chairman, this body has made great strides in recent years to reform out national welfare system. This body has passed legislation that thins the welfare roles by putting long-time recipients to work. My colleagues in the House, does it make sense, then, for this body to pass language that will reverse all of that excellent work? Does it make sense to pass language that will take people from work to welfare?

My friends, I urge a no vote on the Lowey-DeGette amendment. Similar language was rejected by the House of Representatives last year, and this very same amendment was defeated by the Appropriations Committee last week. It is a loser. And under it, farm families would lose as well. Families first? Not under this amendment. Families last and political agendas first—that is what this amendment is all about. Do the right thing for families, reject it again.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MEEHAN], cosponsor of this amendment.

Mr. MEEHAN. Mr. Chairman, today it is time to bring our agricultural policy in line with our health policy. As the cochairman of the 83 member congressional task force on tobacco and health, we need to correct this serious disconnect in Federal policy. We cannot credibly discourage the use of tobacco as long as we are subsidizing the growing of tobacco. It is really that simple.

We may be able to come up with assistance to tobacco farmers, we should do that through the settlement that has been negotiated by the attorneys general. But it does not make any sense to take taxpayer money and subsidize the growth of tobacco in this country.

We have made enormous progress on this amendment over the last few years. In fact, we have made so much progress that last year it failed by only two votes. Surely in the last year we have gotten enough information about what tobacco companies knew about the dangers of their product, about decades of duplicity and lying that they have perpetrated upon American people. Now is the time to pass this amendment. This is extremely important.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentlewoman from Kentucky [Mrs. NORTHUP].

Mrs. NORTHUP. Mr. Chairman, first of all I am proud to say I have never taken a dime from the tobacco companies and do not intend to now. I refuse all of their PAC checks. I have also been the proud sponsor of a lot of tough youth access legislation and hope to have that opportunity again. But this will hurt exactly the wrong people.

There are some people that love this legislation. They are the farmers from Malawi and Brazil and Argentina that can grow cheap tobacco and replace our tobacco grown in this country. What does that do? That ruins small poor communities all across Kentucky. They are the communities with the highest unemployment rate. They are the communities with the fewest resources. This is the crop that enables them to pay their taxes so that they can support our schools, our small communities, and help capitalize the changes they are trying to make in agriculture so that they can convert to other crops. They understand how threatened they are. They understand the cheap tobacco that is flooding the world market. They understand how short a lifeline they are on. They are trying to capitalize the changes to get into other crops. Please, do not ruin our smallest, poorest communities.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas [Mr. LAMPSON].

Mr. LAMPSON. Mr. Chairman, we know that tobacco use is the most preventable cause of death, yet 400,000 Americans die each year from causes related to the use of tobacco. Our young people have grown up certain in the knowledge that tobacco causes cancer. Yet 3,000 American teenagers start smoking cigarettes every day. Hopefully the new FDA guidelines will help lower that number dramatically.

I believe we need consistency in our policy toward tobacco. If we do not offer Federal crop insurance for commodities that are not a serious public health risk, why should we offer insurance for tobacco? Last year the taxpayers footed the bill for about $80 million in net tobacco insurance costs. At the same time, we spent almost 177 million trying to discourage tobacco use. Now we must ask the question, should we spend money to promote tobacco use or to discourage tobacco use? That is the fundamental issue that we are discussing right now.

I do not believe the American people want us to continue having it both ways. After all the tough decisions we had in cutting spending, this is a simple one. It is time to stop giving special aid to tobacco. Instead of protecting the special interests, we must take the opportunity to help our families protect their children.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina [Mrs. CLAYTON].

(Mrs. CLAYTON asked and was given permission to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Chairman, in discussing this amendment we really need to discuss the morality of young people smoking or the mortality of those who may be chronic long smokers. In spite of the good intentions of the sponsors, we are not doing that. What we should be talking about is fairness and the appropriate remedy. Is it fair to deny vulnerable persons, deny them and be the only ones who are farmers not receiving the protection of our crop insurance? It would mean those farmers would not be able to get loans, not being able to get loans they would go out of business.

I can tell my colleagues, these are not big businesses. These are small farmers. These are small farmers who usually grow 10 or less acres of tobacco. I heard someone say how profitable it is. It is profitable. In order to make that same income, we would have to do 15 times as much cotton, almost 20 times as much corn, if we could find the land that would grow the corn, grow the wheat. This is not the right way. Yes, American policy has spoken. It says we should protect our youth. We should bring that in correlation with each other. This is the wrong way to do it. It is the wrong remedy.

Mr. SKEEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky [Mr. BUNNING].

(Mr. BUNNING asked and was given permission to revise and extend his remarks.)

Mr. BUNNING. Mr. Chairman, I rise today in strong opposition to the Lowey amendment.

Mr. Chairman, I rise today in strong opposition to the Lowey amendment.

This is a mean-spirited attack on small farmers throughout the South.

We all know Mrs. LOWEY and her cosponsors don't like smoking, but this amendment will not stop one person from smoking. It will only hurt small tobacco farmers in my district and throughout the South.

The opponents of tobacco always imply that we should not pay farmers to grow tobacco. We do not. Let me repeat that. The Federal Government does not pay subsidies to farmers to grow tobacco.

Sure our Government offers to tobacco farmers some of the same programs like crop insurance that are offered to other farmers.

But we should offer them the same treatment other farmers receive. Tobacco farmers grow a legal crop.

These farmers are not outlaws. They should be treated the same as those who grow corn or raise dairy cattle or any other commodity. Tobacco farmers should be able to purchase the same services almost every other farmer is able to purchase.

What this amendment does is single out the small tobacco farmers who are the backbone of the agriculture industry in my State and all over the South.

Most of these farmers, including the 14,400 tobacco growers in my district own small family farms. They may have a couple or 5 or even 10 acres of tobacco that they use to offset their other costs in farming. Or maybe they use the extra income to send their children to college. So their children may have it just a little bit easier than they did. Where's the crime?

Tobacco is a legal product. We have no right to treat honest taxpaying, hard-working Americans like they are outlaws. They have committed no crime, yet this amendment singles them out and treats them like criminals.

This amendment will not do one thing to prevent smoking. It will not punish the big tobacco companies; it will not decrease the deficit. It will only treat small farmers like criminals.

It's bad policy—it's unfair and it's wrong.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Connecticut [Ms. DELAURO], a member of the committee.

Ms. DELAURO. Mr. Chairman, this is a debate about saving lives. The deadly effects of tobacco cannot be denied, each year more than 400,000 Americans die of smoking-related illnesses. Each year the Federal Government pays and picks up the tab for many of these health care expenses. Yet our Government provides, pays for, subsidized crop insurance to tobacco growers, $34 million in taxpayers' dollars.

Other crops such as broccoli and cucumbers are not covered by crop insurance. Why tobacco? Some of my colleagues who oppose this amendment will talk about its impact on farmers. It is not that we are not sympathetic to small farmers. But what about the families whose loved ones die due to deadly smoking habits? What about fathers, mothers, grandparents who are among the 400,000 who die each year due to tobacco habits?

We are working at cross-purposes when we give tobacco subsidies with one hand and then we must spend health and education dollars to counteract tobacco's effects with the other. We have a clear and convincing evidence of tobacco's deadly impact. I urge my colleagues to support the Lowey amendment.

Mr. SKEEN. Mr. Chairman, I yield 30 seconds to the gentleman from North Carolina [Mr. JONES].

Mr. JONES. Mr. Chairman, some have chosen to target the tobacco farmer. The denial of crop insurance is another attempt to suffocate a legitimate industry. This amendment will have a devastating effect on the tobacco farmer and his family. All farmers work hard to put food on the table for their families. The tobacco farmer is no different. He is no different than a corn farmer in the Midwest or a cotton farmer in Alabama. All farmers, including the tobacco farmers, deserve crop insurance. For the sake of fairness, vote ''no'' on the Lowey amendment.

Some of my colleagues have chosen again to target the tobacco farmer. The denial of crop insurance to tobacco farmers and their family is simply another unfair and insensitive attempt to suffocate a legitimate industry.

Some Members believe this amendment will stop teenagers from smoking. That is absolutely wrong. It will stop one person from smoking; it won't even punish the industry. Instead it will have a devastating effect on the tobacco farmer and his family. The farmer will be left unprotected, unlike any other farmer who grows a legal producing crop.

All farmers work hard to make ends meet, to put food on the table for their families—the tobacco farmer is no different. He is no different than a corn farmer in the Midwest or a cotton farmer in Alabama. This amendment will blatantly discriminate against a legal commodity.

These hard-working farmers struggle every day to make ends meet. You will be dealing them a devastating blow to their ability to make a living. Insurance premiums will double, if not triple, if they are required to seek private insurance, which may not be available.

The economies of tobacco-producing States will be devastated by this amendment. Tobacco is a $7 billion industry for North Carolina—the State contributes $2.8 billion a year in Federal taxes. Schools, hospitals, community buildings, churches, and other community-based projects will not be built because of this revenue loss.

At the national level, tobacco contributes $22.6 billion a year in Federal tax revenue—this money does not just come from producing States. Even nongrowing States will also be hit economically.

New York, for example, could lose up to $4 billion if this amendment passes and as indicated it puts the tobacco farmer out of business. Even the State of California could lose up to $4 billion.

I question whether any State can afford this revenue loss. I would like to ask my colleague from New York who will replace this revenue. In my opinion, it will be on the back of the taxpayer.

I urge my colleagues to vote ''no'' on the Lowey amendment and not to discriminate against our farmers.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from Utah [Mr. COOK].

Mr. COOK. Mr. Chairman, I wish to rise in strong support of the Lowey amendment. I am a freshman who decided to come to Congress because I wanted to fight to cut Federal waste. We have promised the American people that we would restore balance and prudence to the Federal budget, and yet last year we spent nearly $80 million on Federal subsidies for tobacco crop insurance. We spent this money to ensure a crop that kills people. Let us not mince words on this point. Tobacco kills people.

Let us not as a nation spend $177 million to prevent tobacco abuse and then at the same time continue to pour taxpayer dollars into tobacco insurance subsidies.

Mr. Chairman, if we are serious about cutting wasteful, needless Federal programs, let us start here. How can we justify cutting other Federal programs but continue to spend taxpayer dollars to insure crops that have no safe level of use?

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. BAESLER].

Mr. BAESLER. Mr. Chairman, a lot of words have been bandied about, one being hypocrisy, one inconsistency. Let me talk about hypocrisy. This amendment, no matter what the rhetoric is, goes just to the farmer. It does not stop anybody from smoking. It does not provide any health care.

We keep on talking about the hypocrisy of the Federal Government. Let me talk about hypocrisy. On one side we want to cut the low man on the food chain, the farmer. On the other side we do not want to say a thing about the excise tax that these States collect from tobacco. New York, $674 million from tobacco excise tax. Are we stopping that? No. Hypocrisy. Colorado, $61 million from excise tax from cigarettes and tobacco alone; are we trying to stop that? No. Hypocrisy. Washington State, $257 million from tobacco excise tax; are we trying to cut that out? No. That is hypocrisy. Texas, $569 million of excise tax from tobacco. Are we going to cut that out? No. So when we speak of hypocrisy, Massachusetts, $230 million from excise tax, when we speak of hypocrisy, the hypocrisy is we want to take from the farmer but we want to stick it to the farmer at the same time.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Delaware [Mr. CASTLE].

☐ 1345

Mr. CASTLE. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise in very strong support of this amendment.

As has been pointed out here today, only 65 of our Nation's 1,600 crops enjoy Federal crop insurance subsidies. Peaches, as was pointed out, watermelon, squash, cucumbers, none of them get these subsidies at all. That is point No. 1.

Second, we have all become familiar with the large tobacco settlement. I do not know the exact amount, but it is in excess of $300 billion over a period of time. We are talking around $32 million here for this program that perhaps the tobacco companies would have to step in and do something about.

When we hear about the kind of money we are dealing with here, it is evident and clear to everybody in America that we do not need to continue to underwrite the insurance for the tobacco crops.

And then, and perhaps most importantly, the public probably wonders what are we doing here? We have all these antismoking advertisements, we have all manner and members of the administration who are out saying we should not smoke, and many of us believe people should not smoke, and on the other hand we are paying people, or at least paying for their crop insurance, for the growth of tobacco. That is a tremendous problem.

Tobacco does kill. We need to do something about it. We need to support this amendment.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, I rise in opposition to the Lowey amendment.

This is the same proposal we rejected last year and the year before that, that the Committee on Appropriations rejected 2 days ago and the other body rejected yesterday. Here it is again. Here we go again.

They rejected it because it has nothing to do with smoking, teenage smoking, or the hazards of smoking. This is about little tobacco. This is about small farms. This is not big tobacco. Big tobacco would love for us to pass this amendment so they could grow the tobacco overseas at one-third the cost,

lower the price of cigarettes and, in the meantime, encourage more smoking.

It attacks the most vulnerable people. Kentucky farmers grow tobacco because it is the only way they can raise their family, send their kids to school, and buy food and clothing. We will drive out the American farmer and the companies will buy their tobacco overseas at one-third the cost. They will get cheaper tobacco. Cigarettes will become cheaper and smoking will increase.

This is not a debate about smoking or how cigarettes are sold, or who buys them. We should do as we did last year. Reject this amendment.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. DOGGETT], a cosponsor of the amendment.

Mr. DOGGETT. Mr. Chairman, the death subsidy must end. That is why I am a cosponsor of this amendment, because the taxpayer subsidy of the only agricultural product in this entire Nation, indeed in this world, when used precisely as directed by the producer, produces death, produces drug addiction, produces disease. Taxpayers do not want to subsidize that product.

If we are ever going to get serious about preventing more of our children from becoming addicted to nicotine, then what we have to do is to break the stranglehold of the tobacco lobby on this Congress. Indeed, they have been successful day after day because they have oiled the machines of government very well.

Only 65 of our Nation's 1,600 crops get the type of crop insurance we are talking about. When the watermelon farmers gather this summer at the Luling Watermelon Thump, and in McDade in central Texas, they will not get a dime of taxpayer subsidies.

Why should we subsidize tobacco? Indeed, why should we subsidize cyanide or arsenic? That is the better comparison. Taxpayers are wasting $34 million on this subsidy.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina [Mr. BURR].

Mr. BURR of North Carolina. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, what is this about? This is about real people and real lives and real communities all over this country. It is about small tobacco farmers that are part of that community.

The sponsors of this bill would suggest to us that this will not affect the crop and it will not affect crop insurance. Secretary Glickman does not think that. He says that the Department of Agriculture opposes this amendment. He went on to say ''Crop insurance is an essential part of the producer's safety net envisioned by the administration's agricultural policy.'' The administration's agricultural policy.

Well, I have to tell my colleagues, crop insurance allows farmers that sense of security that they will not be financially devastated when there is a Hurricane Fran or a Hurricane Bertha. Most crops in North Carolina were destroyed during those two hurricanes.

What does the gentlewoman from Colorado [Ms. DEGETTE] and the gentlewoman from New York [Mrs. LOWEY] suggest we tell our tobacco farmers? Tough break? Well, that dog don't hunt.

We should vote ''no'' on the Lowey amendment.

Ms. KAPTUR. Mr. Chairman, I yield 30 seconds to the gentleman from Georgia [Mr. BISHOP].

Mr. BISHOP. Mr. Chairman, I want to thank the gentlewoman for yielding me this time.

I oppose this amendment. It is mean, it is punitive, it is misdirected. It does not attack smoking nor does it attack tobacco companies, as proponents claim, but it does attack small American family farmers trying to protect their land against hurricanes, floods, tornadoes, disease, and drought.

We should not force family farmers to lose their homes and their lands because they cannot buy risk insurance. Help American farmers, not foreign farmers. Kill this amendment. It is bad.

Ms. KAPTUR. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. SISISKY].

(Mr. SISISKY asked and was given permission to revise and extend his remarks.)

Mr. SISISKY. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I very strongly oppose the DeGette-Lowey amendment, which is terribly unfair to tobacco farmers.

I understand that there are many in this House who would like to make a political statement against smoking. But this is surely not the right way to go about it.

That's why Secretary of Agriculture Glickman has come out so strongly in opposition to this amendment. Even though this administration has promoted an unprecedented campaign against smoking, Secretary Glickman recognizes that taking away the safety net from small farmers has no place in that campaign.

This amendment will do nothing to stop smoking. It will not limit youth access to cigarettes. It will not restrict tobacco advertising. And it will not put a dent in the profit margins of cigarette manufacturers.

What is will do is inflict a lot of harm on tobacco farmers and the farming communities that depend on them. Many of these communities are located in my district.

This amendment singles out tobacco farmers for treatment we would never consider in any other circumstances. It would deny them the benefit of disaster assistance available to every other farmer. It would deny them Government-backed crop insurance available to every other farmer.

This is not only discrimination against tobacco farmers. It's also discrimination against tobacco farming communities. These communities are the ones who will pay the price if crops fail. They are the ones who depend on disaster assistance to help recover from natural calamities.

Mr. Chairman, this is scapegoating, pure and simple. The backers of this amendment are upset with tobacco companies. So they are taking out their frustrations on farmers, many of them small family farmers struggling just to get by.

I suggest they pick on someone their own size. Small farmers have enough troubles. They don't need to be treated like pariahs by this Congress. They deserve better than that.

I urge you to soundly reject this wrong-headed amendment.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida [Mrs. MEEK].

Mrs. MEEK of Florida. Mr. Chairman, I hear what the problem is here, but I want to say to America that we have to oppose this amendment.

We have to oppose it because if the people who are proponents of this amendment want to cure this problem of tobacco, we all admit that it is very bad, let us make tobacco illegal. Let us make it illegal. That will cure all the things we have heard here today. It will stop it.

But I tell my colleagues what we need to keep going, and that is these small farmers that are farming tobacco. And I say this every time. My father was a tobacco farmer. Honest man. The only place he could get any work was on a tobacco farm. I will never forget that. I know that was an opportunity for him, just as it is an opportunity now for the small farmer.

It was an opportunity for the farmers when the hurricane that devastated farmers in my district had everything wiped out. If it were not for crop insurance, they could not have survived. If it were not for crop insurance, the orange growers in Florida would not have survived. We do not see those people. They are not here. They do not dress like we do. They do not talk like we do.

They need their insurance to keep their families fed. I say to my colleagues that we must oppose this amendment because of that, survival for the small farmer.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. LEWIS].

Mr. LEWIS of Kentucky. Mr. Chairman, I rise today in opposition to the Lowey amendment because of its devastating impact on the family tobacco farmers in my district across Kentucky.

Those offering this amendment today think that they are attacking cigarettes, youth smoking and big tobacco. Those attacks, however, are hitting the tobacco farmers and hitting them hard, that small family tobacco farmer. Most of these farms in Kentucky in my district are small, often part-time. They are hard working farmers who are trying to make ends meet and providing a better life for their children.

Denying crop insurance to Kentucky tobacco farmers will have no effect on youth smoking, will have no effect on tobacco use, will have no effect on the big tobacco companies, will have no effect on the local retailers, and will have no effect on the supply of tobacco.

If we do not grow tobacco in the rural areas of Kentucky, then big tobacco will import it. In fact, big tobacco companies could then import cheap foreign tobacco and benefit, yes benefit from our vote in favor of the Lowey amendment.

The only folks hurt by the Lowey amendment will be the small family tobacco farmer, who deserves the right to participate in the same USDA crop insurance or noninsurance disaster assistance program offered to every other farmer in this country.

Ms. KAPTUR. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina [Mr. ETHERIDGE].

(Mr. ETHERIDGE asked and was given permission to revise and extend his remarks.)

Mr. ETHERIDGE. Mr. Chairman, I rise in opposition to this amendment on behalf of the small farmers of North Carolina.

Mr. Chairman, I oppose this attack on farmers. If not for insurance—floods in the Midwest would have devastated wheat farmers; cold would have destroyed Florida orange growers; droughts would have ruined western farmers; southern farmers would not have survived hurricanes in 1996. Yesterday, rain from Hurricane Danny flooded tobacco fields in North Carolina as farmers prepared to go to market. As adjusters survey the damage, farmers will count on crop insurance to pay the bills as they try to salvage what they can. Singling out these farmers is discriminatory and unfair.

This assault on farmers threatens their last safety net. Secretary Glickman opposes the amendment because insurance is a safety net, not a subsidy.

Proponents claim concern for public health and teen smoking. I understand that this amendment impacts neither. It will not stop teen smoking; will not hurt manufacturers profits; and will not reduce cigarette production. The demagoguery of this amendment is shameful. It threatens the balance reached in a tobacco settlement which includes the most extensive public health proposals on smoking in history. Eliminating insurance for tobacco will devastate victims of Hurricane Danny, hurt poor, minority farmers and do nothing for public health. Vote for fairness. Vote ''no'' on this amendment.

Ms. KAPTUR. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. GOODE].

(Mr. GOODE asked and was given permission to revise and extend his remarks.)

Mr. GOODE. Mr. Chairman, on behalf of the Virginia tobacco growers I urge Members to defeat this amendment.

Mrs. LOWEY. Mr. Chairman, may I inquire of the remaining time?

The CHAIRMAN. The gentlewoman from New York [Mrs. LOWEY] has 2 minutes remaining; the gentleman from New Mexico [Mr. SKEEN] has 1 minute remaining, and has the right to close; and the gentlewoman from Ohio [Ms. KAPTUR] has 1½ minutes remaining.

Mrs. LOWEY. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Michigan [Mr. Upton].

Mr. UPTON. Mr. Chairman, it is time to stop this Federal subsidy of a crop that is both addictive and causes cancer.

The passage of this amendment does not stop small tobacco farmers from growing tobacco. It just says we will stop one of the subsidies, one of the incentives for them to do so.

Earlier today we read the debate on the Durbin amendment which bans smoking on airplanes from a couple of years ago. Many of the same folks that are arguing for a ''no'' vote were the same folks arguing ''no'' then.

Guess what? The Airline Flight Attendants Union has now filed a $5 billion suit against the airlines for allowing this to happen. Would it not have been nice if they had not been able to file this suit at all and had this Durbin amendment passed many years earlier?

Mr. SKEEN. Mr. Chairman, I yield 30 seconds to the gentleman from Kentucky [Mr. WHITFIELD].

Mr. WHITFIELD. Mr. Chairman, those of us who oppose this amendment do not represent the tobacco lobby. We represent 142,000 farm families around this country who for generations have grown this product.

If we continue our efforts to destroy the tobacco farmers, we will have to come up with a new program to provide economic assistance to 142,000 farm families who have an average income of $13,000 a year. This is a supplemental income product.

Mr. Chairman, we do not require anyone to smoke. There still is such a thing as personal responsibility in America.

Ms. KAPTUR. Mr. Chairman, I yield 1½ minutes to the gentleman from North Carolina [Mr. HEFNER].

(Mr. HEFNER asked and was given permission to revise and extend his remarks.)

Mr. HEFNER. Mr. Chairman, we have heard the rhetoric and the people testifying and talking about tobacco and the ills of tobacco. If we want to vote to do away with tobacco, this is not the way to do it.

We will be called on in just a few minutes to take this little card and we will vote, and potentially the lives and the livelihoods of millions of people across this country will be affected.

But this is not going to stop one teenager, one child, nobody from smoking. We will say to these farmers that go out and mortgage their farms, mortgage their allotments and make commitments, we will say to them, OK, these other folks can get crop insurance, but we are sorry about that. These tobacco farmers cannot have crop insurance. If there is a hurricane or a severe storm or whatever, that is just tough, they will not get any insurance.

That is punitive, and it affects the lives of thousands and thousands of people that are on the small farms throughout all of this country in different places in this country. That is not fair.

And we do not affect the big tobacco companies. This will not have any impact on the big tobacco companies. Somebody said, oh, the big tobacco companies. This does not do anything to the big tobacco companies. All we will do is penalize that hard working family that is trying to send their kids to school and to make a decent living.

This is punitive, it is unfair, and I beg my colleagues when they put their cards in the slot to think of all the people they will be affecting across this country.

Mrs. LOWEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. OLVER].

(Mr. OLVER asked and was given permission to revise and extend his remarks.)

Mr. OLVER. Mr. Chairman, I rise in favor of the amendment offered by the gentlewoman from New York [Mrs. LOWEY].

Mr. Chairman, I rise in support of the Lowey amendment to eliminate the Tobacco Crop Insurance Program.

Today, we provide crop insurance to 65 of the 1,600 crops grown in the United States. Nutrition-packed vegetables like broccoli and squash are not eligible for crop insurance. But we spend millions of dollars to insure the growth of tobacco.

Millions to promote a crop that is unlike any other covered by the Federal Crop Insurance Program. A crop that is neither food nor fiber. A crop that neither provides us with food for our table nor clothes for our backs.

This amendment eliminates the $34 million taxpayer subsidy for crop insurance for tobacco growing.

Tobacco—when used according to directions—harms and kills hundreds of thousands of Americans every year.

To combat this health threat, Mr. Chairman, America spends hundreds of millions of dollars each year to curtail tobacco use.

We spend billions of dollars each year to treat emphysema, lung cancer, and heart disease.

In my State, Massachusetts, over 10,000 people die each year from smoking-related illnesses. And the costs of treating those illnesses in my State alone totals more than $1 billion.

Across America, tobacco use is the single largest drain on the Medicare trust fund. Tobacco costs Medicare more than $10 billion and Medicaid more than $5 billion per year.

We now have irrefutable evidence of the damage tobacco use wreaks on our citizens and our Federal budget.

The proposed settlement between the State attorneys general and the tobacco industry requires a payout of $368 billion over 25 years. This legal settlement is a testament to the disasters of tobacco use. While far from perfect, it represents a step in the right direction for advancing public heath.

Clearly, in the case of tobacco, the time has come to bring our agricultural policy in line with our health policy.

My colleagues on the other side of the aisle are always eager to let the market provide for other sectors of our economy. They do not want to subsidize community service, education standards, economic development, or the arts.

I say to my colleagues, we should not be subsidizing the growth of tobacco.

Tobacco is a lucrative crop. It yields an average of $4,000 per acre; $4,000 compared with a yield of only $200 for an acre of wheat.

Despite the ability of tobacco growers to pay the cost of crop insurance, we continue to fund large portions of their premiums. So, not only do farmers see high profits, but they also have taxpayers footing the bill for their insurance.

Mr. Chairman, we should not subsidize tobacco. We should not promote the growth of a crop that kills. Support the Lowey amendment and let the market provide for tobacco plants.

Mrs. LOWEY. Mr. Chairman, I yield 30 seconds to the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Chairman, we are not antifarmer or antiagriculture. We are prohealth care, we are prochildren. It is our goal to stop lung cancer in our lifetime.

The Government that gives a Surgeon General warning on the dangers of smoking should not be subsidizing insurance for the crop of tobacco.

Mrs. LOWEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we have heard that this amendment is mean-spirited and that it will hurt tobacco growers. The simple fact is that tobacco is one of the most lucrative crops in America. Our amendment will not stop these farmers from growing tobacco. The amendment says they can continue to grow tobacco, but they will have to purchase crop insurance on their own.

□ 1400

Now if that is a hardship, it is a hardship for all the small businesses in America that they manage to overcome. My colleagues on the other side of this debate will also say that this amendment will not end smoking. They are right. This amendment is not a cure-all, but it will bring us one step closer to a consistent Federal policy on tobacco.

Every year 400,000 Americans die from cancer. One of them was my dad. My father smoked three packs a day. At the age of 54, he died. I urge my colleagues to support this amendment.

Mr. SKEEN. Mr. Chairman, I yield the balance of my time to the gentleman from Georgia [Mr. CHAMBLISS].

(Mr. CHAMBLISS asked and was given permission to revise and extend his remarks.)

Mr. CHAMBLISS. Mr. Chairman, I rise in strong opposition to this amendment. We have heard from the proponents of this amendment two things. First, we need to outlaw tobacco companies from producing tobacco that is harmful to Americans. Second, we need to keep children from smoking. This amendment has absolutely nothing to do with either one of those two issues.

I have 5,000 small family tobacco farmers in my district. This particular amendment penalizes those 5,000 farm families who work hard every day to produce a living for their family growing a legal crop. I urge a ''no'' vote on this amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of this amendment to eliminate the Federal subsidy for tobacco crop insurance.

This amendment is consistent with Congress' effort to control Federal spending and target our dollars only to the most necessary and appropriate programs. In 1996, Federal taxpayers paid around $80 million in net tobacco crop insurance costs. The Congressional Budget Office estimates that adoption of this amendment will save $34 million in the coming fiscal year. Beyond that, eliminating this subsidy will go a long way toward lowering tobacco use and reducing the severe public health risks associated with its use.

Personally, I would prefer to see this $34 million applied to cancer research, or research into other diseases afflicting millions of Americans in this country.

According to the Centers for Disease Control and Prevention, cigarettes kill more Americans each year than AIDS, alcohol, car accidents, murders, suicides, drugs and fires combined. With the growing number of individuals suffering from health problems that are related to smoking, second-hand smoke, and tobacco use, it is in the public interest for Congress to remove taxpayer support for this type of crop which harms, and often kills its users.

Mrs. MORELLA. Mr. Chairman, I rise in strong support of the Lowey-De-Gette-Hansen-Meehan-Smith amendment. This amendment would save $34 million by eliminating subsidized crop insurance for tobacco—$34 million in savings scored by CBO.

It is time that we confront the glaring and unforgivable inconsistency in our Federal tobacco policy. We currently spend over $177 million on programs to prevent tobacco use. Yet, USDA spent $80 million for Federal crop insurance subsidies in fiscal year 1996. How can we possibly continue to encourage the growth of tobacco?

Some of our colleagues will argue that jobs are at stake here. But passage of this amendment would not result in the loss of any jobs. The private insurance market can provide crop insurance to tobacco farmers who want it—just like it does for the overwhelming majority of crops, such as honey, broccoli, watermelon, cherries, and livestock.

This amendment simply ends one more Federal subsidy for a product that threatens the public health. This Nation can no longer close its eyes to a product that kills 400,000 Americans each year and brings into its deathly fold 3,000 children each day, more than 1 million new smokers each year. It is time to take the necessary steps to prevent another generation from becoming addicted to this deadly product. Ending subsidized crop insurance for tobacco is an important step in this process.

Vote tonight to get the Federal Government out of the tobacco business. Vote ''yes'' on the Lowey-DeGette-Hansen-Meehan-Smith amendment.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 193, the Chair announces that proceedings will resume on the amendment offered by the gentleman from California [Mr. COX] immediately following disposition of the pending amendment. The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York [Mrs. LOWEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mrs. LOWEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 209, noes 216, not voting 9, as follows:

[Roll No. 310]

AYES—209

Ackerman
Allen
Andrews
Bachus
Baldacci
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berman
Bilbray
Blagojevich
Blumenauer
Borski
Boswell
Brown (CA)
Brown (OH)
Callahan
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Christensen
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Doggett
Doyle
Duncan
Dunn
Edwards
Ehlers
Engel
English
Ensign
Eshoo
Evans
Farr
Fattah
Fawell
Filner
Foglietta
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Furse
Ganske
Gejdenson
Gibbons
Gilchrest
Gillmor
Gilman
Goodling
Goss
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hansen
Harman
Hayworth
Hefley
Hill
Hinchey
Hobson
Hoekstra
Holden
Hooley
Horn
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kind (WI)
King (NY)
Kleczka
Klug
Kucinich
LaFalce
Lampson
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
McCarthy (NY)
McDermott
McGovern
McHale
McHugh
McInnis
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Miller (CA)
Miller (FL)
Minge
Moakley
Moran (VA)
Morella
Nadler
Neal
Obey
Olver
Owens
Pallone
Pappas
Pascrell
Paul
Payne
Pelosi
Petri
Porter
Poshard
Pryce (OH)
Quinn
Ramstad
Riggs
Rivers
Roemer
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanders
Scarborough
Schumer
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Shuster
Slaughter
Smith (NJ)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Souder
Stabenow
Stupak
Sununu
Talent
Tauscher
Taylor (MS)
Tiahrt
Tierney
Torres
Traficant
Upton
Velazquez
Vento
Visclosky
Wamp
Waters
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Wolf
Woolsey
Yates
Young (FL)

NOES—216

Abercrombie
Aderholt
Archer
Armey
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bateman
Berry
Bilirakis
Bishop
Bliley
Boehlert
Boehner
Bonilla
Bonior
Bono
Boucher

Boyd
Brady
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Calvert
Camp
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Dreier
Ehrlich
Emerson
Etheridge
Everett
Ewing
Fazio
Flake
Foley
Forbes
Ford
Fowler
Frost
Gallegly
Gekas
Gephardt
Gonzalez
Goode
Goodlatte
Gordon
Graham
Granger
Green
Hall (TX)
Hamilton
Hastert
Hastings (FL)
Hastings (WA)
Hefner
Herger
Hilleary
Hilliard
Hinojosa
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Jenkins
John
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kilpatrick
Kim
Kingston
Klink
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Livingston
Lucas
Manton
Martinez
Matsui
McCarthy (MO)
McCollum
McCrery
McDade
McIntosh
McIntyre
Meek
Mica
Millender-McDonald
Mink
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Parker
Pastor
Paxon
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Radanovich
Rahall
Redmond
Regula
Reyes
Riley
Rodriguez
Rogers
Ros-Lehtinen
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Scott
Sessions
Shadegg
Shimkus
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (OR)
Solomon
Spence
Spratt
Stearns
Stenholm
Stokes
Strickland
Stump
Tanner
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Towns
Turner
Walsh
Watkins
Watt (NC)
Watts (OK)
Weller
Whitfield
Wicker
Wise
Wynn

NOT VOTING—9

Barton
Blunt
Dingell
Molinari
Rangel
Rogan
Schiff
Stark
Young (AK)

□ 1421

Mr. MATSUI changed his vote from ''aye'' to ''no.''

Mr. BEREUTER and Mr. GREENWOOD changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BLUNT. Mr. Chairman, on rollcall No. 310, I was inadvertently detained. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Mr. ROGAN. Mr. Chairman, on rollcall No. 310, I was inadvertently detained. Had I been present, I would have voted ''no.''

AMENDMENT OFFERED BY MR. COX OF CALIFORNIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California [Mr. COX] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 418, noes 0, not voting 16, as follows:

[Roll No. 311]

AYES—418

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOT VOTING—16

Barton
Blumenauer
Cannon
Coyne
DeGette
Dingell
Goode
Jenkins
Lewis (CA)
Molinari
Schiff
Stark
Taylor (NC)
Visclosky
Wise
Young (AK)

□ 1429

Mr. CAMPBELL changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 21 OFFERED BY MR. MILLER OF FLORIDA

Mr. MILLER of Florida. Mr. Chairman, I offer an amendment.

THE CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. MILLER of Florida:

Insert before the short title the following new section:

SEC. . None of the funds appropriated or otherwise made available by this Act to the Department of Agriculture shall be used to pay the salaries and expenses of personnel who issue, under section 156 of the Agricultural Market Transition Act (7 U.S.C. 7272), any nonrecourse loans to sugar beet or sugar cane processors.

The CHAIRMAN. Pursuant to House Resolution 193, the gentleman from Florida [Mr. MILLER] and a Member opposed will each control 15 minutes.

Who seeks to control the time in opposition?

Mr. EWING. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Illinois is recognized for 15 minutes.

Ms. KAPTUR. Mr. Chairman, I ask the gentleman from Illinois [Mr. EWING] if he would yield one half of his time to me and that I be allowed to further yield time.

Mr. EWING. Mr. Chairman, I ask unanimous consent that one half of my time be yielded to the gentlewoman from Ohio [Ms. KAPTUR] and that she be allowed to further yield time.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to yield half of my time to the gentleman from New York [Mr. SCHUMER] for purposes of control.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. SCHUMER] will control 7½ minutes, the gentleman from Florida [Mr. MILLER] will control 7½ minutes, the gentleman from Illinois [Mr. EWING] will control 7½ minutes, and the gentlewoman from Ohio [Ms. KAPTUR] will control 7½ minutes.

The Chair recognizes the gentleman from Florida [Mr. MILLER].

Mr. MILLER of Florida. Mr. Chairman, I yield myself 4½ minutes.

Mr. Chairman, the amendment we have before us today is for an incremental change to the sugar program. Last year the gentleman from New York [Mr. SCHUMER] and I introduced legislation for a total phaseout of the program, but this year the amendment only addresses the issue of nonrecourse loans. The sugar program is considered the sugar daddy of corporate welfare because the benefits go to a limited number of people; in fact, 42 percent of the benefits of the sugar program go to only 1 percent of the growers. The sugar program is an old command-and-control economic model that still exists, unfortunately, in this country, and it keeps the price of sugar at twice the world price.

The sugar program was not changed in the last year's farm bill, and that is unfortunate because last year's farm bill had very significant change in agriculture in this country. But, sadly, sugar was the one product or crop that was exempted, and this is what happened:

For example, last year in Time magazine, the week that President Clinton signed the legislation a full page article in Time did not talk about all the good things of that program, it talked about the fact that sugar sweetest deal, the landmark farm deal, left sugar subsidies standing, reformers wondering what went wrong. Agricultural socialism was supposed to end this week by the signing by President Clinton. But for America's sugar growers, how sweet it still is.

The fact is the sugar program continues to keep the price of sugar at twice the world price. My colleagues can look at the Wall Street Journal. There are two prices published for sugar, one for the United States and one for the rural price, and it makes it very difficult for us to compete when we have to pay twice as much for sugar. That is unnecessary.

Let me describe how the program works. We cannot grow enough sugar in the United States so we must import sugar, so farmers can produce all the sugar they can grow now but we still must import because the demand is so great. What the Federal Government does is it restricts the amount of sugar allowed to enter the United States, and by so restricting it, we force the price to twice the world price. The incentive for the Federal Government to do that, to maintain this high price, is the nonrecourse loan, because the nonrecourse loan is such that sugar processors, not farmers, these loans do not go to farmers by the way, they go to processors, big companies, and they get to borrow the money and put up the collateral sugar. They can pay back with sugar or money, cash.

But what they do is, the Federal Government does not want to get paid back in sugar, so since the Federal Government does not want to get paid back in sugar, they force the price up high. This is bad for the American consumer, this is bad for jobs in America, this is bad for the American taxpayer, and it is also bad for the environment in this country.

The consumer, according to the General Accounting Office, pays $1.4 billion more, and for people of lower incomes, when they pay a high percentage of their food, money goes into food cost. This is a very regressive cost to the American consumer.

It is bad for jobs. Refineries are closing. There is an editorial in the San Francisco Examiner today talking about how a refinery may close in San Francisco because there is not enough sugar to process. Then the jobs are also affected because the manufacturers that use a lot of sugar, whether it is candy or baked goods and such, cannot get enough sugar and so they have to pay more for it. They cannot compete with the Canadian companies.

Bob's Candies in Albany, GA, a candy cane company; how can they compete when they pay twice as much for sugar as the Canadian company? That is unfair, and we are penalizing our manufacturers in this country, and that is wrong.

And then the taxpayers get stuck with it, too. The taxpayers pay in several different ways. One area they pay is that we are major purchasers of food products in the United States, whether it is veterans hospitals or the military. GAO says it is costing the American taxpayer another $90 million there.

And then we have the Everglades issue. In Florida, my home State, the Everglades, one of the most important natural resources we have in my home State, it is being damaged, the Everglades, by the sugar program because the sugar program encourages overproduction of sugar on marginal lands and it is damaging the Everglades.

And then what we have to do to solve the sugar program is pay additional for the cost of land. We are inflating the price of land because of the sugar program.

The sugar program is a bad program. It is time to start phasing out. This is only a limited change. I urge my colleagues to support this.

Mr. Chairman, I reserve the balance of my time.

Mr. EWING. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the intent of the Miller-Schumer amendment is to kill an efficient U.S. sugar industry and send those jobs overseas. The sugar program was reformed in the 1996 farm bill. The sugar program retained only protection at the border from the other hundred countries in this world who produce sugar and want the American market to dump their sugar on. It would only hurt those people in the sugar industry and raise costs to the consumer if we were to adopt this amendment.

There are more changes coming in the sugar program. The sugar program must move with the changes in the GATT agreement, and I support that, and most people in this body do for bringing the sugar program into competition in world market.

We cannot change alone. We cannot tie one hand behind us and expect the rest of the world to respect our program.

Mr. SCHUMER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. Mr. Chairman, I want to thank my friend from New York for yielding me this time, and I rise in strong support of the amendment.

Our current sugar program is costing us money and it is costing us jobs. It restricts the amount of sugar that can come into this country by having an arbitrarily high price for sugar. That means American consumers are paying twice what they should for the cost of sugar. That is corporate welfare. That is not what it should be.

Talk about costing jobs. In my district, Domino Sugar Refinery has a plant. Seven times within a year they

had to close because they could not get enough sugar at a competitive price in order to refine that sugar. There are 800 jobs there. That is jobs for this country.

So whether my colleagues are interested in the American consumer or they are interested in American jobs, they cannot justify our current sugar program.

The nonrecourse loan program allows sugar production here to guarantee a certain price. As the gentleman from Florida explained, the government does not want to get the sugar for the debt. Therefore the price of sugar is kept at an arbitrarily high level.

For the sake of our consumers, for the sake of jobs, for the sake of fairness, support the Miller-Schumer amendment. It is in the interests of our constituents.

Mr. SCHUMER. Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Chairman, I thank the ranking member for yielding time to me.

If the Miller-Schumer amendment were to pass today, it would mean virtually the end of the domestic sugar production here in this country, and it would forfeit over 400,000 jobs, about 6,000 in my district.

I come from an agricultural part of Hawaii. We are very proud of the contributions that the sugar industry has made not only to the State but to the country.

The only people that are going to benefit from the Miller-Schumer amendment are the mega-international food cartels because it is in their interests to be able to buy cheap sugar. They are not interested in the American jobs that are dependent upon the sugar program, and contrary to what the gentleman said in offering this amendment, last year in the farm bill there were major revisions made to the sugar program and those revisions were agreed to by those of us who support this program.

So I urge my colleagues, in the interests of saving U.S. jobs, protecting the farmers, understanding the commitment we made for 7 years to this program, I urge them to defeat this amendment.

Mr. Chairman, throughout this sugar debate you have and will continue to hear opponents refer to a 1993 General Accounting Office [GAO] and a subsequent 1997 GAO report that argue for the elimination of the American sugar program. The U.S. Department of Agriculture [USDA] responded to the 1993 GAO report that it was flawed.

In a correspondence I received from the USDA Under Secretary, they found that the GAO used incorrect data and ignored integral components of the sugar program in generating their conclusions. In fact, the USDA found that even using the GAO's flawed methods, it could still show hundreds of million of dollars in benefits to consumers depending upon which years were studied. The letter I received from the USDA stated that had the GAO looked at 1973–75, rather than 1989–91, the analysis would have showed an annual savings to domestic users and consumers of $350 to $400 million, contrary to the opponents claim that the program was costing taxpayers over $1.4 billion. In fact, the GAO later conceded that the $1.4 billion was simply unsubstantiated.

The USDA analysis not only revealed the deficiencies of the 1993 GAO report, but it reinforced the fact that America's sugar growers do not receive subsidies and that it is operated at no cost to the Government, as is required by law. The USDA analysis supports the sugar program's proponents assertions that the our Nation's sugar policy benefits consumers by providing a stable supply of sugar at prices 32 percent below other developing countries. In reality, the reason for this price differential is because foreign countries subsidize their sugar industry. On the average, retail price for a pound of sugar in America is 0.41 cents. Compare that to the 0.92 retail cost of sugar in Japan or Norway and you can see that American consumers do not pay the astronomical cost for sugar as opponents contend.

Mr. Chairman, I will submit for the RECORD a letter from USDA Under Secretary Eugene Moos dated October 24, 1995, refuting the April 1993 GAO report.

To recover from last year's embarrassment, adversaries of the U.S. sugar program asked the GAO to conduct another study of the sugar program. Mr. Chairman, Congress reformed the U.S. sugar program just last year. The request for an additional study was a waste of taxpayers money. In fact, to no one's surprise, the subsequent 1997 GAO report used the same flawed methodology as in the 1993 report. Similarly, the USDA found the same errors in the 1997 GAO report and refuted its contentions.

I urge my colleagues to reject these false arguments against the sugar program. It more than pays for itself. It benefits taxpayers, benefits consumers, and provides thousands of American jobs.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, October 24, 1995.

Hon. PATSY T. MINK,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSWOMAN MINK: Thank you for your letter of July 26, 1995, concerning the General Accounting Office (GAO) report that stated that the U.S. sugar program costs domestic users and consumers an average of $1.4 billion annually and GAO's July 1995 analysis that the sugar program cost the Government an additional $90 million in 1994 for its food purchase and food assistance programs.

In my opinion, GAO's April 1993 report was flawed in its estimates. Some data were used incorrectly and important data and sugar market issues were not considered. Based on GAO's methodology, but by selecting prices in different time periods, the results are more ambiguous. Depending on the timeframe, one may contend that the domestic sugar program either costs or benefits U.S. users and consumers.

GAO's estimate of $1.4 billion annually was based on an assumption of a long-run equilibrium world price of 15.0 cents per pound of raw sugar if all countries liberalized sugar trade. GAO added a transportation cost of 1.5 cents per pound of raw sugar to derive a landed U.S. price (elsewhere in the report GAO stated that the transportation cost adjustment should be 2.0 cents per pound.) To derive a world price of refined sugar of 20.5 cents per pound, GAO added a refining spread of 4.0 cents per pound.

GAO compared its constructed U.S. sweetener price with its derived world price. However, GAO constructed the U.S. price for the 1989–1991 period during which 1989 and 1990 were unusually high price years for U.S. refined sugar. This exaggerated the difference between the so-called world derived price and the U.S. sweetener price. By selecting a period of world price spikes, such as 1973–1975, GAO's analysis would show an annual savings to domestic users and consumers of $350 to $400 million.

Clearly, the expected world price of raw sugar with global liberalization is critical to any analyses of the effects of the U.S. sugar program. In 1993, the Australian Bureau of Agricultural and Resource Economics (ABARE) estimated that sugar trade liberalization in the United States, European Union, and Japan alone would result in an average world price of 17.6 cents per pound of raw sugar—2.6 cents per pound higher than GAO's derived world price.

Based on the ABARE analysis and using a transportation cost of 1.75 cents per pound, which more accurately reflects global transportation costs to the United States, plus a refining spread of 4.27 cents per pound (Landell Mills Commodities Studies, Incorporated), a world price of refined sugar is estimated at 23.6 cents per pound. Based on this world price estimate and an average U.S. sweetener price of 1992–1994, a more normal price period, it can be shown using GAO's methodology, that there are no costs to domestic users and consumers.

The estimated effects of the U.S. sugar program are highly sensitive to expected world prices if global sugar trade is liberalized. GAO's analysis, in my judgement, does not adequately consider the complexities and dynamics of the U.S. and global sugar markets.

With respect to the effects of the U.S. sugar program on Government costs of its food purchase and assistance programs, an independent analysis by the Economic Research Service (ERS) estimates the cost at $84 million based on the difference between U.S. world refined sugar prices in 1994. However, just as for the GAO analysis, different effects could be estimated by using other time periods when the price gap between U.S. and world prices was smaller. Moreover, with global liberalization, the price gap would narrow because of the dynamics of adjustment which were not considered in the ERS analysis.

Sincerely,

EUGENE MOOS,
Under Secretary for Farm and Foreign Agricultural Services.

Mr. Chairman, the U.S. Sugar Program was significantly reformed in the farm bill passed last Congress. We cannot renege on our 7-year commitment made only a year ago to America's sugar growers and producers. The elimination of the nonrecourse loan provisions will lead to the destruction of the support structure for America's sugar farmers and drive them and their families to joblessness and unemployment. The nonrecourse loan is an integral element of America's sugar program. Without these loans, the sugar operations in my district, with the exception of a refinery owned facility, would probably close. That could mean a loss of a 6,000 jobs directly and indirectly in an already weakened Hawaii economy.

Nonrecourse loans work by allowing the harvested sugar to be used as a collateral in exchange for a loan from the Community Credit Corporation [CCC]. In addition, these loans support sugar prices and ensure that America's sugar growers have the ability to make a profit and repay their obligations with interest. Last year, Congress reformed the sugar program by stipulating that nonrecourse loans, and the guarantee of a minimum raw sugar price, would be available only when imports are high. Furthermore, it imposed a 1 cent per pound penalty on any processor who forfeits sugar to the CCC.

Opponents claim that last year's reforms were inadequate and contributes to higher food prices. Nothing could be further from the truth. Compared with other developed countries, the U.S. price for sugar is about 32 percent below what consumers in other countries pay. The cost for sugar-added products, like cookies, cakes, candy, ice cream, and cereal have all risen 1 to 3.4 percent when the price for raw sugar has fallen.

It's obvious that the very ones making the argument to eliminate the safety net for American farmers and consumers, are generating record profits for themselves. It's shear greed without regard to our American producers. This amendment promoted by the mega-food corporations is to allow them to buy cheap foreign subsidized sugar and reap bigger profits on the backs of hardworking Americans.

If you vote for this amendment you are allowing greedy candy manufacturers and their allies to gain access to foreign subsidized sugar. Mr. Chair, America's sugar farmers need our help. From September 1996 to May of this year, raw sugar prices have plummeted 3 percent to 0.21 cents per pound. This drop is significant for sugar growers because this determines whether or not they make a menial profit or file for bankruptcy. If this amendment passes it would mean the end of thousands of America's small farmers. This action betrays last year's agreement and is a slap in the face of America's hardworking sugar farmers. I strongly urge my colleagues to keep our promise to America's farmers and vote ''no'' on this amendment.

Mr. EWING. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oregon [Mr. SMITH], chairman of the Committee on Agriculture.

Mr. SMITH of Oregon. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, my colleagues in the 104th Congress passed a contract with agriculture. Over 300 of them voted for it, and it was a contract which I am sure even the proponents of this bill will support, and that means that all subsidies and all support systems are gone in 7 years, now 6 years.

☐ 1445

It was a commitment made by Congress with farmers. It allowed farmers to free up their planning, but it also said it is the end in 7 years.

Now, if Members pass this amendment, they break the contract with farmers. They not only break it with sugar, they break it for the rest of the farmers. Why not wheat? Why not soybeans? Why are we not talking about these as well? How about dairy?

We made a contract with the farmers. They depend upon it. They have borrowed money on the basis of 7 years. The CoBank, the largest agriculture bank in the country, said if we pass this amendment it jeopardizes $1 billion worth of loans to farmers.

Please, I ask the Members not to jeopardize the farm bill they passed.

Mr. Chairman, I include for the RECORD a letter from Mr. Jack Cassidy to Chairman LIVINGSTON.

The letter referred to is as follows:

COBANK,
Denver, CO, July 2, 1997.

Hon. ROBERT L. LIVINGSTON,
Chairman, Appropriations Committee, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I'm writing to express CoBank's opposition to H.R. 1387, legislation that would effectively end the federal sugar policy.

With $18 billion in assets, CoBank is the largest bank in the Farm Credit System. We provide financing to about 2,000 customers, including agricultural cooperatives, rural utility systems, and to support the export of agricultural products. At present, CoBank has 25 farmer-owned cooperative customers involved in the sugar or sweetener industry, with loans from CoBank totaling about $996 million.

CoBank's customers, their farmer members, and CoBank itself have made numerous business decisions and financial commitments based on the seven-year farm bill passed by Congress in 1996. As you know, that legislation included provisions vital to the U.S. sugar industry at no cost to U.S. taxpayers. Great hardship would result to sugar farmers and their cooperatives if Congress fails to live up to the commitments made just last year as part of the farm bill.

For these reasons, we urge you to support the existing farm bill provisions and oppose any proposals that would undermine the existing sugar policy.

Please call me if you or your staff have any questions.

Sincerely,

JACK CASSIDY,
Senior Vice President.

Ms. KAPTUR. Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan [Mr. BONIOR], our distinguished leader.

Mr. BONIOR. Mr. Chairman, the gentleman from Oregon [Mr. SMITH] who just spoke, the chairman, is absolutely right. Last year this House made a promise to America's sugar farmers. We promised that we would stand by them, by their families, in case of a natural or an economic disaster. We made this commitment for 7 years. We made it in good faith.

The amendment that we now discuss would break that promise. It would strip these farmers of the security we gave them in last year's farm bill. In my State alone, in Michigan, we have 2,800 sugar beet farmers. They employ, with other ancillary businesses, about 23,000 people in our State.

The modest safety net at issue here simply makes it possible for these families to plan their future with some sense of peace of mind. What we are talking about is enabling hard-working families to weather a tough season without going broke. It is in everybody's interest for the farmers to continue to do what they do best, and that is to farm. One bum crop could put them in the poorhouse. It would not help anybody: Not them, not the Government, and not the public.

So, contrary to some assertions today, this safety net we are talking about is not a handout. It was a handshake. It was a promise. It was a commitment that we made on the floor of this House when we passed the farm bill. Breaking this promise would be bad policy. Breaking this promise would demonstrate bad faith. So I urge my colleagues to support these farmers and oppose this amendment.

Mr. EWING. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. I thank the gentleman for yielding time to me, Mr. Chairman.

Mr. Chairman, I would say to the members of the committee, there is no more sacred obligation of this House when it makes a promise to citizens of this country than to keep those promises.

The previous speakers are exactly right. In the 1996 bill we set the course for the farm communities of America for the next 7 years. The sugar program was the only one where we said nonrecourse loans would not be available to farmers once import levels exceeded 1.5 million tons. We made that commitment in that agreement in 1996. I urge Members to keep that agreement.

If they adopt this amendment, they are saying to American sugar farmers that one bad season means the Government comes and takes their farm, takes their equipment, and they are out of business. That is not the way this Government ought to work. It certainly is not a thing this Congress ought to do.

The bill we passed with over 3,300 votes last year sets the stage for the farm communities for the next 7 years. We ought to keep our word, keep our promise, defeat this Miller-Schumer amendment.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY of New York. Mr. Chairman, the Miller-Schumer amendment has very strong bipartisan support. It would delete sugar price supports and laws that keep sugar prices artificially high. Eleven out of 22 sugar refineries in the United States have closed. Domino Sugar, which operates a plant in my district and employs almost 1,000 people in New York State, has closed three plants.

How can anyone look at this record and say the sugar program is a success? Instead of the sugar program providing American jobs, it is taking good, solid jobs away from the refining industry and giving them to a privileged few sugar growers.

This year Domino has suspended production in my district because it could not purchase enough imported sugar to maintain its profit margin. Deregulating sugar prices would keep sugar refiners like Domino up and running. It

also would lower sugar prices and food prices for consumers. American consumers pay twice as much for sugar as the rest of the world.

The American people deserve better. They deserve cheaper sugar and they deserve to keep their jobs. Vote for this amendment.

Mr. MILLER of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee [Mr. WAMP].

Mr. WAMP. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, my grandparents were farmers. I represent farmers in east Tennessee. Those same farmers continue to support me even though I voted against the farm bill last year. Why? Because I do not think we can really have reform until we eliminate price supports and subsidies.

These farmers that support me are not in favor of price supports or subsidies. They are in favor of being left alone to do their work, whether it is peanuts, sugar, tobacco. I agree, why not all of them? Why do we not eliminate all the subsidies? It does not make any sense.

After all, the people of Eastern Europe and the Soviet Union were willing to risk their lives to have what we not only take for granted but abuse, and that is the free market. We cannot continue to beat up on the free market with price supports and subsidies and have consumers pay higher prices for things because the Government is involved where the Government should not be involved. A pure pro-farm vote is leave the farmers alone and pull the government out of the farm business.

Mr. EWING. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. CAMP].

Mr. CAMP. Mr. Chairman, I thank the gentleman for yielding time to me. Our sugar policy was reformed in the 1996 farm bill, Mr. Chairman, which many speakers have mentioned. But I know our opponents also say that they rely on this discredited GAO report claiming that U.S. sugar is overpriced. They constantly cite this 1993 report.

The authors of this flawed report based their entire analysis on a faulty assumption. They assumed that without a sugar policy, U.S. consumers could pay an outrageously low world price of 14 cents a pound for sugar. They failed to mention that the world price was a dump price, the price sugar-exporting countries get for dumping their highly-subsidized sugar on world markets.

The world dump price for sugar is hopelessly flawed and cannot be used as a gauge for measuring sugar's cost. Even the USDA says the GAO report was ''* * * flawed in its estimates, and important data and market issues were not considered.'' The USDA also said, ''Using different world price estimates, it can be shown using GAO's methodology that there are no costs to domestic users and consumers.''

Oppose the Miller-Schumer amendment.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Hawaii [Mr. ABERCROMBIE].

(Mr. ABERCROMBIE asked and was given permission to revise and extend his remarks.)

Mr. ABERCROMBIE. This is all we have to see right here, Mr. Chairman. Do Members want to hear about jobs? We all have people that work hard, and I understand the tradition of this country is if you work hard, you are supposed to be rewarded. Our sugar growers are the most productive people on the face of the Earth, and they are up against wage slavery.

If Members want to vote for wage slavery, do it, but do not do it on the backs of American working people. If Members want to blame corporations and tax them, go ahead and tax them for the profits they are making.

But I would like to bring this forward to Members for their consideration. Do Members think for an instant if they kill the sugar program that Coca-Cola is going to cost us any less because it is Diet Coca-Cola? They pocket those profits right now, and if Members kill the sugar program they are inviting Coca-Cola and everybody else to take even more profits, laugh all the way to the bank, and hurt the American working man and woman.

Stand up for the American working man and the American working woman, and fight off the big corporate profits that will be made if Members pass this amendment today. I rest my case.

Mr. MILLER of Florida. Mr. Chairman, I yield myself 5 seconds.

Mr. Chairman, no sugar is used in Coca-Cola. It is corn syrup. They priced themselves out of the market. There is no sugar in Coca-Cola.

Mr. EWING. Mr. Chairman, I yield 30 seconds to the gentleman from Michigan [Mr. SMITH]

Mr. SMITH of Michigan. Mr. Chairman, there is a misconception about bringing the sugar prices down by doing away with this program. I served for 4 years as the Deputy Administrator for Farm Programs in USDA. I assure you that today's agricultural policy is developed based on the priorities of having an abundant supply of food and fiber at a reasonable price for the American consumer.

Consumers are paying less for sugar in this country than most of the major countries of the world. It makes no sense to compare a dumping price for sugar from another country against the current domestic price. Consider our vulnerability and what we are going to have to pay for sugar if we do away with our sugar producers in this country, it is ridiculous. Our price for sugar is one of the cheapest in the world. Do not compare it to the dump price of sugar. Keep producing quality sugar in this country. Keep this program.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. MILLER], who is going to yield a minute of my time.

Mr. GOSS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Florida. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Chairman, I rise in support of the amendment offered by my friends, the gentleman from Florida [Mr. DAN MILLER] and the gentleman from New York, Mr. SCHUMER. This amendment prohibits the use of any funds in the bill to carry out the nonrecourse loan portion of the sugar program. It only affects nonrecourse loans. We are losing sight of that fact. It leaves in place recourse loans for processors and the sugar tariff rate quota. I think that is an important distinction.

The sugar industry obviously is a very particular concern in my home State of Florida for economic and environmental reasons. The delegation, frankly, is split. The sugar industry has contributed great benefit to the economy in Florida, but it has also contributed to some of the problems in the Florida Everglades, and I hope that the industry will continue to pitch in to help with the cleanup efforts and future preventative activity.

But the critical issue here today, I believe, is the great majority of the people I represent in Florida believe that the time for deep Government involvement in agricultural markets has ended. It actually ended a long time ago. So on their behalf I am pleased to support the Miller-Schumer amendment, and I commend them for their efforts.

Ms. KAPTUR. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. FARR].

(Mr. FARR of California asked and was given permission to revise and extend his remarks.)

Mr. FARR of California. Mr. Chairman, I rise in opposition to this amendment. It is a choice between farmers and candy. Vote for farmers.

Ms. KAPTUR. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. BARCIA].

(Mr. BARCIA asked and was given permission to revise and extend his remarks.)

Mr. BARCIA. Mr. Chairman, I also register my strong opposition to the Miller-Schumer amendment.

Mr. Chairman, I rise in strong opposition to the Miller-Schumer amendment. It is an amendment that should not even be considered on an appropriations bill because it is clear from statements made in ''Dear Colleagues'' by our two colleagues that their intention is to change the sugar program, a legislative action if I ever saw one.

I join my colleagues who say that this battle has been fought and is over until the next farm bill. Remember last year when our opponents resorted to fairy tale characters to try to undermine the zero-cost and well-intended sugar program. Well, in the words of a former President, there they go again. Now they are looking for the big bad wolf to keep huffing

and puffing until he can find a house to blow down.

I represent some of the hardest working, most efficient farmers in this country. They have worked their entire lives to bring the best quality food supply to our consumers at the most reasonable prices in the world. We made a 7-year deal with them last year, and it is wrong for us to change it after they have made their plans based upon our holding out a multiyear program to them.

Mr. Chairman, those who want to end the sugar program any way they can have resorted to using false information to denigrate the program. We have heard them claim that the Food and Agricultural Policy Research Institute has a study that was kept secret that says damage to our domestic sugar industry would be minimal if we changed the program.

That's an old story. The facts now are that FAPRI's 1995 report was not buried, but rather was publicly released, provided to congressional staff, and available on the FAPRI website for several months. FAPRI, in fact, found that the harm to U.S. sugar producers would be substantial if our sugar policy was lost, not minimal as the opponents to the sugar program claim. And FAPRI has acknowledged that it probably understated the probable damage to American sugar growers, and that because of errors on FAPRI's part on U.S. costs of production, if the study were updated, FAPRI would likely demonstrate even larger declines in domestic production.

Mr. Chairman, it is a bad thing to change a good program when it is working. It is even worse to change a good program based on misleading and discredited information. I urge a "no" vote on Miller-Schumer.

Ms. KAPTUR. Mr. Chairman, I yield 45 seconds to the distinguished gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, the family farmers that work in their fields in the Red River Valley that I represent must be watching this debate with utter amazement. After all, U.S. sugar prices are 32 percent below developed countries. U.S. retail prices are the third lowest in the developed world. U.S. spending on sugar is the lowest in the world per capita.

Last year we reformed the sugar program, addressing many of the concerns raised by the opponents. We gave them a straight up-or-down vote on whether this program should be continued.

Now all North Dakota farmers, like farmers everywhere, ask for is that this body maintain the commitment made in last year's farm bill that there will be some price safety net on this product as they deal with the vagaries of weather and other external circumstances that make farming such a high-risk, low-profit business. Do not pull the rug out on America's farmers. This country has a good deal with the sugar program. It should be continued.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Mrs. LOWEY].

□ 1500

Mrs. LOWEY. Mr. Chairman, I rise in strong support of the Miller-Schumer amendment. I have people in my district who are working hard to support their families. What we are seeing is that this anticompetitive program costs consumers over $1 billion per year in higher prices. Because of this program, it is threatening jobs in my district. We see it at Refined Sugars in Yonkers. At Domino's in Brooklyn. It is so critical that we reform the program. I rise in strong support of the Miller-Schumer amendment.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina [Mr. SANFORD].

Mr. SANFORD. Mr. Chairman, I rise in support of this amendment because there has been much talk about commitment. Yet what I think we need to ultimately be committed to is to the simple theme of common sense. What we have with our sugar subsidy program is a system that does not make common sense. I say that because here we have a program that costs American consumers an additional $1.4 billion a year in the form of higher sugar price. All that benefit is handed to in essence the hands of a very few, for instance the Fanjul family that live down in Palm Beach and get $65 million a year of personal benefit. They have got yachts and helicopters and planes. They are on the Forbes 400 list.

So what I have got are people that live in my home district, living in trailers subsidizing the lifestyles of the rich and famous. To me that does not make common sense. I urge adoption of this amendment.

Mr. EWING. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Nebraska [Mr. BARRETT].

Mr. BARRETT of Nebraska. Mr. Chairman, I thank the gentleman for yielding the time to me.

I do rise in opposition to the amendment. The U.S. sugar program is not about corporate welfare. It is not about lower prices for consumers. It is not about environmental protection. The amendment is about eliminating a self-financing, substantially reformed and positive program for American sugar growers and producers and taxpayers.

I think it is important to keep in mind that the sugar program is almost a new program. The 1996 farm bill created a free domestic sugar market, froze the support price at 1995 levels. It required that the USDA impose a penalty on producers who forfeit their crops instead of repaying their marketing loans, and it increased imports.

Do not doubt these reforms have a significant impact on all sugar producers. Sugar producers in my district and all across the country have accepted it and generally welcome the opportunity to work in the new program, an opportunity for them to succeed.

I am proud to represent our sugar beet growers, and I would urge my colleagues to oppose this misguided amendment and support American sugar producers.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. HASTINGS].

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Chairman, I thank the gentlewoman for yielding me the time.

Mr. Chairman, this issue is about American jobs, not about highfalutin Congress speak. I live where these people grow this sugar. I live with the pain of those who think for a moment that they may not have a job at some point in time. We stand around here and talk about jobs in my districts and your district. Let me tell my colleagues about the 44,000 jobs that are produced by the American sugar industry. I can assure my colleagues of this, the argument about who makes profits, do we penalize Bill Gates for owning Microsoft? Hell no. What we do is we support those efforts of manufacturers and businesses and so does the sugar industry. If you do not get it here, you are going to get it there. And if you get it there, it is going to cost more and it is going to cost more in American jobs.

Please know that this is an important program not just to Members but to people and to hospitals in these rural areas and to the little bitty stores and to the little bitty businesses that crop up as a result of this.

Completely defeat this amendment.

Mr. EWING. Mr. Chairman, I yield such time as he may consume to the gentleman from Idaho [Mr. CRAPO].

(Mr. CRAPO asked and was given permission to revise and extend his remarks.)

Mr. CRAPO. Mr. Chairman, I rise in opposition to the amendment.

Ms. KAPTUR. Mr. Chairman, I yield 30 seconds to the gentleman from Louisiana [Mr. JOHN].

Mr. JOHN. Mr. Chairman, I would like to thank the gentlewoman from Ohio for yielding me the time.

Let us be very honest about what we are doing here. This amendment has nothing to do with saving taxpayers' dollars. It has nothing to do with protecting American consumers. In fact this amendment has everything to do with bad public policy. It is about doing through the appropriations process what could not be done in the 1996 farm bill.

In the gentleman's own words, the gentleman from Florida said we tried to totally eliminate this program last year and we could not do it. So please, I urge my colleagues, do not go along with this amendment. This is a backdoor approach to try to wreck the American farmers and not the big farmers but the small farmers.

The CHAIRMAN pro tempore [Mr. QUINN]. The Chair announces that the gentleman from Florida [Mr. MILLER] has 2 minutes and 10 seconds remaining, the gentleman from Illinois [Mr. EWING] has 2 minutes remaining, the gentleman from New York [Mr. SCHUMER] has 1½ minutes remaining, and the gentlewoman from Ohio [Ms. KAPTUR] has 2¾ minutes remaining.

For the purposes of closing the debate, the Chair announces that the

gentleman from Florida [Mr. MILLER] will close. The gentlewoman from Ohio [Ms. KAPTUR] will go third to last. The gentleman from New York [Mr. SCHUMER] will finish his time first, and the gentleman from Illinois [Mr. EWING] will go second to last.

Mr. EWING. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. FOLEY].

(Mr. FOLEY asked and was given permission to revise and extend his remarks.)

Mr. FOLEY. Mr. Chairman, something was mentioned today on the floor about the environment. The Miami Herald, an environmental newspaper located in Miami, FL: Congress weighs sugar policy. Dismantling the U.S. sugar program will not save the Everglades. Sugarcane, the plant, is still the most benign crop grown in the Everglades agricultural area, requiring less water than rice, releasing fewer polluting nutrients than vegetables or cattle pastures. Studies show that the crops that might supplant sugarcane would pose a greater threat to the environment and, if the land became fallow, it would be quickly overtaken by melaleuca and Brazilian pepper.

We heard about price. Let me show my colleagues what the farm bill did last near. Raw sugar prices down 3.4 percent. Wholesale refined sugar down 5.2 percent; cereal up 1; ice cream up 1.8; 2 percent for candy; 2.1 for retail refined sugar; and cookies and cakes up 3.4 percent.

Reducing the price of sugar as the amendment would suggest will not create a consumer benefit. Reject this amendment. It is about jobs, as the gentleman from Florida [Mr. HASTINGS] said. It is about a bill that was fairly negotiated on this floor. They lost. They should accept their defeat. Protect the program. Defeat Miller-Schumer.

Ms. KAPTUR. Mr. Chairman, I yield 45 seconds to the gentleman from Minnesota [Mr. PETERSON].

Mr. PETERSON of Minnesota. Mr. Chairman, I would first of all like to correct my good friend from Florida in his original statement. He said a couple of things that are just flat wrong. First of all, we changed the sugar program in the last Congress, and that needs to be understood. Second of all, this does not just affect processors. This affects farmers because in my district the plants are owned by the farmers. These are people that have 500, 600 acres. They have a cooperative. They own this plant. They have put tremendous investments into these plants. We have made a commitment with them in this farm bill last year that we were going to leave this alone for 7 years. It is not fair to do what they are doing to these farmers.

I just wish that we would be honest about what we are doing here. What we are trying to do, legislate on an appropriations bill. We are trying to do what could not be done last time. It is not fair to the farmers in my district and the farmers of this country. We need to defeat the Miller-Schumer amendment.

Mr. SCHUMER. Mr. Chairman, I yield myself the balance of my time.

Let me thank the gentleman from Florida [Mr. MILLER], my coauthor on this amendment. We have heard a lot of passion on the floor. We have not heard too many facts. I would like to rebut a few.

People say the sugar program was reformed in 1995. That is not true. Wheat was reformed, corn was reformed. Sorghum was reformed; soybeans was reformed. All of you reformed your programs. Sugar and peanuts refused to be reformed. Right now the average subsidy per acre of sugar is $480. No other industry farm or farmer otherwise gets that. The average subsidy for wheat is $35. The average subsidy for corn $45. No wonder the gentleman from Florida [Mr. FOLEY] says, do not change it. If you were making $480 per acre, you would not want to change it either. We all pay for it.

Second, it emasculates the poor sugar farmers. Do you know who the money goes to? The refiners. The farmers did not get a nickel from this program. And in fact the program is so skewed to the top that the 1 percent wealthiest, including the Fanjuls, my friend from California said this is farmers versus candy, this is the American people versus the Fanjuls, plain and simple.

One percent of the subsidy, 1 percent of the people get 56 percent of the subsidy, the top 1 percent of those subsidized get 56 percent. This is a rich man's benefit.

Finally, the environment, every day, my colleagues, another 5 acres of the Everglades is destroyed; 500,000 acres of precious Florida wetlands are destroyed. Is it no wonder that free market think tanks, environmental groups, consumer groups all are together in eliminating the program? Let us be honest. There are jobs on the sugar side. There are jobs on the refiner side. Jobs are being lost. We argue net jobs are being lost. But why do we give such a huge subsidy to this one program?

The gentleman in the well said, Bill Gates, Bill Gates prospered. Yes, my colleagues, he prospered without a Federal subsidy. If the Fanjuls can prosper without a Federal subsidy, God bless them. If they were American citizens, I would say God bless America.

But they do not. They prosper to subsidize. That is why they are here with everything they are giving to everybody. That is why they can afford to buy refiners and offer to buy my refinery. That is why they can afford to spread all their money around because of all the money we make, and it comes from the average hard-working American who nickel by nickel pays for that. End this subsidy once and for all.

Mr. EWING. Mr. Chairman, I yield myself the balance of my time.

There has been a lot of conversation about reform of the sugar program. Those of us who have studied it know that it was reformed and reformed as much as any agricultural program. Now, right now this amendment, who is interested in this amendment? It is not the little guy that you are worried about. It is not the senior citizen. It is the big consumer of sugar, the manufacturers who want to destroy the sugar price in America.

The sugar price in America as compared around the world, we are less than the developed world. What is at risk here is opening the doors because all that is left is border protection to dumping of foreign sugar on America's sugar industry and destroying it. Then we will put out of business those who create jobs in the sugar industries and those farmers who pursue a livelihood there. Vote no on this amendment.

□ 1515

Ms. KAPTUR. Mr. Chairman, I yield the balance of my time to the gentleman from Texas [Mr. STENHOLM], the distinguished ranking member of the authorizing Committee on Agriculture.

(Mr. STENHOLM asked and was given permission to revise and extend his remarks.)

Mr. STENHOLM. Mr. Chairman, quickly, fact: The sugar program has not cost the U.S. Treasury 1 cent since 1985. Fact: We will reduce the deficit by $288 million over the life of the farm bill that some said was not reformed.

Now I want to talk about M&M candy. I like M&M candy. They include sugar in M&M candy. They also have less than 1 percent corn starch in M&M candy.

This reference that the consumer is going to pay a billion dollars more is laughable. There is 25 grams of sugar in this package. The market price is 22 cents. That makes 1.23 cents worth of sugar in this candy.

If we lowered it to the world prices, as the authors of this amendment want us to do, it will lower it to 8 cents a pound. That will make 0.78 cents per pound worth of sugar in this candy. We can buy this in the Capitol from the vending machines for 55 cents. Do we believe for a moment that there will be a new price at 54.217 cents on that vending machine if we pass this amendment?

Vote ''no'' on this amendment.

Mr. MILLER of Florida. Mr. Chairman, I yield myself the balance of my time.

I want to correct some of the information stated today. First of all, there was no significant change in the sugar program last year. It only lost by a handful of votes. Five votes made a difference. As Time magazine said, ''The landmark farm bill left sugar subsidies standing.'' They did not get changed last year.

We just have to look at the price of sugar. Five years ago the price of sugar was 22, 23 cents a pound. Today it is 22, 23 cents a pound in the United States. And under this farm bill it will stay at

that same price for the next 5 years. But look at the world price. In Canada it is about 11 or 12 cents a pound. That is the world price of sugar.

What will happen to those candy companies is that they are going to ship their jobs to Canada. It is happening now. It is not right for the jobs in this country.

When we talk about subsidized sugar, France has subsidized sugar. There are laws on the books to keep that sugar out of the United States. I agree with that. When countries like France are not allowed to ship it in, that is what I agree with. But a country like Australia, the largest exporter of sugar in the nation, they are allowed to ship and sell it anywhere in the world at 11, 12 cents. We can compete with Australia.

Now, last year, we did not pass a total reform. What we want to do now is just a modest change, which is a nonrecourse loan. Veterans do not get nonrecourse loans. Students do not get nonrecourse loans. Businesses around this country do not get nonrecourse loans. So why should sugar farmers get nonrecourse loans?

Now, to my Republican colleagues, 55 percent of the Republicans last year voted with me for total repeal. This is just an incremental change and there is no reason why they should not be able to come along with me this time. It is pro-jobs, it is pro-consumer, it saves taxpayers money, and it is a good environmental vote.

This will be a scored vote by environmental groups, and the free market, the think tanks all say, hey, if we believe in the free enterprise system, this is a bad program with sugar so we should support this amendment.

To my colleagues on the other side of the aisle that are concerned about the environment, this is a big environmental vote, and it is bad for consumers and for lower income people who pay so much for their food. It does impact the cost of their food.

So I encourage all my colleagues to say let us begin the process. This is one step in the direction of reforming sugar which did not get reformed last year. This is the right thing to do for the American consumer and the American taxpayer.

Mr. HILL. Mr. Chairman, I rise today to strongly oppose the Miller-Schumer amendment. This ill-conceived measure breaks the market-oriented contract made with the hard-working sugar farmers around the country and in my home State of Montana and undermines the viability of our rural communities.

This amendment flies in the face of common sense. Montana's sugar producers and their families have made investments based upon the Federal Government's word in the 1995 farm bill. In this planting year alone, farmers are counting on these promises for a fair return on their investment. Yet, this amendment would place America's sugar producers at great risk by eliminating the safety net they were promised in the farm bill.

For example, Montana's sugar producers are counting on getting up to 70 percent of their net returns from the nearby processors in December of this year. These net returns are ultimately based upon what was supposed to be a 7-year Federal sugar policy commitment. The Miller-Schumer amendment ignores that commitment and compromises the financial investments made by our Nation's producers. Mr. Speaker, Montana's farmers can't unplant what has been planted and can't recover their investments if Congress erases those investments.

Mr. Chairman, I urge my colleagues to defeat this amendment. This dangerous amendment puts our farmers and communities at great and unfair risk and forgets our word to the people. It's time to assure our agriculture community that the promises made by the Federal Government are promises kept.

Mr. CRAPO. Mr. Chairman, I rise in opposition to the Miller-Schumer amendment to eliminate the nonrecourse portion of the U.S. sugar program. As you know, during consideration of last year's historic farm bill, significant reforms were made to the U.S. sugar program. Among the changes were the elimination of all domestic production controls, an increase in the marketing assessments sugar farmers must pay to reduce the Federal deficit, and new penalties to further discourage loan forfeitures and maintain the now 12-year-old no-cost operation of sugar policy.

Our domestic sugarbeet and sugarcane growers provide taxpayers with almost $300 million in Federal revenues through the collection of assessments. In fact, because our domestic growers have been so successful in providing U.S. consumers with stable, high-quality supplies of sugar at a retail price well below the developed country average, our farmers were willing last year to contribute their fair share in the overall goal of reforming Federal farm support programs.

But while our sugar industry has been successful, it does face stiff competition from subsidized sugar growers throughout the world. GATT mandated no reduction in the price support for sugar in the European Union. Thus, while U.S. growers operate under a strict loan program, European farmers receive subsidies to artificially lower the market cost on their sugar sales.

Recognizing the threat that dumping sugar by foreign countries could have on the United States, sugar growers have one remaining safety net, the nonrecourse loan guarantee. While some of my colleagues here have attempted to portray this as a gimmick to raid the Federal Treasury, in actuality, this program would only come into effect when at least 1.5 million tons of foreign imports begin to flood our markets.

I believe this safety net is important to keep our domestic sugarbeet and sugarcane industry viable. Without this small measure of protection from the vagaries of foreign subsidized sugar, a critical sector of our farm economy could collapse. Mr. Chairman, I urge my colleagues to vote against this amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, today, I rise in support of the Miller-Schumer amendment to the fiscal year 1998 agriculture appropriations bill which would prohibit the U.S. Department of Agriculture from spending Federal funds to implement the nonrecourse loan program for sugar producers.

This amendment takes another step forward in our continued efforts to phase out the Federal Government's out-dated sugar price subsidy. The USDA's complex program of loan subsidies, price supports, and good old-fashioned protectionism benefits only a handful of farmers at the expense of American consumers.

I think the American people would be appalled to learn that more than 30 farmers and corporations receive in excess of $1 million annually in USDA sugar subsidies. Meanwhile, consumers pay $1.4 billion a year in higher prices on sugar products and hundreds of consumer items that use sugar.

Last year, Congress passed landmark agriculture legislation, known as the FAIR Act, which opened up most American farmers to the free market and new agricultural opportunities. There is no reason why these same free market principles should not apply to sugar farmers. If passed, this amendment would also have the benefit of opening up new opportunities to sugar farmers while still providing them refuge from foreign dumping and unfair trade barriers in markets overseas.

Mr. Chairman, I want to commend Mr. MILLER and Mr. SCHUMER for their collaborative work on this issue and I urge all my colleagues to support their amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. MILLER].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. MILLER of Florida. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 175, noes 253, answered ''present'' 1, not voting 5, as follows:

[Roll No. 312]

AYES—175

Allen	English	Kolbe
Andrews	Ensign	Kucinich
Archer	Eshoo	LaFalce
Armey	Fawell	Lantos
Barr	Forbes	Largent
Barrett (WI)	Fox	LaTourette
Bartlett	Frank (MA)	Lazio
Bass	Franks (NJ)	Lewis (GA)
Berman	Frelinghuysen	Linder
Bilbray	Gallegly	LoBiondo
Bilirakis	Gejdenson	Lowey
Blagojevich	Gekas	Luther
Blumenauer	Gibbons	Maloney (CT)
Boehlert	Gilchrest	Maloney (NY)
Borski	Goodlatte	Manzullo
Brown (OH)	Goodling	Markey
Campbell	Gordon	Mascara
Capps	Goss	McCarthy (MO)
Cardin	Greenwood	McCarthy (NY)
Castle	Hall (OH)	McDade
Chabot	Hansen	McDermott
Clement	Hayworth	McGovern
Collins	Hilleary	McHale
Conyers	Hinchey	McHugh
Cook	Hobson	McKinney
Cox	Hoekstra	McNulty
Crane	Horn	Meehan
Cummings	Hostettler	Miller (CA)
Davis (IL)	Hoyer	Miller (FL)
Davis (VA)	Hutchinson	Moakley
DeFazio	Inglis	Moran (KS)
DeGette	Jackson (IL)	Moran (VA)
DeLauro	Johnson (CT)	Morella
DeLay	Kanjorski	Nadler
Deutsch	Kasich	Neal
Dickey	Kelly	Neumann
Doggett	Kennedy (MA)	Ney
Doyle	Kennedy (RI)	Northup
Dreier	Kennelly	Olver
Duncan	Kim	Pallone
Dunn	Kind (WI)	Pappas
Ehrlich	Kingston	Pascrell
Engel	Klug	Paul

Paxon
Payne
Petri
Pitts
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rogan
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Rush
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schumer
Sensenbrenner
Shadegg
Shaw
Shays
Slaughter
Smith (NJ)
Smith, Linda
Snowbarger
Souder
Sununu
Tauscher
Tierney
Upton
Velazquez
Visclosky
Wamp
Waxman
Weldon (PA)
White
Wolf
Yates
Young (FL)

NOES—253

Abercrombie
Ackerman
Aderholt
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Bateman
Becerra
Bentsen
Bereuter
Berry
Bishop
Bliley
Blunt
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Carson
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clyburn
Coble
Coburn
Combest
Condit
Cooksey
Costello
Coyne
Cramer
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Deal
Delahunt
Dellums
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Doolittle
Edwards
Ehlers
Emerson
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Foley
Ford
Fowler
Frost
Furse
Ganske
Gephardt
Gillmor
Gilman
Gonzalez
Goode
Graham
Granger
Green
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hefley
Hefner
Herger
Hill
Hilliard
Hinojosa
Holden
Hooley
Houghton
Hulshof
Hunter
Hyde
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kildee
Kilpatrick
King (NY)
Kleczka
Klink
Knollenberg
LaHood
Lampson
Latham
Leach
Levin
Lewis (CA)
Lewis (KY)
Lipinski
Livingston
Lofgren
Lucas
Manton
Martinez
Matsui
McCollum
McCrery
McInnis
McIntosh
McIntyre
McKeon
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Minge
Mink
Mollohan
Murtha
Myrick
Nethercutt
Norwood
Nussle
Oberstar
Obey
Ortiz
Owens
Oxley
Packard
Parker
Pastor
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pombo
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Redmond
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogers
Rothman
Roybal-Allard
Ryun
Sabo
Sanchez
Sandlin
Schaefer, Dan
Schaffer, Bob
Scott
Serrano
Sessions
Sherman
Shimkus
Shuster
Skaggs
Skeen
Skelton
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Adam
Snyder
Solomon
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Torres
Towns
Traficant
Turner
Vento
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weller
Wexler
Weygand
Whitfield
Wicker
Wise
Woolsey
Wynn

ANSWERED ''PRESENT''—1

Sisisky

NOT VOTING—5

Barton
Molinari
Schiff
Stark
Young (AK)

□ 1538

Ms. WOOLSEY, Ms. ROYBAL-ALLARD, Mr. ORTIZ, and Mr. OWENS changed their vote from ''aye'' to ''no.''

Messrs. SAXTON, COOK, VISCLOSKY, and EHRLICH changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Ms. SLAUGHTER. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN pro tempore. The question is on the motion offered by the gentlewoman from New York [Ms. SLAUGHTER].

The question was taken; and the Chairman pro tempore [Mr. QUINN] announced that the noes appeared to have it.

RECORDED VOTE

Ms. SLAUGHTER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 158, noes 265, not voting 11, as follows:

[Roll No 313]

AYES—158

Abercrombie
Allen
Andrews
Baldacci
Barrett (WI)
Becerra
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Coyne
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Edwards
Engel
Eshoo
Farr
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gutierrez
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lantos
Levin
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Manton
Markey
Mascara
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Menendez
Millender-McDonald
Miller (CA)
Mink
Moakley
Moran (VA)
Nadler
Neal
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Serrano
Sherman
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Woolsey
Wynn
Yates

NOES—265

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kennedy (MA)
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Luther
Manzullo
Martinez
Matsui
McCarthy (MO)
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Minge
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Young (FL)

NOT VOTING—11

Ackerman	Meek	Schiff
Barton	Molinari	Stark
Gonzalez	Reyes	Young (AK)
Lewis (GA)	Sanford	

□ 1600

So the motion was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 17 OFFERED BY MR. NEUMANN

Mr. NEUMANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. QUINN). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. NEUMANN:

Insert before the short title the following new section:

SEC. . None of the funds appropriated or otherwise made available by this Act may be used to carry out, or to pay the salaries and expenses of personnel of the Department of Agriculture who carry out, a nonrecourse loan program for the 1998 crop of quota peanuts with a national average loan rate in excess of $550 per ton.

The CHAIRMAN pro tempore. Pursuant to House Resolution 193, the gentleman from Wisconsin [Mr. NEUMANN] and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. NEUMANN].

Mr. NEUMANN. Mr. Chairman, I ask unanimous consent to yield half of my time, or 7½ minutes, to the gentleman from Pennsylvania [Mr. KANJORSKI] for purposes of control.

The CHAIRMAN pro tempore. Without objection, the gentleman from Pennsylvania [Mr. KANJORSKI] will control 7½ minutes.

There was no objection.

Mr. KINGSTON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Georgia [Mr. KINGSTON] will control 15 minutes.

Mr. KINGSTON. Mr. Chairman, I ask unanimous consent that half of the time, 7½ minutes, be yielded to the gentlewoman from Ohio [Ms. KAPTUR] the ranking member, for purposes of control.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Wisconsin [Mr. NEUMANN].

Mr. NEUMANN. Mr. Chairman, I yield myself 2 minutes.

First, I would like to thank my very competent staff for bringing this issue to my attention and getting me fully informed on the details of this particular program. It is a very interesting program. It is a program in which the United States Government controls the amount of peanuts that can be produced in the United States under a system called a quota system. By limiting the amount of peanuts that are available for sale in the United States of America, a very interesting thing happens and it is not unexpected; by controlling the availability of peanuts that limits the supply, naturally with a limited supply the price of peanuts goes up. And the fact is when a hardworking family walks into a store to buy a jar of peanut butter, they literally wind up paying 30 cents a jar extra for no other reason than that the U.S. Government is in the middle of the program.

Let me give my colleagues some of the numbers here that lead to the 30-cent increase in the cost of making peanut butter and jelly sandwiches for lunches in many of the hardworking families across America. In the world market, peanuts sell for $350 a ton, but because the U.S. Government is involved in this quota system, peanuts in the United States of America sell for $650 a ton, almost double the world price on peanuts. As a matter of fact, our Government has this loan guarantee program in place where they guarantee a loan at $610 per ton.

Now an interesting fact came to light in our research. In fact, our American farmers produced peanuts that are sold in the world markets. That is to say they are producing roughly 300,000 tons of peanuts that are sold in the world markets at $350 a ton. So why is it that here in the United States of America, we are asking our consumers to pay all this extra money every time they want to make a peanut butter and jelly sandwich for their kids' lunch when they head them off to wherever it is, whether it be a job or to school or whatever?

Another interesting fact came to light when we started studying who owns these quotas, who has got this limited right to raise peanuts in the United States of America. A lot of people were saying, ''Well, it helps the farmers, and therefore you should allow it to continue.''

Sixty-eight percent of the quotas are owned by nonfarmers in the United States of America. It is time for this program to end.

Mr. KINGSTON. Mr. Chairman, I yield 1 minute to the gentleman from Oregon [Mr. SMITH), the distinguished chairman of the Committee on Agriculture.

Mr. SMITH of Oregon. Mr. Chairman, I thank the gentleman for yielding this time to me.

Again, in the last Congress they passed a couple of bills. One was, of course, the Freedom to Farm which eliminated all subsidies in 7 years, and prior to that they changed the peanut program. It is no longer a Government-subsidized program. In fact, by the year 2002, $434 million will be saved. That is what they did.

But I am sure many of my colleagues do not like the peanut program. They may not, but they signed a contract, the contract with farmers, the Government with farmers. They signed the contract for 7 years. For 7 years there will be no peanut subsidy or no peanut program.

So remember this: It is a contract, it is a commitment, it is a Government promise, the Government-farmer agreement. Do not violate the agreement. Vote against this amendment.

Mr. KANJORSKI. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I rise in strong support of this amendment which implements the first step in the Shays-Lowey peanut program elimination bill.

The peanut program epitomizes wasteful, inefficient Government spending. It supports peanut quota holders at the expense of 250 million Americans, consumers and taxpayers.

The GAO has estimated that this program passes on $500 million per year in higher peanut costs to the consumers. What does this mean to average American families? Well, as a mom who sent her three kids to school with peanut butter and jelly sandwiches for years, I find it unacceptable that this program forces American families to pay an average of 33 cents more for an 18-ounce jar of peanut butter. Now that is not peanuts.

I urge my colleagues to stand up for American consumers and support this amendment. It is good fiscal and consumer policy.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. RODRIGUEZ].

(Mr. RODRIGUEZ asked and was given permission to revise and extend his remarks.)

Mr. RODRIGUEZ. Mr. Chairman, I rise today to defend the peanut farmers in my district and throughout the Nation. Once again we see the multicorporations trying to come in and be able to take the profits. When we look at it, the family farmer is less than 100 acres, and so we are looking at a situation where less than 100 acres for the average family farmer in this country. These farmers must compete with multicultural corporations in dealing with them. They had, last time around they had, and it was cut from 678 to 610; now they are coming back for more.

My colleagues, before you is a Snickers. I paid 60 cents for it. It has gone up 5 cents. Have my colleagues seen a cut on it? No.

In addition to that, the peanuts that are in this Snickers is approximately 2 cents. Do my colleagues foresee that there will be a cut of 58 cents? I will attest to my colleagues that that is not going to occur.

What we see before us is an attempt by the multicorporate corporations to be able to get some additional moneys. I thank my colleagues, and I ask them to vote no on the amendment.

Mr. NEUMANN. Mr. Chairman, I yield 1½ minutes to the gentleman from Arkansas [Mr. HUTCHINSON].

Mr. HUTCHINSON. Mr. Chairman, in 1934 the Great Depression led Congress to establish the Federal peanut program to protect the peanut producers

and to control the domestic supply. Well, the peanut program is now 63 years old. That is 63 years of price controls, 63 years of higher prices for consumers and 63 years of centrally-planned economics.

I rise in support of the amendment offered by the gentleman from Wisconsin [Mr. NEUMANN] which compels the USDA to be fair to consumers when establishing a loan level for the peanut quota.

Mr. Chairman I grew up on a family farm, a small family farm in Arkansas, and this is not about farming but this is about Government and Government quotas. The peanut program combines production quotas, price support, loans and import restrictions which stifle the U.S. peanut industry and endanger trade for other agricultural commodities.

This is a program which benefits only the elite few. The GAO reports that 68 percent of quota owners do not actually participate in farming. They rent their Government quotas for a profit. If a farmer does not sell his crop, he can forfeit to the Government and receive $610 per ton.

The world market price is only $350 per ton; that is more than what is necessary. That is an additional $500 million a year in inflated prices for American consumers. It is time we stop this arcane Government program. I urge my colleagues to support the amendment.

Mr. KINGSTON. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oklahoma [Mr. LUCAS].

Mr. LUCAS of Oklahoma. Mr. Chairman, the amendment that is the pending business before the House should be entitled the ''How Many Rural Economies Can We Wreck in 1997 Amendment''. Simply put, the Neumann amendment will devastate rural economies throughout the South. Last year's farm bill contained significant reforms for the Nation's peanut program. Further reductions in the support price will cause the economic ruin of thousands of family farms, rural banks and country towns that they support. Contrary to the claims of many, this amendment will not give consumers cheaper candy bars or peanut butter. It is anti-farmer, and it should be defeated.

Mr. Chairman, let us let the 1996 farm bill work. I repeat. Let us let the 1996 farm bill work.

I would urge my colleagues in joining me to vote against this amendment.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina [Mr. ETHERIDGE].

Mr. ETHERIDGE. Mr. Chairman, I oppose this amendment. Peanut farmers are the backbone of the economy in the poorest counties in the South. They agreed to the reforms in the program just last year. Loan rates were reduced, quotas were reduced, programs were opened to new producers, out-of-State quota holders were eliminated. In return they have been given a farm bill, a 7-year promise of stability.

Mr. Chairman, peanut farms face many obstacles without having to worry about whether or not they can pay their bills. Too much rain gives soggy peanuts, drought turns them to dust. Peanut farmers are hardworking people. They need stability. They do not need to face this problem.

Proponents claim they are fighting for consumers. Hogwash. Candy manufacturers have said they will not pass on any of the savings to consumers. Savings will be passed on to a few of the multibillion-dollar companies, and the price of candy bars will not go down.

If there is any integrity left in this Congress, we will live up to the commitment that was made last year to the peanut farmers and defeat this amendment.

Mr. KANJORSKI. Mr. Chairman, I yield 1 minute to the gentleman from Delaware [Mr. CASTLE] the former Governor.

Mr. CASTLE. Mr. Chairman, I thank the gentleman for yielding this time to me, and I rise in strong support of the Neumann-Kanjorski amendment.

Mr. Chairman, the Federal peanut program is completely antiquated, and only those who believe in Peter Pan could believe that the program works well. Over the last 2 years USDA announced the national peanut quota production level of 100,000 tons below expected demand. What does this mean? USDA basically created an artificial government-induced shortage of peanuts which, in short, means peanut-loving taxpayers get Jiffed; I mean gypped. At a time when we are reviewing every program for savings in order to balance the budget, it is simply nuts to spend taxpayer dollars on a program that refuses to adopt commonsense reforms to achieve real savings.

Mr. Chairman, the Neumann-Kanjorski amendment is a positive step toward true reform of the peanut program. I believe it does help to protect consumers from Government price fixing, create a more competitive peanut economy and lower prices on peanut products. I ask all of my colleagues, Republicans, Democrats, crunchy peanut butter lovers and creamy peanut butter lovers, to support the Neumann-Kanjorski amendment.

Ms. KAPTUR. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia [Mr. SISISKY].

□ 1615

Mr. SISISKY. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, it is interesting, I have been doing this a pretty long time. I used to be in the packaging business. To say that you would save 18 cents with peanut butter and jelly is a nice little symbol, but let me just tell the Members something. For the last I think 5 years peanut paste from China has been coming through Canada into the United States like at 25 percent cheaper. Members will see in a few moments a chart showing the rise in peanut butter prices. Oddly enough, oddly enough, the price of peanut butter in Canada is more than the price in the United States.

There are many reasons to vote against this amendment, but I would like to focus on another one. Many Members may not know it, but we have already voted to enact annual cuts in the effective support price for peanuts. Along with a long list of reforms, last year's farm bill contained a 10-percent price cut in the support price for peanuts, but it also froze that price for 7 years with no adjustment for inflation. The freeze amounts to an automatic annual cut in the support price, and each year, as Members know, expenses go up.

If my colleagues really want to cut the real support price for peanuts, there is one alternative to this amendment: Leave the farm bill alone and vote against this amendment.

Mr. Chairman, I rise in strong opposition to the Neumann-Kanjorski amendment, which would devastate peanut farmers in the State of Virginia.

This controversy is not new. Almost every year we consider yet another proposal to cut the peanut support price. I'm afraid many Members may be forgetting that last year's farm bill already cut the support price by 10 percent.

The farm bill contained a long list of reforms that transformed the peanut program. From the perspective of Congress, the most important of these reforms may have been doing away with all cost to the taxpayer. The program actually gives back $83 million to the Treasury that goes toward reducing the deficit.

For most peanut farmers, however, the most important change was losing 10 percent of their support price. A close runner-up was having their support price frozen for 7 years—with no adjustment for inflation.

Many farmers in my district were not happy with this deal. The 10 percent cut was a bitter pill to swallow. A price freeze over 7 years, with expenses cutting into revenue more and more every year, was even tougher.

But it was a deal, and farmers accepted it. What we're talking about today is reneging on that deal. This amendment would effectively gut the peanut program before we've had a chance to determine the effects of last year's reforms.

We still don't know how farmers will adapt to all the changes in the farm bill. The 10 percent cut in the support price has already taken most of the profit out of peanut farming in Virginia.

Fortunately, though, farmers have not felt the full effects of that cut. That's because prices for other commodities have been high, and farmers have not had to rely on peanuts to keep them in the black.

But believe me, that will change. Already, bad weather has taken its toll on farmers in Virginia. With only an inch of rain since planting, many farmers won't be able to harvest enough cotton to make a profit. Prices on other commodities have also fallen.

And what about 6 years from now? We don't know how farmers are going to adjust to a support price frozen at a level 10-percent lower than before. Remember, this freeze

amounts to an automatic annual cut in their support price. Every year, their support is reduced by the amount of inflation.

In fact, if the U.S. support price drops below $610, many farmers in Virginia are not going to be growing peanuts anymore. At $550, they simply won't be able to get financing. Rural communities will lose the bread and butter of their economies, on which so many other businesses depend.

Now, we've all heard about how the world price for peanuts is supposedly half the U.S. support price. But this argument dissolves on closer inspection. The so-called world price is simply not comparable.

It generally applies to an inedible, poor quality peanut used mainly for oil. We might as well be talking about the world price for oranges. If the U.S. price were at the so-called world level, there wouldn't by many American peanut farmers left.

If my colleagues really want to cut the support price for peanuts, there is an alternative.

Do nothing.

The price freeze in last year's farm bill amounts to an automatic annual price cut. Let the freeze take effect over the full term of the farm bill. Let's see the real-world effects of what we've already done.

In the meantime, I urge my colleagues not to renege on last year's deal. We should not be making it impossible for peanut farmers to make a living at a time when Mother Nature is making it hard enough.

Mr. Chairman, I strongly urge a ''no'' vote on the Neumann/Kanjorski amendment.

Mr. KINGSTON. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Augusta, Georgia [Mr. NORWOOD].

Mr. NORWOOD. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I will tell the Members quick what is nuts. What is nuts is people from Delaware and people from Wisconsin getting up here and talking about something they do not know the first thing about. My good friend, the gentleman from Wisconsin [Mr. NEUMANN] actually saw a peanut plant one time.

Mr. Chairman, I have lived in a family who grew peanuts. They hated the Government regulations. They wanted to get away from them, but we made them do it. Now give them a chance over the next 7 years to live with this no-cost program to the taxpayers, and undo what we have done to them for the last 50 years. Get off the back of the peanut farmer.

Mr. NEUMANN. Mr. Chairman, I yield 1 minute to my good friend, the gentleman from South Carolina [Mr. SANFORD].

Mr. SANFORD. Mr. Chairman, I rise in support of this amendment, because leaving aside the good and the bad of what we have heard about the peanut program, I think what we need to consider is the fact that if Members look at the peanut program as it is now configured, Members would look straight back to the Dark Ages. In the Dark Ages there was a feudal system wherein if you were lucky and drew the long end of the straw you were lord of the manor, and if you were unlucky you were a serf out there toiling on the land.

In 1997, with our peanut program the way it is configured, if you draw the long end of the stick you have a quota from the Government and can sell your peanuts for about $600 a ton, and if you draw the short end of the stick you can sell them for about half that, the same peanuts. To make matters worse, about two-thirds of the quota owners, and again we are not talking about farmers here, are people that live in Los Angeles and New York and Miami.

So I would simply make the observation that we need to move from the Dark Ages and into the light ages of a market-based system. I urge the adoption of this amendment.

Mr. KINGSTON. Mr. Chairman, I yield 90 seconds to the gentleman from Alabama [Mr. EVERETT].

(Mr. Everett asked and was given permission to revise and extend his remarks.)

Mr. EVERETT. Mr. Chairman, I rise in opposition to this amendment which is based on false information. It is poor from a policy standpoint and unworkable from a practical standpoint.

We reformed the peanut program last year extensively. We, the Committee on Agriculture, and the House and the Senate and the President authorized a reform program at no cost to taxpayers, and yes, at no additional cost to families who buy peanut products.

Opponents claim that the peanut program costs families additional money. That is not true. What they do not tell us is in one of the reports they used when they quote from, the GAO identifies consumers as those corporations who first purchased the peanut from the farmer; again, not the housewife but the corporations.

As far as passing along lower prices to the housewife, that is a joke. The only person who would believe that would be somebody who does believe in Peter Pan. Since the peanut farmer received the cuts for their peanuts that were slashed last year, the price of peanut products has increased, not been passed on. Not one penny of the money taken from farmers has been passed on to the families, not one penny.

Also, studies show thousands of jobs in farm-related industries, such as manufacturing of farm equipment and those supplying farmers, will be lost if this flawed amendment passes. This issue was fully considered last year. Now let the program work. This Congress, both House and Senate, and the administration made a commitment to our farmers. We should honor it, and stop this silly and flawed business of trying to rewrite the farm bill every year.

Mr. Chairman, I rise in strong opposition to the Newmann-Kanjorski amendment which is based on false information, is poor from a policy standpoint and unworkable from a practical standpoint.

The appropriation bill is not the appropriate place to consider this issue. This is nothing more than an attempt to rewrite the farm bill in a way that is punitive to farmers.

I could stand up here all day long and discuss the merits of the peanut program, the reforms we made in the 1996 farm bill, and the financial situation of the peanut farmers. But Mr. Chairman, this is not the time or the place to do it. You see, we did that last year * * * extensively, and we, the Agricultural Committee, and subsequently the House, Senate, and President, authorized a reformed program that benefits all Americans and at absolutely no cost to taxpayers, or, and please hear this—at no cost to families who buy peanut butter and other peanut products.

We have been fighting this fight for many years. The fight, however, is not about reform, we have done that, this effort is about corporate greed, pure and simple. These multinational corporations have been lining the Halls of Congress with money for years claiming that the Peanut Program cost families additional money. That is simply not true. The GAO report you will hear quoted does not say the program cost the housewife and families one thin dime. In the report, the GAO identifies ''consumers'' as those multinational corporations who first purchase the peanut from the farmer. Again, not the buying public, but these corporations who are trying to increase their profits by taking money out of the pockets of already struggling farmers.

As a matter of fact, since the peanut program was reformed last year, the price farmers received for their peanuts has been slashed, their profits greatly reduced, and, consequently many farmers have stopped farming. But guess what, the price of that candy bar has increased, the cost of that jar of peanut butter is still the same, but the profits of these manufacturers have increased. Not one penny of the money taken from farmers was passed on to families. Not one penny. This amendment is purely about corporate greed and it is a sad thing to hear these members say it cost families money when what they are really doing is siding with greedy corporations against working farmers. Members who do that do a serious disservice to both working farmers and working families while they increase the profit margins of these corporations.

And, should this flawed amendment carry the day, it will not be only farmers who lose jobs. Studies show many more thousands of jobs in farm related industries such as the manufacturing of farm equipment and those supplying farmers will be lost. We saw it happen a few years ago when thousands of farm equipment employees lost their jobs. That's real jobs lost, not the pie in the sky stuff you'll hear today. If these members are successful today, they will continue to attack all other farm programs and the jobs lost in farm related industries will occur in the tens of thousands.

This issue was fully considered last year, now let the program work. This Congress, both the House and the Senate and this administration made a commitment to our farmers—we should honor it and stop this silly nonsense of trying to rewrite the farm bill every year.

Mr. KANJORSKI. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I come from Pennsylvania, and I understand the pleas of all my friends from the agricultural

States, the arguments that they make, and they are credible arguments. I heard the gentleman from Georgia argue about how we are getting into the key commodity and economic activity of the State of Georgia. I understand that. Then I watch my friend, the gentleman from Virginia, a very good friend of mine. I had the occasion to talk to him. This does affect and impact his district.

We are not trying to completely end the peanut subsidy program here today, because I think that would be unfair. We are merely trying to set in the appropriation bill a 10-percent reduction, from $610 a ton to $550 a ton. Furthermore, it is only effective through the next year, the life of this appropriation bill.

Mr. Chairman, we do this in this way and support this amendment because we are sensitive to economies that need help, and to sectors of economies that need help. But I know as an addict of nicotine that, regardless of how many pledges you make, you invariably will go back to smoking until you find a substitute or you find a way to wean yourself from your addiction.

Now we have a price support addiction. It is a pathetic addiction. If we were arguing that these quotas were farmers' quotas alone and all the profit went to the farmer, the person who worked in the field, that would be one thing. But when we read the statistics: over 68 percent of these quotas are traded as securities by very wealthy people in this country who are buying and selling quotas, and then renting those quotas out to little old farmers who are really their tenant farmers. The major part of the peanut profit goes to these speculative investors. Sixty-three years of that support system.

When this program started, I have no doubt that in 1934 the State of Virginia, the State of North Carolina, the State of Georgia, the State of Alabama, needed that help. I would have been one of the Members of Congress who would have argued for this program or any other that would have supported the peanut farmer at the time or the family farmer.

But suddenly we grandfathered this provision. You now inherit a quota from the U.S. Government because your grandaddy had one. You can go out and buy it speculatively in the market and trade it and negotiate it and sell it. We have created Government-supported securities here that are being readily traded in the market, all with the idea that we are saving the economies of these peanut-producing States.

I say, if Virginia, North Carolina, Georgia, and Alabama need economic development money, I will be the first one up here to vote for it. But we will not have it grandfathered and we will not have it in speculators' hands and it should not exist for 65 years. There has to be a time that you wean off Federal support.

I am speaking to many Members on my side because I think we sometimes have a hard time getting away from subsidies, but I want to talk to my conservative friends on the Republican side that are always telling me about the great nature of the free enterprise system: ''Let the market work. Do not vote and create favoritism.''

What are we doing, after 63 years, is continuing this favoritism. And what States are we now supporting? I know there are rural areas of Georgia that need help, but there is no more dynamic economy in the United States than Georgia today, with a 2-percent unemployment rate. I urge my colleagues to start the process of weaning us off peanut quotas by supporting this amendment.

Ms. KAPTUR. Mr. Chairman, I yield 45 seconds to the gentleman from Florida [Mr. BOYD].

Mr. BOYD. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, I want to rise in opposition to this. I want to address the subject that the gentleman from Pennsylvania [Mr. KANJORSKI] brought up, and also my friend, the gentleman from South Carolina [Mr. SANFORD].

Mr. Chairman, last year this Congress changed the peanut program. It fixed the abuses that those gentlemen are talking about, whereby people who live not on the farm and are not active producers are no longer able to own those peanut allotments, and that is the reason they are being sold and put in the hands of people who actually farm. I want to make sure that we get that straight.

I would urge Members to defeat this well-intentioned but poorly thought-out amendment.

Mr. KINGSTON. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, if we look at the guts of the farm bill, it is, indeed, as complicated as the inside of the Pathfinder. As the Pathfinder trudges and scrutinizes the surface of Mars, the American public and Members of Congress are scrutinizing the inside of the farm bill. Anyone who looks at it looks at it in pure disbelief, not knowing what components mean what, and so forth.

It is true, the peanut program under the new reforms is a no-net-cost program that contributes $83 million to deficit reduction, it supports about 30,000 jobs, and there is a phaseout of the program in under 7 years.

But if we take a step back and shut the hood and look at the total picture, Americans have an abundant food supply at cheap prices year around. We spend 11 cents on the dollar on food. The farm bill is working, Mr. Chairman. I urge my colleagues to let it work, and do not do reforms on a piecemeal basis, which is what this amendment would do. I urge a ''no'' vote.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. BISHOP].

(Mr. BISHOP asked and was given permission to revise and extend his remarks.)

Mr. BISHOP. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, I have the largest peanut-growing district in the country. A lot of people in our area depend upon peanuts. It is the economic foundation of our area. But I have to say that those people came together well before the farm bill last year and put their heads together and worked with people of good will to address the critics of this program, and to address the issues that were raised, such as those raised by the gentleman from Pennsylvania [Mr. KANJORSKI].

We addressed that in the farm bill last year. We created a no-net-cost program to the taxpayers. It is a market-oriented program, but yet it still provides a safety net for the farmers. We enacted a contract, a 7-year contract, for this farm bill by which we promised that this is what we would operate our farm policy on for 7 years. Our people mortgaged property, they made loans, they bought equipment on time and installments with that in mind.

Now we want to pull the rug out from under them and renege on that commitment. Let us defeat this amendment. Let us stand up for the farm bill we passed last year.

Mr. KANJORSKI. Mr. Chairman, I yield 1 minute to the gentlewoman from Washington, Mrs. LINDA SMITH.

Mrs. LINDA SMITH of Washington. Mr. Chairman, I rise today in support of the Neumann amendment because something really simple happens when we mess with prices. That is, the cost of the peanut butter sandwich for the kid goes up.

□ 1630

That is what we are seeing today. But greater than that, we hear that it is for a small number of farmers. The reality is only one-third of the quota holders are actually farmers. The rest are people who inherited the quotas or purchased them and who lease them to the real farmers who then get less than the quota floor price.

I think it is important that we realize that is a subsidy. But really what is greater, it just raises the cost to the consumer. We need to stop doing this. We need to get in line with what is really happening in the world market and stop this practice. I really do support the Neumann amendment and encourage the rest of the Members to take a look at who really benefits from this system.

Mr. NEUMANN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I think it is real important, as we wrap up my portion of this debate, that we really understand what this program is all about. This program is about, because of the rules and regulations of the U.S. Government, people that go into the store and buy peanut butter or peanut related products pay more money than they otherwise would. Of course somebody benefits because other people are overpaying for a product. Of course there

are people that benefit from that sort of practice.

Why is it that the U.S. Government should have these quotas out there that limit the production of peanuts and by limiting the production of peanuts keep the price of peanuts higher than they otherwise should be? What is there that would tell the people in Washington that they ought to be in the middle of developing these quotas.

I think the kicker in this whole argument is who owns the quotas, these quotas that have been passed down from generation to generation. These quotas limit the amount of peanuts that can be grown and tell the peanut owners, they literally tell the peanut owner how high the price is going to be because the more they limit the number of pounds of peanuts that are grown, the higher the price goes. So by limiting the price, they have kicked the price all the way up to $650 a ton in the United States, where in other countries we find and in the world markets we find the price is actually $350 a ton.

I heard some arguments today like, well, the Freedom to Farm Act was passed last year. I think every Representative in this House understands that the peanut program was virtually untouched in that compared to other farm programs that were weaned off of these subsidy. And the reason for that, of course, was that vote was very close, and in order to provide the votes necessary to pass the bill, peanuts were left alone, along with the sugar products.

I heard another argument, the other argument went like this, that person held up a product, and they said, look, even if the price of peanuts comes down, these companies are not going to lower the price to the consumer. I have to tell you, I am a home builder. I come out of the home building business. I find that argument to be borderline ridiculous because, if somebody said to me in the home building business, well, starting tomorrow you get the siding for these houses free, would that mean that I am going to charge the same price to my consumer even if I did not have to pay for some of the products going into the house? Of course not. We would have been able to produce the houses at a lower cost if the siding would not have cost us anything as a company or if the siding would have been free.

The argument that somehow, if the price of peanuts comes down, the price of this jar of peanut butter will not be affected just does not add up in a free market society and the kind of society that we live in today. I cannot put much credence in that particular argument.

I think, to wrap it up, we should talk about what this is really all about. It is not really all about the U.S. Government and quotas and these regulations. It is about hard-working families in this great Nation of ours that work very hard to earn their money. And typically they get up every morning of the week and go to work but before they go to work they pack lunches either for themselves or the kids. Many times these lunches include peanut butter or candy or other peanut related products.

What this is really all about is asking these hard-working families that go to work five days a week when they pack those lunches in the morning to pay more than they otherwise should be asked to pay because of regulations of the U.S. Government.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, I rise in opposition to this amendment. My home State of North Carolina ranks third nationally in the production of peanuts. I want to appeal to my colleagues' sense of justice, fairness and equity as we toy with the livelihood of many of my constituents who do not think they are on charity but feel they are working every day. This amendment does nothing to lower the consumer prices. Today's peanut prices are lower, not higher than they have been for the last 10 years.

Remember too that the farm price of the peanut, that the real price of the peanut as it goes to the farmers is only 26 percent of the total price, 26 percent. Where does that other 74 percent go? Yet you are picking on those people who are contributing less than one-fourth, not much more than one-fourth of the total price. Again, we did reform. We did reform, contrary to what has been said. Perhaps not the reform we wanted, but there was reform to the peanut program. We lowered the price of the peanut farmer. We lowered the amount of the quota; therefore, it should not have been, as you say, that we did nothing. Those pounds were reduced and therefore the family farmer expected that you will live toward that commitment.

I urge a ''no'' vote on this amendment.

Ms. KAPTUR. Mr. Chairman, I yield the balance of my time to the gentleman from Texas [Mr. STENHOLM], ranking member of the Committee on Agriculture.

(Mr. STENHOLM asked and was given permission to revise and extend his remarks.)

Mr. STENHOLM. Mr. Chairman, in regard to whether or not what we did last year had any effect on farmers, I would like to insert into the RECORD a letter from the Stevenville Production Credit Association that stated if we did the 10-percent reduction last year in the support we would lose 36.1 percent of our farmers. We lost 34.42.

Also when we talk about prices to consumers, is it not interesting that in Mexico and in Canada, they pay $2.55 in Mexico, $2.72 for an 18 ounce equivalent jar of peanut butter. In the United States, our consumers get at $2.10. Yet our consumers pay this outlandish price to producers for peanuts.

Let us talk about the M&Ms again. When we start talking about the consumer, there are 25 grams of peanuts in this. The price support is 30.1 cents per pound. That is 1⅔ cents cost in this peanut. If you reduce it by 10 cents, you are correct. Those who have argued the consumer will benefit, the cost will go down by .168 percent. That would reduce this price in the vending machine in this Capitol building to 54.832 cents. I will introduce legislation to mint a 54.832 cent coin to make sure that the consumer gets the benefit of the gentleman's amendment. Vote no on the amendment.

Mr. KANJORSKI. Mr. Chairman, I yield myself the balance of my time. I think the debate shows what is going to happen. There are those interests in the House that still want to hold on to the peanut support system.

I hope that this amendment serves one good purpose. Which is to point out that we can no longer afford to continue to do business in this institution as it has always been done. If we are really going to go to a supply and demand free enterprise economy, we have got to wean ourselves from the subsidy systems of the last 63 years. I urge my colleagues to vote ''yes'' on the Neumann-Kanjorski amendment.

Mr. KINGSTON. Mr. Chairman, I yield the balance of my time to the gentleman from Georgia [Mr. CHAMBLISS], in the heart of peanut country.

Mr. CHAMBLISS. Mr. Chairman, let me just very quickly respond to my good friend from Wisconsin who I agree with on so many issues but on this one I must disagree with him very vehemently.

I look at the jar of peanut butter that you hold up and you say that the peanut program adds 33 cents to the cost of that peanut butter jar. Let me tell you that the amount of peanuts that goes to the farmer that is in that jar of peanuts is 43 cents. So if your amendment reduces the amount of money by 33 cents, then the farmer is going to get 10 cents out of that peanut jar. So somewhere along the way the figures have been skewed.

Mr. Chairman, I yield to the gentleman from Georgia [Mr. NORWOOD].

Mr. NORWOOD. Mr. Chairman, I thank the gentleman for yielding to me.

I just want us to also recognize and ask the American consumer to recognize, do you want Mexican peanuts or do you want American peanuts? None of us disagree totally with some of the things they are saying. I say to my friend from Pennsylvania, we do not want your derned subsidy. But you should have done that in 1950. You forced this program on us for 60 years. Give them a chance to get out from under it. That is all they are asking to do.

Vote against this silly amendment.

Mr. CHAMBLISS. Mr. Chairman, my friend from Texas held up his M&Ms awhile ago. We share a very favorite candy here and a hope folks eat a lot of it because it contains good American

peanuts. I went back and bought this bag of candy a minute ago in the cloakroom. I did not get as good a deal as my friend from Texas. I paid 75 cents for this. But I asked Helen back there, I said, Helen, we reduced the price of peanuts 10 percent last year. Has the price of candy gone down any to you from last year? She said absolutely not. It is the same price. But here we are arguing again that this support price program inflates the cost of products to consumers.

It is just not true, Mr. Chairman. The average peanut farm in Georgia is 98 acres. That is not the big corporate farm, the big rich farmer that lives out of State that my friend from Pennsylvania has reference to. In fact, in last year's farm bill, we produced a no net cost program, a program that is more market oriented because we eliminated all those out-of-State quota holders. They are no longer going to be eligible to participate in the program.

At the same time we provided a safety net for our farmers, the small farmers in my area which number about 7,500 plus the other small farmers throughout the South that depend upon the peanut program. We made a deal. We made a deal in April 1996 with the 1996 farm bill. It expires in 7 years. Let us let it work.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to support the Neumann/Kanjorski amendment to establish a maximum market price for peanut sales of $550 per ton.

Mr. Chairman, this amendment attempts to keep our promise to the American people to reform the peanut program, one of a number of inappropriate and outdated subsidies.

While last year's Farm Act, better known as the "Fair Act" gave farmers of agricultural commodities greatly expanded flexibility, removed the heavy hand of government, and reduced government payments to farmers; the peanut program continues to waste taxpayer's dollars.

The sole beneficial peanut provision for consumers in the farm bill—the 10 percent price reduction, sold to Congress as reform, has been severely undercut by the Department of Agriculture's deliberate reduction in the national marketing quota for peanuts. As implemented, the peanut program completely ignores the needs of consumers for more reasonable peanut prices.

Under the current system it is up to the USDA to project what the domestic consumption of peanuts will be and set a marketing quota. In the past the USDA has under estimated the quota creating an artificial shortage of peanuts and thus raising the price. By creating an artificial shortage, USDA has effectively denied the promised reduction in the price of peanuts under the reform provision contained in the farm bill.

This amendment follows through with our commitment to reform the peanut program. It will ensure that the Secretary of Agriculture provides the small measure of reform that was promised in the Farm bill.

I urge all my colleagues to support this important amendment.

Mrs. MORELLA. Mr. Chairman, I want to urge my colleagues to vote for this amendment, not only because it is a sound economic decision, but also because it will ensure that consumers will have the opportunity to buy peanuts at a more reasonable price. Let me explain:

By reducing the load rate from $610 per ton to $550 per ton, the amendment forces the Secretary of Agriculture to provide a measure of the reform that was promised in the 1996 Farm bill.

Just as was then predicted, the USDA has administered the peanut program so as to create an artificial shortage of peanuts by reducing the national production of quota peanuts.

A limited national supply of peanuts has ensured that the so-called price reduction is rendered meaningless.

The General Accounting Office has determined that the peanut program inflates the price that consumers pay for peanuts and peanut products by as much as one half billion dollars every year, which is $3 billion over the 6 remaining years of the farm bill.

The artificial government price inflation translates to an extra 33 cents per 18-ounce jar of peanut butter. This extra cost can be especially significant for low-income families that would otherwise substitute peanuts for more expensive sources of protein.

While some proponents of the current peanut program argue that manufacturers will keep any savings from a reduction in the loan level, what seems to happen is that the retail price of peanut butter closely tracks the movement of peanut prices. Between 1991 and 1993, for example, when the price of shelled peanuts dropped three cents per pound, the retail price of peanut butter dropped from $2.15 to $1.79.

If you are concerned about consumers and this includes virtually all the parents of young children, the U.S. peanut industry, and good government, I encourage you to vote for this peanut program amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. NEUMANN].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. NEUMANN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 242, not voting 7, as follows:

[Roll No. 314]

AYES—185

Allen
Andrews
Archer
Armey
Barr
Barrett (WI)
Bass
Berman
Bilbray
Blagojevich
Blumenauer
Boehlert
Boehner
Borski
Brown (CA)
Brown (OH)
Burton
Callahan
Campbell
Cannon
Capps
Cardin
Castle
Chabot
Christensen
Clay
Clement
Collins
Conyers
Cook
Cox
Coyne
Crane
Danner
Davis (IL)
DeFazio
DeGette
DeLauro
DeLay
Deutsch
Dickey
Doggett
Dooley
Doyle
Dreier
Duncan
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Fattah
Fawell
Foglietta
Forbes
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Gilman
Goodling
Goss
Greenwood
Gutierrez
Hall (OH)
Hayworth
Hinchey
Hobson
Hoekstra
Holden
Horn
Hostettler
Hulshof
Hutchinson
Inglis
Jackson (IL)
Johnson (CT)
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennelly
Kim
Kind (WI)
King (NY)
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
Lantos
LaTourette
Lazio
Levin
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
McCarthy (NY)
McDermott
McGovern
McHale
McHugh
McIntosh
McNulty
Meehan
Menendez
Miller (FL)
Moakley
Moran (KS)
Morella
Murtha
Nadler
Neal
Neumann
Northup
Obey
Olver
Pallone
Pappas
Pascrell
Paul
Payne
Petri
Pitts
Porter
Portman
Pryce (OH)
Quinn
Ramstad
Regula
Rivers
Roemer
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Rush
Ryun
Salmon
Sanders
Sanford
Sawyer
Schumer
Sensenbrenner
Shadegg
Shaw
Shays
Sherman
Shuster
Skaggs
Slaughter
Smith (NJ)
Smith, Adam
Smith, Linda
Snowbarger
Souder
Strickland
Sununu
Tauscher
Taylor (MS)
Tiahrt
Tierney
Upton
Velazquez
Vento
Visclosky
Wamp
Waters
Waxman
Weldon (PA)
Weygand
White
Wolf

NOES—242

Abercrombie
Ackerman
Aderholt
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Bartlett
Bateman
Becerra
Bentsen
Bereuter
Berry
Bilirakis
Bishop
Bliley
Blunt
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady
Brown (FL)
Bryant
Bunning
Burr
Buyer
Calvert
Camp
Canady
Carson
Chambliss
Chenoweth
Clayton
Clyburn
Coble
Coburn
Combest
Condit
Cooksey
Costello
Cramer
Crapo
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
Delahunt
Dellums
Diaz-Balart
Dicks
Dingell
Dixon
Doolittle
Dunn
Edwards
Emerson
Etheridge
Evans
Everett
Ewing
Farr
Fazio
Filner
Flake
Foley
Ford
Fowler
Frost
Furse
Gephardt
Gilchrest
Goode
Goodlatte
Gordon
Graham
Granger
Green
Gutknecht
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hooley
Houghton
Hoyer
Hunter
Hyde
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kingston
Kleczka
Klink
LaHood
Lampson
Largent
Latham
Leach
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
Lucas
Manton
Martinez
Matsui
McCarthy (MO)
McCollum
McCrery
McDade
McInnis
McIntyre
McKeon
McKinney
Meek
Metcalf
Mica
Millender-McDonald
Miller (CA)
Minge
Mink
Mollohan
Moran (VA)
Myrick
Nethercutt
Ney
Norwood
Nussle
Oberstar
Ortiz
Owens
Oxley
Packard
Parker
Pastor
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pombo
Pomeroy
Poshard

Price (NC)	Shimkus	Thornberry
Radanovich	Sisisky	Thune
Rahall	Skeen	Thurman
Rangel	Skelton	Torres
Redmond	Smith (MI)	Towns
Reyes	Smith (OR)	Traficant
Riggs	Smith (TX)	Turner
Riley	Snyder	Walsh
Rodriguez	Solomon	Watkins
Rogan	Spence	Watt (NC)
Rogers	Spratt	Watts (OK)
Rothman	Stabenow	Weldon (FL)
Roybal-Allard	Stearns	Weller
Sabo	Stenholm	Wexler
Sanchez	Stokes	Whitfield
Sandlin	Stump	Wicker
Saxton	Stupak	Wise
Scarborough	Talent	Woolsey
Schaefer, Dan	Tanner	Wynn
Schaffer, Bob	Tauzin	Yates
Scott	Taylor (NC)	Young (FL)
Serrano	Thomas	
Sessions	Thompson	

NOT VOTING—7

Barton	Molinari	Young (AK)
Gejdenson	Schiff	
Gonzalez	Stark	

□ 1701

Mrs. CHENOWETH and Mr. CUMMINGS changed their vote from ''aye'' to ''no.''

Mrs. KELLY, Mr. RYUN, and Mr. CHRISTENSEN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PREFERENTIAL MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I move that the Committee rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I take this time simply to talk about something that has not at all been addressed today. I want to talk about something I intended to talk about but have been precluded from doing so under the rule.

Rural Members will already know what I am talking about, but I really would ask urban Members to listen for a moment to understand what it is I am going to say. We are debating an agriculture appropriation bill which can provide some help to rural communities. But, in fact, we are operating under the handicap of national farm policy.

We have, I believe, for a number of administrations, the previous two and this one, which are essentially anti-rural and which are driving farmers to the wall. And I want to bring to the attention of my colleagues what I think is a very important study done by an Oklahoma University scientist.

I have an article here by a reporter by the name of Joel Dyer called ''Harvest of Rage: How the Rural Crisis Fuels the Anti-Government Movement.'' I would just like to talk with my colleagues for a moment about some of the points that are raised by this article.

This article points out that suicide is by far the leading cause of death on American family farms and that those suicides are a direct result of economic distress. This article points out a number of things, as follows: It says, for instance, ''Many debt-ridden farm families will become more suspicious of government as their self-worth, their sense of belonging, their hope for the future deteriorate. These families are torn by divorce, domestic violence, and alcoholism. There is a loss of relationship of these communities to the State and the Federal Government. We have communities that are made up now of collectively depressed individuals, and the symptoms of that community depression are similar to what you would find in someone that has a long-term chronic depression.''

The article then goes on to point out that ''The United States has lost more than 700,000 small to medium-sized family farms since 1980 and that this loss is a greater crisis than was even the Great Depression, if you live in rural America.''

It then goes on to say, ''By the tens of thousands, some of these same farmers are being recruited by the antigovernment militia movement. Some are being enlisted by the Freeman and Christian identity groups that compromise the most violent components of this revolution in the heartland.''

It then goes on to say, ''The main cause for the growth of these violent and anti-government groups is economic, and the best example of this is the farm crisis. Men and women who were once the backbone of our culture have declared war on the government, which they blame for their pain and suffering, and not without some cause.''

Then the article goes on and says the following: ''Losing a farm does not happen overnight. It can often take 4 to 6 years. By the end, these families are victims of chronic long-term stress. Once a person is to that point, there are only a few things they can do.''

It then goes on to point out the following: ''To lose a farm is to lose part of one's own identity. There is probably no other occupation that has the potential for defining one's self so completely. Those who have gone through the loss of a family farm compare their grief to a death in the family, one of the hardest experiences in life.''

And then it goes on to say that ''Because of those economic stresses, it is no wonder that many in rural America are falling prey to some of the outlandish theories of some of these anti-government groups.''

I simply take the time in quoting a few paragraphs from this story, which I am going to insert in the RECORD in full, to ask Members, especially from urban areas, to understand that we have an incredible crisis in rural America which is not just affecting farmers, it is affecting whole communities, it is affecting a whole way of life. And, with all due respect to the leadership of both parties, if we do not adopt a farm policy which is substantially different than that being followed by any of the past three administrations, we run the risk of seeing this despair grow deeper, we run the risk of seeing this despair in turn create even more potential for violence. And I do not think any of us on either side of the aisle want to see that happen.

I would simply ask that after this bill is passed, my colleagues understand that until far greater changes are made in American farm programs, we will be complicit in the growth of these anti-government and sometimes violent movements in America.

I urge us to recognize the need to do everything we can to turn that trend in the other direction.

HARVEST OF RAGE

(By Joel Dyer)

It's two in the morning when the telephone rings waking Oklahoma City psychologist Glen Wallace. The farmer on the other end of the line has been drinking and is holding a loaded gun to his head. The distressed man tells Wallace that his farm is to be sold at auction within a few days. He goes on to explain that he can't bear the shame he has brought to his family and that the only way out is to kill himself.

Within hours Wallace is at the farm. This time the farmer agrees to go into counseling; this time no one dies. Unfortunately, that's not always the case. Wallace has handled hundreds of these calls through AG–LINK, a farm crisis hotline, and many times the suicide attempts are successful. According to Mona Lee Brock, another former AG–LINK counselor, therapists in Oklahoma alone make more than 150 on-site suicide interventions with farmers each year. And Oklahoma has only the third highest number of farm suicides in the nation, trailing both Montana and Wisconsin.

A study conducted in 1989 at Oklahoma State University determined suicide is by far the leading cause of death on America's family farms, and that they are the direct result of economic stress.

As heartwrenching as those statistics are, they also are related to a much broader issue. Those who have watched the previously strong family farm communities wither have seen radical, anti-government groups and militias step in all across the country, and especially in the Midwest.

As far back as 1989, Wallace—then director of Rural Mental Health for Oklahoma—was beginning to see the birth pangs of today's heartland revolt. In his testimony before a U.S. congressional committee examining rural development, Wallace warned that farm-dependent rural areas were falling under a ''community psychosis:''

''Many debt-ridden farm families will become more suspicious of government, as their self-worth, their sense of belonging, their hope for the future deteriorates. . . . These families are torn by divorce, domestic violence, alcoholism. There is a loss of relationships of these communities to the state and federal government.

''We have communities that are made up now of collectively depressed individuals, and the symptoms of that community depression are similar to what you would find in someone that has a long term chronic depression.''

Wallace went on to tell the committee that if the rural economic system remained fragile, which it has, the community depression could turn into a decade's long social and cultural psychosis, which he described as ''delayed stress syndrome.''

In 1989, Wallace could only guess how this community psychosis would eventually express itself. He believes this transition is now a reality.

''We knew the anti-government backlash was just around the corner, but we didn't know exactly what form it would take. You can't treat human beings in a society the way farmers have been treated without them organizing and fighting back. It was just a matter of time.''

THE RURAL SICKNESS

''I don't even know if I should say this,'' says Wallace regarding the explosion that destroyed the Alfred P. Murrah building killing 168 people, ''but the minute that bomb went off, I suspected it as because of the farm crisis. These people (farmers) have suffered so much.'' Wallace, who has spent much of his professional life counseling depressed farmers, could only hope he was wrong.

The United States has lost more than 700,000 small- to medium-size family farms since 1980. For the 2 percent of America that makes its living from the land, this loss is a crisis that surpasses even the Great Depression. For the other 98 percent—those who gauge the health of the farm industry by the amount of food on our supermarket shelves—the farm crisis is a vaguely remembered headline from the last decade.

But not for long. The farms are gone, yet the farmers remain. They've been transformed into a harvest of rage, fueled by the grief of their loss and blown by the winds of conspiracy and hate-filled rhetoric.

By the tens of thousands they are being recruited by the anti-government militia movement. Some are being enlisted by the Freemen and Christian Identity groups that comprise the most violent components of this revolution of the heartland.

Detractors of these violent groups such as Morris Dees of the Southern Poverty Law Center blame them for everything from the Oklahoma City bombing to the formation of militia organizations to influencing Pat Buchanan's rhetoric. They may be right.

But, the real question remains unanswered. Why has a religious and political ideology that has existed in sparse numbers since the 1940s, suddenly—within the last 15 years—become the driving force in the rapidly growing anti-government movement which Dees estimates has five million participants ranging from tax protesters to armed militia members?

The main cause for the growth of these violent anti-government groups is economic, and the best example of this is the farm crisis. What was for two decades a war of economic policy has become a war of guns and bombs and arson.

At the center of this storm is the ''Justice'' movement, a radical vigilante court system, a spin-off of central Wisconsin's Posse Commitatus system of the 1980s, and which will likely affect all our lives on some level in the future. It may have touched us already in the form of the Oklahoma City bombing.

Freeman/Identity common-law courts are being convened in back rooms all across America, and sentences are being delivered. Trials are being held on subjects ranging from the Bureau of Alcohol, Tobacco and Firearms' handling of Waco to a person's sexual preference or race. And the sentences are all the same—death.

We may never prove the Oklahoma City bombing was the result of a secret common-law court, but we can show it was the result of some kind of sickness, a ''madness'' in the rural parts of our nation. Unless we move quickly to address the economic problems which spawned this ''madness,'' we are likely entering the most violent time on American soil since the Civil War.

Men and women who were once the backbone of our culture have declared war on the government they blame for their pain and suffering—and not without some cause.

THE ECONOMICS OF HATE

The 1989 rural study showed that farmers took their own lives five times more often than they were killed by equipment accidents which, until the study, were considered to be the leading cause of death.

''These figures are probably very conservative,'' says Pat Lewis who directed the research. ''We've been provided with information from counselors and mental health workers that suggests that many of the accidental deaths are, in reality, suicides.''

Wallace, who was one of those mental health workers, agrees. ''The known suicides are just a drop in the bucket. We have farmers crawling into their equipment and being killed so their families can collect insurance money and pay off the farm debt. They're dying in order to stop a foreclosure.''

This economic stress has been caused by 20 years of government refusal to enforce the anti-trust laws which once protected the small farmer. Now, with only six to eight multi-national corporations controlling the American food supply, farmers and ranchers have no choice but to sell their products to these monopolies, often for less than their production costs. In 1917, wheat was $2.14 a bushel. In the last five years prices have dipped as low as $2.17 a bushel, yet costs are a hundred times higher now than then.

As if monopolies weren't enough of a problem, the federal government is allowed to increase the interest rates on its loans to troubled farmers to ridiculous figures, sometimes reaching more than 15 percent. And, as many bitter farmers will tell you, the only reason many of these loans exist is that the government's Farm Home Administration (FMHA) agents sought farmers out in the 70s encouraging them to take out loans. The government agents told them that the value of their farms was inflating faster than the current interest rates and that to turn down a loan was a poor business decision. During this time, FMHA lenders received bonuses and trips based on how much money they lent. But when land values tumbled in the 80s, the notes were called and the farms foreclosed. Ironically, bonuses are now awarded based on an agent's ability to clean up the books by foreclosing on bad loans.

In Oklahoma, the government is foreclosing on Josh Powers, a farmer who took out a $98,000 loan at 8 percent in 1969. That same loan today has an interest rate of 15 percent—almost twice as high as when the note was first issued. The angry farmer claims that he's paid back more than $150,000 against the loan, yet he still owes $53,000 on the note. Says Powers, ''They'll spend millions to get me, a little guy, off the land—while Neil Bush just walks away from the savings and loan scandal.''

The 1987 Farm Bill allowed for loans such as this to be ''written down,'' allowing farmers to bring their debt load back in line with the diminished value of their farm. The purpose of the bill was to keep financially strapped farmers on the land. But in a rarely equaled display of government bungling, this debt forgiveness process was left to the whims of county bureaucrats with little or no banking experience.

As Wallace points out, ''Imagine the frustration when a small farmer sees the buddy or family member of one of these county agents getting a $5 million write-down at the same time the agent is foreclosing on them (the small farmer) for a measly $20,000. It happens all the time. When these little farmers complain, they're given this telephone number in Washington. It's become a big joke in farm country. I've even tried to call it for years. You get this recording and nobody ever calls you back.

''These farmers are literally at the mercy of these county bureaucrats and some of them are just horrible people . . . We've had to intervene several times to keep farmers from killing them.''

Most Americans are unaware that the farm crisis isn't over. According to counselor Brock, things are as bad now for the family farmer as they were in the 80s. She notes that recent USDA figures that show the economic health of farms improving are, in fact, skewed by the inclusion of large farming cooperatives and corporate farms. Brock also says that ''state hotlines are busier than ever as the small family farmer is being pushed off the land.''

According to Wallace thousands of people have died as a result of the farm crisis, but not just from suicides. The psychologist says the number of men and women who have died of heart attacks and other illnesses—directly as a result of stress brought on by foreclosure—dwarfs the suicide numbers.

These deaths are often viewed as murder in farm country.

This spring, I went to western Oklahoma and met with a group of farmers who have become involved in the Freeman/Identity movement. This meeting demonstrated not only their belief that the government is to blame for their loss, but also the politics that evolve from that belief.

''They murdered her,'' says Sam Conners (not his real name) referring to the government. The room goes silent as the gray haired 60-year-old stares out the window of his soon-to-be-foreclosed farmhouse. In his left hand he holds a photograph of his wife who died of a heart attack in 1990. ''She fought 'em as long as she could,'' he continues, ''but she finally gave out. Even when she was lying there is a coma and I was visiting her every day—bringing my nine-year-old boy to see his mamma everyday—they wouldn't cut me no slack. All they cared about was getting me off my land so they could take it. But I tell you now, I'm never gonna' give up. They'll have to carry me off feet first and they probably will.''

The other men in the room sit quietly as they listen to Conners' story, their eyes alternating between their dirty work boots and the angry farmer. The conversation comes to a sudden halt with a ''click'' from a nearby tape recorder. Conners looks clumsy as he tries to change the small tape in the micro-cassette recorder. His thick earth-stained fingers seem poorly designed for the delicate task. ''I apologize for recording you,'' he says to this reporter. ''We just have to be careful.''

With their low-tech safeguard back in place, one of the other men begins to speak. Tim, a California farmer who looks to be in his early 30's, describes his plight: another farm, another foreclosure, more anti-government sentiment. Only this time, the story is filled with the unmistakable religious overtones of the Christian Identity movement; one world government, Satan's Jewish bankers, the federal reserve, a fabricated Holocaust, a coming holy war. ''This kind of injustice is going on all over the country,'' says Tim. ''It's what happened to the folks in Montana (referring to the Freemen) and it's what happened to me. That's why LeRoy (Schweltzer, the leader of the Justus Township Freeman) was arrested. He was teaching people how to keep their farms and ranches. He was showing them that the government isn't constitutional. They foreclose on us so they can control the food supply. What they want to do is control the Christians.''

THE MIND OF THE FARMER

Losing a farm doesn't happen overnight. It can often take four to six years from the time a farm family first gets into financial

trouble. By the end, says Wallace, these families are victims of chronic long term stress. ''Once a person is to that point,'' he explains, ''there are only a few things that can happen.

''There are basically four escape hatches for chronic long term stress. One, a person seeks help—usually through a church or the medical community. Two, they can't take the pain and they commit suicide. They hurt themselves. Three, they become psychotic. They lose touch with reality. They basically go crazy. And last, they become psychotic and turn their anger outward. They decide that since they hurt, they're going to make others hurt. These are the people that wind up threatening or even killing their lenders of FMHA agents. They're also the ones that are most susceptible to a violent anti-government message.''

Unfortunately, psychotic personalities looking for support can find it in the wrong places. ''Any group,'' says Wallace, ''can fill the need for support. Not just good ones. Identity, militias or any anti-government group can come along and fill that role. Add their influence to a personality that is already violent towards others and you have an extremely dangerous individual.''

No one knows how many members of the 700,000 farm families who have already lost their land or the additional hundreds of thousands that are still holding on to their farms under extreme duress have fallen prey to this violet psychosis, but those who have watched this situation develop agree the number is growing.

Wallace says that most people don't understand the mind set of farmers. ''They ask, why don't farmers just get a new job or why does losing a farm cause someone to kill themselves or someone else?'' Another rural psychologist, Val Farmer, has written often on this subject. In an article in the *Iowa Farmer Today*, he explained why farm loss affects its victims so powerfully.

''To lose a farm is to lose part of one's own identity. There is probably no other occupation that has the potential for defining one's self so completely. Those who have gone through the loss of a family farm compare their grief to a death in the family, one of the hardest experiences in life.

''Like some deaths, the loss may have been preventable. If a farmer blames himself, the reaction is guilt. Guilt can stem from a violation of family trust. By failing to keep the farm in the family, he loses that for which others had sacrificed greatly. The loss of the farm also affects the loss of the opportunity to pass on the farm to a child. Guilt can also arise from failing to anticipate the conditions that eventually placed the farm at risk: government policy, trade policies, world economy, prices, weather.

''On the other hand, if the loss is perceived to have been caused by the actions and negligence of others, then the farmer is racked with feelings of anger, bitterness and betrayal. This feeling extends to lenders, government, the urban public or the specific actions of a particular individual or institution.''

''The stress intensifies with each new setback: failure to cash flow, inability to meet obligations, loan refusal, foreclosure notices, court appearances and farm auctions.'' Farmer concludes that ''these people start grasping at straws—anything to stave off the inevitable.''

PREYING ON THE SICK

Wallace agrees with Farmer and believes the anti-government message is one such straw. ''When you reach the point where you're willing to kill yourself, anything sounds good. When these groups come along and tell a farmer that it's not his fault, it's the government's fault or the bank's fault, they're more than ready to listen. These groups are preying on sick individuals.''

It's no wonder that groups like the Freemen, We the People and Christian Identity have found such enthusiastic support. They preach a message of hope for desperate men and women.

The Freemen offer their converts a chance to save the farm through a quagmire of constitutional loopholes and their complicated interpretations of the Uniform Commercial Code. Their legal voodoo may seem nuts to a suburban dweller, but to a desperate farmer they offer a last hope to hang on to the land their grandfather homesteaded, a trust they intended to pass on to their children.

And just how crazy their rhetoric is remains to be seen. Not all in the legal community scoff at the Freemen's claims. Famed attorney Gerry Spence—who represented Randy Weaver, a survivor of Ruby Ridge—has stated that at least some of their interpretations of constitutional law are accurate. It will be years before the court system manages to sort out the truth from the myth, and only then provided it desires to scrutinize itself—something it historically has shown little stomach for.

Organizers of We the People told farmers they could receive windfalls of $20 million or more from the federal government. They explained to their audiences—which sometimes reached more than 500—that they had won a Supreme Court judgment against the feds for allowing the country to go off the gold standard. They claimed that for a $300 filing fee the desperate farmers could share in the riches.

The media has repeatedly described the exploits of Freeman/We the People members: millions in hot checks, false liens, refusal to leave land that has been foreclosed by the bank and sold at auction and plans to kidnap and possibly kill judges.

Members of the press, including the alternative press, have commented on the fact that what all these people seem to have in common is that they are unwilling to pay their bills.

The *Daily Oklahoman* quoted an official describing these anti-government groups as saying, ''We are talking about people who are trying to legitimize being deadbeats and thugs by denying their responsibilities.''

But that analysis is at best partially true and at worst dead wrong.

What most of these radical anti-government people have in common—and what most government officials refuse to acknowledge—is that they were, first and foremost, *unable* to pay their bills. It was only after being unable to pay that they took up the notion of being unwilling to pay.

These farmers are the canaries in the coal mine of America's economy. They are in effect monitoring the fallout from the ever widening ''gap'' between the classes. The canaries are dying and that bodes poorly for the rest of us in the mine.

Both Farmer and Wallace agree that, as a rule, farmers have an extremely strong and perhaps unhealthy sense of morality when it comes to paying their bills. They suffer from deep humiliation and shame when they can't fulfill their financial obligations.

Wallace says, ''It's only natural that they would embrace an ideology that comes along and says they are not only not bad for failing to pay their debts but rather are morally and politically correct to not pay their debts. It's a message that provides instant relief from the guilt that's making them sick.''

In much the same way, only more dangerous, Christian Identity offers a way out for stressed farm families. Identity teaches that Whites and native Americans are God's chosen people and that Jews are the seed of Satan. Identity believers see a conspiracy of ''Satan's army of Jews'' taking control of banks, governments, media and most major corporations and destroying the family farm in order to control the food supply. They believe that we are at the beginning of a holy war where Identity followers must battle these international forces of evil and establish a new and ''just'' government based on the principles of the Bible's Old Testament as they interpret it. They become a soldier in a holy war under orders to not give up their land or money to the Jewish enemy.

AND JUSTICE FOR SOME

The renegade legal system known as the ''Justice'' movement is now estimated to be in more than 40 states. It seems to have as many variations as the fractional anti-government movement that created it. Some mainstream Patriots hold common-law courts at venues where the press and those accused of crimes are invited to attend. Sentences from these publicly held trials usually result in lawsuits, arrest warrants, judgments and liens being filed against public officials.

In Colorado, Attorney General Gail Norton has been just one of the targets of these courts. She's had millions of dollars worth of bogus liens filed against her. Across the nation, thousands of public officials including governors, judges, county commissioners and legislatures have been the targets of this new ''paper terrorism.'' In most cases they are found guilty of cavorting with the enemy: the federal government.

Ironically, arresting those involved in this mainstream common law court revolution isn't easy. It's not because they can't be found; it's because they may not be doing anything illegal. Last month, Richard Wintory, the chief deputy of the Oklahoma attorney general's office, told the Daily Oklahoman that he could not say whether common-law court organizers had broken any laws.

The debate as to whether or not citizens have a constitutional right to convene grand juries and hold public trials will eventually be resolved. It's only one of the fascinating legal issues being raised by the heartland revolt. But there is a darker side to this vigilante court system, one that deals out death sentences in its quest to deliver justice and create a new and holy government.

In his book Gathering Storm, Dees describes Identity this way: ''There is nothing 'goody, goody' or 'tender' about Identity. It is a religion, a form of Christianity, that few churchgoers would recognize as that of Jesus, son of a loving God. It is a religion on steroids. It is a religion whose god commands the death of race traitors, homosexuals, and other so-called children of Satan.''

It is for this reason that the common law courts convened by those groups influenced by the Identity belief system are by far the most dangerous. Death sentences can be doled out for almost any conceivable transgression.

In the remote western Oklahoma farmhouse, Freeman/Identity farmers discussed the Justice movement. One man who had recently lost his farm to foreclosure explained their court system. ''What you're seeing right now is just the beginning of taking back our country, the true Israel. The Bible says that we're to be a just people. Where is justice in this country? Our judges turn loose rapists and murderers and put farmers in jail. We're about justice. Why would anyone be afraid of that?

''We're holding courts right now in every part of this land. We're finding people guilty and we're keeping records so we can carry out the sentences. It's the citizen's duty and

right to hold common law courts. It's the militia's job to carry out the sentences.''

The farmer goes on to explain that Identity doesn't believe in prisons. He says that nearly all serious offenses are dealt with by capital punishment and that this punishment system is based on the Bible, the first 10 amendments to the Constitution and the Magna Carta. When asked how these death sentences would be carried out, he says, ''There's a part of the militia that's getting ready to start working on that (death sentences). I think they're ready to go now. You'll start seeing it soon.''

Perhaps we already have. Was the Oklahoma City bombing only the largest and most recent example? When asked, the men in the room state emphatically that they have no first hand knowledge of the bombing—even though some of them were questioned by the FBI within days of the deadly explosion. They say they don't condone it because so many innocent people died. But they agree that it may well have been the result of a secret court sentence. The court could have found the ATF guilty for any number of actions—including Waco and Ruby Ridge—and the militia foot soldiers, in this case McVeigh and Nichols, may have simply followed orders to carry out the sentence.

Whatever the case in Oklahoma City, it seems likely that this new and radical system of vigilante justice can't help but produce similar catastrophes.

The process that gave us that bomb was likely the result of the same stress-induced illness that is tearing our country apart one pipe bomb or burned-down church at a time. Comprehending and healing that illness is our only hope for creating a future free of more bombs, more death and destruction.

Mr. SKEEN. Mr. Chairman, I rise in opposition to this motion. It is another delaying tactic. I urge a ''no'' vote on the motion

The CHAIRMAN. The question is on the motion offered by the gentleman from Wisconsin [Mr. OBEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 125, noes 300, not voting 9, as follows:

[Roll No. 315]

AYES—125

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Becerra
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Clay
Clayton
Conyers
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Edwards
Engel
Eshoo
Evans
Fattah
Fazio
Filner
Flake
Foglietta
Frank (MA)
Frost
Furse
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jefferson
Johnson (WI)
Kanjorski
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Millender-McDonald
Miller (CA)
Mink
Moakley
Moran (VA)
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pomeroy
Rangel
Rodriguez
Rush
Sabo
Sanders
Sandlin
Sawyer
Schumer
Serrano
Slaughter
Spratt
Stokes
Stupak
Tauscher
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waxman
Wexler
Weygand
Woolsey
Yates

NOES—300

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Farr
Fawell
Foley
Forbes
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Luther
Maloney (CT)
Manzullo
Martinez
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meek
Menendez
Metcalf
Mica
Miller (FL)
Minge
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Salmon
Sanchez
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (FL)

NOT VOTING—9

Barton
Gephardt
Gonzalez
Kennedy (RI)
Molinari
Schiff
Stark
Waters
Young (AK)

☐ 1730

Mr. FARR of California changed his vote from ''aye'' to ''no.''

Mr. SCHUMER changed his vote from ''no'' to ''aye.''

So the motion was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 22 OFFERED BY MR. CHABOT

Mr. CHABOT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 22 offered by Mr. CHABOT:

Insert before the short title the following new section:

SEC. . None of the funds appropriated or otherwise made available by this Act may be used to carry out section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) or to pay the salaries and expenses of personnel who carry out a market program under such section.

The CHAIRMAN. Under the rule, the gentleman from Ohio [Mr. CHABOT] will be recognized for 5 minutes on behalf of his motion and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Ohio [Mr. CHABOT].

Mr. CHABOT. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, in the last Congress, in historic legislation, we overhauled the welfare system as it applied to poor people in this country. I think it was good legislation, we are working on it now, but it affected poor people.

There is one type of welfare that we have hardly touched in that Congress or this Congress and that is something called corporate welfare. Now corporate welfare affects the powerful, it affects the wealthy. We have hardly touched it.

One particularly egregious type of corporate welfare in my opinion is something called the market access program. Now some of the folks on the other side on this issue will argue that it was reformed. This is a program where we spend $90 million a year in taxpayer money to advertise products overseas for trade associations and essentially for corporations.

Now the folks who favor this will say, well, we reformed it already, and

basically what was done is we changed the name of it from the market promotion program to the market access program. Big deal. That is essentially the reform that we did in the last Congress.

I mean, should corporations advertise their products overseas to promote trade? Of course they should. But who should pay for it; the taxpayers or the corporations and the trade associations that benefit? I would argue not the taxpayers, but the people who benefit, the corporations themselves, ought to pay for this. If they were using their own money, they would be very careful.

There is all kinds of examples where the money has been wasted. A good example was in the case where my colleagues probably remember the Marvin Gay song, and I think Gladys Knight and the Pips had it also: ''I Heard It Through The Grapevine,'' the California raisins commercial. Well, money from this program was used to advertise for raisins over in Japan.

Now the problem is they did some surveys on this afterwards, and it turns out that they did absolutely no good at all. In fact, a lot of the people that saw the commercials, rather than think they were raisins, they thought they were potatoes. They actually scared small children.

Now would the corporations who would have benefited from this program, if they were using their own money, would they have done a little research so that they did not waste this money? Of course they would. But since they are using taxpayer money, the research was not done, the dollars were wasted.

They will argue, those who favor this program will say it creates jobs, but the real jobs it creates are government jobs or the bureaucrats in the department.

So let us end this program.

Mr. SKEEN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio [Mr. CHABOT] but I yield such time as he may consume to the gentleman from California [Mr. RIGGS].

(Mr. RIGGS asked and was given permission to revise and extend his remarks.)

Mr. RIGGS. Mr. Chairman, I just want to point out we can export our products or we can export our jobs, and I rise in strong opposition to this amendment.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Chairman, I simply rise in strong opposition to this amendment to cut a program which has been very successful in fighting subsidies that continue to be provided by our international trading competitors in agriculture. We have literally transformed this bill through debates on this floor over the last several years. This program was at one time authorized at $350 million. It is now down to 90 million.

We are concentrating on small business. Of the 564 companies that are participating in this program, putting up equal amounts to match the Federal dollars, we now have 417 of them, small businesses as defined by the SBA.

We are doing away with the branded marketing concept. I regret that, frankly, but it had critics here and we did away with it.

But the GAO tells us that we need to do more of this, that we are being taken advantage of in the international market. Despite the fact that our ag exports have grown by 50 percent since 1990, we continue to find, in crop after crop, that foreign subsidies push our farmers out of markets.

We should not adopt this amendment.

I rise in opposition to the amendment and in support of this program.

There is probably no more important tool for export promotion than MAP throughout the United States and particularly in California.

I would ask the gentleman what his point is in offering this amendment.

Does he think we spend too much on MAP?

MAP was funded at $200 million as recently as 5 years ago, and was authorized at one time for $350 million.

I believe that was some recognition of the importance of market promotion to the American economy—a viewpoint buttressed not just by USDA but by the GAO who reported we should be doing far more of it in the face of enormous subsidies by our competitors.

Now it's down to a barebones $90 million.

Does the gentleman want MAP funds to go to small companies? FAS says that 417 of the 564 companies participating in MAP qualify as small by the SBA definition.

Is the gentleman against branded product promotion by large companies?

FAS has reduced funding for brand promotion by large companies by 35 percent in 1996, 45 percent in 1997, and will eliminate it altogether in 1998.

Does the gentleman want to make sure that MAP funds don't just substitute for marketing efforts the company would have undertaken anyway?

It is a requirement of the program, and every dollar has to be matched by the company's own funds as well.

But in the gentleman's zeal to oppose so-called corporate welfare, he completely ignores the value of this program to our economy.

Agriculture exports climbed again last year, fiscal year 1996, to $59.8 billion—up some $19 billion or close to 50 percent since 1990.

In an average week this past year, U.S. producers, processors, and exporters shipped more than 1.1 billion dollars' worth of food and farm products to foreign markets, compared with about $775 million per week at the start of this decade.

The overall export gains raised the fiscal year 1996 agricultural trade surplus to a new record of $27.4 billion.

In the most recent comparisons among 11 major industries, agriculture ranked No. 1 as the leading positive contributor to the U.S. merchandise trade balance.

As domestic farm supports are reduced, export markets become even more critical for the economic well-being of our farmers and rural communities, let alone the suburban and urban areas that depend upon the employment generated from increased trade.

Agriculture exports strengthen farm income.

Agriculture exports provide jobs for nearly a million Americans.

Agriculture exports generate nearly $100 billion in related economic activity.

Agriculture exports produce a positive trade balance of nearly $30 billion.

MAP is critical to U.S. agriculture's ability to develop, maintain, and expand export markets in the new post-GATT environment, and MAP is a proven success.

In California, MAP has been tremendously successful in helping promote exports of California citrus, raisins, walnuts, prunes, almonds, peaches, and other specialty crops.

We have to remember that an increase in agriculture exports means jobs: A 10-percent increase in agricultural exports creates over 13,000 new jobs in agriculture and related industries like manufacturing, processing, marketing, and distribution.

Where do those increased agriculture exports come from?

For every $1 we invest in MAP, we reap a $16 return in additional agriculture exports.

In short, the Market Promotion Program is a program that performs for American taxpayers.

I urge my colleagues to support American agriculture and oppose the gentleman's amendment.

Mr. CHABOT. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would like to say that this program is really a waste and a travesty and a giveaway; my colleagues can pick whatever word they want. It should have been killed years ago, but MAP has more incarnations than Vishnu. In the congressional equivalent of the witness protection program, MAP performs so abysmally we had to change its name, not once, but twice, in order to hide the program from the taxpayer. When I got here it was called TEA, then MPP, and after three excoriating GAO reports and billions in corporate welfare giveaways, it became MAP. If my colleagues do not like the name, we can change it again, but what we should do is get rid of the program.

MAP and its forefathers have given 70 million to Sunkist, 40 million to Blue Diamond, 20 million to Sunsweet, 60 million to Gallo. We are figuring out ways to cut the budget and cannot cut this kind of corporate welfare? Of course, we can. One million dollars to McDonald's.

And then this. We are giving $1 million to McDonald's to advertise overseas. Are there not better needs for our money than that?

And finally, as the gentleman from Ohio [Mr. CHABOT] mentioned, and my colleagues ought to listen to this one, it is one of the best they will hear, the California Raisin Advisory Board won a grant to introduce raisins to Japan. What a fiasco, using taxpayer funds, the ad ''I heard it through the grapevine'' claymation raisin campaign that won many awards in the United States.

But there will be no awards in Japan. First it turns out that these claymation raisins were not bilingual, so in Japan they were singing only in their native English. Second, Marvin Gay is unknown in Japan so the audience did not understand the song or get the pun. Third, since the Japanese have never seen raisins, it is not a product in Japan, they were baffled by these gargantuan vaudevillian dangerous dancing raisins. They thought they were dancing potatoes. And finally, the raisins had four fingers, which apparently is a bad omen in Japan. They frighten children.

Perhaps the raisin board would have done a little bit of market research if they were using their own money instead of the taxpayers'. Let us end this program once and for all.

Mr. SKEEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. SKELTON].

(Mr. SKELTON asked and was given permission to revise and extend his remarks.)

Mr. SKELTON. Mr. Chairman, I rise in strong opposition to this amendment and in favor of the market access program that is being so very important to exports in America.

The Market Access Program is a $90 million USDA cost-share program aimed at helping maintain, develop, and expand U.S. agriculture export markets.

The program was substantially reformed in the 1996 farm bill:

Participants contribute up to 50 percent or more toward program cost.

MAP is targeted toward small businesses, farmer cooperatives, and trade associations.

Requires funds to be used only to promote American grown and produced commodities and related products.

MAP is a key part of the new 7-year farm bill, which gradually reduces direct income support to farmers. Expanding exports is extremely important—exports now account for as much as one-third of domestic production. Export markets are extremely competitive, especially since other nations and the European Union greatly outspend U.S. promotion efforts.

In 1996, Missouri exported approximately 1.3 billion dollars' worth of agricultural products—soybeans, feedgrains, wheat, cotton, poultry, animals/meats—which sustained more than 22,000 jobs.

MAP has helped the agriculture sector become the largest positive contributor to the U.S. trade balance.

PROMOTING MISSOURI EXPORTS AND PROTECTING JOBS

USDA'S MARKET ACCESS PROGRAM [MAP]

USDA's Market Access Program (MAP) has been a tremendous success in helping promote U.S. and Missouri agriculture. It has also helped protect jobs, counter subsidized foreign competition, and contribute to economic growth and an expanding tax base. As a cost-share program providing assistance to farmers and ranchers through their associations and cooperatives, and to related small businesses, MAP continues to be of critical importance.

MAP IS IMPORTANT TO MISSOURI AGRICULTURE, ECONOMY AND JOBS

Number of jobs: Nearly 1 in 6 Missouri Jobs Depend on Agriculture.

Number of farms: 105,000.

Value of agriculture production: Over $4.5 billion.

Value of agriculture exports: More than $1.2 billion.

Export-related jobs: Approximately 20,000.

MAP IS IMPORTANT TO U.S. AGRICULTURE, ECONOMY AND JOBS

Agriculture largest single U.S. industry: Accounts for 16 percent gross domestic product.

Exports key to continued economic growth.

Value of U.S. agriculture exports: Record $60 billion in 1996.

U.S. agriculture trade surplus: Record $30 billion in 1996.

U.S. agriculture export-related jobs: Over 1 million American jobs.

MAP HELPS MEET SUBSIDIZED FOREIGN COMPETITION

The global marketplace is still characterized by subsidized foreign competition. The European Union (EU) maintains a 10 to 1 advantage over the U.S. in terms of export subsidies. Many other countries and the EU also support industry market development and promotion efforts to encourage exports. MAP is one of the few programs allowed under the Uruguay Round Agreement to help U.S. agriculture and American workers meet such foreign competition.

MAP IS A SUCCESSFUL PARTNERSHIP WITH BROAD PUBLIC SUPPORT

Serves as ''Buy American'' Program by promoting only American-grown and produced agricultural commodities and related products.

Strongly supported by 75 percent of American public based on 1996 national election day exit poll conducted by Penn & Schoen Associates, Inc.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HERGER].

Mr. HERGER. Mr. Chairman, I rise in strong opposition to this amendment. It would be foolish and negligent of us to cut one of our most successful programs that provides Americans with needed jobs, increases American earnings and significantly stimulates our national and local economies. For every dollar spent on value-added products under the market access program, our Nation receives a return of $7.61. This means we are receiving a 761 percent return on our MAP investment. This program is a major success. Remember, the purpose of the market access program is not to subsidize but to open markets for American small businesses.

Mr. Chairman, this program works, and it works well. I urge my colleagues to support the market access program and vote ''no'' on the Chabot-Schumer amendment.

Mr. CHABOT. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. ROYCE].

Mr. ROYCE. Mr. Chairman, I rise in support to eliminate this program which uses taxpayers' dollars to subsidize the overseas advertising budget of major corporations.

Since 1986 this program has spent several billion dollars in this way and, incredibly, has even supported advertising by foreign-owned corporations, including some in Tokyo and in Paris. Studies from several government offices and groups across the political spectrum have blasted the MAP. A U.S. General Accounting Office study reported that MAP funding goes to corporations that have no need for taxpayer funds to support their products.

I urge an ''aye'' vote.

Mr. SKEEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Mississippi [Mr. WICKER].

(Mr. WICKER asked and was given permission to revise and extend his remarks.)

Mr. WICKER. Mr. Chairman, I rise in strong support of the market access program and against the Chabot amendment.

Mr. Chairman, I rise in opposition to the amendment to eliminate funding for USDA's Market Access Program.

The Market Access Program, or MAP, has been a tremendous success in maintaining and expanding U.S. agriculture exports, competing with foreign subsidized agriculture, and protecting American jobs.

This is true across the country as well as in my home state of Mississippi. With the help of MAP, Mississippi agriculture exports—including cotton, soybeans, poultry, rice, livestock, and animal products—reached nearly a billion dollars last year. It helped provide nearly 14,000 jobs statewide. This not only strengthened farm income, it provided a significant economic boost to many local communities.

The program helped promote record U.S. agricultural exports of nearly $60 billion last year, contributing to a record trade surplus of almost $30 billion, and providing jobs for over one million Americans. Every billion dollars in exports helps create as many as 17,000 new jobs.

MAP is a cost-share program. Participants are required to contribute as much as 50 percent of their own resources to be eligible for the program. In addition, the program remains a key part of the 1996 farm bill and its 7-year commitment to our farmers and ranchers. The program remains critical to our effort to open up foreign markets and to combat subsidized foreign competition. According to the U.S. Trade Representative, more than 46 countries continue to use trade barriers which limit or restrict U.S. agriculture exports. For example, the European Union spent nearly $10 billion on export subsidies last year, while the U.S. spent less than $150 million. Eliminating MAP would hurt our farmers and ranchers, as well as American workers whose jobs depend on agricultural exports.

The choice is simple. We can either export our products or we can export our jobs.

I encourage my colleagues to vote against this amendment.

☐ 1745

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. FARR].

Mr. FARR of California. Mr. Chairman, I say to the Members, hey, wake up and smell the coffee. What do Members think this program is all about?

Members sit there and watch television, where Juan Valdez is wandering around the supermarket selling Colombian coffee, where the Greeks are selling olive oil, where the French are selling wine. Where do Members think those countries are paying for those products to get into our markets?

How are we going to do world trade unless we can reach out and sell our products? Agriculture has the best balance of trade, $30 billion in surplus. Support this program. Members are foolish to cut us off and shoot us in the feet and not allow American products to be sold abroad. Smell the coffee. Defeat this amendment.

Mr. Chairman, the Market Access Program [MAP] is critical to the future health of our Nation's agriculture. If we cut MAP, we will pull the rug out from underneath American farmers.

First, the Market Access Program benefits American agriculture. Every dollar spent by M.A.P. provides several dollars in export sales. For fruits and vegetables alone, each dollar of MAP creates $5 dollars in export sales. MAP benefits all American agriculture: grains, livestock, fruits and vegetables, cotton—all benefit from MAP.

Thanks in part to MAP, U.S. agriculture exports are the single largest positive contributor to the U.S. trade balance. Despite years of trade deficits, agricultural trade continues to run a surplus—$27 billion this year alone. This year alone the United States will export 457 billion in agricultural goods—that's double the size of exports when the program started in 1985.

Second, MAP is very small in comparison to what other countries spend on export promotion. Europe alone spends $350 million a year on export promotion programs—over three times the amount we spend in our country. Fourteen other countries—including Australia, Brazil, Canada, Japan, and Norway—spend a total of $400 million per year on export promotion programs. When you buy Juan Valdez coffee, Greek olive oil, or French wine, you're buying a product that profited from foreign export promotion.

Third, some say MAP is a subsidy—but that just isn't true. MAP gives first priority of funding to small businesses, cooperatives, and trade associations. No MAP funding may supplement or replace private sector funding; it can only be in addition to private-sector funding. MAP funding is matched by up to 50 percent, or sometimes more, by participants. MAP funding has been steadily reduced, from $300 million in 1985 to less than $100 million today.

American agriculture depends more on exports than ever before—don't kill a program that works. Vote against this amendment.

Mr. CHABOT. Mr. Chairman, I yield 30 seconds to the gentleman from New Hampshire [Mr. BASS].

Mr. BASS. Mr. Chairman, with all due respect, I think companies such as Sunkist, Dole, Gallo, and M&M Mars are capable of smelling the coffee themselves. If there ever was a program that defines welfare for corporations, this is it, $90 million annually for corporations to conduct advertising abroad.

Mr. Chairman, if we ever wanted to cast a vote to end corporate welfare, this is it. I urge an ''aye'' vote on the pending amendment.

The CHAIRMAN. All time has expired on the proponents' side of the amendment offered by the gentleman from Ohio [Mr. CHABOT].

Mr. SKEEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska [Mr. BARRETT].

(Mr. BARRETT of Nebraska asked and was given permission to revise and extend his remarks.)

Mr. BARRETT of Nebraska. Mr. Chairman, I rise in opposition to the amendment.

Mr. SKEEN. Mr. Chairman, I yield 30 seconds to the gentleman from New York [Mr. WALSH].

(Mr. WALSH asked and was given permission to revise and extend his remarks.)

Mr. WALSH. Mr. Chairman, I rise in strong opposition to this amendment. This program helps American farmers to find markets in a very competitive global environment marketplace. We are not supporting our farmers nearly to the degree Europe is. I would also like to suggest to the proponents of this amendment that they get some new material. That California raisin story is getting very, very old.

Mr. SKEEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. STENHOLM].

(Mr. STENHOLM asked and was given permission to revise and extend his remarks.)

Mr. STENHOLM. Mr. Chairman, I rise in strong opposition to the Chabot amendment.

Mr. Chairman, I have stood before you many times over the years to praise the achievements of America's farmers and ranchers. And, up until now, I have been somewhat restrained, which is not always easy for a Texan.

In past years I have told you that agriculture was the No. 2 contributor to U.S. trade, behind the aerospace industry—not bad when you consider that airplanes are priced in the millions, and wheat is a few dollars a bushel.

Well, agriculture is no longer No. 2. This year, agriculture is the No. 1 contributor the positive side of our trade balance. Believe me, I am from Texas, and I know big. And our exports of agricultural products in the past year have been big—$60 billion.

Critics claim that the Market Access Program, or MAP, has been ineffective—that it has not played an important role in the success story of American agriculture. But the experts at the Foreign Agricultural Service disagree. In a detailed 1995 report, they concluded that export promotion activities under MAP and its predecessor programs have been the leading factor in the 200 percent increase in U.S. high-value consumer food exports since 1986.

The University of Arizona's National Food and Agricultural Policy Project agrees. The project analyzed export values, quantities and prices; measures of foreign income, prices, populations, and exchange rates; and export promotion expenditures by commodity, country and year. They concluded that not only does each promotion dollar return multiple dollars to the commodity being promoted, there is also a halo effect.

This halo effect refers to the contribution that promotion of one product contributes to sales of other U.S. products. The Arizona project concludes that MAP ultimately serves as a ''Buy USA'' campaign, with broader application than the products it specifically promotes.

Cornell University's National Institute for Commodity Promotion Research & Evaluation has extensively studied the effectiveness of agricultural promotion programs. The institute concluded that export promotion programs are highly effective in increasing private sector investment in export promotion, and that USDA's programs have stimulated promotion expenditures in both the domestic and the export market.

Why have U.S. agricultural exports doubled in the last 10 years? Because American agriculture, long recognized as the most productive in the world, have increased their focus on world markets. They are producing more sophisticated products that cater to the tastes of foreign consumers. And, thanks to MAP, they are marketing those products more effectively.

Last year we voted to phase out subsidies over a period of 7 years. Farmers and ranchers lost their safety net, and were told to look to foreign markets to make up the difference. MAP was an integral part of last year's farm bill.

How important is the program to those farmers who lost the safety net? The Foreign Agricultural Service concluded that in 1992, export promotion boosted net farm income by $642 million. By the year 2000, the level of net farm income supported by the Market Access Program is expected to exceed $1 billion. That translates into 124,000 jobs, including 80,000 nonfarm jobs, in trade, transportation, services, food processing, and manufacturing.

Not only does MAP create jobs for farmers and nonfarmers alike, it also contributes to the U.S. Treasury. By the year 2000, annual tax receipts to the Treasury from economic activity generated by the program are expected to reach $250 million.

Our competitors continue to outspend us in every area of agricultural export promotion—from direct subsidies to market promotion. The EU spends about $10 billion annually on subsidies and $500 million on market promotion. USDA research indicates doubling the MAP program level would support 40,000 additional U.S. jobs by the year 2000.

In the competitive world in which we live, we shouldn't be here today talking about eliminating a program that gives us a fighting chance in export markets. We should be here talking about what else we need to do to build markets we can depend on to stay competitive in the years to come.

Mr. SKEEN. Mr. Chairman, I yield the balance of my time to the gentleman from Oregon [Mr. SMITH].

Mr. SMITH of Oregon. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to this amendment. Mr. Chairman, the question here is, do we want to advertise our products worldwide or do we not?

We know that the return and the leverage on this Market Access Program is 10 to 1. Sometimes it is 20 to 1. We

are getting huge, huge opportunities from this program. It is one of the few programs we have in our quiver to attack what is happening around the world. If we withdraw unilaterally, we hurt the United States of America. We have built up a $26 billion trade surplus in this program.

Here is what is happening in Europe: $45 billion for domestic and export subsidies. We are at $5 billion, and as I mentioned many times, phasing out at the end of 6 years. Are we going to eliminate our one opportunity here to sell abroad? I think not. It is foolish. It is foolish of us to withdraw from this program. This is no time to withdraw from international trade.

By the way, those of the Members in business, it is the very best business decision you will ever make. Vote against this amendment.

Mr. RIGGS. Mr. Chairman, I rise in strong support of the Market Access Program [MAP]. Once again, the opponents of the MAP have their facts wrong and I would like to take this opportunity to correct the rhetoric and misinformation espoused by the opponents of this invaluable program.

Mr. Chairman, as you know, the congressional district I represent includes the Napa Valley, widely regarded as the prime growing region of the U.S. wine industry. The U.S. wine industry produces an award-winning, high-value product that competes with the best in the world.

However, the agriculture sector in the United States, and specifically wine, continues to face unfair trading practices by foreign competitors. Domestic agriculture industries must compete with the lower wages and the heavily subsidized industries of Europe, East Asia, and other emerging global regions. The European Union alone subsidizes its wine industry by over $2 billion.

Mr. Chairman, opponents of the MAP label the program as just another form of corporate welfare, claiming the program benefits only large corporations. Nothing could be further from the truth. The MAP is an invaluable resource for American agriculture to compete against massively subsidized foreign agriculture exports. What is more, it is a resource that allows America's small farmers to compete in highly restrictive foreign markets. Simply, the MAP is pro-trade, pro-growth and pro-jobs.

Opponents of the program continue to ignore the fact that in 1995, the Agriculture Appropriations Subcommittee reformed the MAP to restrict branded promotions to trade associations, grower cooperatives, and small businesses. Additionally, Secretary of Agriculture Dan Glickman, in March this year, announced that large companies will no longer be able to participate in the branded program. The primary emphasis of the MAP is toward the small family farmer. A sizable number of the so-called large corporations receiving MAP moneys are actually grower cooperatives.

The purpose of the MAP is simple: Move high-value American-grown agriculture products overseas, knock down trade barriers, and create and protect American jobs. A recent study by the University of Arizona showed that for every dollar of MAP funds spent overseas promoting American wine there was a return of $7.44; for table grapes, a return of $5.04; and for apples, a return of $18.19.

In the world marketplace, competition is fierce. Every year, American jobs become more dependent on foreign trade. Efforts to dismantle our leading export promotion program are penny-wise and pound-foolish. To retreat in the international marketplace is shortsighted and counterintuitive. We must actively engage our trading partners and open up emerging markets to our agriculture goods.

Don't be fooled by the rhetoric. Do what is right for America by supporting American jobs and American exports. I urge my colleagues to support the Market Access Program. Thank you, Mr. Chairman.

Ms. WOOLSEY. Mr. Chairman, I rise in strong opposition to this shortsighted amendment which would have a devastating impact on the people I represent in Sonoma and Marin Counties, CA.

The wine and winegrapes from my district are famous worldwide, but vintners have to fight to enter and complete in the world market.

The Market Access Program helps the small wine producers in my district compete with heavily subsidized foreign producers who still dominate the global agricultural marketplace.

The European Union export subsidies amounted to approximately $10 billion last year. In fact, the European Union spends more on export promotion for wine than the United States does for all of our agriculture programs combined.

We need only look at last year to see this unfair disparity in action—market promotion funds for the American wine industry totaled approximately $5 million, whereas the heavily subsidized European wine industries received $1½ billion.

The money we spend to increase the markets for American agricultural products is money well spent. Because of assistance from the market access program, U.S. wine exports had their 12th consecutive record-breaking year in 1996, reaching $320 million. This level is an $85 million increase in 1 year, which means that each Market Access Program dollar being spent generated a $17 increase in exports. In the last 10 years, an additional 7,500 full-time jobs and 5,000 part-time jobs have been created by exporting wine. This is not only good for the American balance of trade—it's good for the American economy.

Mr. Chairman, we should help export U.S. products, not U.S. jobs. Oppose the Schumer-Chabot-Royce amendment.

Mr. POMEROY. Mr. Chairman, I rise in strong support of the Market Access Program [MAP] and oppose any attempt to further weaken the program's ability to assist in the promotional activities for U.S. agricultural products. The Market Access Program is good for agriculture, international trade, and promotes small business and American-made products. MAP simply helps develop foreign markets for U.S. exports. The MAP provides cost-share funds to nearly 800 U.S. businesses, cooperatives, and non-profit trade associations to promote their products overseas. Additionally, funds allocated under the MAP are limited to U.S. entities.

In a time when America's farmers and agricultural sector are just beginning to adjust to Freedom to Farm, a way of operating Government farm programs without the assurance of price supports or safety-nets, it makes no sense to take away other underlying support programs like the MAP. I have said the same thing about research funding and funding for adequate revenue and crop insurance. Congress promised America's farmers certain fundamental things as we moved to Freedom to Farm. Although producers no longer can rely on the Government to come through and pick up the tab when commodity prices are lower than certain target prices, they should be able to rely on certain supplemental programs run by the Department of Agriculture that keep producers' heads above an already narrow margin.

In my State of North Dakota, the MAP contributes to the promotion of $1.7 billion in exports, and 29,300 jobs. I might add that in Ohio, the home State of the proponent of this amendment, agricultural interests receive support for $1.6 billion worth of exports related to 27,400 jobs. Source: USDA, Bureau of Census—1996.

Rural income depends on—and is at the mercy of—many variables. Weather and domestic supply are examples. But the ability to export overseas and compete with foreign markets is another integral piece to maintaining rural income. The MAP offers one small opportunity to help American agricultural interests compete with international markets—during a time when farm income is now more dependent than ever on exports and maintaining access to foreign markets. The elimination of MAP would represent unilateral disarmament—shooting oneself in the foot actually—in the face of continued subsidized foreign competition.

Don't take away a great tool from our agricultural sector that has the potential to help even the playing field with foreign market interests.

Mr. BARRETT of Nebraska. Mr. Chairman, I strongly oppose the amendment offered by Representatives CHABOT and SCHUMER, that would eliminate the Market Access Program.

The sponsors of this amendment suggest that the Market Access Program subsidizes large agribusinesses' export promotion activities, and that it is a waste of taxpayers' money.

Nothing could be further from the truth. The 1996 farm bill substantially reformed this program, by targeting it toward small producers, trade associations, and cooperatives, to promote home-grown U.S. agricultural products. In addition, the farm bill requires Federal funds to be matched by the programs beneficiaries.

In reality, the Market Access Program has been a highly effective tool to promote U.S. exports. And as the Federal Government becomes less and less involved in the everyday decisions of farming, it is even more important that the Government take the initiative to increase our share of the world market.

I urge my colleagues to oppose this amendment. I yield back the remainder of my time.

Mr. DOOLEY. Mr. Chairman, I rise to express my opposition to the amendment offered by the gentleman from New York [Mr. SCHUMER]. This amendment would eliminate funding for one of the most successful Federal programs that we have. It is unfortunate that the overwhelming support that this program has received over the years illustrates its importance.

Think about this: The European Union's 1996 budget allowed for export subsidies for grains and grain products of $1.3 billion, for sugar of $1.9 billion, for fresh fruits and vegetables of $125 million, for processed fruits and

vegetables of $18 million, for wine of $72 million, for dairy products of $2.5 billion, for meats and meat products of $2.4 billion and for other processed food of $752 million. This compares to a total for the United States of less than $150 million.

The EU spends nearly $500 million on market promotion specifically. We are debating the fate of a $90 million program that provides the only market promotion funding available to agricultural producers in the United States. Since 1985, the MAP has provided cost-share funds to nearly 800 U.S. companies, cooperatives, and trade associations to promote their products overseas. In that period, total U.S. agricultural exports have more than doubled, from $26.3 billion to a projected $60 billion in 1996. During those same years, exports of U.S. high-value products have more than tripled, and now account for 34 percent of all U.S. agricultural exports, up from 12 percent in 1980. In addition, the U.S. share of world trade in these products has risen from 10 percent to 17 percent.

Over the years the MAP and its predecessor programs MPP and TEA have been criticized for many perceived shortfalls. All of these concerns have been addressed either legislatively or through regulations. The 1996 farm bill made permanent program changes that address these concerns. First, participants are required to contribute up to 50 percent or more toward programs costs. Second, for-profit corporations that are not recognized as small businesses are no longer allowed to participate in the program. Third, funds can be used to promote only American grown and produced commodities and related products. Fourth, participants are required to undergo review, certification and a 5-year graduation from the program.

Mr. Chairman, last year we undertook the greatest rewrite of Federal farm programs in nearly 60 years. The changes that we made make it imperative that the U.S. remain a strong force in the international market. The continued health of the U.S. agriculture sector is reliant on continued exports and future export markets. Our competitors have made a financial commitment to export subsidies and export promotion. We need to ensure that we continue our commitment to our Nation's farmers.

I urge my colleagues to continue their support.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Ohio [Mr. CHABOT].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 193, further proceedings on the amendment offered by the gentleman from Ohio [Mr. CHABOT] will be postponed.

AMENDMENT NO. 14 OFFERED BY MR. SMITH OF MICHIGAN

Mr. SMITH of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. SMITH of Michigan:

Insert before the short title the following new section:

SEC. . None of the funds appropriated or made available by this Act may be used to pay the salaries and expenses of personnel who work at a regional office of the Natural Resources Conservation Service or to provide a support service for a regional office of the Natural Resources Conservation Service.

Mr. SMITH of Michigan. Mr. Chairman, I rise to make a statement, and to have a colloquy with the ranking member and the chairman of the Committee on Appropriations, and the chairman of the Committee on Agriculture.

Mr. Chairman, I will make a brief statement and proceed into the colloquy. In the last year the National Conservation Service has created a new regional bureaucracy. NRCS has local, State, and national offices. That is what they had before. Now they have put a new tier of bureaucracy between the State offices and the national offices.

There was a situation in Congress in 1994, partially in 1995, when the Democrats and Republicans said that Washington is too top-heavy in USDA. So what happened? There was no firing of personnel, but all of those top-ranking, high-grade executives in the Department of Agriculture, as part of that reorganization, those personnel were not fired or pink-slipped but they were transferred to regional offices, a new tier of six regional offices for our conservation service.

Mr. Chairman, I would urge my colleagues that are concerned with conservation, concerned about the service to farmers and ranchers in this country, to call their conservationists in their area and ask them about the slow-down of paperwork, the slow-down of personnel.

We have $22 million in this budget for these regional offices. This, Mr. Chairman, is the first year that these six regional offices existed. I think it is important that we not allow those to be entrenched.

Mr. Chairman, new bureaucracy makes no sense in the era of ''reinvented government'' and budget cuts. As we phase out payments to producers and scale back agricultural programs, it is unreasonable to add new layers of bureaucracy.

I urge my colleagues to join this effort to cut back unnecessary bureaucracy at NRCS. If we go to conference with this amendment, we can talk out this problem and reach a solution.

Mr. Chairman, I would like to call on the chairman of the Committee on Appropriations in a colloquy.

Mr. Chairman, I would ask the gentleman from New Mexico [Mr. SKEEN], would he review this issue and the spending of $22 million for these new regional offices in the conference committee, and work to include such report language to ensure that these six new regional offices will not continue if they are an unnecessary level of bureaucracy?

Mr. SKEEN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Michigan. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I am also concerned about these new conservation offices using $22 million of our taxpayers' money. I assure the gentleman that our committee will review this issue. I have no intention of spending $22 million if it is not a constructive addition to our conservation system.

Mr. SMITH of Michigan. If it is a new level of bureaucracy, it makes no sense.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Michigan. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I appreciate the gentleman's constructive work in trying to assure that these regional offices actually serve a useful purpose, and would add my support to the gentleman's request for an inquiry to make sure that the offices themselves are not new nor unnecessary levels of bureaucracy which could complicate our efforts to assist farmers and meet our goals of conservation.

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentlewoman.

I would like to address the question to the chairman of the standing Committee on Agriculture. Mr. Chairman, can we pursue this question in the gentleman's committee?

Mr. SMITH of Oregon. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Michigan. I yield to the gentleman from Oregon.

Mr. SMITH of Oregon. Mr. Chairman, I would say to my colleague from Michigan that I appreciate his concern on the matter, that our committee will pursue an inquiry and review the new regional offices. I think it is obvious that we need to assure ourselves and the American agriculture community that this is indeed an effective and proper use of funds.

Mr. SMITH of Michigan. I thank my colleagues, Mr. Chairman. Let us remind ourselves, this is the first year of these six new regional offices. If we let them be entrenched, then we go for 2 and 3 and 4 years. It is going to be that much more difficult. It is a cost of $22 million that could be much better spent at our local county offices, in our State offices. That is where the action is. That is where farmers and ranchers need their help.

Mr. Chairman, I want to make a comment on the general amendments that we have had today. Look, the reason we have farm programs in this country is to assure an adequate supply of food and fiber. Let me tell the Members what these farm programs have done. It does not go into the pockets of farmers. It is not subsidizing.

We have ended up with a farm program that has created the most efficient industry in the world as far as agricultural production. That is why the American people eat and spend only 11

percent of their take-home pay on food, the cheapest, highest quality food in the world.

So when we talk about knocking down these amendments for export enhancement programs, for programs that allow farmers to buy the kind of insurance that is going to move ahead with our Freedom to Farm bill, putting farmers on an even keel with the rest of the world, that is the challenge we have. When other countries are subsidizing their crops and subsidizing their exports into this country, we need to do something to make sure we have a strong industry.

Mr. BEREUTER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan [Mr. SMITH].

Mr. Chairman, the gentleman has proposed and seems to have indicated he might be satisfied with a study, and he has gained the support of the ranking member and the chairman of the appropriations subcommittee and the chairman of the authorizing committee. But I would like to put additional facts on the record at this point.

We have heard a little comment or two about these issues. They are all fairly negative by the gentleman from Michigan. But I would like to point out to my colleagues that the staff to form the regional offices came from several former organizational levels, including the national headquarters, national technical centers, of which there were four, and State offices. In fact, only 25 percent of the regional office employees came from positions in the national headquarters.

The regional offices have provided essential and successful managerial and oversight functions for the restructured NRCS by bringing managerial authority closer to the field and the actual work and customers. Previously the NRCS assistant chiefs who held some of the current regional managerial authorities were actually located in this city. They were too far removed from local needs to be effective.

Given the funding realities of the last several years, we have been able to keep significant staff in the field largely by making as many cuts above the field level as possible. Without the regional offices, the move toward them, I would say that some of this would have been impossible.

The NRCS regional conservationists hold full authority for funding within their regions. This has put funding decisions closer to the field and to the customer, the client. Regional conservationists, I would suggest, based upon input I receive, are better able to address priority issues in a timely manner than previously when funds and decisions were held here in the Nation's Capitol.

If the various requirements in the GAO asking for strengthening oversight activities alone were not being handled by the regional offices, we would be forced to assign those responsibilities to the State office level in the organization. This approach would hinder the ability to put additional staff at the field level, cause the State operations to be more focused on administrative duties, and reduce the amount of technical backup the State offices are now providing the field, which has directly improved customer service.

Mr. Chairman, I think this approach allows the agency to recognize the different parts of the country and the fact that they have very different natural resource needs, different agricultural systems, and different customers. The old system forced our policy to approach solutions which were national in scope and tended to be kind of one-size-fits-all.

□ 1800

The regional approach, I think, is assisting in fostering our efforts of locally-led conservation. And as the regional system continues to mature, it will ensure, I hope, that local needs are met with local solutions. And I say ''hope'' because we have moved to this arrangement only a year ago. So I would suggest that radical surgery is too premature at this time.

Certainly, it is appropriate for the authorizing committee in particular to examine this issue, but I did want to bring these facts to my colleagues' attention at some point.

Mr. EDWARDS. Mr. Chairman, will the gentleman yield?

Mr. BEREUTER. I yield to the gentleman from Texas.

Mr. EDWARDS. Mr. Chairman, I would like to enter into a colloquy with the gentleman from New Mexico [Mr. SKEEN] about the important issue of outstanding USDA loans. As the chairman is aware, there are billions of dollars in outstanding USDA loans. There are hundreds of individuals with unpaid debts of more than $1 million each, and many of these loans are more than several years overdue.

Right now the USDA is receiving less than 10 cents on the dollar on the loans that the Department tries to collect. If we were able to improve our collection on these loans, we could help reduce our budget deficit at a time when we are working hard to balance the Federal budget.

Mr. SKEEN. Mr. Chairman, will the gentleman yield?

Mr. BEREUTER. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I want to tell the gentleman from Texas [Mr. EDWARDS] that I agree with him. The outstanding loans are a significant problem at the USDA.

Mr. EDWARDS. Mr. Chairman, if the gentleman would continue to yield, I believe we could be more efficient in the way that we collect on those loans if we allowed qualified private sector firms to contract out for these collections. This is a process being used effectively and efficiently by other Federal agencies.

Mr. SKEEN. Mr. Chairman, if the gentleman would again yield, contracting out would be a good way, in my opinion, to try to collect on these loans. It is my understanding that the USDA has the authority now to contract out but has not yet engaged in any such contracts. And, like the gentleman from Texas, I would support efforts to privatize this collection process, and I am urging the USDA to move forward on this plan and to contract out for the collection of these large overdue loans.

Mr. EDWARDS. Mr. Chairman, I thank the chairman for his attention to this very important matter.

Mr. SMITH of Michigan. Mr. Chairman, I ask unanimous consent that my amendment be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT NO. 23 OFFERED BY MR. POMBO

Mr. POMBO. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 23 Offered by Mr. Pombo:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 728. None of the funds made available in title III of this Act may be used to provide any assistance (other than the servicing of loans made on or before September 30, 1997) under any program under title V of the Housing Act of 1949 relating to any housing or project located, or to be located, in the City of Galt, California.

The CHAIRMAN. Pursuant to the rule, the gentleman from California [Mr. POMBO] will be recognized for 5 minutes, and a Member in opposition, the gentlewoman from Ohio [Ms. KAPTUR] will be recognized for 5 minutes.

The Chair recognizes the gentleman from California [Mr. POMBO].

Mr. POMBO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, to start off with, I would like to clear up a little bit about what this amendment is all about. First of all, neither I nor the city of Galt is opposed to affordable housing. As a city councilman, I worked hard to establish affordable housing in the city of Tracy, which I had the pleasure of representing. Also, the city of Galt itself has participated directly in financing of low- to very low-income housing within their city limits.

The city of Galt, which is located in my district, is in a unique and critical situation. They have developed a financial plan to pay for their infrastructure within their city, to pay for their schools, to pay for their roads, their sewer system, their water system. A lot of that was based upon the housing that was going to be developed within their city.

Unfortunately, they have run into a problem. Part of that problem is the fact that they are now making up 70 percent of the rural housing and community development service loans

within the Sacramento region. The reason that that has become a problem is that the Sacramento region, Sacramento County is made up of 1.1 million people. The city of Galt is made up of 16,000 people, and yet they are being asked to absorb 70 percent of these low-income developments into their city.

Furthermore, Mr. Chairman, the question has come up about whether or not they are trying to keep affordable housing out of their city. I will just point out to my colleagues that the city of Galt currently is made up of 67 percent affordable housing, according to Sacramento County Assessor's Office.

Ms. KAPTUR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the Pombo amendment because I truly do not believe that this is a matter for our Committee on Appropriations.

I am opposed to the amendment of the gentleman from California that redesignates Galt, CA, as an urban community rather than a rural community.

I remain concerned about the purpose of this language and the unintended consequences that may result. The town council of Galt has not voted to ask the Congress for repeal of its eligibility for rural housing assistance. There is no official resolution asking us to do this. And in fact even if they had, the appropriations bill is not the proper place in order to consider this.

In addition, Mr. Chairman, the current Federal statutes do not force any town to take rural housing assistance. It is optional if they wish to seek it. So why would any Member wish to lift this designation from their town?

Finally, it is our understanding that many low-income families seeking to invest their own sweat equity in helping to build their own homes will lose that opportunity in Galt as a result of this amendment.

Mr. Chairman, I have continued to strongly oppose this amendment. This addresses a local matter in which this Congress, certainly the Committee on Appropriations, should not intervene. Why should the Federal Government set a separate policy affecting one community that sets a terrible precedent for other communities to appeal to the Committee on Appropriations for special treatment to resolve their local issues. It is simply not our job to do that.

Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. KENNEDY], the ranking member on the Subcommittee on Housing and Community Opportunity, and urge a ''no'' vote on the Pombo amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I rise in opposition to this amendment. I have had an opportunity to discuss this with the gentleman from California [Mr. POMBO]. It would have been appropriate for this issue to come before the Subcommittee on Housing and Community Development and for us to be able to determine the facts of the specific request made by the gentleman from California pertaining to the building of low-income housing in his district.

The purpose of this rural housing initiative funded by the Farmers Home Administration is really to provide, in most cases in the area that it is being built, permanent housing for the farm worker community. There is an underlying concern that many people have voiced to me that what this amendment is about is keeping a farm worker community out of a specific part of the district of the gentleman from California, the area of Galt, CA.

Mr. Chairman, if that is in fact what this amendment is attempting to do, then I would oppose the gentleman's amendment with every ounce of strength I could, and I am sure other Members would as well. The gentleman from California assures me that that is not what it is about. The difficulty is that we have no evidence to suggest whether it is or whether it is not and it puts us in a very difficult position.

I have tried to work out with the gentleman an agreement that I think the chairman of the committee as well as the ranking member would have supported. The gentleman has insisted upon taking this to a vote. I think it is a mistake. I think that if in fact the Subcommittee on Housing and Community Development could have had an opportunity to hear directly from the people involved, get a sense of where the farm worker community was coming out, get a sense of what the needs are.

I understand from the statistics cited by the gentleman from California that 67 percent housing in his community in fact is considered affordable. But I also understand that there are only 335 units of subsidized housing in that area. The truth is that if we are going to stabilize the farm worker community of this country, I believe that it is important that we provide permanent housing for that community. It has worked throughout the State of California and other States around the country, and I think if what this is is a veiled attempt to push those people out, that all of us should understand exactly what the policy being pursued is trying to attempt.

Now, as I say, I have been assured that that is not what the policy is and I would just hope that the chairman of the committee, if he would enter into just a brief colloquy with me and make certain that if, in fact, the Subcommittee on Housing and Community Development, working in a bipartisan way, determines that in fact this is an attempt at a ''snob zoning'' requirement, that the gentleman from New Mexico [Mr. SKEEN] would, in fact, try to make certain that that amendment would not be accepted once we get into a conference committee.

Mr. POMBO. Mr. Chairman, I yield 30 seconds to the gentleman from New Mexico [Mr. SKEEN], the chairman of the subcommittee.

Mr. SKEEN. Mr. Chairman, I tell the gentleman from Massachusetts [Mr. KENNEDY] it is my understanding that this provision is that it has no effect on the general USDA rural development policy, and I am prepared to accept the amendment and we will work with the gentleman from Massachusetts in any way, in any possible manner, to quell the concerns that he has. I appreciate the work that the gentleman has already done on it.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SKEEN. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I appreciate the chairman's indication that we will make certain to find out exactly what the policy is, and I respect the suggestion of the gentleman from California that that is not what he is trying to do, and if in fact that is the case, we would be happy to work with the gentleman.

Mr. POMBO. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. BONILLA] a member of the committee.

Mr. BONILLA. Mr. Chairman, I rise in support of the amendment of the gentleman from California [Mr. POMBO]. I was the one who originally proposed the amendment in the subcommittee markup.

Mr. Chairman, my understanding of this issue, it is a clear distinction of what we stand for philosophically as conservatives in this body versus those who believe that big government needs to micromanage local government. This is a case where we have a Hispanic mayor and Hispanic leadership in a community that are asking for Washington to let them determine their own future, and with the understanding as well that there is an abundance of low-income housing.

Mr. Chairman, I am a Member who is proud to have been recognized by farm worker organizations throughout my work in Congress. I have a large migrant farm worker population in my district that I work very closely with. Neither I nor the gentleman from California [Mr. POMBO], would do anything that would harm this population, because they are hard-working Americans aspiring to live the dreams that all of us have had in this body.

So I would suggest that we should allow the local officials, the mayor and the council, and the others who feel that they should have the latitude to control their destiny, to let them do this. I hope that there is not an implication here that the Hispanic leadership of this local community somehow is not capable of determining their own future, and perhaps because they are people of an ethnic group or people of color that perhaps they are not capable of making decisions that are in the best interest of their community.

Mr. Chairman, I would ask my colleagues in this body to allow these people to determine their future for the best interest of the farm workers and the best interest of this population.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BONILLA. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I would just point out to the gentleman from Texas [Mr. BONILLA] that this was in fact approved by the city council of Galt. That is how we got to this state.

Mr. BONILLA. Mr. Chairman, reclaiming my time, that is my point; I appreciate the gentleman from Massachusetts reiterating it.

Mr. KENNEDY of Massachusetts. Mr. Chairman, if the gentleman would continue to yield, the housing that we are talking about has been approved by the city council of Galt, CA. They have approved this housing. It was taken to court to try to have that ruling reversed. That is how this housing got to this point.

Mr. POMBO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the entitlements for the housing are approved by the city council. That is a local zoning decision that is made. The city of Galt attempted to file suit against USDA to stop this project from proceeding. Their case was thrown out of court because they were told they did not have standing.

Mr. Chairman, I heard somebody say that this was somehow a partnership with local government. They were thrown out of court and told they did not have standing.

So, Mr. Chairman, I do not know what kind of a partnership this might be. This is a dictate from the Federal Government down to the local city council and the local community telling them that this is what they are going to have.

The CHAIRMAN. All time on this amendment has expired.

The question is on the amendment of the gentleman from California [Mr. POMBO].

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to the bill?

AMENDMENT NO. 22 OFFERED BY MR. CHABOT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio [Mr. CHABOT] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 150, noes 277, not voting 7, as follows:

[Roll No. 316]

AYES—150

Andrews
Archer
Armey
Bachus
Barr
Barrett (WI)
Bass
Bilbray
Blagojevich
Borski
Brown (OH)
Callahan
Campbell
Cannon
Cardin
Carson
Castle
Chabot
Coble
Collins
Conyers
Cox
Coyne
Crane
Cummings
Cunningham
Davis (VA)
DeGette
Delahunt
DeLauro
DeLay
Doggett
Doyle
Duncan
Ehlers
Ehrlich
Engel
Ensign
Fawell
Foglietta
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Gejdenson
Gibbons
Gillmor
Goss
Gutierrez
Gutknecht
Hastert
Hayworth
Hefley
Hilleary
Hinchey
Hobson
Hoekstra
Horn
Hostettler
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Lantos
Largent
Lazio
Lewis (GA)
Linder
Lipinski
LoBiondo
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
McCarthy (NY)
McDermott
McGovern
McIntosh
Meehan
Miller (FL)
Moakley
Moran (VA)
Morella
Myrick
Nadler
Neal
Neumann
Ney
Olver
Owens
Pallone
Pascrell
Paul
Payne
Pitts
Porter
Portman
Pryce (OH)
Ramstad
Rivers
Rogan
Rohrabacher
Rothman
Roukema
Royce
Salmon
Sanders
Sanford
Scarborough
Schumer
Sensenbrenner
Shadegg
Shaw
Shays
Smith, Adam
Snowbarger
Souder
Stearns
Stupak
Sununu
Talent
Taylor (MS)
Tiahrt
Tierney
Velazquez
Vento
Visclosky
Wamp
Waxman
Weldon (PA)
Weygand
Wolf
Yates

NOES—277

Abercrombie
Ackerman
Aderholt
Allen
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Bartlett
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Calvert
Camp
Canady
Capps
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coburn
Combest
Condit
Cook
Cooksey
Costello
Cramer
Crapo
Cubin
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dreier
Dunn
Edwards
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fazio
Filner
Flake
Foley
Forbes
Ford
Frost
Furse
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Green
Greenwood
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastings (FL)
Hastings (WA)
Hefner
Herger
Hill
Hilliard
Hinojosa
Holden
Hooley
Houghton
Hoyer
Hulshof
Hunter
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kennelly
Kildee
Kilpatrick
Kim
Kingston
Klug
LaFalce
LaHood
Lampson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Livingston
Lofgren
Lucas
Manton
Martinez
Matsui
McCarthy (MO)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Minge
Mink
Mollohan
Moran (KS)
Murtha
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Oxley
Packard
Pappas
Parker
Pastor
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pombo
Pomeroy
Poshard
Price (NC)
Quinn
Radanovich
Rahall
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Scott
Serrano
Sessions
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snyder
Solomon
Spence
Spratt
Stabenow
Stenholm
Stokes
Strickland
Stump
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Torres
Towns
Traficant
Turner
Upton
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weller
Wexler
White
Whitfield
Wicker
Wise
Woolsey
Wynn
Young (FL)

NOT VOTING—7

Barton
Boehner
Gonzalez
Molinari
Schiff
Stark
Young (AK)

☐ 1835

Messrs. HILL, DIXON, RUSH, PETRI, Ms. ROS-LEHTINEN, Ms. MCKINNEY, and Mr. EVERETT changed their vote from ''aye'' to ''no.''

Messrs. DELAY, GUTIERREZ, ISTOOK, NEUMANN, NEY, MOAKLEY and Mrs. FOWLER changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. STARK. Mr. Chairman, I rise in support of the Meehan amendment to the fiscal year 1998 agriculture appropriations bill. This amendment is the next important step in the fight against teen smoking.

This amendment appropriates $10 million to the Food and Drug Administration to implement the agency's tobacco initiative requiring retailers to check the photo identification of persons seeking to purchase tobacco products. Similar to the way retailers check ID for alcohol purchases, this amendment does the same for cigarettes.

There is a large body of evidence about the harmful and addictive effects of tobacco. Adults have the right to decide for themselves about the choices they make with regard to what they eat, drink, or smoke. However, children are not always able to make those same decisions. It is illegal to sell tobacco to children under the age of 18. This amendment helps to implement the FDA policy of carding those individuals who smoke. It is merely an enforcement tool in the fight against youth smoking. This amendment should be non-controversial and should enjoy unanimous support in this chamber.

I urge my colleagues to support the Meehan amendment.

Mr. MANTON. Mr. Chairman, I rise in opposition to the amendment offered by Messrs. SCHUMER and MILLER.

Mr. Chairman, while I understand and appreciate the proponents' interests in pursuing this amendment, I believe their concerns are misplaced and their proposed remedy misguided. I have worked closely with my friend and colleague from New York, Mr. SCHUMER, on a number of important issues over the years, and I do not question his motives; however, I regret that we are once again at odds over this emotional agricultural matter.

Mr. Chairman, only last year, the Congress enacted major, far-reaching agricultural reform legislation. In that measure, we dramatically changed our Nation's long-standing policies affecting farming and agricultural markets, including sugar production—which, I believe, is the only program crop to lose the Government guarantee of a minimum price. I supported these efforts to reform and modernize the sugar price support program and believe these changes have benefited all segments of the industry. These reforms represented an important first step.

However, we simply have not allowed enough time to pass to ensure we achieved our goals in revising the sugar program and determine whether these changes were sufficient. I would also remind my colleagues that this House defeated a similar amendment during the farm bill debate.

Mr. Chairman, for this reason alone, I believe it is unfair and unwise to make such a drastic change in the U.S. sugar program as proposed in the amendment at this time.

We will hear today that this is an issue of fairness and the free-market system; consumers will be pitted against farmers, producers against refiners and manufacturers. I believe these arguments are overly simplistic, picking and choosing statistics which best represent the proponents' arguments, and the distinctions they promote to do an injustice to the sugar producers of our great Nation, be they farmers of sugarcane, sugar beet, or corn.

Mr. Chairman, I do not deny that there are some very real differences between the proponents and opponents on the issue before us, and I doubt any amount of debate is likely to change the position of the amendment's authors. However, I have learned over my years in Congress, and as a New York City councilman, that no issue is one-sided, nor is there often only one all-inclusive right answer to a problem. Reasonable people can, and often do, disagree.

I believe the issue before us here today falls into that category. We differ on what the impacts of a particular program may or not be, and who best to address these issues. But, I do not believe either side has a claim to the so-called high ground.

And, with all due respect to the amendment's proponents, I do not take a back seat to their concern for the American consumer. I represent a congressional district, a part of New York City, where the 1990 median family income was only around $30,000 a year. In the areas of Queens and the Bronx which I have the pleasure to represent, the cost of living is a very real issue with everyday impacts on the hard-working families of the 7th Congressional District of New York.

The proponents argue that their's is the only way to protect the consumer, to potentially lower the cost of sugar and products containing agricultural sweeteners by a few cents or, more likely, fractions of a cent. This is all well and good, if they can ensure the savings they propose will indeed be passed along to the American consumer. A prospect which they cannot guarantee.

But, cost aside, the proponents can also not be sure their amendment, if approved, would not seriously disrupt the supply and availability of sugar throughout our country.

Mr. Chairman, my constituents do not benefit if they have the potential of saving a penny or two on a product but can no longer obtain that commodity or the product is no longer available in a sufficient and steady supply to meet their needs.

I have often commented in meetings I have had over the years that I am unaware of any farms in my urban district, except for one lone Victory Garden started during World War II. But, I am sure of one thing, and that is that each and every one of my constituents eats and needs a secure, steady supply of produce and food products at a reasonable price. As such, I will continue to support those programs which I believe ensure just that, and oppose those measures which I believe will not.

I will note here, also, that New York State does play role in domestic sugar production, with numerous farms that grow corn which is utilized in sweetener production.

Mr. Chairman, my strong, historic support of agriculture programs, including sugar, and the associated refining and processing infrastructure, is based upon this—perhaps simplistic—premise: That the United States must continue to ensure all its people are provided the best, most secure, and stable source of food products possible. And, I believe this goal is best accomplished by reducing our dependence on foreign sources of agriculture products through the encouragement and promotion of a strong domestic agriculture system, and challenging unfair, anticompetitive foreign sources of food.

While we are usually on the same side of most food related issues, from time to time, I part paths with this Nation's food processors. As is the case here, I side with the producers and not the refiners and processors. I do not fault them for their support of this amendment and the desired changes they seek in the sugar program, and I know we will work together on future issues of mutual concern.

I believe the virtual elimination of this program as now proposed would place the U.S. sugar industry as a whole, and the American consumer in particular, at the mercy of the inconsistent and heavily subsidized world sugar market.

Unlike my colleagues who support the amendment, I simply do not believe the American consumer is likely to realize a significant, if any, benefit should the amendment prevail. But, I am concerned that the domestic producers of sugar could suffer from reduced prices and would be made particularly vulnerable to foreign sources of sugar.

While refiners may pass along their savings, I seriously doubt many processors are likely to reciprocate. While the cumulative amounts being bandied about today are significant, and represent real money regardless of one's social standing, the bottom-line is that we are talking about pennies or fractions of pennies on a commodity basis.

Quite frankly, I do not even know how one would calculate the savings that say a manufacturer should pass along for their finished product that now may cost them a fraction of a cent less to produce. Are we likely to see cans of soda from a machine selling for 59 cents instead of 60 cents?

At this point, Mr. Chairman, I would like to refer to some very basic statistics which I believe make clear the short-sightedness of the amendment.

The current sugar program operates at no cost to the Federal Government, and a special marketing tax on sugar farmers is earmarked for deficit reduction, U.S. consumers pay an average of 25 to 28 cents less for sugar than do shoppers in other developed countries. From 1990 to 1995, the retail price of sugar actually decreased approximately 7 percent. U.S. retail sugar prices are approximately 32 percent below the average of other developed countries and the third lowest in the developed world. New York consumers pay 5 percent less for sugar than the average consumer worldwide. Close to $7 billion are generated each year by the U.S. sugar industry in the State of New York along. Finally, more than 5,690 jobs in New York State rely on the sugar industry.

Mr. Chairman, I urge my colleagues to reject this amendment, and cast a vote in favor of a strong, fair and balanced domestic sugar program and to protect the American farmer.

Mrs. MORELLA. Mr. Chairman, I rise in reluctant opposition to this amendment. I strongly support the Meals on Wheels Program that provides nutritious meals to our most vulnerable seniors, and I would like to see more money going to this program.

The problem with this amendment is the offset. Time and time again, members searching for easy deficit reduction targets turn to Federal employees and agencies' salary and expenses budgets. Federal employees and agencies have borne a disproportionate share of cuts as we have worked to balance the budget. This raid on Federal employees and agencies must stop. Over the last 4 years, we have streamlined every Federal agency and reduced our Federal work force by nearly 270,000 FTE's.

Already, the bill before us today will reduce FDA's work force by 70 FTE's. The additional cuts contained in this amendment would reduce FDA by another 65 FTE's, leading to a total reduction of 135 from a total of 954—about a 14 percent reduction. Such a reduction would hinder FDA's ability to protect and promote public health. The Office of Women's Health, the Office of Consumer Affairs, the Office of Special Health Issues, the Office of Science, and many important projects would suffer.

The authors had a great idea when they decided to increase Meals on Wheels, but their offset would seriously hinder FDA's important work, and I urge my colleagues to join me in opposing it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I join in support of my colleague, Congresswoman CLAYTON, and also as a sponsor of this amendment to increase funding by $2.5 billion to our Nation's food stamp program.

Although our intent is to withdraw this amendment the goal is to bring the issue of food and hunger before the House as we debate the Department of Agriculture's appropriations bill.

In the State of Texas participation in the Food Stamp Program this year for the month

of May, numbered 2.23 million which represents 738,468 households.

The need to provide adequate food to our Nation's poor is of vital importance, and therefore cannot and must not be left underfunded. State and private entities do not have the resources to assist those who are less fortunate in our society.

One key provision of the Emergency supplemental appropriations which finally passed was additional funding to the Women, Infants, and Children's program which was underfunded last Congress. This program would have run out of funds prior to the close of the agency's fiscal year because of lack of adequate budgetary planning on the part of Congress.

It is our budgetary responsibility as Members of the House to adequately fund each area of government so that such readjustments prior to the close of a department's fiscal year are not necessary, unless unforeseen disaster or emergencies beyond our ability to take preemptive action.

In 1995, a reported 14.7 million children lived in poverty, with a national child poverty rate of 20.8 percent. The United States is the highest child poverty rate amongst the 18 industrialized countries of the world. With these numbers we can and should adequately plan to use the resources of our Nation to meet the needs of our Nation's poor.

We must feed our children, provide education that is challenging and offers them the promise of a better life, as well as secure their future through sound government policy.

I ask that my colleagues focus on the needs of all of our Nation's children regardless of social and economic status. This is indeed a blessed nation with wealth and resources in such abundance that we can share with other nations. However when we make decisions to purchase expensive weapons systems which are not requested by the Pentagon, or increase the Intelligence budget over what the administration requests, but underfund nutrient, food, and housing programs, makes me wonder if we have our priorities in a Tom Clancy novel and not on human beings.

I would ask my colleagues to play real patriot games and take care of our Nation's poor.

Mr. POMEROY. Mr. Chairman, I rise today to address the issue of funds for administrative expenses for crop insurance agents.

The Agriculture appropriations bill presents difficult choices for members from rural America for support for production agriculture—including crop insurance—competes directly against vital nutrition programs such as the Women, Infants, and Children [WIC] program. In a budget climate where discretionary funds are stretched between vital resources such as research, school lunch programs, rural utilities, and food safety, it is easy to forget about production agriculture.

It seems we already have in some aspects. The amendment in full committee to increase funding for crop insurance was not off-set by cuts in nutrition but within production agriculture, namely, the Export Enhancement Program. The choice was difficult but necessary. The Obey amendment, however, would leave farmers with both fewer resources to compete against European subsidies and a less viable crop insurance program to compensate for the loss of the farm program safety net.

Putting ''urban'' agriculture against ''rural'' agriculture is not the way to debate this fight.

WIC is a stable program, and funded by the bill with $118 million more than last year. Further, this amendment would fund the WIC program's ''carryover'' money, not funds directly for the program. More than likely, the program will not even use this funding.

The federal crop insurance program is still on feeble legs, as are producers as they look to alternatives for risk management. Congress modified farm programs just last year, creating the ''freedom to farm'' and taking away the safety net for price volatility. Along with changes to the farm programs, producers were assured that certain safeguards would remain in place, like the effectiveness of adequate crop insurance. Crop insurance is just about the only risk management assurance producers have, and these producers depend on the time and effort of thousands of insurance agents to provide adequate coverage and information.

We often forget that it is ''rural'' agriculture that provides the affordable and safe food and fiber for ''urban'' agriculture programs and cities.

To address a few other points I have heard during this debate, I urge you to keep some things in perspective:

Crop insurance agents are not typical insurance agents.

Crop insurance agents are working to provide information and coverage for twice the number of acres insured than in 1994. Thus efforts to reduce their administrative expense reimbursements come at a time when they are performing more tasks than ever.

Crop insurance agents don't just sign up farmers once-a-year and then wait until the next year to follow up; they often visit with producers 10 times per year.

The level of funding we put in this bill for administrative expenses, whether it is 24.5 percent, 27 percent, or 28 percent, is not pure commission for agents. Not even close. The percentage figure goes to account for the Department of Agriculture's mandatory requirements on agents to administer the program: like training, compliance, paper work, processing, adjusting, and other overhead. After all that, the real ''commission'' is closer to 12 percent.

Some of the flaws in the GAO report include:

The report only examined three crop years, two of which were some of the best in history. Of course insurance companies do better in some years than others, especially when there are fewer weather catastrophes.

The GAO report rhetoric makes for nice 2 minute ''Fleecing of America'' TV clips, but in reality the report only acknowledges ''excessive expenses'' as the exception, not the norm. Furthermore, the expenses noted by the report as ''excessive'' were clearly legal.

In this time of transition for production agriculture, shifting from disaster payments and price supports of the old farm programs to reformed crop insurance and the ''freedom to farm,'' farmers are depending more than ever on promises made by the last Congress. During recent reforms of our government's role in agriculture, Congress promised certain foundational assistance for farmers would remain: farmers understood that agriculture research, risk management tools, and technical assistance would be maintained.

If we reduce the administrative expenses for crop insurance agents, we are taking away our promise to farmers and production agriculture that they would receive effective service in managing risk from unpredictable weather and market prices.

I urge you to maintain the current level of funding for crop insurance.

Mr. BENTSEN. Mr. Speaker, I rise in support of H.R. 2160, the 1998 House Agriculture appropriations bill. In particular, I am pleased that this legislation includes sufficient funding to continue the vital research done at the Children's Nutrition Research Center in Houston, one of the six human nutrition centers of the Agriculture Research Service.

The CNRC is one of the world's leaders in the field of pediatric nutrition. Their work has resulted in both better health and reduced health care costs for children. For instance, Texas Children's Hospital in my district has developed a more cost-effective, nutritionally balanced approach for feeding premature children as the result of a CNRC study.

The CNRC has led the way in providing more accurate dietary recommendations for calcium requirements for young girls. With these recommendations, young women will now have the necessary nutritional tools to help reduce the number of low-birthweight babies born to teenage mothers. In addition, these calcium recommendations will help prevent future injuries later in life, such as hip replacement surgeries and broken bones. Girls and women will benefit from new information that will help increase bone density in their system and help prevent these injuries.

The CNRC has also done important research on obesity in children. This information along with newly discovered molecular genes, will lead to more effective treatments to prevent these ailments in children. This research may also lead to new treatments for serious diseases such as atheroscelerosis, osteoporosis, and diabetes.

Again, I urge my colleagues to support this legislation and am pleased that it includes vital research funding for pediatric research.

Mr. STARK. Mr. Chairman, I rise in support of the Lowey-DeGette-Hansen-Meehan-Smith amendment to the fiscal year 1998 Agriculture appropriations bill. This amendment is exactly what the doctor ordered.

It is ridiculous for the Federal Government to be subsidizing the crop insurance for a product that is so harmful and addictive.

Taxpayers now pay for the crop to be harvested, provide insurance against crop damage, pay for the health care costs of tobacco related illness through increased Medicare and Medicaid costs, and pay for advertising subsidies for overseas promotion.

It is outrageous to me that while we limit the safety net for our poor, sick and elderly, we maintain a safety net for agribusiness and tobacco. This subsidy should be eliminated.

Mr. Chairman, Joe Camel does not need a government handout. I urge my colleagues to support this amendment.

The CHAIRMAN. Are there any other amendments to the bill?

If not, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. NUSSLE) having assumed the chair, Mr. LINDER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, (H.R.

2160), making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1998, and for other purposes, pursuant to House Resolution 193, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SCHUMER

Mr. SCHUMER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman from New York opposed to the bill?

Mr. SCHUMER. Yes, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SCHUMER moves to recommit the bill, H.R. 2160, to the Committee on Appropriations.

Mr. YATES. Mr. Speaker, I move the previous question on the motion to recommit.

The SPEAKER pro tempore. The question is on ordering the previous question on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. YATES. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. The Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the motion to recommit.

The vote was taken by electronic device, and there were—ayes 423, noes 4, not voting 7, as follows:

[Roll No. 317]

AYES—423

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOES—4

Bono
Boyd
DeFazio
Frank (MA)

NOT VOTING—7

Barton
Gonzalez
Molinari
Schiff
Stark
Waters
Young (AK)

□ 1855

So the previous question was ordered.

The result of the vote was announced as above recorded.

MOTION TO RECONSIDER THE VOTE OFFERED BY MS. ESHOO

Ms. ESHOO. Mr. Speaker, I move to reconsider the vote.

MOTION TO TABLE OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Speaker, I move to lay on the table the motion to reconsider the vote.

The SPEAKER pro tempore (Mr. NUSSLE). The question is on the motion offered by the gentleman from Washington [Mr. HASTINGS] to lay on the table the motion to reconsider the vote offered by the gentlewoman from California [Ms. ESHOO].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. ESHOO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 15-minute vote which may be followed by a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 258, noes 165, not voting 11, as follows:

[Roll No. 318]

AYES—258

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer

Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Fattah
Foglietta
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Young (FL)

NOES—165

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barrett (WI)
Becerra
Bentsen
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Boyd
Brown (CA)
Brown (OH)
Cardin
Carson
Clay
Clement
Conyers
Coyne
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Evans
Farr
Fazio
Filner
Flake
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gordon
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stokes
Strickland
Stupak
Tauscher
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weygand
Woolsey
Wynn
Yates

NOT VOTING—11

Barton
Clayton
Fawell
Gonzalez
Lazio
McDade
Molinari
Schiff
Stark
Wexler
Young (AK)

□ 1913

Mr. HORN and Mr. HERGER changed their vote from ''no'' to ''aye.''

So the motion to reconsider was laid on the table.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. NUSSLE). The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BONIOR. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 56, noes 363, answered ''present'' 2, not voting 13, as follows:

[Roll No. 319]

AYES—56

Barrett (WI)
Blagojevich
Brown (CA)
Brown (OH)
Cardin
Conyers
Coyne
Cummings
DeGette
Dellums
Dicks
Doggett
Ford
Frank (MA)
Green
Gutierrez
Jackson (IL)
Jefferson
Kennedy (MA)
Kennedy (RI)
Kind (WI)
Kleczka
Kucinich
LaFalce
Lantos
Lowey
Luther
Markey
Matsui
McDermott
McGovern
McNulty
Meehan
Meek
Miller (CA)
Moakley
Moran (VA)
Neal
Oberstar
Owens
Pallone
Payne
Pelosi
Roybal-Allard
Rush
Sanchez
Sanders
Schumer
Skaggs
Smith, Adam
Stokes
Torres
Velazquez
Waters
Waxman
Yates

NOES—363

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennelly
Kildee
Kilpatrick
Kim
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lofgren
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Martinez
Mascara
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nadler
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun
Sabo
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence

Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (FL)

ANSWERED ''PRESENT''—2

DeFazio
Lipinski

NOT VOTING—13

Ballenger
Barton
Ehrlich
Gilman
Gonzalez
Harman
Hinchey
McKinney
Molinari
Schiff
Stark
Wexler
Young (AK)

□ 1923

Mr. ENGEL changed his vote from ''aye'' to ''no.''

Mr. MORAN of Virginia changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

MOTION TO RECONSIDER THE VOTE OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I move to reconsider the vote.

MOTION TO TABLE OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Speaker, I move to table the motion to reconsider.

The SPEAKER pro tempore (Mr. NUSSLE). The question is on the motion offered by the gentleman from Washington [Mr. HASTINGS] to lay on the table the motion to reconsider the vote offered by the gentleman from Wisconsin [Mr. OBEY].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 285, noes 139, not voting 10, as follows:

[Roll No. 320]

AYES—285

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Evans
Everett
Ewing
Farr
Fawell
Filner
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
Martinez
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanchez
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Young (FL)

NOES—139

Abercrombie
Ackerman
Allen
Andrews
Barrett (WI)
Becerra
Berman
Blagojevich
Blumenauer
Bonior
Borski
Brown (CA)
Brown (OH)
Cardin
Clay
Clement
Conyers
Coyne
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Edwards
Engel
Eshoo
Fattah
Fazio
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gordon
Green
Gutierrez
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Klink
Kucinich
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schumer
Serrano
Sherman
Skaggs
Slaughter
Spratt
Stabenow
Stokes
Strickland
Stupak
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weygand
Woolsey
Wynn
Yates

NOT VOTING—10

Ballenger
Barton
Gonzalez
LaFalce
Molinari
Schiff
Smith, Adam
Stark
Wexler
Young (AK)

□ 1942

Mr. HUNTER and Mr. HANSEN changed their vote from ''no'' to ''aye.''

So the motion to reconsider was laid on the table.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. NUSSLE). The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were— yeas 392, nays 32, not voting 10, as follows:

[Roll No. 321]

YEAS—392

Abercrombie
Ackerman
Aderholt
Allen
Archer
Armey
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling

Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meek
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Torres
Towns
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NAYS—32

Andrews
Campbell
Cardin
Conyers
Coyne
Doggett
Ensign
Frank (MA)
Franks (NJ)
Jackson (IL)
Kennedy (MA)
Kucinich
Lofgren
McDermott
McGovern
Meehan
Menendez
Miller (CA)
Neal
Olver
Owens
Paul
Rangel
Rohrabacher
Royce
Salmon
Scarborough
Schumer
Sensenbrenner
Taylor (MS)
Tierney
Velazquez

NOT VOTING—10

Bachus
Barton
Cannon
Gonzalez
Molinari
Schiff
Spratt
Stark
Wexler
Young (AK)

□ 1952

Messrs. FORD, SANFORD, and KENNEDY of Rhode Island changed their vote from ''no'' to ''aye''.

So the bill was passed.

The result of the vote was announced as above recorded.

MOTION TO RECONSIDER THE VOTE OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I move to reconsider the vote.

MOTION TO TABLE OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Speaker, I move to table the motion to reconsider the vote.

The question was taken; and the Speaker announced that the ayes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 284, noes 132, not voting 18, as follows:

[Roll No. 322]

AYES—284

Aderholt
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Evans
Everett
Ewing
Farr
Fawell
Filner
Flake
Foley
Forbes
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kasich
Kelly
Kildee
Kim
King (NY)
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
Martinez
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Metcalf
Mica
Miller (FL)
Minge
Mollohan
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun
Salmon
Sanchez
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Young (FL)

NOES—132

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Becerra
Bishop
Blagojevich
Bonior
Borski
Boucher
Brown (FL)
Brown (OH)
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Coyne
Cummings
Danner
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dingell
Doggett
Doyle
Edwards
Engel
Eshoo
Fattah
Fazio
Foglietta
Ford
Frank (MA)
Frost
Furse
Gordon
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hooley
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kilpatrick
Kind (WI)
Klink
Kucinich
LaFalce
Lampson
Lantos
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Moakley
Murtha
Neal
Oberstar
Obey
Olver
Owens
Pastor
Payne
Pelosi
Rangel
Rivers
Rodriguez
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schumer
Serrano
Sherman
Skaggs
Slaughter
Smith, Adam
Stabenow
Stokes
Strickland
Stupak
Tauscher
Thompson
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weygand
Woolsey
Wynn

NOT VOTING—18

Archer
Bateman
Brown (CA)
Cannon
Fowler
Gonzalez
Greenwood
Hoyer
Kennelly
Levin
Linder
Molinari
Schiff
Stark
Thomas
Wexler
Yates
Young (AK)

□ 2009

So the motion to reconsider was laid on the table.

The result of the vote was announced as above recorded.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

PROVIDING FOR CONSIDERATION OF H.R. 2209, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1998

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 105–202) on the resolution (H. Res. 197) providing for consideration of the bill (H.R. 2209) making appropriations for the legislative branch for the fiscal year ending September 30, 1998, and for other purposes, which was referred to the House Calendar and ordered to be printed.

MOTION TO ADJOURN

Mr. BONIOR. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. NUSSLE). The question is on the motion offered by the gentleman from Michigan [Mr. BONIOR].

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BONIOR. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 96, noes 315, not voting 23, as follows:

[Roll No 323]

AYES—96

Abercrombie
Andrews
Barrett (WI)
Berry
Blumenauer
Bonior
Boucher
Brown (FL)
Brown (OH)
Capps
Carson
Clay
Clayton
Clyburn
Conyers
Coyne
Cubin
Davis (FL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Dicks
Dingell
Doggett
Dooley
Farr
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gillmor
Hall (OH)
Hastings (FL)
Hinchey
Jackson (IL)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kennelly
Kilpatrick
LaFalce
Lampson
Lantos
Lewis (GA)
Lowey
Manton
Markey
Martinez
Matsui
McDermott
McGovern
McKinney
McNulty
Meek
Mink
Moakley
Nadler
Neal
Oberstar
Obey
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Pomeroy
Rodriguez
Rush
Sabo
Sisisky
Skaggs
Smith, Adam
Spratt
Stokes
Strickland
Stupak
Tauscher
Thompson
Thurman
Torres
Vento
Waters
Watt (NC)
Waxman
Weygand
Woolsey

NOES—315

Ackerman
Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boyd
Brady
Brown (CA)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dixon
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Foley
Forbes
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meehan
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Pastor
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Stabenow
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (FL)

NOT VOTING—23

Baldacci
Bateman
Cannon
Ehrlich
Fowler
Gonzalez
Harman
Hefner
Hilleary
Hoyer
Kleczka
Linder
Molinari
Olver
Radanovich
Scarborough
Schiff
Spence
Stark
Velazquez
Wexler
Yates
Young (AK)

□ 2029

Mr. KENNEDY of Rhode Island and Mr. GREENWOOD changed their vote from ''aye'' to ''no''.

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 695

Mr. ROTHMAN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 695.

The SPEAKER pro tempore (Mr. NUSSLE). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2203, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1998

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 194 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 194

Resolved, That at anytime after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first

in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington [Mr. HASTINGS] is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], the distinguished ranking member of the Committee on Rules, pending which I yield myself as much time as I may consume. During consideration of this resolution, all time is yielded for purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 194 is an open rule providing for the consideration of H.R. 2203, a bill making appropriations for energy and water development for fiscal year 1998. The rule provides for 1 hour of general debate, equally divided between the chairman and ranking member of the Committee on Appropriations.

The rule waives clause 2 and clause 6 of rule XXI, prohibiting unauthorized appropriations, legislative provisions in general appropriations bills, and reappropriations in appropriations bills.

Mr. Speaker, these waivers are necessary because so many programs funded by this bill have not been reauthorized. The measure also includes transfers of certain funds and contains minor legislative provisions on which the committee has consulted closely with the appropriate authorizing committees.

In addition, the rule permits the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. The rule also allows the Chair to postpone recorded votes and reduce to 5 minutes the minimum time for electronic voting on any postponed votes, provided voting time on the first in a series of questions shall be not less than 15 minutes. Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, the gentleman from Pennsylvania [Mr. MCDADE], the chairman, and the gentleman from California [Mr. FAZIO], the ranking member, are to be commended for their outstanding effort on this legislation. Together, they have worked hard to provide adequate funding for a number of important programs, while contributing significantly to the vitally important task of deficit reduction.

H.R. 2203 appropriates $20 billion in new budget authority for fiscal year 1998 for the Department of Energy and related programs. I am pleased to report that that amount is $573 million less than last year and $2.6 billion less than the President's request. The subcommittee has essentially met its 602(b) allocation for discretionary spending.

The vast majority of the bill's funding, some $15.3 billion, goes to various programs run by the Department of Energy, including the cleanup of nuclear wastes on a variety of Federal facilities, including the Hanford Nuclear Reservation in my own district.

The bill also allocates $4 billion to the Army Corps of Engineers, $910 million to the Department of Interior, mainly for its Bureau of Reclamation, and $194 million for related independent agencies.

Mr. Speaker, the funding provided in this bill is necessary to protect important investments in our Nation's water and energy infrastructure and to maintain and operate facilities and programs within the subcommittee's jurisdiction.

In closing, Mr. Speaker, I commend the Committee on Appropriations and its Subcommittee on Energy and Water for seeking an open rule on H.R. 2203 so that the House may work its will on this important legislation without unnecessary restrictions. I urge my colleagues to support this open rule.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume; and I thank my colleague, the gentleman from Washington [Mr. HASTINGS], for yielding me the customary half hour.

Mr. Speaker, I want to congratulate my colleagues, the gentleman from California [Mr. FAZIO] and the gentleman from Pennsylvania [Mr. MCDADE], for their very hard work on this very difficult bill. The energy and water development appropriations bill represents the culmination of long hours on the part of all the members of that subcommittee, and we owe them a debt of thanks.

Mr. Speaker, this is an open rule which, like the rules for most other appropriation bills, waives points of order against legislating on an appropriations bill. But I am told this waiver is not a cause for objection on the part of the authorizing committees.

The bill we will soon consider contains funding for some very good water resource infrastructure projects. It contains over $4 billion for the water resource programs of the Army Corps of Engineers, which is actually an increase over the President's request.

Mr. Speaker, it also contains funding for the Department of Energy, which is unfortunately below the President's request. The Energy Department, in addition to atomic defense activities, conducts basic science and energy research, which I think is tremendously important, especially in today's high-tech world. So I regret to see, Mr. Speaker, that my colleagues did not appropriate as much money as the Energy Department needs. But, all in all, this is a very good bill.

On the more controversial side, this bill eliminates the Tennessee Valley Authority's subsidies for non-power functions, like flood control and navigation. And it also transfers some of the Energy Department's environmental cleanup projects to the Army Corps of Engineers.

Some other concerns are the $60 million cut in solar and renewable energy research and development. I am sorry to see my Republican colleagues decided to cut this R&D money. These energy sources are both economic and environmentally very sound. We should be running as fast as we can toward solar and renewable energy, not turning the other way.

Mr. Speaker, this bill also contains cuts in nuclear nonproliferation programs, which is going to have some unfortunate consequences. These cuts are going to delay the sensors that detect nuclear, chemical, and biological weapons. And I, for one, think we need those now more than ever.

The $30 million cut in civilian radioactive waste program could jeopardize the completion of the Energy Department's viability assessment of Yucca Mountain. And this bill also eliminates $25 million for the next generation Internet, which was created to help universities and national laboratories implement advanced, high-speed connections.

But, Mr. Speaker, fortunate for those who object to these provisions in the bill, it is coming to the floor with an open rule, which means that any Member with a germane amendment to this bill can offer their amendment on the floor.

Once again, Mr. Speaker, I congratulate my colleagues, the gentleman from California [Mr. FAZIO] and the gentleman from Pennsylvania [Mr. MCDADE] for their very hard work. I urge my colleagues to support the rule.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. WELLER].

(Mr. WELLER asked and was given permission to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, I particularly want to thank my friend from Washington State [Mr. HASTINGS] for yielding me this time. I do want to rise in support of this rule and also in support of this bill.

I particularly want to congratulate the gentleman from Pennsylvania [Mr. MCDADE], the chairman, and the gentleman from California [Mr. FAZIO], the ranking member, for their hard work in bringing an important piece of legislation, a bill that deserves bipartisan support, before this House.

When I am back home talking with the folks who pay the bills, they always ask the questions: ''What does this legislation mean to our communities?'' ''What does this legislation mean right here in our neighborhoods?''

Clearly, this is an important bill, a bill that funds energy research, flood control, environmental initiatives, as well as sewer and water facilities for many communities. Particularly, I think it is important to emphasize some critical U.S. Army Corps of Engineers initiatives that will benefit the people of the 11th Congressional District: flood control, environmental initiatives, and also projects that will create jobs back home.

We currently have three initiatives in this bill I would like to point out. One is important to the entire south suburban region, serving the south side of Chicago, as well as the south suburbs in Cook and eastern Will Counties. That is the Thornton Reservoir project.

And, of course, I appreciate the subcommittee's initiative to help this important initiative, which will help 131,000 homeowners to address flood control problems in the south suburbs. I also want to note the funding for initiatives to help clean up and address flood control problems affecting the Kankakee River. I have enjoyed working with my colleagues, the gentleman from Illinois [Mr. EWING] and the gentleman from Indiana [Mr. BUYER], to address the need to bring better flood control and also to address the siltation problem in the Kankakee River, an important environmental initiative. And I appreciate the subcommittee's support.

I also want to note that unlock 14 on the Illinois and Michigan Canal is addressed with an initiative that is also funded in this appropriations bill, an initiative that provides an opportunity to create 110 acres of new wetlands; a new environmental initiative right next to LaSalle County also will create new jobs.

This bill means something to the folks back in Illinois. It deserves bipartisan support. I urge bipartisan support for the rule.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. OBEY], the ranking minority member of the Committee on Appropriations.

□ 2045

Mr. OBEY. Mr. Speaker, I do not think I will take the 3 minutes, but I thank the gentleman for yielding me the time. I would simply say this is the kind of rule that I think we should have. This rule will allow the resolution of virtually every difference that I know of in the bill. The administration has some concerns with the number of items. I will insert in the RECORD at the proper time the Statement of Administration Policy which indicates that there is still a way that this bill has to go before it can receive the blessing of the White House. But I would not expect that in the end that will be a problem.

I would simply say that I would hope that we can have the kind of cooperation on other rules that are brought to the House floor that we have had on this one. If we can, we can get our work done a whole lot faster and in a whole lot more pleasant fashion and we will all eventually get to the August recess in a whole lot less tired shape than we will otherwise reach that week. Let me at this point simply thank the Committee on Rules for doing what they needed to do.

Mr. Speaker, I include for the RECORD the Statement of Administration Policy, as follows:

STATEMENT OF ADMINISTRATION POLICY

H.R. 2203—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FISCAL YEAR 1998

Sponsors: Livingston (R), Louisiana; McDade (R), Pennsylvania.

This Statement of Administration Policy provides the Administration's views on H.R. 2203, the Energy and Water Development Appropriations Bill, FY 1998, as reported by the House Appropriations Committee. Your consideration of the Administration's views would be appreciated.

The Committee has developed a bill that provides requested funding for many of the Administration's priorities. However, the Administration strongly objects to the Committee's reallocation of national defense funds from Department of Energy programs to Department of Defense programs. These funds are needed for key environmental privatization projects and to provide full funding for Atomic Energy Defense Activities, as requested, which is consistent with fixed asset funding practices in the Government's other defense programs. We believe that this action is an unacceptable deviation from our understanding of the Bipartisan Budget Agreement.

As discussed below, the Administration will seek restoration of certain of the Committee's reductions. We recognize that it will not be possible in all cases to attain the Administration's full request and will work with the House toward achieving acceptable funding levels. We urge the House to reduce funding for lower priority programs, or for programs that would be adequately funded at the requested level, and to redirect funding to programs of higher priority.

Department of Energy

The Administration objects to the Committee's providing only $102 million of the $1.006 billion requested for environmental management privatization projects. Based on this mark, several environmental privatization projects would not be funded at all, and it is questionable whether the expected outyear funding would allow support for higher priority cleanup privatization projects at this funding level. Failure to invest in competitive privatization contracts for cleanup activities would force the Department of Energy (DOE) to continue using more costly, traditional contracting approaches, which the Committee Report has strongly criticized. This would result in a substantial increase to DOE's cleanup costs in future years and could jeopardize the Department's ability to comply with cleanup agreements.

The Administration strongly opposes the cuts to DOE's Federal staff and management accounts, including Departmental Administration and the Office of the Inspector General. Cuts in Federal staff and support service contractors of this magnitude would make it nearly impossible for the Department to improve contractor oversight or to develop, award, and manage more competitive fixed-price contracts, which are some of the Committee's own recommendations in the accompanying report.

The Administration also opposes the Committee's attempt to micromanage the Department, limit its ability to exercise good business judgment, overly restrict its ability to implement sound innovative contracting practices, and limit its ability to participate in procurement reinvention. It would do this by: (1) requiring special reports and notification prior to the start of any FY 1998 approved construction and special congressional permission to make procurement decisions currently authorized by other statutes; (2) inhibiting market research; (3) further restricting the Department's ability to outsource beyond that required in OMB Circular No. A–76; (4) unnecessarily restricting the Department's ability to deviate from the Federal Acquisition Regulation; and, (5) inappropriately limiting the Department's ability to use current statutory exemptions from competition. Additional reporting requirements combined with the proposed staffing reductions would erode DOE's ability to gain better control over its operations and improve management of its complex mission.

The Administration also strongly opposes the transfer of the Formerly Used Sites Remedial Action Program (FUSRAP) from DOE to the Corps of Engineers. In recent years, the Department has placed nearly half of this program under competitive, fixed-price contracts and developed a plan to accelerate cleanup by 12 years. DOE has established an open, interactive dialogue with communities and regulators, through which the Department has developed cleanup standards commensurate with land use plans and proceeded with early removal of contamination at many sites. DOE has completed cleanup at 52 percent of the main sites and 56 percent of the vicinity properties. Between FYs 1996 and 1997, DOE has reduced support costs for this program by 23 percent. Transferring this well-managed program that is nearly complete to another agency would be disruptive and would most likely delay completion and increase costs.

The Administration objects to the program cuts in the requests for nuclear nonproliferation programs. For example, the reductions in verification research and development would delay the completion of next generation land-based and satellite-borne sensors for the detection of nuclear, chemical and biological weapons programs.

The Administration also opposes the $29 million reduction to the Uranium Enrichment Decontamination and Decommissioning (D&D) program. DOE is about to enter into a large contract for D&D and re-industrialization of the large gaseous diffusion plant in Oak Ridge, Tennessee, using an approach that will expedite cleanup, reduce costs, and create new jobs. The Committee's funding cuts in this program would make it difficult to proceed with this effort, comply with environmental requirements, and provide reimbursements to radium and thorium licensees.

The Administration opposes the Committee's elimination of $25 million requested for the Next Generation Internet. While the Administration acknowledges that the private sector has shown the capability and willingness to fund considerable technology development for the Internet, the Next Generation Internet funds requested in the President's budget are necessary to assist universities and national laboratories in implementing advanced, high-speed connections that will not be financed by industry, and to accelerate research in areas where DOE laboratories have particular expertise.

The Committee's overall reduction of $30 million from the request for the civilian radioactive waste management program would threaten satisfactory completion of the Department of Energy's viability assessment of Yucca Mountain. Both the Nuclear Waste

Technical Review Board and independent expert advisers have urged DOE to build and study an ''east-west tunnel'' or ''drift'' through the repository block at Yucca Mountain in order to reduce uncertainty about water moving downward through the site. The $14 million (16 percent) reduction to the request for the core science program would virtually eliminate any scientific input from this important research to the viability assessment. Additionally, the 416 million reduction in support services and personnel costs would severely constrain, if not eliminate, an independent review of critical elements of the viability assessment, including a validation of repository design concepts and operating strategies, as well as refined cost estimates of these designs.

The Administration strongly objects to the Committee's $60 million reduction to the Solar and Renewable Energy R&D request (calculated on a comparable basis). The overall funding cuts, particularly in biofuels and solar thermal energy, would seriously set back environmentally promising and increasingly economic sources of energy. Research programs such as these are also the least burdensome way for the Nation to respond to global climate change.

Army Corps of Engineers

The Administration urges the House to reduce the number of unrequested Corps of Engineers' projects and programs and to restore funds that the Administration has requested for priority Corps projects, including the Columbia and Snake Rivers Juvenile Fish Mitigation Program for salmon run restoration and for construction of an emergency outlet for Devils Lake, North Dakota. The Administration urges the House to use the $540 million in unrequested funds that the Committee has provided for the Corps of Engineers construction, studies, and operation and maintenance programs to restore reductions made in other priority Corps and DOE programs.

The Administration appreciates the Committee's full funding of the Administration's request for the Corps' regulatory program. This will allow the Corps to implement its administrative appeals process fully and to continue to process wetlands permits in a timely manner. The Administration urges the House to include the Administration's requested regulatory permit fee, which would allow the Corps to recover its costs for processing permit applications for commercial uses.

Bureau of Reclamation

The Administration appreciates the Committee's support for funding to restore the California Bay-Delta ecosystem. However, we urge the House to provide the full $143 million that Congress authorized for this program and that was requested by the President in the FY 1998 Budget. This important program plays a central role in resolving long-standing water conflicts that have plagued the State of California. In addition, we oppose the reduction of $14 million in requested Central Valley Project funding, which is an important component of the effort to restore this critical ecosystem.

The Administration objects to the Committee's decision to fund a number of Reclamation projects and activities not requested in the FY 1998 Budget, some of which could result in demands for additional funding in the out-years. The Administration supports the Committee's decision to provide funds to cover the estimated authorized Federal share of costs for the purchase of water associated with variable flood control operations at Folsom Dam during FY 1997.

Tennessee Valley Authority

The Administration objects to the Committee's elimination of all appropriations for the Tennessee Valley Authority in FY 1998. We believe that an abrupt and total elimination of funding for the agency in FY 1998 is premature. The Administration has proposed continued funding in FY 1998 while TVA completes its consultations on potential alternate funding arrangements for future years for its appropriated program.

Nuclear Regulatory Commission

The Administration urges restoration of the Committee's $4 million reduction to the request for the Nuclear Regulatory Commission's (NRC's) High-level Waste Program. This 24-percent reduction would adversely affect the NRC's ability to maintain a strong scientific capability, independent of DOE, to review high-level waste activities. This reduction could jeopardize the NRC's ability to complete timely reviews of DOE's viability assessment. Timely resolution of the high-level waste issue is important to the Nation as well as to the nuclear industry.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CALVERT].

Mr. CALVERT. Mr. Speaker, I rise in support of this rule on H.R. 2203. I thank the gentleman from Pennsylvania [Mr. MCDADE] for crafting a fiscally responsible bill which will ensure that the United States remains on the forefront in energy research for years to come.

As chairman of the subcommittee that authorizes many of the Department of Energy programs addressed in this legislation, I am encouraged that the chairman fully funded the Large Hadron Collider. There had been some concerns among some members of the Committee on Science that U.S. scientists would not be guaranteed a formal role in managing the operation. Thanks to the work of the gentleman from Pennsylvania [Mr. MCDADE] and the gentleman from Wisconsin [Mr. SENSENBRENNER], the chairman of the Committee on Science, these concerns have been addressed.

Second, although the Committee on Science authorized the fusion program at a level slightly higher than this bill, I am encouraged to see a stabilization in funding for this crucial research effort. The fusion community has responded well to congressional calls to restructure their program, and I look forward to seeing the results of their research.

Finally, just as the Committee on Science authorization bill had, this legislation substantially increases funding for renewable energy. I applaud that move, hoping this money will be used primarily for basic research and that the Department of Energy will not involve itself in corporate welfare and subsidies.

Finally, once again, I look forward back home to the Santa Ana Mainstem project to start construction soon. My friends in Orange County need to be protected from future floods potentially. The Norco Bluffs Project in Norco, CA, is moving ahead. Wetlands protection in Lake Elsinore, CA; the Gunderson project and flood control at Murritta Creek. Again I thank the gentleman from Pennsylvania [Mr. MCDADE] for this legislation.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY of Connecticut. Mr. Speaker, I rise to express on this rule my opposition to the funding level in the bill for the Formerly Utilized Site Remedial Action Program, FUSRAP, as it is called.

Mr. Speaker, I have one of those sites in my district. Radioactive material from it has now leaked into a tributary of the Farmington River. The Farmington River is a wild and scenic river, one of our Nation's treasures. For this reason, I wrote to the Committee on Appropriations, strongly supporting funding at the administration's requested level of $182 million for FUSRAP. According to the Department of Energy, that level of funding would permit cleanup of all the existing sites by 2002 rather than what we are talking about now, 2016. An accelerated cleanup program would limit both environmental damage and cost, including the costs associated with maintenance and management of these sites.

Unfortunately, the committee was unable to accommodate this request and now, to make matters worse, has included in this bill a provision to transfer the jurisdiction of FUSRAP from the Department of Energy to the Army Corps of Engineers. Further, the bill directs the Corps of Engineers to evaluate the cost and timetable for the cleanup.

Mr. Speaker, this transfer will serve only to slow critical cleanup of these sites further, endangering the natural resources of the communities near them. Mr. Speaker, these communities have already made sacrifices for national security. The least we could do would be to move expediently to clean up these sites and to protect the health and safety of these communities. I would hope we could work together to make this thing much better than what we are looking at tonight.

Mr. HASTINGS of Washington. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. GOSS], a member of the Committee on Rules.

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman from Washington, my friend and a highly valued member of the Committee on Rules, for yielding me this time.

I rise in support of what is very clearly a fair and open rule. This rule balances the interests of the authorizing committee as well as the appropriators in what is often a contentious area. For all those involved, I think it is a breakthrough and I congratulate them.

Mr. Speaker, the bill we will consider shortly is an extremely important piece of legislation for the people of Florida, and I will speak parochially about it for a moment. In recent years, the Clinton administration seems to have engaged in an all-out assault on Federal support for beach renourishment, a subject of great interest in our

State. First, the President suggested that the Federal Government had no role in assisting State and local governments to protect our Nation's beaches, beaches that I would say are used by all citizens of our Nation as well as the many, many visitors who come to our country, and especially to Florida.

In response, last year's Congress passed the Shore Protection Act which revises the Army Corps of Engineers' mission to specifically include beach renourishment. As evidenced by his budget request this year, the President is continuing his assault on beach programs by not requesting adequate funds for these vital projects. The report accompanying this year's Energy and Water bill admonishes the President, ''In the area of shore protection, the committee is extremely disappointed that the administration has once again failed to request funds to continue several ongoing construction projects and studies or to initiate new studies or projects. As the committee stated last year, shore protection projects serve the same function as other flood control projects. They protect lives and property from the impacts of flooding.''

I think that says it all and it certainly brings back the recent tragedy of the floods and the flood victims. I think if we understand that we are going to provide relief for flood victims in one part of the Nation, we should do it for flood victims in all parts of the Nation. I hope the administration understands that.

I commend the gentleman from Pennsylvania [Mr. MCDADE] and the Committee on Appropriations for their work on this bill. I am particularly pleased with the committee's attention to the shore protection projects and I am sure all Members from States with shoreline that need protection will share that view, as well as all Members from States with people who go to the beach, and that is most of us.

This is a fair rule and a good bill, and I strongly urge my colleagues to support both the bill and the rule.

Mr. MOAKLEY. Mr. Speaker, I yield 6 minutes to the gentleman from California [Mr. BROWN].

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. I thank the gentleman for yielding me this time.

Mr. Speaker, I am not totally dissatisfied with this rule although the love fest that is developing here would indicate that it is close to perfection, and I do find a few minor flaws in it. I would like to just indicate those very briefly.

I observe that in title III of the bill there are a number of waivers of authorizing legislation on an appropriations bill. I have consistently over the years objected to having authorizing legislation on appropriations bills. I am becoming a little mellower in my old age that I am not condemning the Committee on Appropriations for doing this, or at least I am not condemning them as much as I used to condemn them. But I would like to point out, and I hope that this can be resolved either by colloquy during the processing of this bill or by further action with the Members of the other body in conference, there are certain problems with regard to some of these titles which are going to give us some headaches unless we do something about them.

For example, the requirement contained in section 301 for the competition of maintenance and operating contracts by the laboratories of the Department of Energy is something that I thoroughly approve of, nevertheless requires some transitional language. There are several major contracts in the final stages of renegotiation at the present time, and there is no clear direction as to how these should be handled. I have indicated this to the chairman of the subcommittee, who I know is concerned and who is a dear friend who will do what is right, but I commend to his attention the need to do something about this particular problem.

I might say that the contracts in the process of renegotiation include several of the major Department of Energy facilities, such as Los Alamos, Livermore, Berkeley, Stanford Linear Accelerator and Pacific Northwest Laboratories. These represent multibillion dollar accounts. They have proceeded to renegotiate existing contracts in good faith, and to now stop that and renegotiate and recompete would require months, if not years of time and considerably more expense. I hope that the chairman will consider this problem and see if it can be resolved in some reasonable way.

Some of the other provisions which constitute legislation I think could have been written much better by the authorizing committee. This is maybe pure ego, but I think we will find that the ambiguities and uncertainties contained in the language here, which could have been resolved if there had been a hearing process in the authorizing committee, will need considerable improvement. I urge the committee to seek for ways to improve this language as the bill moves forward.

Let me say that the rule itself, as the gentleman from Wisconsin [Mr. OBEY] has indicated, is not a totally bad rule although I think he has so exhausted himself that he has not been able to probe into the finer details of what might be wrong with it. We have a situation now where the Committee on Rules will not waive the rule with regard to authorizing language on an appropriations bill if the chairman of the authorizing committee objects. In this case there are 3 separate authorizing committees whose rights are being infringed upon, and none of the chairmen objected. The procedures do not allow a ranking minority member this same right. If it had, I would have objected to the language here, and I might still try and do something about it, but it does not rise to the level of importance that I am going to waste too much of my energies trying to do that. I hope that will console the gentleman from Pennsylvania [Mr. MCDADE]. If I have his assurances that he will try and remedy some of these things, I will rest a little more easily tonight.

One final thing. Last year I took the floor to ask the cooperation of the then chairman, the distinguished gentleman Mr. Myers, to help provide a little funding to do research on the Salton Sea. He did that. The Bureau of Reclamation had not asked for it. This year they asked for it, and the gentleman kindly granted them the $400,000 that they requested. What happened to last year's $400,000?

They have had several very high level conferences with regard to what makes birds die. I know what makes birds die. They eat rotten fish and the hot weather kills them and a lot of other things like that, and I appreciate all of these conferences. As I say, they have had at least 3 of them and there is another one scheduled next month and they are bringing people from all over the United States down there to look at the Salton Sea to find out something that I could have told them anyway and that the gentlemen from California [Mr. BONO] and the gentleman from California [Mr. HUNTER] and some others could have told them.

I do not want to see too many more conferences. I want to see some action on what is developing to be the largest ecological catastrophe in California, or maybe the United States. I will make this point over and over again until we see something productive coming out of this situation.

□ 2100

It is already costing hundreds of millions of dollars, and it threatens to go much higher.

With that, let me thank my good friends on the Committee on Appropriations for the fine work that they have otherwise done.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman from Washington for yielding this time to me, and I rise in strong support of the rule before us and in strong support of the bill, H.R. 2203, the fiscal year 1998 energy and water appropriation.

Mr. Speaker, my colleague, the gentleman from Pennsylvania [Mr. MCDADE] had a very difficult task before him of balancing all of the many meritorious and various requests with the very limited budget, and I commend him, his work as well as the other members of the committee and the ranking member. I would like to take this opportunity to express my particular support for the chairman's commitment to continuing to place an

emphasis on coastal storm damage prevention projects, and in particular where there is an obvious and clear Federal responsibility and culpability.

Mr. Speaker, we have experienced considerable erosion problems along our beaches in Florida and along the beaches in Brevard and Indian River Counties in my district in particular. In particular in Brevard County, there is a very obvious Federal responsibility in that much of the erosion began after the creation of a Federal inlet at Port Canaveral. The committee has chosen to continue to place a priority in these projects, and in particular they recognize the fairness and honesty and are continuing to pursue this. And I am hopeful, hopeful that the administration may soon realize the error of their ways in opposing such projects and begin to once again request funding for these very, very critical programs.

We have seen the increasing devastation caused by hurricanes in recent years, and it is important that we pursue policies that protect our citizens and our property from these storms. Much like levees and dikes protect our citizens and property from floods along lakes, rivers and streams, storm damage prevention projects in the form of beach renourishment projects offer the same protection to our coastal citizens and properties from the high seas and the damage that accompanies these storms.

I again commend the gentleman from Pennsylvania [Mr. MCDADE] and I urge all my colleagues to support this rule and the underlying bill.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. PASTOR].

(Mr. PASTOR asked and was given permission to revise and extend his remarks.)

Mr. PASTOR. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, I rise today in support of this rule and congratulate our chairman, the gentleman from Pennsylvania [Mr. MCDADE] and our ranking member, the gentleman from California [Mr. FAZIO] for the strong bipartisan manner in which they bring this bill to the floor. Both gentlemen have led this committee in a spirit of great cooperation, listening to all parties and, I believe, producing a bill that is a fair balance between critical needs and limited resources.

Foremost to me and to many of my colleagues are the programs funded in this bill that ensure the safety of our constituents and the protection of our communities from flooding and other related damages. I am pleased that the committee recognized the necessity to ensure adequate funding for the Corps of Engineers and the Bureau of Reclamation to carry out their missions in an effective manner. Although more funding is needed, the committee has done an excellent job in allocating funds to those projects that need them the most.

Mr. Speaker, I am particularly pleased that the committee has rejected the administration request for total up-front funding for all new Corps of Engineer construction projects. The number of projects, the number of years to complete them and the limited funds available would make this a disastrous approach to maintaining the integrity and safety of our Nation's water resources. I encourage my chairman and ranking member and my fellow committee members to continue to oppose this ill-advised plan.

Mr. Speaker, I ask my fellow colleagues to support this rule and the underlying bill.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. BEREUTER].

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, this Member would like to commend the distinguished gentleman from Pennsylvania [Mr. MCDADE], the chairman, and the distinguished gentleman from California [Mr. FAZIO], the ranking member of the subcommittee, for their exceptional work in bringing this bill to the floor. This Member recognizes that extremely tight budgetary constraints made the job of the subcommittee much more difficult this year. Therefore the subcommittee, I think, is to be particularly commended for its diligence in creating such a fiscally responsible bill. In light of the budgetary pressures, this Member would like to express his appreciation to the subcommittee for a number of actions that are important to a four-State region where I carried a bi-State region and some various projects like that one in Pender, NE, which is extraordinarily important for flood control purposes.

So I do thank the subcommittee for their work and appreciate their effort once again.

Mr. Speaker, in light of these budgetary pressures, this Member would like to express his appreciation to the subcommittee and formally recognize that the energy and water development appropriations bill for fiscal year 1998 includes funding for several water projects that are of great importance to Nebraska.

First, this Member is very pleased, for example, that the bill includes $3,741,000 for construction of the Pender, NE, section 205 Logan Creek flood control project. There is an urgent need for this funding and this Member is particularly grateful to the subcommittee for agreeing to this appropriations item during a time when the restrictions on available funding are exceedingly tight.

The community of Pender, a small municipality, and the Lower Elkhorn Natural Resources District have expended approximately $160,000 of their own funds to date. The municipality has expended an additional approximate amount of $25,000 on the costs of engineering, project coordination, and other related costs. Without the flood control project the community will remain at risk and will be stymied from undertaking future developments in their community due to FEMA flood plain development restrictions; 60 percent of Pender is in the floodplain and 40 percent is in the floodway.

The plan calls for right bank levees and flood walls with a retention pond for internal storm water during flood periods. The project will remove the entire community from the FEMA 100-year flood plain. This project is needed to protect life and property, eliminate or greatly reduce flood insurance costs, and allow community and housing development.

Mr. Speaker, quite simply, at great expense the State and local entities involved in the project have held up their end of the agreement. If Federal-local partnerships are to work, Federal commitments need to be met; therefore, this Member is pleased that this legislation will greatly facilitate the completion of this project.

In addition, this bill provides additional funding for other flood-related projects of tremendous importance to residents of Nebraska's First Congressional District. Mr. Chairman, flooding in 1993 temporarily closed Interstate 80 and seriously threatened the Lincoln municipal water system which is located along the Platte River near Ashland, NE. Therefore, this Member is extremely pleased the committee agreed to continue funding for the Lower Platte River and Tributaries Flood Control Study. This study should help formulate and develop feasible solutions which will alleviate future flood problems along the Lower Platte River and tributaries.

Mr. Speaker, this Member would like to take this opportunity to thank the subcommittee and the full committee for providing $300,000 in funding for the Lower Platte River and Tributaries Flood Control Study. In addition, a related study was authorized by section 503(d)(11) of the Water Resources Development Act of 1996. This Member would request that the chairman of the Appropriations Subcommittee on Energy and Water into a colloquy on this matter.

Mr. Speaker, additionally, the bill provides $90,000 in continued funding for an ongoing floodplain study of the Antelope Creek which runs through the heart of Nebraska's capital city, Lincoln. The purpose of the study is to find a solution to multifaceted problems involving the flood control and drainage problems in Antelope Creek as well as existing transportation and safety problems all within the context of broad land-use issues. This Member continues to have a strong interest in this project since this Member was responsible for stimulating the city of Lincoln, the Lower Platte South Natural Resources District, and the University of Nebraska-Lincoln to work jointly and cooperatively with the Army Corps of Engineers to identify an effective flood control system for downtown Lincoln.

Antelope Creek, which was originally a small meandering stream, became a straightened urban drainage channel as Lincoln grew and urbanized. Resulting erosion has deepened and widened the channel and created an unstable situation. A 10-foot by 20-foot—height and width—closed underground

conduit that was constructed between 1911 and 1916 now requires significant maintenance and major rehabilitation. A dangerous flood threat to adjacent public and private facilities exists.

The goals of the study are to anticipate and provide for the control of flooding of Antelope Creek, map the floodway, evaluate the condition of the underground conduit, make recommendations for any necessary repair, suggest the appropriate limitations of neighborhood and UN-L city campus development within current defined boundaries, eliminate fragmentation of the city campus, minimize vehicle-pedestrian-bicycle conflicts while providing adequate capacity, and improve bikeway and pedestrian systems.

This Member is also pleased that the bill includes $150,000 for a study of flooding problems in Ponca, NE. This funding is needed to initiate and complete a study to determine the feasibility of a solution to the flooding problems on Aowa and South Creeks at Ponca, NE. The city of Ponca is located on the north side of the junction of South Creek and Aowa Creek. During the flood of July 16–17, 1996, water left the banks and covered Ponca from the west end to the east, causing extensive damage throughout the area. In addition to extensive private property losses, damage to public property reached nearly $100,000. For example, both of the city's wells were damaged and all the pumps and motors in the sewage treatment plant had to be removed and repaired. The flood also caused considerable damage to city streets and park. Future flooding poses a significant risk to life and property. Clearly, action must be taken to prevent a reoccurrence of the flooding disaster of last year.

This Member is also pleased that the bill provides $200,000 for operation and maintenance and $150,000 for construction of the Missouri National Recreational River Project. This project addresses a serious problem by protecting the river banks from the extraordinary and excessive erosion rates caused by the sporadic and varying releases from the Gavins Point Dam. These erosion rates are a result of previous work on the river by the Federal Government.

In addition, this Member appreciates the funding provided for the Missouri River Mitigation Project. This funding is needed to restore fish and wildlife habitat lost due to the federally sponsored channelization and stabilization projects of the Pick-Sloan era. The Islands, wetlands, and flat floodplains needed to support the wildlife and waterfowl that once lived along the river are gone. An estimated 475,000 acres of habitat in Iowa, Nebraska, Missouri, and Kansas have been lost. Today's fishery resources are estimated to be only one-fifth of those which existed in predevelopment days.

The Missouri River Mitigation Project addresses fish and wildlife habitat concerns much more effectively than the Corps' overwhelmingly unpopular and ill-conceived proposed changes to the Missouri River Master Manual. Although the Corps' proposed plan was designed to improve fish and wildlife habitat, these environmental issues are already being addressed by the Missouri River Mitigation Project. In 1986 the Congress authorized over $50 million to fund the Missouri River Mitigation Project to restore fish and wildlife habitat lost due to the construction of structures to implement the Pick-Sloan plan.

This Member is also pleased that the legislation includes full funding for the section 22 planning assistance for States and tribes program as well as significant funding in excess of the budget request for the section 205 small flood control projects program, and the section 14 emergency streambank and shoreline protection program of the Corps of Engineers.

Finally, Mr. Speaker, this Member recognizes that H.R. 2203 also provides funding for a Bureau of Reclamation assessment of Nebraska's water supply, $88,000, and an assessment of the Nebraska Rainwater Basin, $133,000, as well as funding for Army Corps projects in Nebraska at the following sites: Harlan County Lake; Papillion Creek and Tributaries; Gavins Point Dam, Lewis and Clark Lake; Salt Creek and Tributaries; and Wood River.

Again Mr. Speaker, this Member commends the distinguished gentleman from Pennsylvania [Mr. MCDADE], the chairman of the Energy and Water Development Appropriations Subcommittee, and the distinguished gentleman from California [Mr. FAZIO], the ranking member of the subcommittee for their support of projects which are important to Nebraska and the First Congressional District, as well as to the people living in the Missouri River Basin.

Mr. MOAKLEY. Mr. Speaker, I yield 1½ minutes to the gentleman from California [Mr. CAPPS].

Mr. CAPPS. Mr. Speaker, I rise in support of the rule, and I would like to take this opportunity to personally thank the subcommittee chairman, the gentleman from Pennsylvania [Mr. MCDADE], and the ranking member, my colleague from California [Mr. FAZIO] for the help and support they have given me on an issue of paramount concern to many of my constituents.

Among its many critical provisions, the bill contains $3.2 million to continue the dredging of Morro Bay Harbor in the 22d district of California. Without this critical dredging project, a vibrant community on the central coast of California would be greatly imperiled. Morro Bay Harbor supports approximately 250 home-ported fishing vessels and related marine-dependent businesses which earn $53 million a year and employ over 700 people.

Mr. Speaker, I am very pleased that the committee could include this funding and ensure the viability of this important community.

Mr. Speaker, I rise in support of this legislation. I am pleased that the bill before us contains critical funding for a number of important projects in my district, in particular the continuation of the much needed $3.2 million dredging project for Morro Bay Harbor.

I want to convey my deep appreciation to Chairman MCDADE and the subcommittee's ranking member, my colleague and good friend from California, Mr. FAZIO, for their unwavering support of my request for this funding. I cannot express how important this funding is to this thriving coastal community of the 22d district of California.

Morro Bay Harbor, the only commercial harbor between Santa Barbara and Monterey, supports approximately 250 home-ported fishing vessels and related marine-dependent businesses. Businesses that depend on the harbor generate $53 million a year and employ over 700 people. The Army Corps of Engineers has maintained the harbor since it was initially constructed by the Federal Government as an emergency naval base during World War II, and the dredging project keeps the channel depth between 30 and 40 feet to allow safe passage for the harbor's commercial and recreational traffic.

In fiscal year 1995, the Corps completed construction of the Morro Bay Harbor Entrance Improvement Project to enhance commerce, fishing and navigation safety. Prior to the improvements, the harbor mouth and its giant sea swells were particularly dangerous, as evidenced by the history of serious boating accidents. This project was funded 80 percent by the Federal Government and 20 percent by the city, and has greatly reduced the danger to vessels leaving and entering the harbor.

This year, only 3 years after the Corps completed the enhancement project at Morro Bay Harbor, the President's budget request failed to include the $3.2 million funding necessary to maintain the harbor. Due to the fact that the harbor has limited recreational facilities to generate revenues, there is no local sponsor to assist with dredging costs should the Federal Government cease or reduce maintenance dredging support. For economic and safety reasons, it is critical that the harbor dredging project continue. I am very pleased that the committee has granted my request to include funding for this important project.

This bill also contains $100,000 for an Army Corps reconnaissance study of Morro Bay estuary. The estuary is part of the National Estuary Program administered by the Environmental Protection Agency and is experiencing tidal circulation restrictions and sedimentation, and shoaling of sensitive environmental habitat areas. This funding will allow for Army Corps to perform an analysis of the estuary's present and future conditions and to define problems, needs and potential solutions. At my request earlier this year, the Transportation and Infrastructure Committee authorized funding for this project and I am grateful that the Appropriations Committee could act so quickly in response to this development.

I am also grateful to the committee for including in this bill two projects that were requested by the administration in this year's budget. The bill provides $1.492 million for operations and maintenance work for Santa Barbara Harbor. The harbor accumulates approximately 400,000 cubic yards of sand every winter. In years of severe storms, the accumulated sand can close the channel, bringing local fishing and other businesses in the harbor to a standstill. This funding will allow the harbor to remain clear for both commercial and recreational use.

Finally, the bill includes $380,000 to complete a feasibility study for the Santa Barbara County Streams, Mission Creek Flood Control project. The proposed project, which runs through downtown Santa Barbara, would construct a natural bottom channel with vegetated stabilized sides.

All of these projects are important public works actions that will increase the quality of life on the central coast. I thank the chairman and the members of the committee for their assistance and I look forward to working with you as this legislation moves forward.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I rise in support of the rule and also in support of the fiscal 1998 energy and water appropriations bill. As co-chairman of the bipartisan House Coastal Coalition, I would like to thank the gentleman from Pennsylvania [Mr. MCDADE], the gentleman from California [Mr. FAZIO], the gentleman from New Jersey [Mr. FRELINGHUYSEN], and all the members of the Committee on Appropriations for once again rejecting the administration's anti-shore protection policy.

Mr. Speaker, for several years now, despite congressional opposition, the administration has been clinging to an ill-conceived and unjustified policy that attempts to eliminate Federal involvement in the protection of our Nation's coastal residents from the impacts of flooding, and, as the committee report states, shore protection projects serve the same function as other flood control projects. They protect lives and property from the impacts of flooding.

There are only two differences really between shore protection projects and other flood control projects. Unlike other flood control projects in which structural remedies are the only solution, the best remedy for protecting our coastal flooding is often beach nourishment. The other difference is that shore protection projects have added recreational benefits.

Mr. Speaker, I just want to point out that 28.3 million jobs and billions of dollars in economic contributions come from coastal tourism. Coastal tourism-related businesses serve 180 million Americans annually. Recent polls in my home State of New Jersey show that 82 percent of State residents, and that is State residents not just coastal residents, favor beach restoration projects. Those opposed to a Federal role in shore protection point out that it is a source of revenue for local and State economies. But currently all levels of government, local, State and Federal, participate in funding these shore protection projects and all levels of government benefit economically as a result. So who exactly is losing by maintaining a Federal role in shore protection? I say nobody is losing, it is a good thing.

I just want to say again on behalf of the House Coastal Coalition, which is bipartisan, and coastal residents around the country, I thank the committee for its rejection of this policy and I applaud committee members for seeing shore protection for what it is: a wise investment.

Mr. HASTINGS of Washington. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Pennsylvania [Mr. MCDADE].

(Mr. McDade asked and was given permission to revise and extend his remarks.)

Mr. MCDADE. Mr. Speaker, I want to inform my colleagues that I am taking this time because we have agreements with 17 of our colleagues to engage in pre-decided colloquies which we negotiated. We are going to try to do that under the rule, thanks to the Committee on Rules, using time on both sides of the aisle to get through as many of them as we can so we can expedite the business of the House.

Mr. Speaker, I yield to the gentleman from Washington [Mr. HASTINGS].

Mr. HASTINGS of Washington. Mr. Speaker, let me start by saying to the gentleman from Pennsylvania [Mr. MCDADE] I appreciate the work that he has done on my behalf. My district is home to nearly two-thirds of the Nation's nuclear waste. This is a legacy of World War II and the Cold War and a testimony to the role that the Hanford Nuclear Reservation played in producing much of the Nation's plutonium over the past 40 years.

As a result, I am concerned by the committee's decision to reduce funding for the department's cleanup privatization program. We all agree that the Department of Energy has a poor track record in managing large-scale cleanup projects. As a result, the gentleman from Washington [Mr. DICKS] and I introduced legislation in the 104th Congress to require that the department utilize the expertise of private sector experts in solving these complex problems.

Unfortunately, the department has not done an adequate job explaining their new way of doing business and the committee has reduced the privatization program from a $1 billion request to only $70 million. These are significant reductions in a critical environmental program. As a result, I would seek an assurance from the subcommittee chairman that this year's action does not indicate the committee's intent to abandon the Hanford tank waste cleanup program in future years. When final contracts are submitted next year, Congress needs to be willing to support an aggressive cleanup program.

Mr. MCDADE. Mr. Speaker, reclaiming my time, I appreciate the gentleman from Washington's continued interest in this issue. As he and I have discussed on several occasions this year, the committee realizes that while we have certainly been critical of the Department of Energy, the nuclear and hazardous waste stored in the Hanford tanks must be remediated.

We understand in less than 6 months, two private companies will submit their proposals to try to deal with the waste problem. The committee is not prejudging this process, and we look forward to reviewing the proposals when they are presented to the Congress in 1998. We believe the committee has provided adequate funding to ensure the bid process is fully supported, and we will commit to working with the gentleman from Washington to ensure that a responsible cleanup program for the Hanford tanks is funded by the committee.

Mr. HASTINGS of Washington. I thank the gentleman.

Mr. MCDADE. Mr. Speaker, I yield to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. I thank the chairman of the subcommittee, the gentleman from the Commonwealth of Pennsylvania [Mr. MCDADE] and congratulate him for his work on this.

I have discussed previously with the chairman that the corps has failed to accomplish projects they have promised or to provide repayment for costs incurred for projects with public sponsors in the southwest Florida area. I understand this bill has funds that will now allow the corps to honor its commitments in southwest Florida for these shore protection issues.

I wish to receive some assurance that the corps will actually use these funds for the Lee County GRR and reimbursement of the Matanzas Pass as intended. Additionally I wish to receive some assurances that the corps will undertake no further dredging of Boca Grande Pass in the future until the corps' outstanding obligations to Lee County have been satisfied, and then only if the dredging and spoilage plan for Boca Grande Pass is agreed to by the State of Florida, the County of Lee and the local community of Gasparilla Island.

The chairman notes from photographs I have showed him and the material I have provided how badly the corps has botched their recent dredging of Boca Grande Pass, and over the last decade taxpayers have spent 10 million for the dredging of this pass, and it is time to reassess justification before any further expenditure.

Mr. MCDADE. Reclaiming my time, Mr. Speaker, I appreciate the very extensive briefing the gentleman from Florida [Mr. GOSS] accorded me on the problem that exists here, and I want to assure him that I am going to look into what assurances may be appropriate, but I agree it is critical that the corps has a strong relationship with the local governments that sponsor these projects and put up their own money. They are very much partners in the projects, and the corps' actions ought to reflect that.

I, too, may I say to my colleague, am concerned about the corps' actions with regard to the Boca Grande Pass project. I believe it raises some serious questions deserving the committee's attention, which I will be mindful of in conference.

Mr. MCDADE. Mr. Speaker, I yield to the gentleman from California [Mr. CALVERT].

□ 2115

Mr. CALVERT. Mr. Speaker, I thank the chairman.

First, I would like to thank the distinguished subcommittee chair and his staff for their assistance in addressing the needs of my district. Their fine work is very much appreciated. I am grateful for the $300,000 listed in the

committee report accompanying the bill to initiate a feasibility study for the Santa Margarita River project.

However, I believe the flooding issues surrounding Murietta Creek which are mentioned in the Santa Margarita project are serious enough to deserve a separate study. Mr. Speaker, I ask my colleague for his assistance in conference to make this clarification, and indicate that a separate feasibility study should proceed for Murietta Creek. The community has suffered back-to-back flooding and deserves a resolution to their problems.

Mr. MCDADE. Mr. Speaker, I want to indicate to my colleague my appreciation of his bringing this matter to my attention. I want say that I look forward to working on this issue as this bill moves through the process and into conference. We are going to try to do everything we can to help the gentleman from California.

Mr. CALVERT. I thank the chairman for his attention to this matter.

MR. MCDADE. Mr. Speaker, I yield to my good friend, the gentleman from Colorado, [Mr. DAN SCHAEFER], chairman of the Subcommittee on Energy and Power of the Committee on Commerce.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I thank the gentleman for yielding to me, and I would like to engage the gentleman from Pennsylvania in a colloquy.

As the gentleman is aware, title I of this bill would transfer funding from the management of the Formerly Utilized Sites Remedial Action Program, or as we call it, FUSRAP, from the Department of Energy to the U.S. Corps of Engineers. As the gentleman knows, the Committee on Commerce has the responsibility of the management of nuclear waste disposal, including remediation of these nondefense sites.

It has been our goal to ensure that FUSRAP sites are cleaned up in a very effective and efficient manner, and I must admit that I have some concerns about whether transferring funding to the Corps of Engineers is the best way to ensure that these sites are cleaned up.

At the same time, however, I would simply like to confirm my understanding that this transfer of funding from the Department of Energy to the U.S. Corps of Engineers is not intended to and in fact would not affect the Committee on Commerce's jurisdiction over the management of these facilities.

Mr. Speaker, could the gentleman confirm my understanding of this?

Mr. MCDADE. Mr. Speaker, may I say the gentleman is correct. It is not our intention to have any effect on the jurisdiction of the authorizing committee by providing funding to the Corps to conduct the cleanup activities. It is my understanding the committee jurisdiction over these FUSRAP sites is not affected in any way regardless of which governmental agency is involved in managing the cleanup.

Mr. DAN SCHAEFER of Colorado. If the gentleman will continue to yield, Mr. Speaker, I would like to commend the chairman again for a very excellent bill, and would like to clarify one provision regarding renewable energy in the fiscal year 1998 energy and water development appropriation bill.

That is, the report language with regard to wind energy research development and demonstration projects appears to restrict ongoing and future cost-shared partnership efforts between the Department of Energy and the wind energy industry. Is it the intention of the House that these and other cost-shared programs should not be continued as appropriate in collaboration with DOE, the National Laboratories and U.S. industries?

Mr. MCDADE. Mr. Speaker, may I say to my colleague that the energy and water development appropriations bill has no intention, nor do its members, to impede appropriate current or future research, development, and demonstration projects involving competitively awarded cost-shared partnerships between the Department of Energy, the National Laboratories, and the U.S. wind industry.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I very much appreciate the gentleman yielding to me.

Mr. MCDADE. Mr. Speaker, I yield to the distinguished gentleman from Nevada [Mr. GIBBONS].

Mr. GIBBONS. Mr. Speaker, I rise to engage the distinguished chairman of the subcommittee, the gentleman from Pennsylvania [Mr. MCDADE], in a colloquy.

As the distinguished gentleman is well aware, the issue of how to best deal with high level nuclear waste is of grave concern to me, to my respected colleague, the gentleman from Nevada [Mr. ENSIGN], and to all Nevadans. Currently the Department of Energy is in the process of determining whether the Yucca Mountain site in Nevada meets the scientific standards necessary to become a permanent repository for thousands of metric tons of high-level defense and more particularly civilian nuclear waste generated at 109 locations across America.

The bill under consideration by the House appropriates $160 million from the Nuclear Waste Disposal Fund in fiscal year 1998. In addition to the $190 million recommended from the Defense Nuclear Waste Disposal Fund, the total amount available for disposal activities authorized under current law is $350 million. Moreover, $85 million in fiscal 1996 funds have not been obligated simply because the release of those funds is subject to the enactment of legislation directing the Department of Energy to establish an interim storage site while permanent site characterization at Yucca Mountain continues.

The gentleman from Nevada [Mr. ENSIGN] and I would like to make sure that it is the gentleman's intent and the intent of the committee that the $350 million appropriation from the Nuclear Waste Disposal Fund is to support ongoing permanent site characterization activities.

Our concern and reason for engaging the chairman in a colloquy is to correct the perception which may exist among Members in the House that the appropriation in question has been reserved for site-specific interim storage activities. Simply put, site-specific interim storage activities are not authorized under current and existing law.

At this time my colleague, the gentleman from Nevada [Mr. ENSIGN] and I would like to respectfully ask the assurance and clarification of the gentleman from Pennsylvania [Mr. MCDADE] that the $350 million appropriation recommended in the bill is directly for use only on those program activities associated with the permanent, and not interim, storage of high-level nuclear waste.

Mr. MCDADE. Mr. Speaker, I want to assure the gentleman that all of the money appropriated in this bill is only for permanent and not site-specific interim storage of high-level nuclear waste at Yucca Mountain.

Mr. GIBBONS. I thank the distinguished gentleman for his understanding and willingness to work with us on this critically important issue.

Mr. Speaker, I would also like to discuss the ability of the State of Nevada and all affected local governments to carry out oversight authority of Yucca Mountain, Nevada, granted to them under the Nuclear Waste Policy Act of 1982.

Currently, the Department of Energy is conducting tests to determine if Yucca Mountain will be a permanent repository site for nuclear waste. When the Nuclear Waste Policy Act of 1982 was created, Members of this body felt it was imperative for the State of Nevada and all affected local governments adversely affected by the storage of nuclear waste to have the necessary monies to properly oversee tests that the Department of Energy was carrying out to determine whether or not Yucca Mountain is suitable as a permanent nuclear waste site.

This was a very critical part of the 1982 Act, because it allowed for the education of Nevada residents as to the scientific validity of the tests that the Department of Energy was conducting, and these resources allowed for State and local governments to perform their own independent tests to ensure that the best science available is used for the site suitability. It has been my experience that the local scientists have been non-biased and have produced needed assurances that only the best scientific data is used to determine the hydrologic and geologic character of Yucca Mountain.

We have nearly 1.8 million people in Nevada, and their safety and quality of life should not be ignored in this debate, making it imperative that we provide for the financial resources to ensure that State and affected local

governments are able to monitor and report this activity.

I am hopeful that the gentleman will work with me in conference to appropriate up to $1,500,000 for the State of Nevada and $6,175,200 for the affected local governments. These appropriation amounts are consistent with the monies appropriated in the Senate fiscal year 1998 Energy and Water Appropriations Act. As the legislation moves closer and closer to designating Yucca Mountain as a permanent nuclear waste repository, it becomes imperative that we address the safety and concerns of the citizens of Nevada.

Mr. McDADE. Mr. Speaker, we know how important this issue is to our friends in the State of Nevada, and I want to assure the gentleman that I will be pleased to work with him as the issue moves along.

Mr. GIBBONS. I thank the gentleman, and I appreciate his willingness to work with me on this very important issue.

Mr. Chairman, I include for the RECORD an editorial from the Las Vegas Sun.

The document referred to is as follows:

LET STATE NUKE OFFICE DO ITS JOB

The Legislature should not overreact to criticism of the state Office of Nuclear Projects or it may unwittingly become a pawn of the nuclear power industry.

Lawmakers last week debated whether to impose tight fiscal controls on the agency, which monitors the federal nuclear waste dump study at Yucca Mountain. State and federal audits last year criticized the office headed by Bob Loux for sloppy bookkeeping and possibly spending more than it should have on private contracts.

Senate Majority Leader Bill Raggio, R-Reno, wants the Legislature to oversee the organization, placing its budget in reserve and meting out funds every three months. Raggio's assumption is that 90-day reports to the Interim Finance Committee will produce better accountability.

But alloting funds for only three months would destroy long-range planning. Contracts with highly technical organizations could not be continued, wrecking the state's ability to ensure the federal study is scientifically sound.

Nevada needs all the technical ammunition it can muster to watch over the politically motivated study at Yucca Mountain. That site was selected by Congress—not scientists—as the most suitable location in the nation to bury about 70,000 tons of highly radioactive waste. Nevadans have long suspected that the study would be railroaded—ignoring or doctoring negative data—in an effort to soothe public opinion about the safety of the site.

That's why the Nevada office is important. It provides an essential balance to a one-sided information flow from the nuclear industry and the Department of Energy.

Raggio's contention that the office needs closer oversight makes no sense, especially after all deficiencies found in the audits were corrected shortly afterward.

And some of the so-called deficiencies were exaggerated. The General Accounting Office criticized Loux's organization for spending $125 an hour to clip newspaper stories, a report which delighted proponents of the dump and industry hacks. What wasn't said was that the office managed to convince the management of seven major daily newspapers that the dump was a threat to public health and they published editorials to that effect. They included USA Today, the St. Louis Post-Dispatch and the San Francisco Chronicle.

We fear that overreacting to the audit reports will play into the hands of the well-funded industry lobbyists who want the office shut down altogether. They would be delighted if Nevada could not challenge any of the data promoted by the nuclear industry and would quietly accept the dump.

The better course is to require full financial reports during each legislative session, but let the office do its job in the meantime. For more than a year, there have been increasing indications the dump cannot pass scientific muster as a safe site and Nevadans need an alert watchdog to ensure no games are played in these waning days of the study.

Mr. McDADE. Mr. Speaker, I yield to the distinguished gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, I thank the distinguished chairman for yielding.

Mr. Speaker, I have a simple colloquy, one question, really: Is it the committee's intention that the appropriations made for the Lower Platte River and Tributaries Nebraska study may also be used to conduct studies authorized by section 503(d)(11) of the Water Resources Development Act of 1996 watershed management, restoration, development of the Lower Platte River watershed, Nebraska?

Mr. McDADE. May I say to my colleague, Mr. Speaker, that we have looked at it with great seriousness. We appreciate the briefings he has given us. I want to tell the gentleman that his comments are absolutely correct.

Mr. BEREUTER. I thank the gentleman very much for his statement of intent and clarification.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I rise in support of H.R. 2203, making appropriations for energy and water development for fiscal year 1998.

Mr. Speaker, I rise in support of H.R. 2203, making appropriations for energy and water development for fiscal year 1998.

This bill provides funds for critical flood control and navigation projects in Contra Costa County and the San Francisco Bay Area of California. I appreciate the committee's continued support for these projects.

I am particularly pleased that the committee's bill will assist in funding the initial share of Federal participation in the Bay-Delta Environmental Enhancement and Water Security Act.

Funding the Bay-Delta programs will allow us to begin a comprehensive effort to restore the many components of this huge area that have been damaged by human activity. The California Bay-Delta Environmental Enhancement and Water Security Act went into effect when California votes approved proposition 204, which sets aside nearly a billion dollars for Bay-Delta water programs and guarantees that the State of California will pay a fair share of its costs.

The Bay-Delta initiative is one of the boldest ecosystem restoration programs ever conceived. Funding for Bay-Delta programs in fiscal year 1998 has the full bipartisan support of the entire California congressional delegation, and I believe this initial appropriation deserves the full support of the Congress.

The committee bill raises a new problem with the Central Valley Project Restoration Fund. According to the committee report, the restoration fund is to be cut $14 million in fiscal year 1998 to eliminate funding for the Water Acquisition Reserve. I believe this reduction, apparently suggested by the General Accounting Office, is misguided, and I hope there will be an opportunity to reconsider this matter in conference. Specifically, I believe the Water Acquisition Reserve is a sensible approach to water management needs in California, and that it is well within the authorities granted by the Central Valley Project Improvement Act. I will be pleased to work with the committee to resolve this matter prior to conference.

Lastly, the bill includes funding to study the removal of rock hazards near Alcatraz Island that threaten oil tankers and risk a devastating oil spill in San Francisco Bay. This funding is an important first step in determining how to remove these navigation hazards in a cost-effective and environmentally sound way.

I thank the committee for its hard work on this legislation, and I urge my colleagues to support H.R. 2203.

Mr. MOAKLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. OBEY], the ranking member.

Mr. OBEY. Mr. Speaker, I ask unanimous consent to insert in the RECORD immediately after my remarks earlier this evening the text of the article to which I referred during the debate on the agriculture appropriations bill.

The SPEAKER pro tempore [Mr. NUSSLE]. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in support of this rule and legislation. As a new member of the Subcommittee on Energy and Water Development of the Committee on Appropriations, I especially want to thank Chairman MCDADE for his fairness and bipartisanship in crafting this legislation.

Mr. Speaker, while most Americans only hear of the partisan battles in Congress, the work of Chairman MCDADE and the ranking member, the gentleman from California [Mr. VIC FAZIO], is an example of the Congress at its best: two leaders, along with an excellent staff, working hard and doing simply what they believe is best for the interests of this Nation.

This bill may not be tomorrow's national headlines because the work was done without rancor, but this bill makes an important commitment to

our Nation's future. Because of this legislation, there will be communities that will never face the tragedy of devastating floods.

By strengthening our Nation's infrastructure, ports, and waterways, this bill will make America more competitive in the world marketplace. That means more jobs and better jobs for American families.

By investing in the clean-up of nuclear waste and in renewable energy resources, this bill will make our environment cleaner and make America less dependent upon foreign energy sources.

Because of this legislation's commitment to stop the proliferation of nuclear, chemical, and biological weapons, my two small children will grow up in a safer world. For that, I am deeply grateful.

The efforts of Chairman MCDADE and the gentleman from California [Mr. FAZIO] may not make prime time news tonight, but millions of American families will be better off tomorrow because of their effective leadership and teamwork in crafting this legislation.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, what other piece of legislation can at the same time protect this Nation's environment, provide opportunity for energy, and yes, strike a chord for removal of flood danger all over America? This is a good, good piece of legislation. Mr. Speaker, I thank Chairman MCDADE for his generosity in spirit and cooperation in some very important issues. I thank the ranking Member, the gentleman from California [Mr. FAZIO], and we thank him as well for working in a cooperative spirit and for helping all of us, no matter where we might live, in an urban or rural community. I am gratified this bill gives $52 million more than the current fiscal year, and it gives $413 million to the Army Corps of Engineers.

Just for a moment imagine a community in inner city Houston, flooded in 1994, flooded in 1995, and yes, flooded again in 1997, bungalow homes without flood insurance, my constituents in the Cullen and McCullough area. Let me simply say to the Members, they are rejoicing tonight, not because we are taking taxpayers' dollars and moving them from one place to the next, but because this country cares about those citizens who live day-to-day, struggling to work and to survive.

This is a good bill. I look forward to working with the Army Corps of Engineers, as I said, which is getting $413 million more. Likewise, I look forward to working with them to move that date when this project will be completed beyond the 2006 to an earlier date. I look forward to working with the local community to ensure that happens.

□ 2130

This is an important piece of legislation, and I thank the committee for working with the chairman and ranking member to ensure that we protect this Nation's waterways, energy, and, yes, the environment.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. BENTSEN].

[Mr. BENTSEN asked and was given permission to revise and extend his remarks.]

Mr. BENTSEN. Mr. Speaker, I rise in support of the rule and H.R. 2203, the fiscal year 1998 Energy and Water Appropriations bill.

First of all, I would like to thank the gentleman from Pennsylvania [Mr. MCDADE] and the gentleman from California [Mr. FAZIO], ranking member, for their wisdom and foresight in crafting this bill, particularly as it relates to two projects in my district, Sims, Brays, and Greens Bayous and the Houston Ship Channel expansion.

Also I want to thank the gentleman from Texas [Mr. EDWARDS], my colleague, who is a new member of the committee, for the work he did on behalf of our State.

I am especially pleased by the support this legislation provides for addressing the chronic flooding problems in Harris County, Texas. This area has suffered numerous floods over the years as the gentlewoman from Texas [Ms. JACKSON-LEE] mentioned.

In particular, this bill provides funding for Sims, Brays, and Greens Bayous, and follows legislation that we passed in the Water Resources Development Act in the last Congress, including that authored by myself and the gentleman from Texas [Mr. DELAY] of the Houston area.

Mr. Speaker, I am grateful for the committee's decision to fully fund the Sims Bayou project at $13 million for fiscal year 1998. This is an ongoing project, which the Corps of Engineers initially asked for $13 million, but the administration's budget only provided $9.5 million.

The additional funding is what the corps asked for and will allow for two additional contracts to be funded and the project to remain on schedule, which is very important to the people that live along that watershed who have experienced a lot of flooding, and this will result in rapid completion of the project.

I also appreciate the fact that the bill includes funding for the expansion of the Houston Ship Channel. This is the first expansion of the ship channel in 30 years. The ship channel has the second largest amount of tonnage of any port in the United States, and it is a major player in the economy in our area.

I might also add that this ship channel modernization is considered the largest dredging project since the Panama Canal. But in particular, I appreciate the fact that the committee had the foresight to deal with this problem because the administration's original proposal would not have fully funded the project and created numerous legal problems. So the committee has done yeoman's work on this.

Mr. Speaker, I urge my colleagues to support the rule and support the bill.

Mr. MOAKLEY. Mr. Speaker, I would inquire of the amount of time remaining for both parties.

The Speaker pro tempore [Mr. NUSSLE]. The gentleman from Massachusetts [Mr. MOAKLEY] has 7 minutes remaining, and the gentleman from Washington [Mr. HASTINGS] has 2½ minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. LAFALCE].

(Mr. LAFALCE asked and was given permission to revise and extend his remarks.]

Mr. LAFALCE. Mr. Speaker, I have five sites in my district, which are in the Formerly Utilized Sites Remedial Action Program, and that is why I am very concerned about the transfer of FUSRAP from the Department of Energy to the Corps of Engineers, which has been included as part of this appropriations bill. DOE has already completed cleanup in 24 of the 46 FUSRAP sites around the country, and is currently planning an accelerated cleanup of the remainder.

I have a great deal of respect for the Army Corps of Engineers, and I have no doubt that over time it can do a fine job with FUSRAP, but I do not think this is the time to switch horses in midstream.

The administration also opposes this transfer of authority over FUSRAP. In a letter to Chairman LIVINGSTON of the Committee on Appropriations dated July 16, Franklin Raines, the Director of OMB, states:

> The administration strongly opposes the transfer of the Formerly Utilized Sites Remedial Action Program from DOE to the Corps of Engineers. Transferring this well-managed program to another agency would be disruptive and would most likely delay completion and increase costs.

I hope this particular provision can be addressed and changed in conference with the Senate. I also hope the level of funding provided for FUSRAP would be significantly increased in conference to more closely reflect the administration's $182 million request for fiscal 1998 in order to clean up the remaining FUSRAP sites as quickly as possible.

Mr. Speaker, I have five sites in my district which are in the Formerly Utilized Sites Remedial Action Program, more than any other Member of Congress. The communities of Buffalo, Tonawanda, and Niagara Falls in my district made a disproportionate sacrifice for the Nation's nuclear successes in the Manhattan project and the cold war. Now, the radioactive legacy of those efforts must be cleaned up as efficiently, safely, and quickly as possible.

That is why I am very concerned about the transfer of FUSRAP from the Department of Energy to the Army Corps of Engineers which has been included as part of this Energy and

Water Development appropriations bill. DOE has already completed cleanup in 24 of the 46 FUSRAP sites around the country, and is currently planning an accelerated cleanup of the remainder. I have a great deal of respect for the Army Corps of Engineers and have no doubt that, over time, it could do a fine job with FUSRAP. But now is not the time to switch horses in midstream.

The administration also opposes this transfer of authority over FUSRAP. In a letter to Chairman LIVINGSTON of the Appropriations Committee dated July 16, Franklin D. Raines, the Director of OMB, states:

The administration also strongly opposes the transfer of the Formerly Utilized Sites Remedial Action Program [FUSRAP] from DOE to the Corps of Engineers—Transferring this well-managed program that is nearly complete to another agency would be disruptive and would most likely delay completion and increase costs.

Whatever problems existed in the past with the DOE's performance in FUSRAP cleanup, I believe the DOE is now making a genuine effort to correct them. Just yesterday, local citizens in one of my cities agreed to the Department of Energy's plan for the cleanup of two of these sites. In any case, the fencing language in the bill, which sets standards which must be met before funds can be expended, should be insurance enough that the DOE will properly conduct its FUSRAP cleanups. I am concerned that a transfer of this responsibility from the DOE to the Army Corps of Engineers at this point could delay the cleanups that are now underway and planned, and I hope this particular provision can be addressed and changed in conference with the Senate.

I also hope the level of funding provided for FUSRAP must be significantly increased in conference to more closely reflect the administration's $182 million request for fiscal year 1998 in order to clean up the remaining FUSRAP sites as quickly as possible.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. GREEN].

(Mr. GREEN asked and was given permission to revise and extend his remarks.)

Mr. GREEN. Mr. Speaker, I rise in support of a very important provision of the Energy and Water Appropriations bill that provides for the $23.8 million for the widening and deepening of the Port of Houston. This construction project is investment not only in Houston's future, but also in the economic viability of our Nation, and I am proud to represent a large portion of the Port of Houston. The port provides $5.5 billion in annual business revenue and creates 196,000 direct and indirect jobs in our community.

By generating $213 million annually in State and local taxes, this project will more than pay for itself over the next several years.

With last year's passage of the Water Resources Development Act, the Port of Houston was authorized to receive $240 million in Federal funds for the deepening and widening project. Additionally, in a 1989 bond election, Houston voters approved $130 million in local contributions.

Mr. Speaker, I would like to thank the gentleman from Pennsylvania [Mr. MCDADE] and the gentleman from California [Mr. FAZIO], the ranking member, and also the gentleman from Texas [Mr. EDWARDS], my friend and fellow Texan who serves on the subcommittee. The gentleman from Texas has been instrumental in working with us on this important project.

The expansion of the port is important to Houston on many levels. The Port of Houston, connected to the Gulf of Mexico with a 53-mile ship channel, is the busiest U.S. port in foreign tonnage, second in domestic tonnage, and the eighth busiest U.S. port overall. With more than 5,535 vessels navigating the channel annually, and anticipated increases over the next few years, the widening of the channel from 400 to 520 feet and its deepening from 40 to 45 feet is necessary to safeguard the economic viability of the port.

The Port of Houston generates $5.5 billion annually to the Nation's economy and the port generates over $200 million again in State and local taxes and nearly $300 million in customs fees, so there is no doubt that the Port of Houston continues to be a vital force in the commerce of the United States.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Speaker, I would like to engage in a colloquy with the gentleman from Pennsylvania [Mr. MCDADE].

Mr. Chairman, the Hanford Nuclear Reservation is heavily contaminated as a result of nuclear weapons-related activities that took place during the Cold War. The Fast Flux Test Facility was built there as part of the Clinch River Breeder Reactor Program, which was canceled in 1983.

Does the Chairman agree that nothing should be done with FFTF now that diverts resources from the primary mission of Hanford, which is cleanup?

Mr. McDADE. Mr. Speaker, will the gentlewoman yield?

Ms. FURSE. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Speaker, I agree with the gentlewoman from Oregon [Ms. FURSE.] The gentlewoman is correct.

Ms. FURSE. Mr. Speaker, I would like to discuss the amendment I considered offering on the Energy and Water appropriations bill. It calls for beginning to permanently retire the Fast Flux Test Facility, known as FFTF, at the Hanford Nuclear Reservation in Washington State. It allows funds to be used only for deactivation and cleanup of the facility.

I believe it is time we stop wasting $40 million a year on this white elephant. It is time that we spend environmental cleanup money on real cleanup.

There are several reasons why we should deactivate FFTF.

First, we need to stop wasting taxpayer dollars on FFTF.

FFTF was part of the Clinch River Breeder Reactor Program, which Congress cancelled in 1983. It has been searching for a mission ever since, to the tune of some $40 million last year. In 1993, DOE announced it would begin the shutdown of FFTF. The sooner we begin deactivating FFTF, the sooner we can stop wasting money to maintain it.

Second, cleanup funds should be used for cleanup.

Early this year, FFTF was added to as a candidate to produce tritium, which is used to boost the power of nuclear weapons. Funding for FFTF currently comes from the Non-Defense Environmental Management account. The purpose of that account is for environmental restoration activities, waste management functions, and nuclear materials and facilities stabilization activities. Keeping FFTF on hot standby as a potential source of tritium is none of those things.

Third, Hanford's mission must remain cleanup.

Hanford is the most contaminated site in the Western Hemisphere. Its sole mission needs to be cleanup. Producing tritium there will create more contamination and divert resources.

Fourth, FFTF is expensive to operate.

If FFTF were to be used for producing tritium, it would require highly-enriched plutonium for fuel. That creates a waste stream that is very difficult to manage. FFTF was not designed to produce tritium and would have to undergo significant technical modifications first.

Fifth, FFTF is an unreliable type of reactor.

FFTF is a sodium-cooled reactor. Germany, Britain, and France have all cancelled this type of reactor due to safety and reliability concerns.

Finally, FFTF is not needed for producing medical isotopes.

I want to share with my colleagues the response to my questions regarding this issue at a House Commerce Subcommittee hearing in February. During that hearing, the Acting Secretary of Energy said those who propose to use FFTF as a medical isotope facility ''would have a very, very hard burden of persuasion at the Department that that makes sense.''

My amendment is endorsed by a number of taxpayer, environmental and arms control groups. They include the Council for Citizens Against Government Waste, Taxpayers for Common Sense, the Council for a Livable World, Friends of the Earth, Greenpeace, the Military Production Network, Peace Action, Physicians for Social Responsibility, Plutonium Challenge, 20/20 Vision, and the U.S. Public Interest Research Group.

I would like to submit to the RECORD the resolution adopted nearly unanimously by the Oregon Legislature last month. It says, in part, that the State of Oregon is unalterably opposed to the use of the Hanford Nuclear Reservation for operations that create more contamination, divert resources from cleanup and make Hanford cleanup more difficult.

My constituents want Hanford cleaned up. My amendment will assure that the necessary steps are taken to enable us to finally move in that direction with FFTF.

This bill passed 53–3 (with 4 excused) in the Oregon House of Representatives and 28–1 (with 1 excused in the Oregon Senate.

69TH OREGON LEGISLATIVE ASSEMBLY—1997 REGULAR SESSION

NOTE: Matter within {+braces and plus signs+} in an amended section is new. Matter within {−braces and minus signs−} is existing law to be omitted. New sections are within {+braces and plus signs+}.

LC 3730

A-Engrossed House Bill 3640

Ordered by the House June 5

Including House Amendments dated June 5

Sponsored by Representative SOWA; Representative ROBERTS, Senators DERFLER, TROW.

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Makes findings regarding Hanford Nuclear Reservation {−and Idaho National Engineering Laboratory−}, importance of uncontaminated ecosystem and state's history regarding nuclear facilities. Declares state policy concerning processing of mixed oxide fuel at Hanford Nuclear Reservation {−and Idaho National Engineering Laboratory−}. Requests that federal officials clean up Hanford Nuclear Reservation.

{−Refers Act to people at next regular general election.−}

A BILL FOR AN ACT

Relating to nuclear facilities.

Be It Enacted by the People of the State of Oregon:

SECTION 1. {+The Legislative Assembly and the people of the State or Oregon find that:

(1) The maintenance of healthy, unpolluted river systems, airsheds and land are essential to the economic vitality and well-being of the citizens of the State of Oregon and the Pacific Northwest.

(2) Radioactive waste stored at the Hanford Nuclear Reservation is already leaking into and contaminating the water table and watershed of the Columbia River and radioactive materials and toxic compounds have been found in plants, animals and waters downstream from the Hanford Nuclear Reservation and constitute a present and potential threat to the health, safety and welfare of the people of the State of Oregon.

(3) The Hanford Nuclear Reservation is now one of the most radioactively contaminated sites in the world, according to government studies, and will require billions of dollars in costs for cleanup and the ongoing assessment of health effects.

(4) In November 1980, the people of the State of Oregon, by direct vote in a statewide election, enacted a moratorium on the construction of nuclear power plants, and no nuclear power plants are presently operating in the State of Oregon.

(5) In May 1987, the people of the State of Oregon, by direct vote in a statewide election, enacted Ballot Measure 1, opposing the disposal of highly radioactive spent fuel from commercial power plants at the Hanford Nuclear Reservation.

(6) In 1995, the Legislative Assembly resolved that Oregon should have all legal rights in matters affecting the Hanford Nuclear Reservation, including party status in the Hanford tri-party agreement that governs the cleanup of the reservation.

(7) Throughout the administrations of Presidents Ford, Carter, Reagan and Bush, the policy of the Federal Government banned the use of plutonium in commercial nuclear power plants due to the risk that the plutonium could be diverted to terrorists and to nations that have not renounced the use of nuclear weapons.

(8) The Federal Government has announced that it will process plutonium from weapons with uranium to produce mixed oxide fuel for commercial nuclear power plants and other nuclear facilities. The Hanford Nuclear Reservation, located on the Columbia River, is a primary candidate site being considered for the production facilities.

(9) The production of mixed oxide fuel will result in enormous new quantities of radioactive and chemical wastes that will present significant additional disposal problems and unknown costs.+}

SECTION 2. {+The Legislative Assembly and the people of the State of Oregon:

(1) Declare that the State of Oregon is unalterably opposed to the use of the Hanford Nuclear Reservation for operations that create more contamination at the Hanford Nuclear Reservation, divert resources from cleanup at the Hanford Nuclear Reservation and make the Hanford Nuclear Reservation cleanup more difficult, such as the processing of plutonium to fuel nuclear power plants, reactors or any other facilities, and further declare that vitrification in a safe manner is the preferred means to dispose of excess plutonium, in order to protect human health and the environment.

(2) Request that the President of the United States and the Secretary of the Department of Energy continue their previous policy of banning the use of plutonium to fuel commercial power plants and nuclear facilities.

(3) Request that the Federal Government honor the Federal Government's original mandate to implement and complete the cleanup and restoration of the Hanford Nuclear Reservation.+}

SECTION 3. {+Not more than 10 days after the effective date of this Act, the Secretary of State shall transmit copies of sections 1 and 2 of this Act to the President of the United States, the Secretary of the Department of Energy, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, each member of the Oregon Congressional Delegation, the Governors of the other 49 states and the tribal councils of the federally recognized Indian tribes in Oregon, Washington and Idaho.+}

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey, [Mr. ROTHMAN].

(Mr. ROTHMAN asked and was given permission to revise and extend his remarks.)

Mr. ROTHMAN. Mr. Speaker, I rise to engage in a colloquy with the gentleman from Pennsylvania [Mr. MCDADE].

Mr. Speaker, I have a FUSRAP site in my district in Maywood, NJ, and I am very concerned about the committee's proposal to transfer responsibility for this program from the Department of Energy to the Army Corps of Engineers.

Mr. Speaker, cleanup of this site has been in progress for 13 years, and it should be completed in another 4. I want to be able to assure the residents of Maywood that these actions will not jeopardize or slow down the cleanup of this site.

Mr. Speaker, I would be grateful if the gentleman from Pennsylvania could assure me that this transfer of responsibility from the DOE to the Army Corps will not stop or slow down the progress which is being made at the Maywood site and that existing contracts and agreements will be honored.

Mr. MCDADE. Mr. Speaker, will the gentleman yield?

Mr. ROTHMAN. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Speaker, I appreciate the concerns of my colleague, and I want to assure the gentleman that it is clearly the intention of the committee to expedite cleanup at these sites, complete ongoing activities and cleanups as quickly as possible, and to honor existing agreements.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. HASTINGS].

Mr. HASTINGS of Florida. Mr. Speaker, I rise to engage the gentleman from Pennsylvania [Mr. MCDADE] in a colloquy.

Mr. Speaker, it is my understanding that the Section 107 program allows the Army Corps of Engineers to engage in small navigation construction projects absent a specific authorization. According to Section 107, the sand transfer plant project at Lake Worth Inlet, which requires just $354,000 in funding for preliminary design and engineering, is eligible for funding under this authority and indeed should be so funded with monies made available in this legislation.

Mr. Speaker, would the gentleman from Pennsylvania [Mr. MCDADE], THE CHAIRMAN, BE WILLING TO CONSIDER THIS IN CONFERENCE?

Mr. MCDADE. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Florida. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Speaker, I want to say that the gentleman from Florida [Mr. HASTINGS], my friend, has briefed me extensively on this project and we are very willing to work with the gentleman as this issue works toward conference.

Mr. HASTINGS of Florida. Mr. Speaker, reclaiming my time, I thank the gentleman in advance for his help.

Mr. MOAKLEY. Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge my colleagues to support this rule. This is an open rule, and I think what it represents is what the Committee on Rules has been trying to do on many occasions, which is to have an open rule so we can have open discussion on any issues that the Members want to bring to the floor.

Mr. Speaker, I also want to commend the gentleman from Pennsylvania [Mr. MCDADE], the chairman, and the gentleman from California [Mr. FAZIO] for their work on this. It certainly shows that when there is a will, that we can get something done with bipartisan support on a bipartisan basis.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCDADE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within

which to revise and extend their remarks on the bill (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes, and that I be permitted to include tabular and extraneous materials.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore (Mr. NUSSLE). Pursuant to House Resolution 194 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2203.

□ 2143

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes, with Mr. OXLEY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time. The gentleman from Pennsylvania [Mr. MCDADE], and the gentleman from California [Mr. FAZIO], each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. MCDADE].

(Mr. MCDADE asked and was given permission to revise and extend his remarks.)

Mr. MCDADE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as I indicated when the Committee on Rules kindly yielded time to us to consider colloquies, we have a number of Members who have colloquies which are very important to each one of them and we are going to take care of them with expedition and try to get that done.

Before I say anything about the bill or anything else, however, I want to express my appreciation to the gentleman from California [Mr. FAZIO], my dear friend the ranking member, who performed with great diligence and made great impact on the bill. And I want to say to the gentleman that it is a pleasure to work with him. I appreciate all of his efforts and guidance.

Let me say too, Mr. Chairman, that I want to tell every single member of this subcommittee how grateful I am for their diligence and their efforts. Every one of them put a footprint on this bill and added to its unanimous nature.

Mr. Chairman, this bill is reported unanimously from the subcommittee and unanimously from the full committee. It is because all of us as Members worked together, aided by one of the ablest staffs on Capitol Hill. I have nothing but thanks to the staff for their diligence, their efforts, their intelligence, their persistence, and their patience. All of them worked extremely hard and we are grateful to them.

Mr. Chairman, I rise in strong support of H.R. 2203, the Energy and Water Development appropriations bill for fiscal year 1998. The Energy and Water bill is a fiscally responsible measure which continues to protect important priorities of Congress. At $20 billion, the bill is $52 million above the fiscal year 1997 level and $2.6 billion below the budget request. The bill is within its allocation of both budget authority and outlays.

The subcommittee has worked diligently to strike the right balance between the energy and water programs funded in this bill. Unfortunately, the administration's request underfunds vital water resource activities across the country, including flood control, shore protection activities, and harbor maintenance. The subcommittee has been deluged with a crushing number of requests from Members regarding water resource projects in their districts. Recognizing the value of these investments, the subcommittee has been as accommodating as possible to Members within the constraints of a severe budgetary environment.

Mr. Chairman, the Energy and Water bill includes $4 billion for the Corps of Engineers. This amount includes an increase of $550 million, or 16 percent, over the budget request for the water resource activities of the corps. Still, this amount is $188 million below the amount appropriated last year. Although the subcommittee was unable to fund all the worthy requests it received for water projects, it did commit a substantial amount to protect and enhance our vital investment in the country's water resource infrastructure.

Notably, the recommendation rejects the proposed policies of the administration that would: First, require full upfront funding of Corps of Engineers construction projects, and second, severely restrict the role of the corps in shoreline protection and small harbor navigation projects. With respect to these administration initiatives, the committee was confronted with enormous opposition and no visible support.

The Formerly Utilized Site Remedial Action Program [FUSRAP], previously funded as a program of the Department of Energy, is included in this bill as a program of the Army Corps of Engineers, The committee has increased the budget for this program—established to clean up sites participating in the country's early development of nuclear weapons materials—by nearly 50 percent over last year to $110 million. This increase, coupled with the transfer of programmatic responsibilities to the corps, is intended to accelerate the cleanup of contaminated sites, enhance program efficiency, and reduce costs to the taxpayer.

Title II of the bill includes funding for programs of the Department of the Interior, including the Bureau of Reclamation. The $910 million recommended in title II is $23 million below the budget request and an increase of $86 million over the current fiscal year. The recommendation includes $120 million—$23 million below the budget request—for a new initiative: the Bay-Delta Enhancement and Water Supply project. This new program is designed to protect and enhance water resources in northern California's Bay-Delta region. It is worth noting that voters in the State of California have passed a $1 billion bond issue for purposes complementary to the Federal investment.

Title III includes funding for both defense and nondefense functions of the Department of Energy. The recommendation for the Department of Energy is $15.3 billion, $3.2 billion below the budget request. The reduction from the request is largely due to the rejection of the administration's proposals for Environmental Management privatization and full upfront funding of construction projects.

Eleven billion dollars—over half of the bill—is committed to the atomic energy defense activities of DOE. Of this amount, nearly $5.3 billion is devoted to the cleanup of our nuclear defense production complex. Other defense activities funded in this bill include the maintenance of our nuclear weapons stockpile, nonproliferation efforts, and the disposal of defense nuclear waste. The defense portion of the bill is generally consistent with the House National Security authorization bill for fiscal year 1998.

The remaining $4.3 billion appropriated to the Department of Energy is to continue the important civilian activities of the Department. The committee has been especially protective of basic science and energy research conducted by the Department, appropriating $2.2 billion to a newly created science account. This account funds efforts involving nuclear physics, high energy physics, basic energy sciences, and biological and environmental research.

The bill includes $225 million for fusion energy sciences, including funding for the International Thermonuclear Experimental Reactor project. High energy physics and nuclear physics programs are funded at $680 million and $321 million, respectively—a $5 million increase over the budget request for each program. Furthermore, the bill fully funds the budget request for the human genome project, $85 million; the large hadron collider, $35 million; the National Spallation Neutron Source, $23 million; and other high-value basic research programs.

Mr. Chairman, the bill provides a grand total of $329.3 million in direct support of solar and renewable energy activities of the Department of Energy. The bill includes $285 million for solar and renewable energy programs directly administered by the Office of Energy Efficiency and Renewable Energy. This represents an increase of $18.7 million over the fiscal year 1997 level. In addition, the recommendation includes $44 million for basic renewable energy research activities of the Office of Energy Research.

The bill also includes a total of $350 million for the nuclear waste disposal activities of DOE, including the continued characterization of Yucca Mountain in Nevada as a potential geologic repository. This is $30 million less than the budget request and $32 million less than the amount provided in fiscal year 1997. Of the total amount, $160 million is to be derived from the Nuclear Waste Fund, capitalized by contributions of nuclear utility ratepayers, and $190 million represents the Federal contribution for disposal of high-level defense waste.

I would note, Mr. Chairman, that the bill does not provide funding for two new spending programs proposed by the administration for fiscal year 1998: the Nuclear Energy Security Program and the Next Generation Internet initative. Given the severe budgetary environment, as well as the committee's concerns about DOE mission creep, the committee was disinclined to initiate these new spending proposals.

The bill applies several management reforms to the Department of Energy. These reforms are designed to promote efficiency, enhance accountability, and control departmental mission creep. There are general provisions in the bill, which, among other things: Require that management and operating contracts be competitively awarded; demand adherence to Federal Acquisition Regulations; permit the award of support service contracts only in instances where such contracts are demonstrably cost-effective; and require an independent assessment by the Corps of Engineers of all new DOE construction projects. The committee is confident that these reforms will help the Department achieve a higher standard of accountability to Congress and the taxpayer.

Title IV of the bill provides $194 billion for various independent agencies, including the Appalachian Regional Commission, the Defense Nuclear Facilities Safety Board, and the Nuclear Regulatory Commission. The amount recommended is a reduction of $105 million below the fiscal year 1997 enacted level and $116 million below the budget request.

The elimination of direct appropriations to the Tennessee Valley Authority accounts for the large reduction in funding for independent agencies. Earlier this year, the Chairman of TVA proposed elimination of Federal appropriations after fiscal year 1998. The committee was so enthused by this proposal that it decided to accelerate its implementation by 1 year. Although TVA—a $5.7 billion enterprise—will not receive appropriations in fiscal year 1998, it is directed under this bill to continue its essential nonpower programs using internally generated revenues and savings. This approach preserves the prerogative of Congress and its committees to determine the long-term future of TVA's nonpower programs.

The sum of $160 million is provided for the Appalachian Regional Commission and $16 million is included for the Defense Nuclear Facilities Safety Board. These amounts represent level funding for both agencies. In addition, the bill includes $463 million for the Nuclear Regulatory Commission and $2.4 million for the Nuclear Waste Technical Review Board.

Mr. Chairman, I want to thank the Members of the Energy and Water Subcommittee who have worked so hard to make this a well-balanced bill. This balance would not be possible without their full cooperation and dedicated efforts. I am especially grateful to my esteemed colleague and ranking minority member, the Honorable VIC FAZIO, with whom I have worked hand in hand to develop the recommendations in this bill. He is a formidable advocate of the programs within the subcommittee's jurisdiction, and I thank him for his considerable efforts.

Mr. Chairman, I urge all of my colleagues to support the Energy and Water Development appropriations bill, 1998.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 1998 (H.R. 2203)

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
General investigations	153,872,000	150,000,000	157,260,000	+3,388,000	+7,260,000
Construction, general	1,081,942,000	1,062,470,000	1,475,892,000	+393,950,000	+413,422,000
(By transfer)	(1,000,000)			(-1,000,000)	
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee	310,374,000	266,000,000	285,450,000	-24,924,000	+19,450,000
Emergency appropriations (P.L. 105-18)	20,000,000			-20,000,000	
Operation and maintenance, general	1,697,015,000	1,618,000,000	1,726,955,000	+29,940,000	+108,955,000
Emergency appropriations (P.L. 104-208)	19,000,000			-19,000,000	
Emergency appropriations (P.L. 105-18)	150,000,000			-150,000,000	
Regulatory program	101,000,000	112,000,000	112,000,000	+11,000,000	
Flood control and coastal emergencies	10,000,000	14,000,000	14,000,000	+4,000,000	
Emergency appropriations (P.L. 105-18)	415,000,000			-415,000,000	
Formerly utilized sites remedial action program			110,000,000	+110,000,000	+110,000,000
General expenses	149,000,000	148,000,000	148,000,000	-1,000,000	
Total, title I, Department of Defense - Civil	4,107,203,000	3,370,470,000	4,029,557,000	-77,646,000	+659,087,000
(By transfer)	(1,000,000)			(-1,000,000)	
TITLE II - DEPARTMENT OF THE INTERIOR					
Central Utah Project Completion Account					
Central Utah project construction	25,827,000	23,743,000	23,743,000	-2,084,000	
Fish, wildlife, and recreation mitigation and conservation	11,700,000	11,610,000	11,610,000	-90,000	
Utah reclamation mitigation and conservation account	5,000,000	5,000,000	5,000,000		
Program oversight and administration	1,100,000	800,000	800,000	-300,000	
Total, Central Utah project completion account	43,627,000	41,153,000	41,153,000	-2,474,000	
Bureau of Reclamation					
General investigations	16,650,000			-16,650,000	
Construction program	394,056,000			-394,056,000	
Operation and maintenance	267,876,000			-267,876,000	
Emergency appropriations (P.L. 105-18)	7,355,000			-7,355,000	
Water and related resources		651,552,000	651,931,000	+651,931,000	+379,000
California Bay-Delta ecosystem restoration		143,300,000	120,000,000	+120,000,000	-23,300,000
Loan program	12,715,000	10,425,000	10,425,000	-2,290,000	
(Limitation on direct loans)	(37,000,000)	(31,000,000)	(31,000,000)	(-6,000,000)	
Policy and administration	46,000,000	47,658,000	47,658,000	+1,658,000	
Colorado River Dam fund (by transfer, permanent authority)	(-3,774,000)			(+3,774,000)	
Central Valley project restoration fund	38,096,000	39,130,000	39,130,000	+1,034,000	
Total, Bureau of Reclamation	782,748,000	892,065,000	869,144,000	+86,396,000	-22,921,000
Total, title II, Department of the Interior	826,375,000	933,218,000	910,297,000	+83,922,000	-22,921,000
(By transfer)	(-3,774,000)			(+3,774,000)	
TITLE III - DEPARTMENT OF ENERGY					
Energy supply	2,699,728,000	2,999,497,000	880,730,000	-1,818,998,000	-2,118,767,000
Energy assets acquisition		43,582,000			-43,582,000
Uranium supply and enrichment activities	43,200,000			-43,200,000	
Gross revenues	-42,200,000			+42,200,000	
Net appropriation	1,000,000			-1,000,000	
Non-defense environmental management			497,619,000	+497,619,000	+497,619,000
Uranium enrichment decontamination and decommissioning fund	200,200,000	248,788,000	220,200,000	+20,000,000	-28,588,000
Science	996,000,000	875,910,000	2,207,632,000	+1,211,632,000	+1,331,722,000
Science assets acquisition		110,250,000			-110,250,000
Nuclear Waste Disposal Fund	182,000,000	190,000,000	160,000,000	-22,000,000	-30,000,000
Departmental administration	215,021,000	232,604,000	214,723,000	-298,000	-17,881,000
Miscellaneous revenues	-125,388,000	-131,330,000	-131,330,000	-5,942,000	
Net appropriation	89,633,000	101,274,000	83,393,000	-6,240,000	-17,881,000
Office of the Inspector General	23,853,000	29,499,000	27,500,000	+3,647,000	-1,999,000
Environmental restoration and waste management:					
Defense function	(5,619,304,000)	(6,058,499,000)	(5,263,270,000)	(-356,034,000)	(-795,229,000)
Non-defense function	(791,911,000)	(933,472,000)	(717,819,000)	(-74,092,000)	(-215,653,000)
Total	(6,411,215,000)	(6,991,971,000)	(5,981,089,000)	(-430,126,000)	(-1,010,882,000)

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 1998 (H.R. 2203)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Atomic Energy Defense Activities					
Weapons activities	3,911,198,000	3,576,255,000	3,943,442,000	+32,244,000	+367,187,000
Defense environmental restoration and waste management	5,459,304,000	5,052,499,000	5,263,270,000	-196,034,000	+210,771,000
Defense environmental management privatization	160,000,000	1,006,000,000	.....	-160,000,000	-1,006,000,000
Other defense activities	1,605,733,000	1,605,981,000	1,580,504,000	-25,229,000	-25,477,000
Defense nuclear waste disposal	200,000,000	190,000,000	190,000,000	-10,000,000	.....
Defense asset acquisition	.....	2,166,859,000	.....	.....	-2,166,859,000
Total, Atomic Energy Defense Activities	11,336,235,000	13,597,594,000	10,977,216,000	-359,019,000	-2,620,378,000
Power Marketing Administrations					
Operation and maintenance, Alaska Power Administration	4,000,000	1,000,000	1,000,000	-3,000,000	.....
Operation and maintenance, Southeastern Power Administration	16,359,000	14,222,000	12,222,000	-4,137,000	-2,000,000
Operation and maintenance, Southwestern Power Administration	25,210,000	26,500,000	25,210,000	.....	-1,290,000
Construction, rehabilitation, operation and maintenance, Western Area Power Administration	182,230,000	194,334,000	189,043,000	+6,813,000	-5,291,000
(By transfer, permanent authority)	(3,774,000)	.....	.....	(-3,774,000)	.....
Falcon and Amistad operating and maintenance fund	970,000	1,065,000	970,000	.....	-95,000
Total, Power Marketing Administrations	228,769,000	237,121,000	228,445,000	-324,000	-8,676,000
Federal Energy Regulatory Commission					
Salaries and expenses	146,290,000	167,577,000	162,141,000	+15,851,000	-5,436,000
Revenues applied	-146,290,000	-167,577,000	-162,141,000	-15,851,000	+5,436,000
Total, title III, Department of Energy	15,757,418,000	18,433,515,000	15,282,735,000	-474,683,000	-3,150,780,000
(By transfer)	(3,774,000)	.....	.....	(-3,774,000)	.....
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission	160,000,000	165,000,000	160,000,000	.....	-5,000,000
Defense Nuclear Facilities Safety Board	16,000,000	17,500,000	16,000,000	.....	-1,500,000
Nuclear Regulatory Commission:					
Salaries and expenses	471,800,000	476,500,000	462,700,000	-9,100,000	-13,800,000
Revenues	-457,300,000	-457,500,000	-446,700,000	+10,600,000	+10,800,000
Subtotal	14,500,000	19,000,000	16,000,000	+1,500,000	-3,000,000
Office of Inspector General	5,000,000	4,800,000	4,800,000	-200,000	.....
Revenues	-5,000,000	-4,800,000	-4,800,000	+200,000	.....
Subtotal	.....	.....	.....	.....	.....
Total	14,500,000	19,000,000	16,000,000	+1,500,000	-3,000,000
Nuclear Waste Technical Review Board	2,531,000	3,200,000	2,400,000	-131,000	-800,000
Tennessee Valley Authority: Tennessee Valley Authority Fund	106,000,000	106,000,000	.....	-106,000,000	-106,000,000
Total, title IV, Independent agencies	299,031,000	310,700,000	194,400,000	-104,631,000	-116,300,000
Grand total:					
New budget (obligational) authority	20,990,027,000	23,047,903,000	20,416,989,000	-573,038,000	-2,630,914,000
Appropriations	(20,378,672,000)	(23,047,903,000)	(20,416,989,000)	(+38,317,000)	(-2,630,914,000)
Emergency appropriations	(611,355,000)	.....	.....	(-611,355,000)	.....
(By transfer)	(1,000,000)	.....	.....	(-1,000,000)	.....

□ 2145

Mr. MCDADE. Mr. Chairman, I yield to the gentleman from California [Mr. ROHRABACHER] for purposes of a colloquy.

Mr. ROHRABACHER. Mr. Chairman, I would like to add my congratulations to the gentleman from Pennsylvania [Mr. MCDADE], to the ranking member, the gentleman from California [Mr. FAZIO], to the gentleman from Louisiana [Mr. LIVINGSTON] and to all those who are involved in this piece of legislation. It is in keeping with the great tradition, I might add, of Tom Bevill, who did such a terrific job in heading this subcommittee, and Mr. Myers.

And, of course, all of these efforts over the years have been marked in this subcommittee by bipartisanship, and that is deeply appreciated on this Congressman's part.

I appreciate not only the gentleman's bipartisanship but also the great way he has been handling himself in the expertise behind this bill.

As the chairman and other House conferees prepare for conference with the Senate, I would like to call their attention to the water infrastructure restoration study in Huntington Beach, California. This study was initiated by the Corps of Engineers last year to assess the current status of the city's water infrastructure and to identify improvements to withstand an earthquake.

I would also like to mention the cost-shared feasibility study to determine the appropriate measures to shore up the coastal bluffs at Blufftop Park in Huntington Beach. Unfortunately funding was not included in the committee bill this year for these projects. I would ask if the chairman would be willing to work during the conference to identify funding to continue these critical studies.

Mr. MCDADE. Mr. Chairman, I want to commend my colleague for bringing these studies to my attention. The committee considered numerous projects and studies including studies of the seismic reliability of infrastructure in southern California similar to the Huntington Beach study. I look forward to working with my colleague regarding these studies that he mentioned as the bill moves through the process.

Mr. ROHRABACHER. Mr. Chairman, I thank the gentleman and I thank the ranking member.

Mr. MCDADE. Mr. Chairman, I reserve the balance of my time.

Mr. FAZIO of California. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. SANCHEZ] to engage the chairman in a colloquy.

Ms. SANCHEZ. Mr. Chairman, I thank the gentleman for yielding me the time.

I would like to bring to the attention of the gentleman from Pennsylvania [Mr. MCDADE] an item that was authorized in the Water Resources and Development Act of 1996 and merits the committee's consideration for the energy and water appropriations bill for fiscal year 1998.

In January of 1995, heavy rains led to extensive flooding and property damage in the western portion of Garden Grove. Over 160 homes in Garden Grove were flooded. Due to this flooding a feasibility study for the Bolsa Chica Channel project was authorized in the Water Resources and Development Act of 1996.

Mr. MCDADE. Mr. Chairman, will the gentlewoman yield?

Ms. SANCHEZ. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, I want to thank the gentlewoman for bringing this problem to our attention. I want to assure the gentlewoman from California [Ms. SANCHEZ] that we will work with her and with my friend, the gentleman from California [Mr. FAZIO] as the bill moves through the process to make every effort to address the problem.

Mr. MCDADE. Mr. Chairman, I yield myself such time as I may consume.

I am at this juncture happy to announce to the House that I have a unanimous consent request to make that I think will be of interest to the Members.

Mr. Chairman, I ask unanimous consent that all votes on the pending bill and amendments on the pending bill be reserved until tomorrow morning.

The CHAIRMAN. The Chair informs the gentleman that the Chair has that authority under the rule and does not need unanimous consent. So with that, the gentleman may proceed.

Mr. MCDADE. I appreciate the Chair's indulgence.

Mr. Chairman, I reserve the balance of my time.

Mr. FAZIO of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I first would like to congratulate my good friend, the gentleman from Pennsylvania [Mr. MCDADE] for the very hard work and dedication that he has exhibited in bringing this bill to the floor. As the new chairman of the Energy and Water Subcommittee, he has taken hold and demonstrated a unique spirit of bipartisanship and his strong leadership in guiding the energy and water policy of this country.

The recommended energy and water development appropriations bill for fiscal year 1998 is essentially level with last year and is within the allocation of both budget authority and outlays to this subcommittee. Consistent with tradition, the committee has smiled more favorably, I think it is fair to say, on water development projects than the administration has requested, to the tune of some $550 million over the budget request. The committee was literally inundated with a record number of requests from Members seeking funding for projects, many of which were newly authorized by the Water Resources Development Act of 1996.

Although we could not accommodate 100 percent of those requests, the gentleman from Pennsylvania [Mr. MCDADE has paid particular attention to these needs throughout the country, although the water development area is still significantly cut back by some $188 million below last year's amount.

The energy portion of the bill has suffered some severe cutbacks. Once again, in these tight budget years, it was difficult meeting all the competing priorities between environmental cleanup, stockpile stewardship, nuclear nonproliferation, renewable energy and basic energy research as well as defense needs. I think we have done as well as we can do. But we will be obviously dealing with a number of issues in conference. We have heard some comments here on the floor tonight about issues that I am sure we will work together to resolve, hopefully to the satisfaction of the Department of Energy and the administration.

I am particularly pleased that we were able to work out an agreement on the solar and renewable budget within the very strict limitations we had. For the first time, I believe, in all the years I have been on this subcommittee, we will not have an amendment on that subject because I believe we have satisfied a broad cross-section of the Members.

I would like to congratulate my good friend and colleague, Mr. JOE MCDADE, for his hard work and dedication in bringing this measure to the floor. As the new chairman of the Energy and Water Subcommittee, he has demonstrated a unique spirit of bipartisanship and strong leadership in guiding the energy and water policy of this country.

The recommended Energy & Water Development appropriations bill for fiscal year 1998 is essentially level with last year and within the allocation of both budget authority and outlays.

Consistent with tradition, the committee has smiled far more favorably on water development projects than the administration's request—to the tune of $550 million over the budget request.

The committee was inundated with a record number of requests from Members seeking funding for projects, many of which were newly authorized by the Water Resources Development Act of 1996.

Although we could not accommodate 100 percent of those requests, JOE MCDADE has paid particular attention to these needs throughout the country, although the water development area is still significantly cut back—by $188 million—below last year's amount.

In particular, I wanted to cite funding for a significant new initiative in California—the Calfed Bay-Delta environmental restoration initiative.

The San Francisco Bay-Delta system is the largest estuary on the West Coast. Millions of birds and 53 species of fish migrate through and live in the Bay-Delta Estuary, including many listed as threatened or endangered.

The estuary provides drinking water for 20 million people and irrigation water for 200 crops, including 45 percent of the Nation's produce.

The Bay-Delta is in dire need of a comprehensive and lasting plan to restore its ecological health and to improve its management, and to that end, farmers, environmentalists,

and water users throughout the State have come together to find long-term solutions.

Voters in the State overwhelmingly supported a $1 billion bond issue to fund such restoration efforts—Californians have clearly taken the initiative.

The administration requested $143 million for the first year of funding for the Federal share of projects related to Bay-Delta restoration, knowing that effective action will require close coordination between Federal, State, and local entities.

Our committee, in a tight budgetary year, included $120 million for this project, a significant step in getting this initiative underway and an amount that will be fully matched by funds approved by California voters.

The bipartisan California delegation as well as Governor Wilson is unanimous in their support for this initiative and grateful to our subcommittee for choosing to fund it in a tight budgetary year—we will fight to hold this funding level at conference.

The energy portion of the bill has suffered severe cutbacks. Once again in these tight budget years it was difficult meeting all of the competing priorities between environmental cleanup, stockpile stewardship, nuclear nonproliferation, renewable energy, basic energy research, and defense needs.

I am particularly pleased that we were able to work out an agreement on the solar and renewable budget within these strict limitations. In past years this issue has been in contention as an amendment on the floor of the House. In the interest of working in a renewed bipartisan fashion, Mr. MCDADE graciously offered to negotiate with myself and the 116 members of the Renewable Energy Caucus to find mutual agreement on the needed level of funding.

The level of funding agreed upon, $185 million, is a nominal increase over last year's budget. As a long time supporter of this program, I think this represents a substantial commitment to developing an alternative to our dependency on foreign oil. We have to look to our future energy needs and prepare to rely on new sources that are cleaner and renewable. I commend the chairman once again for his cooperation and support on this issue.

I am also pleased that we were able to fund the fusion program at the President's request. We are in the last year of funding for the design phase of this program, and this funding signals our commitment as a nation to seeing this project through this initial stage.

We also managed to fully fund the National Ignition Facility which will help take us into the next century with regard to the Comprehensive Test Ban Treaty. This new approach to stockpile stewardship is critical to eliminating underground testing and shepherding us into a more peaceful era.

I know the administration has some concerns with this bill. As the ranking member of the subcommittee, I look forward to working with them to address whatever problems may exist during the conference committee's consideration of this bill.

But overall, I believe this bill is well balanced and demonstrates great responsiveness on the part of the chairman and the subcommittee members to meet the energy and water needs of this country.

I want to urge my colleagues to support this measure and vote for its final passage today on the floor.

Mr. Chairman, I reserve the balance of my time.

Mr. MCDADE. Mr. Chairman, in order to expedite the procedures of the House, there was a rule pending that the parties involved in have been working on for some hours. In order to expedite consideration of that rule, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. KLUG) having assumed the chair, Mr. OXLEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

PROVIDING FOR CONSIDERATION OF H.R. 2159, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1998

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that consideration of H.R. 2159 may proceed according to the following order:

(1) The Speaker may at any time, as though pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2159) making appropriations for foreign operations, export financing and related programs for the fiscal year ending September 30, 1998, and for other purposes.

(2) The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 7 of rule XXI are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and the ranking minority member of the Committee on Appropriations. After general debate, the bill shall be considered for amendment under the five-minute rule.

(3) Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: beginning with ': Provided'' on page 24, line 8, through ''justice'' on line 16. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph.

(4) The amendments printed in House Report 105–184 may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. No other amendment shall be in order unless printed in the portion of the CONGRESSIONAL RECORD designated for that purpose in clause 6 of rule XXIII.

(5) The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to 5 minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes.

(6) At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

(7) Notwithstanding any other provision of this order, the amendment numbered 1 in House report 105–184 shall be debatable for 40 minutes.

(8) Notwithstanding any other provision of this order, it shall be in order in lieu of the amendment numbered 2 in House report 105–184 to consider the amendment I have placed at the desk authored by Representative Gilman of New York, Representative PELOSI of California, Representative CAMPBELL of California, Representative LOWEY of New York, Representative GREENWOOD of Pennsylvania, Representative DELAURO of Connecticut and Representative SLAUGHTER of New York, which may be offered by any of the named authors, shall be debatable for 40 minutes, and shall otherwise be considered as though printed as the amendment numbered 2 in House report 105–184.

For clarification, Mr. Speaker, the perfecting amendment that I have just mentioned is to the amendment offered by the gentleman from New Jersey (Mr. SMITH), the gentleman from Michigan [Mr. BARCIA], the gentleman from Illinois [Mr. HYDE] and the gentleman from Minnesota [Mr. OBERSTAR].

AMENDMENT IN LIEU OF AMENDMENT NUMBERED 2 IN HOUSE REPORT 105–184

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

In the matter proposed to be inserted by the amendment as a new subsection (h) of section 104 of the Foreign Assistance Act of 1961—

(1) in paragraph (1)(B), insert before the period at the end the following: '', or to organizations that do not promote abortion as a method of family planning and that utilize these funds to prevent abortion as a method of family planning''; and

(2) in paragraph (2)(A), strike ''or engage'' and insert the following: ''or (except in the

case of organizations that do not promote abortion as a method of family planning and that utilize these funds to prevent abortion as a method of family planning) engage''.

In the matter proposed to be inserted by the amendment as a new subsection (i) of section 301 of the Foreign Assistance Act of 1961, insert before the quotation marks at the end the following sentence: ''If the President is unable to make the certification required by paragraph (1) or (2) with respect to a fiscal year, the funds appropriated for the UNFPA for such fiscal year shall be transferred to the Agency for International Development for population planning activities or other population assistance.''.

The SPEAKER pro tempore. Does the gentleman from New York [Mr. SOLOMON] wish to add to his request?

Mr. SOLOMON. Mr. Speaker, I would ask that a section 9 be added to the unanimous-consent request: (9) House Resolution 185 is laid on the table.

That is the previous rule.

Mr. Speaker, might I also at this time make it clear that it is the intention of the Committee on Rules that the 40 minutes on each amendment be equally divided between the proponent and an opponent and that divided equally at the discretion of the manager of the amendment on both sides among the two parties.

The SPEAKER pro tempore. The Chair understands that the waiver of points of order against amendments pertains to those in the report actually or constructively and not those actually in the RECORD.

Is there objection to the request of the gentleman from New York?

There was no objection.

□ 2200

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore (Mr. KLUG). Pursuant to House Resolution 194 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2203.

□ 2200

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes, with Mr. OXLEY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose earlier today, 52 minutes remained in general debate. The gentleman from Pennsylvania [Mr. MCDADE] has 26½ minutes remaining and the gentleman from California [Mr. FAZIO] has 25½ minutes remaining.

The Chair recognizes the gentleman from Pennsylvania [Mr. MCDADE].

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Delaware [Mr. CASTLE] for purposes of a colloquy.

Mr. CASTLE. Mr. Chairman, I rise to engage in a colloquy with the distinguished chairman.

Mr. Chairman, I want to thank first of all the chairman and the ranking member and all the members of the subcommittee for the excellent work they did under difficult budgetary restraints, and I want to particularly comment favorably upon their treatment of my home State of Delaware. However, I would like to point out a short-term and potentially long-term problem in the small community of St. Georges, DE.

As the chairman knows, this Congress has recognized on a number of occasions that the United States has an ongoing legal obligation to provide good and sufficient crossings over many of our Nation's canals with ownership and operation bestowed upon the Army Corps of Engineers.

Currently, the Army Corps owns and operates four such crossings over the Chesapeake and Delaware Canal in Delaware, including two crossings at St. Georges. The Army Corps has notified the State of Delaware of its plan to close and remove one of those crossings, the St. Georges Bridge, at a cost of $20 million and without any consideration to my constituents or the taxpayers of this country.

I believe this plan is shortsighted and is being implemented without congressional consent from either the gentleman's committee or the authorizing committee which has jurisdiction. I believe that there are many cost-efficient alternatives that properly take into account cost, safety, and human need, but I am afraid these alternatives will not be fully considered once the corps moves ahead with their demolition plan.

I would therefore ask the chairman, whose committee oversees the Army Corps' spending, if it is his intent to allow the Army Corps to move ahead with a plan for the demolition of St. Georges Bridge without the consent of this body?

Mr. MCDADE. Mr. Chairman, will the gentleman yield?

Mr. CASTLE. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. May I say as strongly as I can, Mr. Chairman, that it is not the intent of the committee to allow the corps to move ahead with the plan for the demolition of the St. Georges Bridge.

In the bill we are considering today, there are no funds, I repeat, no funds for the demolition of the bridge nor any report language directing the Army Corps to demolish the St. Georges Bridge.

Mr. CASTLE. Reclaiming my time, Mr. Chairman, I thank the chairman, and I would hope that the chairman would work with me and the authorizers to see that a commonsense solution is found that benefits both the Army Corps, the taxpayers and, most importantly, my constituents.

Will the chairman work with me toward this goal?

Mr. MCDADE. Mr. Chairman, if the gentleman will continue to yield, it is my intent to work with my friend towards reaching a commonsense solution that benefits everybody involved.

I appreciate the gentleman's bringing this important issue to my attention, and I want to assure him that the committee will work to meet many of the Member's concerns regarding the St. Georges Bridge.

Mr. CASTLE. Mr. Chairman, this Member thanks the distinguished gentleman for his time.

Since this issue does affect a great number of my constituents, it could set a dangerous precedent which other Members may face in their districts, so I appreciate the gentleman's clarification.

Mr. MCDADE. Mr. Chairman, I reserve the balance of my time.

Mr. FAZIO of California. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. SKAGGS] for the purposes of a colloquy.

Mr. SKAGGS. Mr. Chairman, I thank the gentleman for yielding me this time.

As the gentleman knows, I am particularly interested in the programs managed by the Office of Worker and Community Transition. I authored section 3161 of the 1993 defense bill that authorized these programs. I think they will continue to play a very important role as we go further into the post-cold war period. So I was worried about proposals initially in the report to limit the extent of these programs as they would continue at the Rocky Flats site and other sites where weapons production has ended but our final mission cleanup remains to be completed.

I am glad we were able to work out some changes on that part of the report so that there is no doubt that 3161 will continue to apply to Rocky Flats and other similar sites. I appreciate the gentleman's cooperation and that of the gentleman from Michigan [Mr. KNOLLENBERG] in getting those changes made.

However, I think there is still a need to clarify one related provision of the bill. As the gentleman knows, section 305 essentially makes section 3161 of the 1993 defense bill unavailable to ''employees of the Department of Energy.''

A question has come up as to whether that restriction extends to employees of DOE's contractors or subcontractors. And I just want to make sure that I am correct in understanding that section 305 of the bill refers only to Federal employees of the Department of Energy and not to employees of companies operating under DOE contracts or subcontracts.

Mr. MCDADE. Mr. Chairman, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, I thank my friend for yielding, and let me say

that his interpretation is correct. Section 305 of the bill applies only to Federal employees and not to employees of any DOE contractor or subcontractor.

Mr. SKAGGS. Mr. Chairman, reclaiming my time, I thank the gentleman for his clarification.

Let me again express my thanks to him and the ranking member for the usual pleasure that this alumnus of the subcommittee had in working with him and with the ever-distinguished staff.

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. SENSENBRENNER] for purposes of a colloquy.

Mr. SENSENBRENNER. Mr. Chairman, I wish to engage the gentleman from Pennsylvania [Mr. MCDADE] in colloquy.

Mr. Chairman, the first sentence of section 301 of H.R. 2203 states, ''None of the funds appropriated by this act or any prior appropriations act may be used to award a management and operating contract unless such contract is awarded using the competitive procedures.''

First, I want to congratulate the chairman of the subcommittee for the strong endorsement of awarding such contracts on a competitive basis. For far too long the Department of Energy has awarded far too many M&O contracts on a sole-source basis.

However, I have a concern about the second sentence of section 301, which states, ''The preceding sentence does not apply to a management and operating contract for research and development activities at a federally funded research and development center.'' My concern is that this language may send an unintended signal to the DOE that Congress is encouraging sole-source awards of M&O contracts for research and development activities at federally funded research and development centers rather than encouraging more competition.

While I understand that in some cases sole-source awards of such M&O contracts may be justified, I would like the gentleman's assurance that this language does not prohibit nor discourage the competitive awards of M&O contracts for R&D.

Further, I would like to ask the gentleman from Pennsylvania if he would be willing to work with the Committee on Science to craft language that could be submitted to the conference committee that would address these concerns.

Mr. MCDADE. Mr. Chairman, will the gentleman yield?

Mr. SENSENBRENNER. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. May I say, Mr. Chairman, to my friend, the gentleman from Wisconsin [Mr. SENSENBRENNER], that the gentleman is correct, that the intent of this section is to encourage and foster more competition in the future awards of M&O contracts for the Department of Energy laboratories.

Furthermore, there is no intention to prohibit or discourage the Department from awarding M&O contracts for research and development on a competitive basis.

Finally, the gentleman has my assurances that the subcommittee will work with the Committee on Science to craft language that could be submitted to the conference that would address his concerns.

Mr. SENSENBRENNER. Mr. Chairman, reclaiming my time, I thank the gentleman from Pennsylvania and look forward to working with him on this matter and on other important issues in the future.

As a general rule, I, as a Member of Congress, would prefer that all DOE contracts be awarded on a competitive basis, and I believe that the burden of proof should be on the department to justify any sole-source award.

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. SMITH].

Mr. SMITH of Texas. Mr. Chairman, I thank my friend for yielding me this time, and I wish to engage the gentleman from Pennsylvania and the gentlewoman from Idaho in a colloquy.

I am very concerned about the administration's proposed American Heritage Rivers Initiative. This initiative could threaten private properties if it is implemented. Although the initiative purports to be community-led, the Federal agencies involved will dominate the process and could well dictate to property owners how they can use their lands.

If this occurs, we could see a severe erosion of the private properties rights guaranteed to American citizens under the Constitution. A prime example of this could occur in the West where restricting cattle from streams, their only water supply, would create enormous uncompensated losses for ranchers.

The American people have not been given a voice in the process. The agencies involved are currently planning to reprogram funds for purposes that were not authorized or appropriated by Congress.

The reprogramming of funds to pay for an initiative where the voices of the American people have not been heard is simply not acceptable. Until Congress has reviewed this initiative and the agencies have provided substantial protections for private property rights, I am proposing that Congress in general, and the Subcommittee on Energy and Water Development of the Committee on Appropriations in particular, withhold any funds for implementation of the American Heritage Rivers Initiative.

Any assurances that the chairman can provide that no reprogramming requests will be entertained by the committee until all questions have been answered and private property rights have been protected would be appreciated.

Mrs. CHENOWETH. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Texas. I yield to the gentlewoman from Idaho.

Mrs. CHENOWETH. Mr. Chairman, I thank the gentleman from Texas, and I really appreciate the gentleman from Texas bringing this matter to the attention of the Members. I, too, have grave concerns about the Clinton Administration's American Heritage Rivers Initiative.

There are so many things wrong about both the programming itself and the process by which it was brought forth that we simply do not have time to go into it now, but I wholeheartedly agree with the gentleman from Texas. Private property rights really are at risk.

I have to object also and am very concerned about the process by which this initiative was brought forward. The White House is attempting to spend millions of dollars on an unauthorized program. Congress has never authorized nor appropriated funds for the American Heritage Rivers Initiative. This means that other on-the-ground programs that have been authorized and appropriated for, such as programs in the Bureau of Land Management or programs in the Fish and Wildlife Service or the Forest Service, are being robbed to bring this unauthorized program, the American Heritage Rivers Initiative program, on line.

When we are so desperately striving to meet our existing obligations and commitments to the American people, when we ask the American people to once again tighten their belts, and when we continue to spend our grandchildren's money by engaging in deficit spending, I have to ask if this is really the best use of taxpayers' money. And I say that it is not. We must take care of what we already own and owe.

I introduced H.R. 1842, a bill to stop this proposal. I note that the gentleman from Texas is a cosponsor, and I thank him for raising this ill-conceived program to the attention of the Members.

Mr. McDADE. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Texas. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Chairman, let me say that my friends from Texas and Idaho have raised a very important issue. Although the bill before us does not include language regarding the American Heritage Rivers Initiative, the committee shares both their concerns, and they can be certain that I will not agree to funding for this program until we can be assured that there are adequate protections for private property rights.

The gentleman from Texas and the gentlewoman from Idaho have my assurance that we will carefully consider any reprogramming related to the American Heritage Rivers Initiative.

Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. SHAW].

Mr. SHAW. Mr. Chairman, I thank the distinguished gentleman from

Pennsylvania, the chairman of the subcommittee, for yielding me this time in order to engage in a brief colloquy.

Mr. Chairman, I first of all want to thank the gentleman for the funding that Dade County and Palm Beach County, Florida, received under his committee's appropriation bill. I also appreciate the committee's rejecting the administration's policy to limit the role of the Corps of Engineers in shore protection policies.

I am deeply concerned, however, that one project in Broward County, FL for which I requested $17 million, only received $100,000.

Mr. MCDADE. Mr. Chairman, will the gentleman yield?

Mr. SHAW. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, let me say to my friend that the committee provided $100,000 for the Corps of Engineers to review the general design memorandum for the renourishment of the Broward County project currently being prepared by the local sponsor.

Mr. SHAW. Mr. Chairman, reclaiming my time, the gentleman, as usual, is quite correct. However, large portions of Broward's beaches are severely eroded. While this is partly due to storm damage, it is mainly because the life of the project is nearing its end. The expected life of a renourishment project is 10 years, and Broward County is an excellent example of a beach restoration project that has worked exactly as it was designed.

In January 1996, Broward County's local sponsor made application for approximately $17 million in fiscal year 1998 appropriations, representing the Federal share of the estimated $27 million for the 12-mile-long Broward County beach nourishment and shore protection project.

□ 2215

This Federal cost-share was calculated in two Corps of Engineers approved section 934 reevaluation reports for segment II, which is Hillsboro Inlet to Port Everglades, and section III, which covers Port Everglades to South County Line. The county plans to include appropriate innovative project features, such as highly engineered structures, which will maximize the life of the beach fill, as requested by the State and Federal legislators.

Broward County requested the full Federal cost of the project in order to ensure maximum cost efficiencies. In fact, Broward County estimates that past nourishment projects have protected approximately $4 billion in infrastructure from storm damage.

However, Broward beaches are reaching minimum storm damage protection right now, and if implementation of the new project does not commence on schedule and we have a hurricane of any great strength, I fear next year I will be back to ask for double the requested amount just to repair the damage.

Mr. Chairman, feasibility studies have been completed on the project, and crucially needed additional appropriations could be used to commence action on this project.

I thank the chairman for listening to me in the past and for allowing me the chance to provide a more complete explanation of Broward's needs.

I yield back to the gentleman.

Mr. MCDADE. I want to commend my distinguished colleague, the gentleman from Florida [Mr. SHAW], for the briefing he gave me on this project for bringing to our attention. I understand, and we share his concerns on this issue. And we will continue to give this matter our deepest study during the conference.

Mr. FAZIO of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. KIND].

(Mr. KIND asked and was given permission to revise and extend his remarks.)

Mr. KIND. Mr. Chairman, I want to commend the chairman of the committee and ranking member of the committee for the fine work they did on this bill. I rise in support of the bill.

Mr. Chairman, as we consider the Energy and Water appropriations bill for fiscal year 1998, I want to commend the chairman and members of the Appropriations Committee for maintaining funding for the Environmental Management Program [EMP]. By appropriating $16.7 million for 1998 the EMP will be able to operate at the same funding level as last year.

The Environmental Management Program is a cooperative effort of the U.S. Fish and Wildlife Service, the National Biological Service, and the U.S. Army Corps of Engineers to evaluate, restore, and enhance ravine and wetland habitat along a 1,200-mile stretch of the upper Mississippi and Illinois Rivers. The EMP is authorized through fiscal year 2002 in the Army Corps of Engineers budget.

The 1986 Water Resources Development Act authorized funding for the implementation of an overall Upper Mississippi River Basin Comprehensive Master Plan. This consisted of two essential components, one dedicated to improved navigation on the river for barge traffic, most notably lock and dam improvements, and the other to the long term environmental and recreational preservation of the river, which became the EMP.

The EMP is an essential tool in maintaining the quality of the river environment, as well as recreational and economic opportunities along the Mississippi River. Navigation along the upper Mississippi River supports 400,000 full or part time jobs, which produces over $4 billion in individual income. Recreation use of the river generates 12 million visitors and spending of $1.2 billion in direct and indirect expenditures in the communities along the Mississippi.

The EMP has always received bipartisan support, and this year is no different. Republican and Democratic members of Congress who represent areas along the upper Mississippi River joined me in helping secure adequate funding for the EMP in this year's Appropriations bill. The Governors of all five States who border the upper Mississippi and Illinois River—(Wisconsin, Illinois, Iowa, Minnesota and Missouri)—support the EMP and have been active in maintaining its long term viability.

The Mississippi River is a national treasure. It flows southward from Minnesota and Wisconsin through the heart of our Nation and into the Gulf of Mexico. The river is a vital source of clean water, a major navigational corridor, a crucial environmental ecosystem, an important flood damage reduction source and a tremendous recreational resource for millions of Americans. The Environmental Management Program serves a crucial role in protecting that resource so we can continue to provide for all of those needs into the future.

The unique bipartisan, multistate support that the EMP receives, and the strong level of cooperation between Federal agencies is a model for all government resource programs. No other program on the Mississippi River is doing the kind of data collection and habitat restoration projects that the EMP does. I applaud the members of the Appropriations Committee for the support of this valuable project and I urge my colleagues to fully support the EMP at the appropriated funding level.

On a personal note I want to thank Bob Dellany, the Director of the Environmental Management Technical Center [EMTC], and his staff for their dedicated work to study, protect and promote the upper Mississippi River. The folks at the EMTC, located in Onalaska, WI, do an outstanding job and they deserve our recognition and praise.

Mr. MCDADE. Mr. Chairman, I yield myself such time as I may consume, and I yield to my distinguished friend, the gentleman from Kentucky [Mr. WHITFIELD], for purposes of a colloquy.

Mr. WHITFIELD. Mr. Chairman, I want to commend the chairman and his staff and the minority and their staff for the work that they have done with me on many projects in my district, and I ask for the opportunity to enter into a colloquy with the chairman.

As the chairman knows from our many discussions, the national recreation area land between the lakes better known as LBL is in the district that I represent in Kentucky. LBL is the only federally owned national recreation area in the United States managed by the Tennessee Valley Authority and to my knowledge is the only national recreation area with no statutory governance.

My constituents are concerned about continued Federal support for LBL following the TVA Chairman Crowell's announcement to no longer seek funding for the non-power programs including LBL. That decision was later reversed by Chairman Crowell but not before the Subcommittee on Energy and Water Development had already approved the plan to eliminate all appropriated funds for non-power programs and instead pay for those activities from TVA revenues and savings from the power program.

I appreciate very much the chairman's efforts to find another source of revenue to finance LBL operations. However, my constituents remain skeptical about this funding approach and fear further reductions in Federal financial support for LBL because

there is no actual line item designating the amount LBL should receive. In the Senate passed bill, monies were appropriated for the non-power program and LBL received $7.9 million.

Mr. Chairman, do you share my view that the Federal Government is financially responsible for this national recreation area, which was established in the 1960's by the Kennedy administration and resulted in the forcible removal of over 800 families from their land in Kentucky?

Mr. MCDADE. Mr. Chairman, reclaiming my time, let me say that the answer to your question is yes. The committee fully expects TVA to commit sufficient funding to the Land Between the Lakes to permit continued enjoyment of these resources by the public. We have written into our report, may I say to my friend, that we will exercise vigorous oversight over this problem to make sure that this occurs and we are grateful to the gentleman for bringing it to our attention.

Mr. WHITFIELD. Mr. Chairman, if the gentleman would continue to yield, when he goes to conference with the Senate, is it his intention to support a funding level for LBL that will ensure the proper operation and maintenance of this national recreation area? I yield to the gentleman.

Mr. MCDADE. Mr. Chairman, reclaiming my time further, may I say to my colleague that the committee intends to work closely with the gentleman, as we have tried to today, to ensure that his interest in the continued operation and maintenance of LBL is protected.

Mr. WHITFIELD. If the gentleman will yield further, I thank the chairman very much. And once again, I want to thank him and his staff for their cooperation.

Mr. MCDADE. Mr. Chairman, let me say that we have about three, perhaps four more Members, and we are down toward the end of the colloquies on this side of the aisle. I believe my friend, the gentleman from California [Mr. FAZIO], has taken care of that side.

It is the Chair's intention, once we finish the colloquies, if there is any time left, to yield it back and to ask that the bill be considered as read and open for amendment. So I make that statement in order that Members who may want to introduce amendments will be advised that their opportunity may come very quickly.

Mr. Chairman, I yield to my friend, the gentleman from Ohio [Mr. LATOURETTE].

Mr. LATOURETTE. Mr. Chairman, I rise tonight to engage the gentleman from Pennsylvania [Mr. MCDADE], an acknowledged friend and supporter of Great Lakes priorities, in a colloquy regarding the Army Corps of Engineers Division Reorganization Plan and recently authorized Sediment Remediation Technology Demonstration project.

Mr. Chairman, it has recently come to my attention that the Army Corps of Engineers is planning to restructure its Great Lakes and Ohio River Division by first severely reducing the number of employees, particularly those with decision-making authority, at its Chicago office and eventually closing down that facility. This plan is documented in an internal Army Corps memo that I will submit for the RECORD at the appropriate time. This plan would leave the Great Lakes region with only one office, in Cincinnati, and would obliterate the institutional memory that is so vital to Army Corps operations in this region.

Last year, when this Congress passed the Energy and Water Appropriations Act for fiscal year 1997, the Army Corps was directed to reduce its divisions to no less than six and no more than eight. The Department of the Army's Office of Civil Works submitted a plan to the Congress which detailed the restructuring plan, approved by the Secretary. Again, I will submit this document for the RECORD at the appropriate time.

The plan stated that, ''the Great Lakes districts of the North Central Division will be combined with the districts of the Ohio River Division to form the Great Lakes and Ohio River Division. Division headquarters will remain in both Chicago and Cincinnati, each with a deputy commander and SES.''

Mr. Chairman, do you agree with me that it is imperative that we exercise congressional oversight authority over the reorganization plan?

I will yield to the chairman.

Mr. McDADE. I thank the gentleman for yielding, and I want to say to him that we remain interested in the Corps of Engineers division office reorganization plan. We will continue to monitor it, and we appreciate the gentleman bringing his concern to our attention.

Mr. LaTOURETTE. If the gentleman will yield further, I thank the chairman for his willingness to work on that issue.

The second issue that I would like to address is the Army Corps' sediment remediation technology program, also known as ARCS 2, which was authorized in the Water Resources Development Act of 1996. This program is important to my district and Members' districts throughout the Great Lakes because of the huge quantity of contaminated sediments in the Lakes. Contaminated sediments in the Great Lakes are the largest repository of toxic pollution in the basin and pose a threat to human health as these toxins are slowly released into the water where they can enter the food chain through fish and birds.

The sediments, primarily in harbors, collect many pollutants that have been entering the Great Lakes for decades. A total of 362 contaminants have been identified in the Great Lakes sediments, many of which are known to have potentially severe human health impacts.

The current Energy and Water Appropriations bill does not include language regarding the ARCS 2 account. Pilot and laboratory-scale projects for the assessment and remediation of contaminated sediments were conducted under the assessment of remediation of contaminated sediments authority in the Clean Water Act. Section 515 of the WRDA bill of 1996 builds upon the old ARCS program by directing the Army Corps to conduct full-scale demonstration projects of promising sediment remediation technology. Such full-scale projects are an essential next step to removing the clean-up process from the planning to the implementation phase.

Mr. Chairman, as you are aware, it is within your jurisdiction to see that this issue is addressed in the conference on the energy and water bill in the Senate. I would request on behalf of my colleagues in the Great Lakes region that you support the inclusion of language that will allow the Army Corps to move forward with this important sediment remediation program for fiscal year 1998.

I would further yield to the chair.

Mr. McDADE. I thank the gentleman for yielding, and I appreciate my colleague bringing this matter to our attention. I look forward to working on this issue as the bill moves through the appropriations process.

Mr. LaTOURETTE. If the gentleman will yield further, Mr. Chairman, I wish to thank him for his wisdom and continued support of the issues important to myself and those in the Great Lakes region. I look forward to working with him on this and other matters. I thank him for his courtesy.

Mr. MCDADE. Mr. Chairman, I yield as much time as he may consume to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Chairman, I thank the gentleman for yielding. Let me also take this opportunity to thank the chairman of the subcommittee and the ranking member for the excellent work they have done in producing this bipartisan bill so important, indeed so vital to the State of Arizona.

Mr. Chairman, as you may know, San Carlos Lake, located in the Sixth District, is now on the verge of drying up. Current estimates suggest it could be dry by September. Now as we might expect, this is causing great concern among the local residents because this lake has great recreational value; and, Mr. Chairman, as we all know, it is vital economically to the residents of the sixth district living around San Carlos Lake.

Commensurate with the philosophy of the new majority, Mr. Chairman, we are seeking to solve this problem, first at the State level, but certainly we would be remiss if we did not try to employ every opportunity and explore every avenue of possibility that may exist. And, so, Mr. Chairman, I simply rise to say that I would appreciate the gentleman's help in exploring ways to provide assistance to these people of Arizona's sixth district as we seek to prevent this lake from drying out.

Mr. MCDADE. Mr. Chairman, reclaiming my time, let me tell my colleague that we are grateful to him for bringing this to our attention. We realize the serious nature of the problem, and we will be glad to work with him through the process to try to resolve it.

Mr. HAYWORTH. Mr. Chairman, if the gentleman would further yield, I very much appreciate the chairman of the subcommittee. I appreciate his attention to so many matters of vital importance within the State of Arizona and certainly his attention in this regard.

Mr. MCDADE. Mr. Chairman, for purposes of a colloquy, I am pleased to yield as much time as he may consume to the gentleman from Missouri [Mr. TALENT].

Mr. TALENT. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding. I would ask the chairman of the Appropriations Subcommittee on Energy and Water to engage in a colloquy regarding the transfer of FUSRAP responsibility from the Department of Energy to the Army Corps of Engineers.

Mr. Chairman, my district in Missouri has a major FUSRAP site which contains nuclear contamination from the Manhattan Project and other hazardous waste as well. For 15 years, the St. Louis community has attempted to work with the Department of Energy to clean up this site. After years of frustration and delay, however, the Department of Energy has finally begun a serious effort to begin to clean up the site. Contracts have been let, feasibility studies completed, the site recommendations have been prepared and commitments have been made.

As a result, Mr. Chairman, there are many people in the community, who while very appreciative of the abilities of the Army Corps of Engineers, are very concerned that the progress we finally made in getting DOE to clean up the site will be undone by this transfer. As a result, I would like to ask the gentleman, as a sponsor of this legislation, to clarify some of the concerns the community and I have about the effects of the legislation.

Although there is no formal record of decision yet for this clean-up, in St. Louis, several feasibility sites have been completed and a site recommendation has been made by the Department of energy. Would the Army Corps of Engineers respect these studies and the site plan and the contracts which have already been let for work at the site?

Mr. MCDADE. Reclaiming my time, let me say that we are appreciative to the gentleman for bringing this important problem to our attention. Let me say that the committee intends that the feasibility studies and the site recommendations prepared by the DOE at the time of the enactment of this legislation will be accepted and carried out by the Corps of Engineers and that existing contracts will be honored.

Mr. TALENT. Mr. Chairman, if the gentleman would yield further, I thank the gentleman for his responsiveness.

The Department of Energy, in its site recommendations, has targeted the year 2004 for completion of this project. I would say to the gentleman it is very important to the community that this commitment be maintained.

Mr. MCDADE. Mr. Chairman, reclaiming my time, we have, as you know, because we have discussed it substantially, increased money appropriated to the FUSRAP program, with the intent that it will be more likely that the sites will be cleaned up on schedule.

Mr. TALENT. If the gentleman would yield further, I thank the gentleman.

One other concern: The local community has been very involved in designing a plan to clean up the site. Their concern is that the administration of clean-up will be moved away from the St. Louis area to Omaha, reducing the community's input and influence on the clean-up process.

If the Army Corps of Engineers takes over the FUSRAP program, is it committee's intention that it be administered out of the St. Louis Corps office?

Mr. MCDADE. Reclaiming my time, let me say to the gentleman that the Corps of Engineers typically manages projects from its closest district office and we would intend for that to be done.

□ 2230

Mr. TALENT. I thank the gentleman for his assurances and I thank him and the ranking member for their hard work on this outstanding bill.

Mr. MATSUI. Mr. Chairman, I rise in strong support of this legislation. The bill contains several provisions that will be critically important to the safety of the Sacramento area that I represent.

I wish to express my deep gratitude to the Appropriations Committee, particularly Energy and Water Development Subcommittee Chairman JOE MCDADE and ranking member VIC FAZIO, for their recognition of the severe danger of flooding that my district faces. The bill they have crafted will allow for significant progress on the project for flood protection from the American River authorized by last year's Water Resources Development Act. The project, while in itself far from sufficient to provide comprehensive protection for the Sacramento area, is a vital step toward that absolutely critical goal. I am extremely pleased that the bill provides funding that will enable the U.S. Army Corps of Engineers to make maximum progress on this initiative in fiscal year 1998.

H.R. 2203 also makes a very important statement in providing reimbursements in two areas where the Sacramento Area Flood Control Agency [SAFCA] has moved forward with flood control efforts in advance of federal funding. One of these instances is SAFCA's project to improve flood protection for the Natomas area of Sacramento. By partially funding the reimbursement that has been authorized for this local effort, the committee has given valuable encouragement to communities that wish to move forward in the most aggressive manner in acting to address pressing flood threats. Similarly, the committee has sent an important signal by fully reimbursing SAFCA for costs associated with the variable flood control operation of Folsom Dam and Reservoir implemented by a 1995 agreement between SAFCA and the Bureau of Reclamation. This contract has provided a very necessary increment of added flood protection for the Sacramento area. Under last year's WRDA bill, the Federal Government accepted responsibility for 75 percent of the costs of lost water and power resulting from this agreement over a four year period. I am extremely pleased that the Committee has acted to meet this federal commitment.

The bill funds a number of other greatly needed flood control initiatives for the Sacramento area. These include the Sacramento River Bank Protection Project, which is helping to prevent bank erosion along the American River levees that represent the last line of flood defense for many Sacramentans. The bill also supports important area flood control efforts by including funds for construction of the Magpie Creek small flood control project, for feasibility studies as well as preconstruction engineering and design for the South Sacramento Streams Group project, and for a reconnaissance study for flood damage reduction from the Cosumnes and Mokelumne Rivers.

Finally, the Committee has provided support for two other innovative projects in the Sacramento area. One of these is an important water quality project—the city of Sacramento's efforts to improve its combined sewer system in order to prevent the flow of sewage into the Sacramento River. The second is the Ueda Parkway, a set of bicycle, equestrian and pedestrian trails to be constructed along a portion of the Natomas levee improvements.

Again, I deeply thank the committee for its support and look forward to working with them to gain final approval for these initiatives.

Mr. CRANE. Mr. Chairman, I wish to take this opportunity to commend the Appropriations Committee in general, and its Energy and Water Development Subcommittee in particular, for the fine job they did in crafting the fiscal year 1998 Energy and Water Appropriations bill being considered today. Not only is H.R. 2203 fiscally responsible, but there is much to be said for its policy and project provisions.

As a Member of Congress, it has long been my position that the Federal Government should spend less money more wisely. In its current form, this bill does just that. As reported, H.R. 2203 calls for a $573-million reduction in spending for energy and water projects next year, precisely what is needed in these times of fiscal restraint. Not only that, but the measure is notable for the quality of the projects it funds.

Let me cite two examples, with which I am particularly familiar. The first is the Des Plaines River Wetlands Demonstration Project [DPRWDP], for which $1 million has been provided, while the second is the Fox River Floodgate Installation Project, to which $1.178 million has been directed. Both are located in northern Illinois and, with the monies allocated by H.R. 2203, each is likely to pay big dividends in the future.

When complete, the DPRWDP will give policymakers the information they need to protect wetlands, preserve species habitat, reduce

flooding and improve water quality, while the Fox River project will reduce the threat and expense of flooding along one of America's more popular recreational waterways. In short, both endeavors will provide a substantial and tangible return on the money being invested, just as they should. My thanks to the chairman and members of the Energy and Water Development Subcommittee for including them in H.R. 2203 and to the chairman and members of the Appropriations Committee for approving them subsequently.

By singling out these two projects, I do not mean to suggest that others funded by H.R. 2203 are not equally deserving. To the contrary, there are a number of other projects worthy of favorable mention including the North Libertyville estates flood control project, the Chicago Shoreline project and the Yucca Mountain interim nuclear waste storage project just to name a few. That being the case, I urge my colleagues to give this measure their support. Not only does it contribute to budget reduction but it has many other benefits to offer as well.

Mr. ROGERS. Mr. Chairman, I would like to take this opportunity to express my appreciation for the efforts of Chairman MCDADE—and his staff, Jim Ogsbury, Bob Schmidt, Jeanne Wilson, Don McKinnon, and Sandra Farrow—in the formulation and passage of the Energy and Water development Appropriations bill for fiscal year 1998. They were exceedingly helpful, insightful, and responsive.

This is JOE MCDADE's first Energy and Water bill. While he follows two outstanding chairmen—Tom Bevill and John Myers—few can dispute that JOE stepped up to the plate and managed to formulate a fine bill and send it swiftly through the complex Appropriations Committee process. And this is not an easy bill to write. It is diverse, funding programs from nuclear weapons research to geothermal heat pump technologies, from the construction of Army Corps of Engineers water infrastructure projects, to the funding of critical development programs like those in the Appalachian Regional Commission. This bill demands an appreciation for physics, electronics, the needs of the rural poor, and, more importantly, a respect for the ravages of nature.

Few of us will forget the loss of life and property, and the heartache that resulted in the floods this year in the West Coast and Midwest United States. We know we cannot control nature, but we can do everything humanly possible to anticipate nature's worst forces, and to the best of our ability prevent loss of life.

We concern ourselves with the well-being of our neighbors, relatives, and communities—to ensure they are protected, and that they are provided a fair chance to prosper in the American economy. That is what we are supposed to do in this body. That is what JOE MCDADE has done in this bill.

Mr. KNOLLENBERG. Mr. Chairman. I rise in strong support of this bill. I want to express my appreciation to Chairman MCDADE and Ranking Member FAZIO for their efforts and assistance with this bill. I also want to give a big thanks to the entire Energy and Water Subcommittee Staff who were always ready and able to assist me and my staff on this bill.

This is a good bill. This bill provides adequate funding for continued construction of a permanent nuclear waste repository at Yucca Mountain. Furthermore, it still provides $85 million to begin construction of an interim storage facility once we enact authorization for such a facility later this year. This will help the Department of Energy meet its contract obligations to the commercial nuclear industry.

This bill also provides $7 million for the university nuclear reactor programs, $5 million of which is designated for the nuclear engineering R&D. This will ensure that we have the next generation of engineers prepared to develop and oversee our Nation's nuclear power infrastructure.

Although this bill does not fund the administration's request for the Nuclear Energy Security Program, I believe that nuclear power is an essential part of the Nation's energy portfolio and as such, I support some level of nuclear energy R&D for energy security. Considering nuclear power supplies over 20 percent of our Nation's electricity, we need to ensure the existing supply as a component of the Nation's baseload well into the next century. I encourage the Department to re-scope this year's proposal and to propose research that only takes advantage of DOE's unique capabilities but provides the best possible return on investment. The bottom line is that as our primary in nuclear R&D declines, we will lose our ability to participate on the world stage and to observe and understand the civilian nuclear programs of emerging nations.

When we began the appropriations process this year, I was cautiously optimistic that the Department of Energy was turning the corner on its environmental management program—that a new vision had been embraced over at the Department—a vision of accelerating and completing the cleanup of DOE's defense nuclear sites so that as many of them as possible are closed down within the next decade.

But, Mr. Chairman, I'm sorry to say that it's been more than a year since DOE brought forth this new vision and still, the Department has not been able to deliver a credible, defensible plan. As the old saying goes, ''the Devil's in the Details.'' DOE's ''Discussion Draft'' was finally released in June and is little other than a top-level framework to start the planning process. It is a document that is not supported by DOE's own site data or by what is realistically achievable. I still believe that this vision is well within our grasp and this bill get us much closer to it.

Frustrated with years of mismanagement in clearning up the former nuclear defense sites, this bill directs the Department of Energy to cleanup and close out the two major environmental management sites. Specifically, the Closure Project accelerates the closure of the Rocky Flats and Fernald sites. These are the two sites where all the entities—the administration, the States, the contractors, and the citizens—agree that closure by 2006 can and should be done. We've added funding above the administration's request to ensure just that—so that cleanup by 2006 becomes a reality. I'm also glad the bill preserves funding for other closure projects, a proposal that I championed last year. I hope that the Department follows this lead and creates more closure projects in the future.

Mr. Chairman, I also support transferring funding for cleanup of the Formerly Utilized Sites Remedial Action Program to the U.S. Corps of Engineers. As you know, this is a program for cleanup of 46 former Manhattan District or Atomic Energy Commission sites—a program that's been underway for 17 years and is still only 50 percent complete. I think it's time to try something different—and I believe the Corps, who successfully manages Department of Defense cleanups will be able to bring these projects to closure more quickly and at a more reasonable cost to the taxpayer.

We need to remain vigilant about new and innovative ways to accelerate cleanup. In this context, I support privatization. However, I want greater assurances of the Department's ability to manage privatized cleanups and less dependence on large sums of up-front federal funding, even when it's held in reserve.

I also support efforts to leverage technology and encourage the Department to better utilize the best and brightest of the universities and national laboratories. For example, DOE's use of the leading universities in the area of robotics technology development and deployment is a success story within the technology development program. Using advanced state-of-the-art robotics for a broad spectrum of cleanup tasks is not just efficient and more effective than using humans, but it reduces occupational exposure to hazardous environments.

Finally, I want to see DOE bring forth, along with next year's budget request, a detailed and defensible closure plan based on an aggressive but realistic estimate of the most that can be completed and closed out over the next decade. I agree that the vision can be accomplished by doing more sooner rather than later, by substantial mortgage and risk reduction, and by leveraging technology. But let's get on with it.

Again, Mr. Chairman, I would like to thank you for your leadership and for the efforts of the staff.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of the rule and H.R. 2203, the Energy and Water Development Appropriations for fiscal year 1998. I support this bill mainly because it provides $413 million 39—percent more for the Army Corps of Engineers construction programs than requested by the administration. The administration originally requested $9.5 million for the construction of the Sims Bayou Project in Houston, TX. The Subcommittee on Energy and Water Development specifically earmarked an additional $3.5 million bringing the total funding for the project to $13 million.

Mr. Chairman, the Sims Bayou Project is a project that stretches through my district. Over the course of recent years, the Sims Bayou has seen massive amounts of flooding. Citizens in my congressional district, have been flooded out of their homes, and their lives have been disrupted. In 1994, 759 homes were flooded as a result of the overflow from the Sims Bayou. That is 759 families that were forced to leave their homes.

I mainly support this bill, Mr. Chairman, because the subcommittee has earmarked in this bill $13 million for the construction and improvement of the Sims Bayou project that will soon be underway by the Army Corps of Engineers. I would like to thank the Army Corps of Engineers for their cooperation with my office in helping to bring relief to the people of the 18th Congressional District in order to avoid dangerous flooding. The Subcommittee on Energy and Water Development added an additional $3.5 million for the construction of this Sims Bayou project after my office worked to explain the devastating impact of the past flooding in this area. I am quite certain, Mr.

Chairman, that this project would not have been able to go forward if this additional money would not have been granted by the Subcommittee. For that I have to thank Chairman MCDADE, Ranking Member FAZIO, and my Texas colleague CHET EDWARDS, a new member on the Appropriations Committee.

However, Mr. Chairman, I would like to call on the Army Corps of Engineers to do everything that they can to accelerate the completion of this project. The project will now extend to Martin Luther King and Airport Boulevards, and Mykaw to Cullen Boulevard. This is flooding that can be remedied and the project must be completed before the expected date of 2006. While I applaud the Army Corps of Engineers for their cooperation, this is unacceptable for the people in my congressional district who are suffering. They need relief and I know that they cannot wait until the expected completion date of 2006. This must be done and I will work with the Army Corps of Engineers and local officials to ensure that this is done.

Mrs. FOWLER. Mr. Chairman, I rise today in support of the FY98 Energy and Water Development Appropriations Act and to congratulate my friend, Chairman MCDADE, for his work on this bill.

I am particularly pleased that this bill recognizes a federal role in preserving our Nation's water resources, including our shorelines. I want to alert my colleagues to language on page 7 of the Committee Report to H.R. 2203:

> The Committee believes that the budget request represents a lack of commitment by the Administration to the traditional roles and missions of the U.S. Army Corps of Engineers: navigation, flood control, and share protection.

I wholly agree with this statement. I would further add that when the Administration fails to offer an acceptable budget request, it makes the job of the appropriators that much more difficult. In light of a woeful budget request, Chairman MCDADE has done an outstanding job.

My district encompasses over 100 miles of coastline and has several ports and navigation channels. These resources provide avenues of commerce, transportation routes and access to military facilities. They are a vast and crucial resource for my district and their maintenance and protection is very important.

In addition to ports and navigation channels, my district has miles of beaches. President Clinton has proposed an end to federal funding of beach nourishment projects, saying that they are not in the ''national interest.''

I do not support this belief. Shore protection serves the same purpose as flood control projects, by protecting property and saving lives. Furthermore, our Nation's beaches and coastal areas are a great source of national pride. Millions of American and foreign tourists flock to these areas every year, all year, to enjoy clean, safe and beautiful beaches. To say that these areas are only of interest to the states in which they are located is the equivalent of saying that Yosemite is only of interest to the State of California.

The funding for water resource development in this bill will enhance commerce and protect homes and lives. Nonetheless, there is much work ahead of us. I applaud the Chairman and I hope he will be able to preserve our commitment to water resources when this bill goes to Conference.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise today in support of H.R. 2703 making appropriations for energy and water development for fiscal year 1998. I would first like to thank Chairman MCDADE and ranking member VIC FAZIO for their leadership in bringing this bill to the floor today.

I would also like to thank the hard-working subcommittee staff, for without them our jobs would be tremendously more difficult. I truly appreciate their knowledge and professionalism.

The bill before the House today stresses national priorities while keeping our commitment to downsize the Federal Government, maintain funding for critical flood safety projects, coastal protection, and dredging harbors and waterways throughout our Nation. We have made some tough choices about where to reduce spending and have written a bill which is $573 million less than last year.

As a member of the subcommittee, I am very pleased with two recommendations that were included in this year's bill. First, the bill has again flatly rejected the President's proposal to end coastal protection and second the bill terminates funding for the Tennessee Valley Authority's [TVA] nonpower program.

Coastal protection projects are very important to local economies all over the United States and especially New Jersey. The President's policy was shortsighted and would have resulted in hurting many communities that rely on promises the Federal Government has made to provide flood protection. And more often than not, they are projects that have been undertaken in partnerships with local and State governments. I am hopeful that the administration will abandon future efforts such as these and concentrate on providing protection to our coastal communities.

This bill also terminates the direct Federal subsidy for the TVA, which began in 1933. Perhaps the best reason for terminating the TVA can be found in the committee's report. Let me quote:

> In a concession that its Depression-era missions have been largely achieved, TVA has proposed termination of its non-power programs after Fiscal Year 1998. Enthused by the Administration's proposal to discontinue direct appropriations, the Committee has decided to accelerate its implementation.

Last year the TVA made over $5.7 billion in electric power sales and set an all time record for revenue. Given this fact, surely the time has come to move the TVA away from direct Federal subsidization and encourage it to continue only those programs which are necessary to meet its power production needs. I encourage all my colleagues to support this recommendation and turn out the lights of direct subsidization at the TVA.

In addition to these two important recommendations, this bill provides $225 million for magnetic fusion energy research. While this number is slightly reduced from last year's level, I am hopeful that as the bill moves through the legislative process the committee will be able to increase the number so that fusion can continue to make its remarkable achievements in plasma science research.

Mr. Chairman, this bill represents real progress toward setting national priorities. I urge my colleagues to support this bill and yield back the balance of my time.

Mr. PASTOR. Mr. Chairman, I rise today in support of this bill, and to congratulate our chairman and ranking member for the strong bipartisan manner in which they bring this bill to the floor. Both gentlemen have led this committee in a spirit of great cooperation—listening to all parties and, I believe, producing a bill that is a fair balance between critical needs and limited resources.

Although this bill does not meet the administration's spending levels for several Department of Energy programs, it goes a long way toward adequately funding several of the administration's priorities. Where differences still exist, I anticipate and look forward to continued dialog as we move through the appropriations process.

Considering the number of days of sunshine in my State of Arizona, it is no surprise that I am a strong supporter of solar energy technologies. Although the committee did not fund the President's full request for solar and renewable energy programs, I do appreciate the increase over last year's funding and believe the funding levels will allow the Department of Energy to continue an effective program for developing these technologies.

Overall, I am proud of the emphasis this committee continues to place on research, especially basic research. This bill provides the President's request or more for basic energy sciences, biological and environmental research, fusion energy, and high energy and nuclear physics. I am particularly pleased that the committee included language in the report that supports the Department's efforts to increase the ethnic diversity of students, researchers, and scientists working to maintain our Nation's international leadership in science and technology.

The committee continues to struggle, as in previous years, with reaching a balance between micromanaging the Department of Energy and providing adequate and responsible oversight for our Nation's taxpayers. In this bill, the chairman and ranking Member have taken a hard look, and in some cases a hard line, on issues of DOE's management practices. Although I see room for discussion, compromise, and positive resolution, I support the committee's efforts to bring better government to many of the Department's activities. I look forward to working with our counterparts in the Senate, and the administration, to finding mutually acceptable solutions in the areas where presently there is disagreement.

Again, many thanks to my chairman, ranking member, and fellow committee members for their assistance, bipartisanship and friendship. I would also like to thank the staffs on both sides of their aisle for their hard work.

Mr. PORTMAN. Mr. Chairman, I rise today in support of the energy and water appropriations bill. I believe it's a thoughtful approach to the difficult task of balancing our Nation's energy and water priorities in an era of fiscal restraint. I commend Chairman MCDADE for his work.

I support the $5.45 billion appropriation for the Department of Energy's Environmental Restoration and Waste Management budget, and particularly the $258.7 million included in the bill for the Fernald environmental management project located in my congressional district. This funding level represents an acknowledgement of the Federal Government's responsibility to clean up the hazardous waste sites that it created. Significant progress has been made in cleaning up our hazardous waste sites, including Fernald. But we still have a long way to go.

My approach has been to ensure that taxpayer funds for Fernald are used in the most

cost-effective manner possible to safely clean up the site. I support the accelerated cleanup plan to achieve these goals and am pleased that the committee report also advocates this approach.

I urge my colleagues to support this bill. It helps us meet our energy and water priorities responsibly, while still achieving the necessary savings to help us balance the Federal budget by the year 2002.

Mr. FAZIO of California. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. MCDADE. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the CONGRESSIONAL RECORD. Those amendments will be considered as having been read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

Mr. MCDADE. Mr. Chairman, I ask unanimous consent that the bill through page 35, line 20 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The text of the bill through page 35, line 20 is as follows:

H.R. 2203

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1998, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $157,260,000, to remain available until expended, of which funds are provided for the following projects in the amounts specified:

Delaware Bay Coastline, Delaware and New Jersey, $656,000;

Tampa Harbor, Alafia Channel, Florida, $270,000;

Barnegat Inlet to Little Egg Harbor Inlet, New Jersey, $400,000;

Brigantine Inlet to Great Egg Harbor Inlet, New Jersey, $472,000;

Great Egg Harbor Inlet to Townsends Inlet, New Jersey, $400,000;

Lower Cape May Meadows—Cape May Point, New Jersey, $154,000;

Manasquan Inlet to Barnegat Inlet, New Jersey, $400,000;

Raritan Bay to Sandy Hook Bay (Cliffwood Beach), New Jersey, $300,000;

Townsends Inlet to Cape May Inlet, New Jersey, $500,000; and

Monongahela River, Fairmont, West Virginia, $350,000:

Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $600,000 of the funds appropriated in Public Law 102–377 for the Red River Waterway, Shreveport, Louisiana, to Daingerfield, Texas, project for the feasibility phase of the Red River Navigation, Southwest Arkansas, study: *Provided further,* That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $470,000 of the funds appropriated herein to initiate the feasibility phase for the Metropolitan Louisville, Southwest, Kentucky, study.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $1,475,892,000, to remain available until expended, of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 25, Mississippi River, Illinois and Missouri; Lock and Dam 14, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; and Lock and Dam 3, Mississippi River, Minnesota, projects, and of which funds are provided for the following projects in the amounts specified:

Norco Bluffs, California, $1,000,000;

San Timoteo Creek (Santa Ana River Mainstem), California, $5,000,000;

Tybee Island, Georgia, $2,500,000;

Indianapolis Central Waterfront, Indiana, $7,000,000;

Indiana Shoreline Erosion, Indiana, $3,000,000;

Lake George, Hobart, Indiana, $3,500,000;

Ohio River Flood Protection, Indiana, $1,300,000;

Harlan, Williamsburg, and Middlesboro, Kentucky, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, $27,890,000;

Martin County, Kentucky, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, $5,500,000;

Pike County, Kentucky, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, $5,800,000;

Salyersville, Kentucky, $2,050,000;

Lake Pontchartrain and Vicinity (Hurricane Protection), Louisiana, $22,920,000;

Lake Pontchartrain (Jefferson Parish) Stormwater Discharge, Louisiana, $2,379,000;

Flint River, Michigan, $875,000;

Jackson County, Mississippi, $3,000,000;

Joseph G. Minish Passaic River Park, New Jersey, $5,000,000;

Hudson River, Athens, New York, $8,700,000;

Lackawanna River, Olyphant, Pennsylvania, $1,400,000;

Lackawanna River, Scranton, Pennsylvania, $5,425,000;

Lycoming County, Pennsylvania, $339,000;

South Central Pennsylvania Environment Improvement Program, $30,000,000, of which $10,000,000 shall be available only for water-related environmental infrastructure and resource protection and development projects in Lackawanna, Lycoming, Susquehanna, Wyoming, Pike, and Monroe counties in Pennsylvania in accordance with the purposes of subsection (a) and requirements of subsections (b) through (e) of section 313 of the Water Resources Development Act of 1992, as amended;

Williamsport, Pennsylvania, $225,000;

Wallisville Lake, Texas, $9,200,000;

Virginia Beach, Virginia, $10,000,000;

West Virginia and Pennsylvania Flood Control, West Virginia and Pennsylvania, $3,000,000;

Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with design and construction of the Southeast Louisiana, Louisiana, project and to award continuing contracts, which are not to be considered fully funded, beginning in fiscal year 1998 consistent with the limit of the authorized appropriation ceiling: *Provided further,* That the Secretary of the Army is directed to incorporate the economic analyses for the Green Ridge and Plot sections of the Lackawanna River, Scranton, Pennsylvania, project with the economic analysis for the Albright Street section of the project, and to cost-share and implement these combined sections as a single project with no separable elements, except that each section may be undertaken individually when the non-Federal sponsor provides the applicable local cooperation requirements: *Provided further,* That section 114 of Public Law 101–101, the Energy and Water Development Appropriations Act, 1990, is amended by striking ''total cost of $19,600,000'' and inserting in lieu thereof, ''total cost of $40,000,000'': *Provided further,* That the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to combine the Wilmington Harbor—Northeast Cape Fear River, North Carolina, project authorized in section 202(a) of the Water Resources Development Act of 1986, the Wilmington Harbor, Cape Fear River, North Carolina, project authorized in section 101(a)(23) of the Water Resources Development Act of 1996, and the Cape Fear—Northeast (Cape Fear) Rivers, North Carolina, project authorized in section 101(a)(22) of the Water Resources Development Act of 1996 into a single project with one Project Cooperation Agreement based on cost sharing as a single project.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a, 702g–1), $285,450,000, to remain available until expended.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be

necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,726,955,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662, may be derived from that Fund, and of which such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l), may be derived from that Fund for construction, operation, and maintenance of outdoor recreation facilities, and of which funds are provided for the following projects in the amounts specified:

Anclote River, Florida, $1,500,000; and

Raystown Lake, Pennsylvania, $4,690,000:

Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated in Public Law 104–206 to reimburse the local sponsor of the Fort Myers Beach, Florida, project for the maintenance dredging performed by the local sponsor to open the authorized channel to navigation in fiscal year 1996.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $112,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary for emergency flood control, hurricane, and shore protection activities, as authorized by section 5 of the Flood Control Act approved August 18, 1941, as amended, $14,000,000, to remain available until expended.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to administer and execute the Formerly Utilized Sites Remedial Action Program to clean up contaminated sites throughout the United States where work was performed as part of the Nation's early atomic energy program, $110,000,000, to remain available until expended: *Provided*, That funding obligated to an individual site in the Formerly Utilized Sites Remedial Action Program shall not exceed the amount obligated during fiscal year 1997 unless the following conditions are met: (1) there is a technical plan, schedule, and life-cycle cost estimate for the work to be performed; (2) the remedy selected for the site has been developed to meet, but not exceed, the standard of cleanup required for reasonably anticipated future land use and ground water uses; (3) the remedy selected has incorporated separation or other technology where practicable to reduce the amount of material that is to be excavated, removed, transported, or disposed; (4) the contracting mechanism used for the cleanup of each site will be competitive fixed-price wherever possible, but as a minimum shall include performance-based incentives; and (5) the cleanup plan has been presented to the affected communities, and State and Federal officials, and has not received substantial disagreement: *Provided further*, That the unexpended balances of prior appropriations provided for these activities in this Act or any previous Energy and Water Development Appropriations Act may be transferred to and merged with this appropriation account, and thereafter, may be accounted for as one fund for the same time period as originally enacted.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Coastal Engineering Research Board, the Humphreys Engineer Center Support Activity, the Engineering Strategic Studies Center, the Water Resources Support Center, and the USACE Finance Center; and for costs of implementing the Secretary of the Army's plan to reduce the number of division offices as directed in title I, Public Law 104–206, $148,000,000, to remain available until expended: *Provided*, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the division offices.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for official reception and representation expenses (not to exceed $5,000); and during the current fiscal year the revolving fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, and for activities related to the Uintah and Upalco Units authorized by 43 U.S.C. 620, $40,353,000, to remain available until expended, of which $16,610,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account: *Provided*, That of the amounts deposited into that account, $5,000,000 shall be considered the Federal contribution authorized by paragraph 402(b)(2) of the Central Utah Project Completion Act and $11,610,000 shall be available to the Utah Reclamation Mitigation and Conservation Commission to carry out activities authorized under that Act.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $800,000, to remain available until expended.

BUREAU OF RECLAMATION

For carrying out the functions of the Bureau of Reclamation as provided in the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) and other Acts applicable to that Bureau as follows:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, $651,931,000, to remain available until expended, of which $12,758,000 shall be available for transfer to the Upper Colorado River Basin Fund and $54,242,000 shall be available for transfer to the Lower Colorado River Basin Development Fund, and of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l–6a(i) shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That any amounts provided for the safety of dams modification work at Coolidge Dam, San Carlos Irrigation Project, Arizona, are in addition to the amount authorized in 43 U.S.C. 509: *Provided further*, That the unexpended balances of the Bureau of Reclamation appropriation accounts for ''Construction Program (Including Transfer of Funds)'', ''General Investigations'', ''Emergency Fund'', and ''Operation and Maintenance'' shall be transferred to and merged with this account, to be available for the purposes for which they originally were appropriated.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, $10,000,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a–422l): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $31,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, $425,000, to remain available until expended: *Provided*, That of the total sums appropriated, the amount of program activities that can be financed by the Reclamation Fund shall be derived from that Fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102–575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to levy additional mitigation and restoration payments totaling $30,000,000 (October 1992 price levels) on a three-year rolling average basis, as authorized by section 3407(d) of Public Law 102–575.

CALIFORNIA BAY-DELTA ECOSYSTEM RESTORATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Department of the Interior and other participating Federal agencies in carrying out the California Bay-Delta Environmental Enhancement and Water Security Act consistent with plans to be approved by the Secretary of the Interior, in consultation with such Federal agencies, $120,000,000, to remain available until expended, of which such amounts as may be necessary to conform with such plans shall be transferred to appropriate accounts of such Federal agencies: *Provided*, That such funds may be obligated only as non-Federal sources provide their share in accordance with the cost-sharing agreement required under section 102(d) of such Act: *Provided further*, That such funds may be obligated prior to the completion of a final programmatic environmental impact statement only if: (1) consistent with 40 C.F.R. 1506.1(c), and (2) used for purposes that the Secretary finds are of sufficiently high priority to warrant such an expenditure.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $47,658,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed six passenger motor vehicles for replacement only.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for energy supply, and uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $880,730,000.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 1701, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction or expansion, $497,619,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions and other activities of title II of the Atomic Energy Act of 1954 and title X, subtitle A of the Energy Policy Act of 1992, $220,200,000, to be derived from the Fund, to remain available until expended: *Provided*, That $37,000,000 of amounts derived from the Fund for such expenses shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of 15 passenger motor vehicles for replacement only, $2,207,632,000, to remain available until expended: *Provided*, That $35,000,000 of the unobligated balances originally available for Superconducting Super Collider termination activities shall be made available for other activities under this heading.

NUCLEAR WASTE DISPOSAL FUND

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $160,000,000, to remain available until expended, to be derived from the Nuclear Waste Fund: *Provided*, That none of the funds provided herein shall be distributed to the State of Nevada or affected units of local government (as defined by Public Law 97–425) by direct payment, grant, or other means, for financial assistance under section 116 of the Nuclear Waste Policy Act of 1982, as amended: *Provided further*, That the foregoing proviso shall not apply to payments in lieu of taxes under section 116(c)(3)(A) of the Nuclear Waste Policy Act of 1982, as amended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $214,723,000, to remain available until expended: *Provided*, That moneys received by the Department for miscellaneous revenues estimated to total $131,330,000 in fiscal year 1998 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 1998 so as to result in a final fiscal year 1998 appropriation from the General Fund estimated at not more than $83,393,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the office of the inspector general in carrying out the provisions of the Inspector General Act of 1978, as amended, $27,500,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 70 for replacement only), $3,943,442,000.

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 6 for replacement only), $5,263,270,000.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of passenger motor vehicles (not to exceed 2 for replacement only), $1,580,504,000.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $190,000,000.

POWER MARKETING ADMINISTRATIONS

OPERATION AND MAINTENANCE, ALASKA POWER ADMINISTRATION

For necessary expenses of operation and maintenance of projects in Alaska and of marketing electric power and energy, $1,000,000, to remain available until expended.

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the anadromous fish supplementation facilities in the Yakima River Basin, Methow River Basin and Upper Snake River Basin, for the Billy Shaw Reservoir resident fish substitution project, and for the resident trout fish culture facility in Southeast Idaho; and official reception and representation expenses in an amount not to exceed $3,000.

During fiscal year 1998, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $12,222,000, to remain available until expended; in addition, notwithstanding 31 U.S.C. 3302, not to exceed $20,000,000 in reimbursements for transmission wheeling and ancillary services, to remain available until expended.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $25,210,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $4,650,000 in reimbursements, to remain available until expended.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7101, et seq.), and other related activities including conservation and renewable resources programs as authorized, including the replacement of not more than two helicopters through transfers, exchanges, or sale, and official reception and representation expenses in an amount not to exceed $1,500, $189,043,000, to remain available until expended, of which $182,806,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That of the amount herein appropriated, $5,432,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to

title IV of the Reclamation Projects Authorization and Adjustment Act of 1992.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $970,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, fiscal years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), $162,141,000, to remain available until expended: *Provided,* That notwithstanding any other provision of law, not to exceed $162,141,000 of revenues from fees and annual charges, and other services and collections in fiscal year 1998 shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further,* That the sum herein appropriated from the General Fund shall be reduced as revenues are received during fiscal year 1998 so as to result in a final fiscal year 1998 appropriation from the General Fund estimated at not more than $0.

DEPARTMENT OF ENERGY

GENERAL PROVISIONS

SEC. 301. None of the funds appropriated by this Act or any prior appropriations Act may be used to award a management and operating contract unless such contract is awarded using competitive procedures. The preceding sentence does not apply to a management and operating contract for research and development activities performed at a federally funded research and development center.

SEC. 302. (a) None of the funds appropriated by this Act or any prior appropriations Act may be used to award, amend, or modify a contract in a manner that deviates from the Federal Acquisition Regulation, unless the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amendment, or modification for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the subcommittees of the waiver and setting forth the reasons for the waiver.

SEC. 303. None of the funds appropriated by this Act or any prior appropriations Act may be used to award, amend, or modify any contract for support services unless a cost comparison conducted under the procedures and requirements of Office of Management and Budget Circular A–76 shows that the cost of performing the support services by contractor personnel is lower than the cost of performing such services by Department of Energy personnel.

SEC. 304. None of the funds appropriated by this Act or any prior appropriations Act may be used to make payments under a management and operating contract for providing products or services for use by Department of Energy employees.

SEC. 305. None of the funds appropriated by this Act or any prior appropriations Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy;

under section 3161 of the National Defense Authorization Act of Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 7274h).

SEC. 306. None of the funds appropriated by this Act or any prior appropriations Act may be used to augment the $56,000,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 7274h).

SEC. 307. None of the funds appropriated by this Act to initiate new construction projects in fiscal year 1998 by the Department of Energy may be obligated for such a construction project until the Secretary of the Army, acting through the Chief of Engineers—

(1) performs an independent assessment of the cost, scope, and schedule of the construction project and validates the accuracy of the Department of Energy's estimates for the cost, scope, and schedule for the project; and

(2) submits to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report on such assessment.

SEC. 308. None of the funds appropriated by this Act or any prior appropriations Act may be used to prepare or initiate requests for proposals for a program if the program has not been funded by Congress.

SEC. 309. None of the funds appropriated by this Act (including funds appropriated for salaries of employees of the Department of Energy) may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 310. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, notwithstanding section 405 of said Act, and for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission and for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $160,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $16,000,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including the employment of aliens; services authorized by 5 U.S.C. 3109; publication and dissemination of atomic information; purchase, repair, and cleaning of uniforms; official representation expenses (not to exceed $20,000); reimbursements to the General Services Administration for security guard services; hire of passenger motor vehicles and aircraft, $462,700,000, to remain available until expended: *Provided,* That of the amount appropriated herein, $13,000,000 shall be derived from the Nuclear Waste Fund: *Provided further,* That from this appropriation, transfers of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: *Provided further,* That moneys received by the Commission for the cooperative nuclear safety research program, services rendered to State governments, foreign governments and international organizations, and the material and information access authorization programs, including criminal history checks under section 149 of the Atomic Energy Act may be retained and used for salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further,* That revenues from licensing fees, inspection services, and other services and collections estimated at $446,700,000 in fiscal year 1998 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further,* That $3,000,000 of the funds herein appropriated for regulatory reviews and other assistance provided to the Department of Energy and other Federal agencies shall be excluded from license fee revenues, notwithstanding 42 U.S.C. 2214: *Provided further,* That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1998 from licensing fees, inspection services and other services and collections, excluding those moneys received for the cooperative nuclear safety research program, services rendered to State governments, foreign governments and international organizations, and the material and information access authorization programs, so as to result in a final fiscal year 1998 appropriation estimated at not more than $16,000,000.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, including services authorized by 5 U.S.C. 3109, $4,800,000, to remain available until expended; and in addition, an amount not to exceed 5 percent of this sum may be transferred from Salaries and Expenses, Nuclear Regulatory Commission: *Provided,* That notice of such transfers shall be given to the Committees on Appropriations of the House of Representatives and Senate: *Provided further,* That from this appropriation, transfers of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: *Provided further,* That revenues from licensing fees, inspection services, and other services and collections shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further,* That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1998 from licensing fees, inspection

services, and other services and collections, so as to result in a final fiscal year 1998 appropriation estimated at not more than $0.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $2,400,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TENNESSEE VALLEY AUTHORITY

For essential stewardship activities for which appropriations were provided to the Tennessee Valley Authority in Public Law 104–206, such sums as are necessary in fiscal year 1998 and thereafter, to be derived only from one or more of the following sources: nonpower fund balances and collections; investment returns of the nonpower program; applied programmatic savings in the power and nonpower programs; savings from the suspension of bonuses and awards; savings from reductions in memberships and contributions; increases in collections resulting from nonpower activities, including user fees; or increases in charges to private and public utilities both investor and cooperatively owned, as well as to direct load customers: *Provided*, That such funds are available to fund the stewardship activities under this paragraph, notwithstanding sections 11, 14, 15, 29, or other provisions of the Tennessee Valley Authority Act, as amended: *Provided further*, That the savings from, and revenue adjustments to, the TVA budget in fiscal year 1998 and thereafter shall be sufficient to fund the aforementioned stewardship activities such that the net spending authority and resulting outlays for these activities shall not exceed $0 in fiscal year 1998 and thereafter: *Provided further*, That within thirty days of enactment of this Act, the Chairman of the TVA shall submit to the Committees on Appropriations of the House of Representatives and Senate an itemized listing of the amounts of the proposed reductions and increased receipts to be made pursuant to this paragraph in fiscal year 1998: *Provided further*, That by November 1, 1999, the Chairman of the TVA shall submit to the Committees on Appropriations of the House and Senate an itemized listing of the amounts of the reductions or increased receipts made pursuant to this paragraph for fiscal year 1998.

TITLE V

GENERAL PROVISIONS

SEC. 501. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

AMENDMENT OFFERED BY MR. SKAGGS

Mr. SKAGGS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SKAGGS:

On page 22, line 2, after ''$1,580,504,000'' strike the period and insert '', including $62,000,000 for the worker and community transition program.''

Mr. SKAGGS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. MCDADE. Mr. Chairman, I reserve a point of order against the amendment pending the gentleman's explanation.

The CHAIRMAN. The gentleman from Pennsylvania reserves a point of order.

Mr. SKAGGS. Mr. Chairman, I assure the distinguished chairman that my intention is to ask unanimous consent to withdraw the amendment in just a moment, but I wanted to use it to bring one matter before the attention of the House.

I am concerned about the inadequate funding in this bill to take care of the legitimate demands for worker transition services and benefits under section 3161 and otherwise at former nuclear weapons sites around the country including Rocky Flats. I am also concerned that we approach the worker transition program funding issue as straightforwardly as we can with sufficient funds appropriated to the proper accounts and not invite later needs for reprogramming or for use of funds from other accounts within the department.

As the chairman of the subcommittee knows, the bill provides now, I think, for $56 million for these purposes. My amendment would raise that to $62 million, the current fiscal year amount, still less than the President has requested. I think we need to provide additional funds for this. I believe the chairman anticipates that we may make further movement in this direction in conference. I also respect his intentions and that of the gentleman from Michigan [Mr. KNOLLENBERG] in particular that we try to make all of this handled in the bill and in practice in a much more straightforward fashion.

Mr. McDADE. Mr. Chairman, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from Pennsylvania.

Mr. McDADE. I simply want to thank the gentleman from Colorado for bringing this matter to our attention. It is our intention and hopefully we can cooperate with him as we go through the process to see if we can work this out.

Mr. SKAGGS. I appreciate the gentleman's statement.

Mr. Chairman, I ask unanimous consent that the amendment be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

AMENDMENT OFFERED BY MR. KLUG

Mr. KLUG. Mr. Chairman, I offer an amendment.

Mr. MCDADE. Mr. Chairman, I ask unanimous consent that during consideration of title IV of this bill, debate on an amendment and any amendments thereto to be offered by the gentleman from Wisconsin [Mr. KLUG] regarding the Appalachian Regional Commission be limited to 20 minutes, divided equally between the gentleman from Wisconsin [Mr. KLUG] as the proponent of the amendment and myself as an opponent of the amendment.

The CHAIRMAN. Let the Chair inquire, is the pending amendment covered under that unanimous-consent request?

Mr. MCDADE. The pending amendment and all amendments thereto, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. KLUG

Page 29, line 20, after the dollar amount, insert ''(reduced by $90,000,000)''.

The CHAIRMAN. Under the previous order of the House, the gentleman from Wisconsin [Mr. KLUG] and the gentleman from Pennsylvania [Mr. MCDADE] each will control 10 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. KLUG].

Mr. KLUG. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Appalachian Regional Commission was first established in 1965 to help promote the economic development of the Appalachian region. Since then the Federal Government has poured more than $7 billion into funding for projects. Some of these projects to essentially boost economic development include $750,000 from Federal taxpayers to help pay for the Carolina Panthers NFL stadium or $1.2 million for the National Track and Field Hall of Fame.

The Appalachian Regional Commission was first established back in 1965 and 3 years later, the Nixon administration began one of the first attempts to kill the Appalachian Regional Commission. Here I am 32 years after the Appalachian Regional Commission was first begun to essentially carry on this sometimes valiant and quixotic fight.

What we are here to consider tonight, Mr. Chairman, is an amendment specifically aimed at the Appalachian Regional Commission's road program. Some of these projects, back to a catalog of ARC's long and sordid history, include $2.9 million under the guise of economic development for an access road to a Pennsylvania ski resort. The bigger problem is that the roads or corridors in the Appalachian region have access already to two other funding sources, with a request for a third.

Essentially we have 13 States in the country which have been receiving an

additional boost of economic aid now for 32 years, and now they are trying to add a third source of income to still build more roads. Let me, if I can, give my colleagues one example of how absurd this entire program is.

In West Virginia, one of the corridors, known as Corridor H, has a project that would rip through 41 streams and cut through two national forests. The amazing thing involving that individual road project in West Virginia is the fact that government studies show that traffic levels along this corridor to be served by the proposed highway average less than 3,000 vehicles a day. As my colleagues will know, when driving to the U.S. Capitol in the morning, traffic is often backed up in multiple directions. Three thousand vehicles a day barely approaches the traffic at rush hour in the Capitol heading in one simple direction. In fact, the national threshold is 10,000 vehicles a day.

Let me make this important point. The Director of the Appalachian Regional Commission, Jesse White, has stated publicly that what local residents need is not more money for new roads but increased support for education and small business development.

In brief, even if my colleagues support the general principle of the Appalachian Regional Commission, which I am not prepared to do at this point, we have essentially told welfare recipients across this country, ''You've got 2 years to stand on your feet,'' and the Appalachian Regional Commission we have already committed ourselves to 32 years of funding. But even if Members buy the argument that the Appalachian Regional Commission as a whole is still necessary, I would argue very passionately this evening that $90 million more is not needed for road projects when the ARC States already have money that comes through the normal transportation cycle and through the normal economic development channel. Those are moneys that the other 37 States get. The difference is the Appalachian Regional Commission gets to ante it up one more level.

Mr. Chairman, I think it is vitally important tonight that as we attempt to balance the Federal budget, we as Republicans have an obligation and a duty and a responsibility to revisit outdated Federal programs, and as I have indicated, beginning since 1968, a whole raft of us have tried to rein in the Appalachian Regional Commission. Let us begin tonight by killing specifically the $90 million in new funding for new highways this year in this appropriation bill in front of us this evening.

Mr. Chairman, I reserve the balance of my time.

Mr. McDADE. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky [Mr. ROGERS], the distinguished chairman of the Subcommittee on Commerce, Justice, State, and Judiciary.

Mr. ROGERS. I thank the distinguished gentleman for yielding me this time and thank him for his tremendous work on this bill, incidentally, as we take up this amendment.

Mr. Chairman, of course, I rise in opposition to the gentleman's amendment. Here we go again. Two years ago, this House overwhelmingly defeated a similar amendment. With all the talk of the exploding economy around the country, I have to tell my colleagues that Appalachia has not yet experienced it. This region represents the poorest of the poor in our country. This amendment would halt a commitment we made to millions of Americans in the Appalachian region some 30 to 35 years ago. The interstate highway system through the gentleman's district has been finished. But the highway system has largely bypassed the Appalachian system, because, they said, ''We'll let the Appalachian system build the highways in Appalachia.'' That was the deal struck many, many years ago.

Now the gentleman's amendment would strike our commitment and our end of the bargain to complete what passes for an interstate system in the Appalachian region. These are not four-lane thoroughfares. These, by and large, are two-lane paved roads through the poorest part of our country. This amendment would leave vast pockets of this region without access to national markets, but also without access to local markets.

While the interstate system is nearly 99 percent complete, the Appalachian system lags way behind. It is only 78 percent complete. This Congress is providing over $21 billion on the Federal highway program. Yet this amendment would strip the poorest communities of $90 million for their highway construction. I maintain that is just not fair.

Congress has already cut the Appalachian highway funding by half. We have already cut it by half. It has delayed construction of needed roads, roads that we take for granted in other parts of the country. Even though the Appalachian system is only three-fourths complete, its impacts are already considerable. Industries and businesses have grown along the highways that we have built in this poor part of our country. This growth should be allowed to continue. Let the people of the Appalachian region join the rest of America in access to this growing economy.

I urge my colleagues, in all fairness, as we did two years ago, almost 3 to 1, reject the Klug amendment.

Mr. KLUG. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. KIND].

Mr. KIND. Mr. Chairman, I thank the gentleman from Wisconsin for yielding me this time and for offering this amendment. I also commend him for his diligent search for wasteful projects in the Federal budget in an era, at a time when we are trying to balance the books.

The $90 million appropriated for the Appalachian Regional Commission road projects is bad for the environment, bad for taxpayers, and one more example of budget waste that should be eliminated.

I want to make it clear that I do strongly support the efforts of the regional commission to cut poverty rates, reduce infant mortality, provide health care access and increase high school graduation rates. This amendment does not touch any of those programs in dollars. The amendment only seeks to eliminate the $90 million that go to fund highway projects in the 13–State Appalachian region.

In the past, highway money from the Appalachian Regional Commission has funded environmentally unsound projects, such as the Corridor H highway project that my colleague has already cited. The Corridor H project does cut through two national forests. It rips up 41 streams. It would bring thousands of cars and minivans into the scenic West Virginia mountains. As my colleague has already noted, the commission has funded inappropriate projects, such as the $750,000 for the Carolina Panthers football stadium and $1.2 million for the National Track and Field Hall of Fame.

But finally, the $90 million I think is an unfair distribution of the highway funds. The State of Wisconsin has historically been a donor State under the Federal highway funding system, meaning the taxpayers there pay more in the Federal highway tax fund than they receive back for their infrastructure needs. The people of my State only ask that they get a fair distribution of the Federal highway dollars.

□ 2245

At the same time the 13 States of the Appalachian region receive Federal highway dollars as part of the ISTEA allocation and they receive additional highway dollars through the Appalachian Region Commission.

Now where I come from that is called double dipping, and it is unfair to my constituents, and it is unfair to the taxpayers in the other 37 States in this country.

Now I am sure that there are people who represent the beautiful area, can stand up and speak about all the great things that the Appalachian Commission has done, and as I stated earlier I support most of these efforts in the programs that are being accomplished in the Appalachian region, and in fact the people of my State would love to have some of these programs back home for their use. But in our attempt to balance the budget, I believe that we can and should support programs to reduce poverty and promote economic development, but allocate funds under the appropriate avenue and venue such as ISTEA.

We cannot support pork being delivered to a few privileged States, and it is time we stop the taxpayer handout and distribute highway funds in a fair and equitable manner through ISTEA, rather than double dipping as the commission is doing with these 90 million additional tax dollars.

Mr. McDADE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Chairman, before I rise in strong opposition to this amendment I want to thank the chairman and the ranking member for their help in the Marmet Lock situation and helping a lot of people in the Marmet take area get some certainty by including some money for the beginning of the Marmet Locks, and I thank the gentleman for his nonpartisan way of handling this.

First, I want to ask the two gentlemen from Wisconsin who have spoken so eloquently on corridor H, ''Have either of you ever driven corridor H? Have you ever been on that segment of road that you're protesting so much?'' The answer I think is quite evident by the silence. They have not, and they have not driven the 40 miles of corridor H that was completed from Weston to Buckhannon and then on to Elkins, and so they have not seen the economic growth that is already taking place on that.

So I would use that as evidence of the academic background that I bring, which is that the Appalachian Regional Commission studies clearly document that every county with Appalachian Road Commission highways has job growth three to four times as high as those Appalachian and rural counties without.

And so before my colleagues go and talk about corridor H, I think they ought to drive it and understand why it is that almost every elected official in that whole area supports corridor H, but let us talk about the 13 States that will also lose under this.

We started a program in this Congress a number of years ago, the ARC highway system in which we were to build over 3,000 miles of roads in almost impoverished areas, and the good news is that 75 percent of that is complete. The bad news is that we still have some miles to go. And it is not just West Virginia. I thank my colleagues for calling such attention to our State and its beauty, but it is also 12 other States: Alabama, Kentucky, Georgia, Mississippi, North Carolina, New York, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia. And there are some others I probably should have included as well.

This is a project that is well underway, and I would also urge my colleagues, since they have not driven corridor H, I would urge them to drive corridor G and see what the Appalachian Regional System highway is doing for southern West Virginia. I would urge my colleagues to drive corridor D, and that is just in my State. Go to those other States as well.

Mr. Chairman, I urge rejection of this, and let the ARC finish the job that it set out to do.

Mr. McDADE, Mr. Chairman, I yield 2 minutes to the gentleman from Mississippi [Mr. WICKER], my very able friend.

Mr. WICKER. Mr. Chairman, I rise in support of the Appalachian Regional Commission and against the amendment offered by my friend from Wisconsin [Mr. KLUG].

The gentleman from Kentucky is correct. A similar companion amendment was offered in 1995 at the beginning of this Republican Congress, and it was rejected overwhelmingly on a bipartisan vote, and it was rejected and the Appalachian Regional Commission was endorsed by this body because we were able to demonstrate on the basis of the facts that this program is a successful program, a program which has worked. It has provided jobs for over 108,000 people in the Appalachian region, it has helped to retain another 80,000 additional jobs, and highways are an important part of the mix. The highways are 75 percent complete, but we need to finish the rest of them.

Since the ARC with the highway program has been in place, the poverty rate in the Appalachian region has been cut in half, infant mortality has been cut by two-thirds, and out-migration has slowed. Also, Mr. Chairman, I would state to you that this is a program which is still very much needed.

In our region, per capita income is 16 percent below the national average. The poverty rate in the region is 16 percent higher than the national average. And I want to address this issue of double dipping.

Some of my friends have said well, Appalachia, through the highway portion of it, gets an extra dip into the Federal Treasury. That is not true at all. In the Appalachian region we receive 11 percent less in total per capita Federal spending than the national average.

So please do not accuse us of getting more than our fair share. If anything, we get less than the national average.

Mr. Chairman, this is level funding from the last fiscal year, it is within our budget allocation, it continues us on a path which will put us within the guidelines and bring us into a balanced budget by the year 2002.

And let us say this: My friends have talked about welfare spending. This is not welfare spending at all. This is spending to create infrastructure, to create jobs in the private sector and to turn people away from welfare and into taxpayers. It is government at its best, it is money well spent, and I am sure the Members of this body will reject the amendment just as they did in 1995.

Mr. KLUG. Mr. Chairman, I yield myself another minute or two.

Mr. Chairman, I want to, if I can for a moment, really strike at the heart of the argument. The Appalachian Regional Commission was set up in 1965 under the premise that if we poured more money from the Federal Government into this area we would get an economic boom. Now I think there is a flaw in this argument, because clearly 32 years later my opponents are down here making the case they still need more money and more years to turn it around.

My colleague and I are here from Wisconsin tonight. Wisconsin actually ranks 50th in Federal spending in the country. The unemployment rate in my home district is less than 2 percent. We have not had Federal money for 30 years so let me make the argument, if I can, that actually with increased Federal funding over the years, they have actually put Appalachia at a disadvantage because it has been dependent on Federal aid rather than standing on its own feet.

Let me also say that I understand that there are problems in Appalachia with undeveloped regions, but so are there in California and Florida and Alaska and Hawaii and New Mexico and every other State in the country. But the bottom line is 13 States have been singled out, and I would suggest after 32 years, 32 years is enough.

Mr. Chairman, I reserve the balance of my time.

Mr. McDADE. Mr. Chairman, I yield a minute and a half to the gentleman from California [Mr. FAZIO] the distinguished ranking member.

Mr. FAZIO. Mr. Chairman, I rise in opposition to the amendment. I do so, fully aware of the frustration that I felt, as the gentleman from Wisconsin [Mr. KLUG] has felt, with the Carolina Panther Stadium construction project. I have concluded, frankly, that we ought to remove discretion from the Governors of these States and target the money to the poorest counties within Appalachia.

But this is a job for the authorizing committee. The fine-tuning of the Appalachian Regional Commission should not be done on an appropriations bill and not done on the floor at this hour of the night. The road program is very valuable to many of the counties in these States.

Mr. Chairman, I know there are many people on our side of the aisle who will join the majority and the gentleman from Pennsylvania [Mr. McDADE] in opposing this amendment.

Mr. McDADE. Mr. Chairman, I yield 1 minute to my distinguished colleague, the gentleman from California [Mr. KIM], the chairman of the committee that handles this matter.

Mr. KIM. Mr. Chairman, I thank the gentleman for yielding this time to me.

This argument has nothing to do with how much money we put into this particular region. This amendment is to save $90 million or stop funding, no matter of $90 million on highway projects. That is why I am rising in opposition to this amendment.

If we stop funding now, the highway project will just stop, unfinished. That is not the way it should be. If we try to pick up this highway program later, it is going cost twice as much, sometimes three times as much. This is not a good practice, stopping the highway program almost in the middle of completion.

As my colleagues know, 70 percent of the total 3,025 miles of highway has been completed. We have only 22 percent to go. This is not the time to stop it.

Second, the mentioning of this duplicate roadway funding; this is not true. ISTEA funding was merely proposed by Mr. Clinton, and that funding has not been approved by this Congress yet. Even if approved, we are not talking about seeing overlapping funding. We are talking about additional funding to accelerate those highway programs so we can finish earlier rather than dragging on.

Mr. KLUG. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I will use the rest of my time to close. Fortunately, a disagreement with my colleague from California; let me make it clear: Since 1991, ARC roads or quarters received over $599 million in funding from ISTEA for demonstration projects alone. That is on top of the funding that is done on this bill. That is money that comes out of the transportation appropriations bill, not out of energy and water. And since 1993 ARC has received $688 million in additional funding from this bill. Removing the $90 million does not stop funding the construction of roads in Appalachia, it simply allows them to get funding from the same sources that the 37 other States have to compete for.

Now my colleague from California, Mr. FAZIO, indicated his frustration with the fact that $750,000 in economic development money went into the Carolina Panthers football stadium. Let me refresh his memory on some other things. Five hundred ninety-three thousand dollars for the NASCAR Hall of Fame; $17,000 for the Alabama Music Hall of Fame; $1,200,000 for the National Track and Field Hall of Fame; and $10,000 to celebrate Bridge Day in Fayette County, West Virginia. I imagine that is to celebrate the bridge that the Federal Government also paid for along the way.

In closing, let me go back to the words of Jesse White, the Appalachian Regional Commissioner. ''We are trying to seek more balance,'' Mr. White said. ''Congress does not share those priorities.'' He wants, according to the Cumberland Maryland Times, ''more money for education and economic development, not roads. This year Congress placed $61 million in other commission programs but directed $109 million to roads.'' That was back in 1996.

I think it is time we took Mr. White up on his advice: Preserve the part of the Appalachian Regional Commission that does education and economic development, and join me and my colleagues in zeroing out the additional boost in money they get for highway projects.

Mr. MCDADE. Mr. Chairman, I yield myself the remaining time on our side.

Mr. Chairman, I rise in strong opposition to the amendment offered by my friend, the gentleman from Wisconsin [Mr. KLUG].

A few years ago my district was expanded, as so many of us have experienced in our careers in Washington. I picked up a section of Appalachia. I was not very familiar with this new area. After spending a little bit of time there, I saw how much this particular area had been bypassed by the economic revolution that hit this country. Not just economically bypassed, but they were bypassed by the Federal road programs.

Unlike my friend from Wisconsin [Mr. KLUG] whose district benefited from 90/10 interstate financing for the highway program, this area got nothing until just a few years ago. The highway that was replaced was one of the most dangerous highways in the Commonwealth of Pennsylvania. People were killed on that road, school buses were in accidents, and children on their way to school were endangered.

Let me say that since the Appalachian Regional Commission has focused on this problem, these unsafe conditions no longer exist. The road that I am speaking of is now a safe highway and has contributed to the economic development in this area.

I want to remind my colleagues as well that this program is, in my view, one of the best intergovernmental programs that exists in the Nation. It begins at the local level. It requires State participation in the road program, a 20 percent local share, and it then must be signed off at the Federal level.

□ 2300

Local and State government involvement is something we talk about all the time. Here is a program where it actually works. I hope that the amendment will be roundly defeated.

Mr. BUNNING. Mr. Chairman, I rise in support of funding for the Appalachian Regional Commission and in opposition to the Klug amendment.

The amendment cuts ARC highway funding, a key ingredient in the effort to move Appalachia into the Nation's economic mainstream.

But, ARC funding has already been cut by almost 50 percent over the past 2 years. There's no more blood to be taken from this stone.

ARC serves the poorest and neediest in the country. In Kentucky, it has helped us reach the lonely hollers. It has linked isolated communities.

Our interstate highway system largely bypasses areas like eastern Kentucky because of the cost of building roads over the mountains. Except for a few communities on the major east-west routes, most Appalachian communities have had a hard time competing for jobs because of poor access to national markets.

But, the Appalachian Development Highway System is helping to link our people with the outside world.

The facts speak for themselves. For instance, back in the 1980's, improved transportation and roads created over half a million jobs in local economies in Appalachia. And studies show that counties with major highways have three times the job growth than those without.

More and better jobs are helping to make a difference. Since 1960, ARC has helped cut the poverty rate in Appalachia by 50 percent. Infant mortality is down by two-thirds, high school graduations have doubled.

Now, over 75 percent of the Appalachian Highway Development System is either completed or under contract. But, key parts of it remain uncompleted.

To cut off spending now that we are three-quarters of the way finished just doesn't make sense.

Mr. Chairman, most of the poor isolated communities in Kentucky and other States served by ARC desperately need this funding. They are poor, and without it they won't be able to meet Federal match requirements or leverage State or private dollars. It's essential.

Passing the Klug amendment today would be a sad setback.

Even in these budget balancing times, I don't know many Government programs or agencies that have been cut in half. And certainly not many that have as strong a track record as the Appalachian Regional Commission.

Mr. Chairman, I've worked hard over the last 11 years in Congress, fighting wasteful Government spending and opposing programs that don't work.

But, ARC isn't one of those programs. In Kentucky ARC has made a difference for the poorest of the poor and for our neediest communities.

The Appalachian Regional Commission is one of those rare Government programs that works. It deserves our support.

I urge a ''no'' vote on the Klug amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Wisconsin [Mr. KLUG].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. KLUG. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 194, further proceedings on the amendment offered by the gentleman from Wisconsin [Mr. KLUG] will be postponed.

Are there other amendments?

AMENDMENT OFFERED BY MR. MARKEY

Mr. MARKEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MARKEY:

Insert at the end before the short title the following:

SEC. 502. (a) LIMITATION.—No funds shall be made available under this Act for—

(1) nuclear technology research and development programs to continue the study of treating spent nuclear fuel using electrometallurgical technology; or

(2) the demonstration of the electrometallurgical technology at the Fuel Conditioning Facility.

(b) REDUCTION.—Under the heading ''Department of Energy-Energy Programs-Energy Supply'' insert after the dollar figure the following ''(reduced by $33,000,000)'' and under the heading ''Department of Energy-Atomic Energy Defense Activities-Other Defense Activities'' insert after the dollar figure the following: ''(reduced by $12,000,000)''.

Mr. MARKEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PARLIAMENTARY INQUIRY

Mr. MARKEY. Mr. Chairman, may I make an inquiry? What is the parliamentary procedure we are operating under now?

The CHAIRMAN. The 5-minute rule.

Mr. MARKEY. The 5-minute rule? There is no time limitation?

The CHAIRMAN. Not at this point. Would the gentleman request one?

Mr. MARKEY. Not at this time.

The CHAIRMAN. The gentleman from Massachusetts [Mr. MARKEY] is recognized for 5 minutes.

Mr. MARKEY. Mr. Chairman, this is an amendment which I am making with the gentleman from Connecticut [Mr. SHAYS] and the gentleman from Florida [Mr. FOLEY], along with the gentleman from South Carolina [Mr. SPRATT], the gentleman from Oregon [Mr. DEFAZIO], and the gentleman from New Jersey [Mr. ANDREWS]. It is an amendment that is going to attempt to deal with a technology which is called pyroprocessing, which is bad energy policy, bad environmental policy, bad budget policy, and bad nonproliferation policy.

Friends, colleagues, countrymen, lend me your ears. We come to bury pyroprocessing, not to praise it. The evil that dead government programs do lives after them, while the good is oft interred with their bones. So it is with pyroprocessing. Pyroprocessing is the last living remnant of one of the biggest budget-busting boondoggles in congressional history, the failed breeder reactor program.

Pyroprocessing is not exactly a household word. In fact, if Members do not have a degree in physics they may not understand what it is, but it is in fact a chemical procedure by which separation of plutonium and uranium is in fact achieved, and the building blocks of nuclear bombs are in fact made available to those who have the technology.

There is in fact a secondary definition in the Webster's Dictionary for pyroprocessing, which is a very efficient and fast way for burning money, taxpayers' money, with boondoggle projects that have been left over as remnants from nuclear projects of the 1970's and the 1980's.

This is an amendment which is endorsed by the Citizens for a Sound Economy, by the Taxpayers for Common Sense, by the League of Conservation Voters, by the Physicians for Social Responsibility, by the Natural Resources Defense Council, by the Friends of the Earth, and by arms control groups such as the Union of Concerned Scientists and the Nuclear Control Institute, and it is on the top 10 list of the Green Scissors wasteful, environmentally destructive programs that they believe should be cut out of the Federal budget.

What more do Members want? Just about every leading budget, environmental, energy, and nonproliferation group in America says this is a bad idea, but it lives on because in fact we need someplace, I guess, that we can have some of the leftover nuclear scientists who have been left behind from the nuclear arms age to continue to work.

Mr. Chairman, the reality here is that pyroprocessing, according to the Department of Energy, is a piece of equipment that is about the size of a bathtub. Its original purpose was to be attached to the back of the breeder reactor, a nuclear reactor that could create more plutonium and highly enriched uranium than it burned.

Pyroprocessing technology would reprocess the spent fuel and extract as much of the bomb-usable leftovers as possible. That way, reasoned the nuclear industry, we could produce lots and lots of cheap nuclear electricity and still make more nuclear fuel once we pyroprocess the uranium and plutonium out of the spent fuel.

We all know what an oxymoron the phrase ''cheap nuclear energy'' has become, and in 1994, after the Cold War ended, we found ourselves with 50 tons of extra plutonium that we did have to still get rid of. Congress decided that pouring more money into the multibillion-dollar sinkhole that was the breeder reactor program was just pointless, so we killed that program.

Pyroprocessing should have been terminated along with the nuclear breeder reactor, but instead it has metamorphosed into something new but just as deadly. It entered the Federal witless protection program, hiding out in a DOE safe house. Advocates contend that the new pyro identity was that the program would be a good way to treat DOE spent nuclear fuel before it went into permanent storage at Yucca Mountain. They said it was the only way to treat that fuel in order to make it stable for permanent burial. They said pyroprocessing would take care of everything. They were wrong.

Mr. FAWELL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition once again to the Markey amendment. I think this is about the third time. This amendment would zero out an appropriation of $20 million for a very important ongoing environmental nuclear waste reduction research program which is being conducted by the Department of Energy in Illinois and Idaho.

In addition, this amendment would, in the words of the Department of Energy, also, if passed, zero out an additional $25 million, and as a result, and I quote the Department of Energy, ''end all activities by the Department of Energy to place the EBR II nuclear reactor in a radiologically and industrially safe condition.''

In other words, it would end the shutdown of the EBR reactor, something which the gentleman from Massachusetts [Mr. MARKEY] and his allies have worked so hard to achieve 4 years ago, to kill that nuclear reactor.

I shall, however, refer primarily to the effect that this amendment would have in ending a very valuable and ongoing research program, the electrometallurgical treatment of DOE spent fuel. This is not commercial spent fuel, but spent fuel owned by the Federal Government.

Electrometallurgical treatment is the new technology which, if ultimately approved by the National Academy of Sciences and by the Department of Energy, will greatly reduce the volume and the toxicity of over 2,700 metric tons of more than 150 different types of spent nuclear fuel stored at the various Department of Energy sites around the Nation, in Idaho, Washington, Tennessee, South Carolina, and many other States.

It is a new and exciting research of the treatment of Department of Energy spent nuclear fuel which also locks up and makes inaccessible plutonium that all fuel, spent fuel, contains, thus eliminating the possibility of any proliferation of plutonium. It is locked up with all the hot actinides that are radioactive. If anybody touches it they are dead.

Any plutonium contained in this spent fuel would be bound up, as I have said, in highly radioactive fission waste products and then immobilized in a stable glass-ceramic waste form for burial. This is not a nuclear reactor we are talking about, it is not a breeder reactor. We are talking about burying spent nuclear fuel that is owned by the public.

All of this can be accomplished at greatly reduced cost, compared to what current technology is out there. Electrometallurgical treatment is a research program designed to take spent nuclear fuel and make it less in volume, less in toxicity and less threatening to the environment, and thus suitable for burial. I cannot understand how anybody could be afraid of that. It is environmentally sound and it does not pose a proliferation risk, and it is strongly endorsed by the administration and by the Department of Energy, who are not noted for being people who favor proliferation, by any means.

The National Research Council, composed of members from the National Academy of Sciences, the National Academy of Engineering and the Institute of Medicine, all support the continuation of this promising technology. In fact, the National Academy of Sciences is closely monitoring the feasibility of this technology upon request of the Department of Energy. They are doing a good job of monitoring it. They are critical in their judgments.

This latest finding of the National Research Council states that ''The committee continues to support the overall recommendations of its July, 1995 report,'' concluding that the Department of Energy ''should proceed with its development plan.''

Mr. Chairman, 2,700 metric tons of nuclear waste poses a dire environmental responsibility of the Federal Government and of this Congress. It is not going to go away, no matter how

much we might hate nuclear power, as some people unfortunately do. We need places in which to store spent nuclear waste. We need the technology to treat these wastes in order to lessen their volume and toxicity, and in order to assure their safe disposal in Yucca Mountain or wherever.

Indeed, the Department of Energy is obligated, under the Federal Facilities Compliance Act, to adequately prepare its spent nuclear fuel for burial and to comply with the Federal Environmental Protection Act. The Department of Energy, like all the rest of us, has to act. For Congress to zero out such research would be an act of irresponsibility.

Mr. Chairman, we debated the same kind of amendment last year and the year before that, and each time it was soundly defeated on a good, solid, bipartisan vote. I think it deserves the same fate today. I urge my colleagues to vote ''no'' on the Markey amendment.

Mr. FOLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, pyroprocessing, also known as electrometallurgical treatment, is a relic of the budget-busting breeder reactor program which Congress killed in 1994 by terminating the Advanced Liquid Metal Reactor. According to a 1995 paper on pyroprocessing prepared by Argonne National Laboratory, the basic technology was developed for the integral fast reactor program, which until recently canceled, was the United States' nuclear research and development program for advanced liquid metal reactors.

The ALMR was to be a breeder reactor that was supposed to produce more plutonium than it consumed, and pyroprocessing was to be used in extracting the plutonium from the spent fuel to be reused for civilian or military purposes. Since termination of the ALMR, supporters of the pyroprocessing technology have, in effect, searched for a mission. Now they say the technology is being developed to prepare spent nuclear fuel for proper disposal.

However, according to the publication ''Nuclear Fuel,'' the only thing certain about Argonne National Lab's effort to demonstrate whether pyroprocessing is a viable and versatile spent fuel management tool is that it will take longer and cost more to reach a conclusion on its potential than originally thought.

The review also states that completion of this development and demonstration program requires a proposed Argonne National Laboratory-West spent nuclear fuel processing program that would extend beyond fiscal year 2005, which is 6 years and at least $270 million behind schedule. The National Academy of Sciences says the DOE must clearly understand that additional funding will be necessary beyond the demonstration phase to achieve the program's objectives.

Nevertheless, it is unclear at best that pyroprocessing technology will ever meet its objective of simplifying disposal of certain types of Department of Energy spent fuel. For instance, the National Academy of Sciences has pointed out that the nuclear waste generated by pyroprocessing is probably unsuitable for Yucca Mountain. If the treated fuel is indeed stored at Yucca Mountain, radioactive materials could be released into the environment at very clear risk to health and safety.

□ 2315

The fact is, pyroprocessing is not needed. In the 1980's, 59 cans containing 17 tons of DOE spent nuclear fuel was shipped from the Argonne National Laboratories to Rocketdyne in California, where the unstable elements were neutralized.

The question then arises: Why should Congress continue to fund a program that is not needed and will cost the U.S. taxpayers hundreds of millions of dollars when there is no guarantee that its objectives will ever even be met?

Mr. RUSH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. Electrometallurgical treatment or pyroprocessing is finding answers to our most difficult nuclear fuel disposal problems. This process will greatly reduce the volume and the level of toxicity of spent fuel.

Spent nuclear fuel is not amenable to geological disposal because of its nature. It ignites upon contact with air and explodes upon contact with water. Pyroprocessing changes the composition of spent nuclear fuel so that it may be disposed of by safely separating the uranium and the plutonium contained in it. As a matter of fact, this process changes the spent fuel to sodium chloride, more commonly known as table salt.

Furthermore, the Department of Energy has stated that the plutonium produced by this process is not suitable for making nuclear weapons. DOE has further stated that the material produced from this process is not attractive to those who might want to make a weapon.

Pyroprocessing is entirely consistent with the administration's nonproliferation policies. This is not an issue of nuclear proliferation. It is about developing a process that will allow for safe disposal of nuclear wastes. Some wrongfully argue that the uranium produced as a result of this process could be used to build nuclear weapons. This could not be further from the truth.

Pyroprocessing changes the condition of uranium in such a way that it is no longer capable of being used in nuclear weapons. Some may argue that nuclear power should be done away with. Well, I am not here to argue the merits of that position, but I will make one point. I will point out that until such alternatives become reality, we must make every effort to ensure that waste produced by nuclear plants is disposed of safely. Pyroprocessing makes the disposal of spent fuel safer.

The National Research Council has stated that pyroprocessing is the result of well-established science that is technologically feasible. The National Research Council has further stated that this research has the capacity to become the basis for a larger global waste management plan. In light of these facts, it would be irresponsible for us to cut funding at this time.

Nuclear waste is a reality of our modern age. As responsible leaders, it is incumbent upon us to support innovation and technology which will benefit our constituents. Pyroprocessing is such a technology.

This is not corporate welfare. ET, electrometallurgical treatment, is being developed to deal with DOE's own spent fuels. The research is being performed by the nonprofit Argonne National Laboratory operated by the University of Chicago on behalf of the DOE. It seeks to carry out the congressionally authorized mission to clean up sites across this country that supported our Nation's defense missions and to protect human health and the environment now and in the future.

Mr. Chairman, I urge my colleagues to oppose this amendment

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. As some of my colleagues have said, it has come up before, it has been soundly defeated, but it seems, like a bad penny, to keep coming back.

Mr. Chairman, I support the chairman's mark for $20 million. The chairman, by the way, who along with the ranking member worked very hard to craft a bill that I think is a bill of substance. This $20 million for the electrometallurgical processing I think is vital. It is vital R&D, and it is a program that hopefully will enable the Department of Energy to treat its own, I am saying its own spent nuclear fuel and convert it to a form that is safe for final disposal.

It is important, I think, to understand that a portion of DOE's spent fuel is chemically reactive and it cannot, and I repeat, it cannot be disposed of in its present form.

In fact it is my understanding that some of this fuel is pyrophoric. I am not a chemist, but I do know what it means and I have been told by a number of experts that it will spontaneously ignite when exposed to air.

Mr. Chairman, this is not a program directed at research for the commercial nuclear industry. It is not corporate welfare. Nothing of the kind. The commercial industry does not need, does not even need this technology. But who does? DOE does and America needs it.

Nor is it an R&D effort that will result in technology to separate out the plutonium from the spent fuel. The

plutonium remains suspended in the spent fuel. There are no valid proliferation issues associated with this technology. Rather, it is an R&D program that will render DOE's own inventory of spent fuel safe, while at the same time substantially reducing the volume of waste and the cost of characterization, handling, storage and ultimately, of course, disposal.

Mr. Chairman, this program is in its last year of funding. I urge Members to vote ''no'' on this amendment so that can be completed as requested by the department, and as recommended by the National Academy of Sciences.

Mr. Chairman, I believe, as has been done historically, this has been passed on a bipartisan basis two, three, four years going back. I think we should do it again, and I urge my colleagues to oppose this amendment.

Mr. DREIER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to join this stimulating debate that is taking place at 11:20 here on electrometallurgical treatment. I know that my colleagues are fascinated by it, but the fact of the matter is, it is a very serious and important matter.

Mr. Chairman, I strongly oppose, as I have in the past, the amendment being offered by the gentleman from Massachusetts [Mr. MARKEY], my very good friend, and I would like to associate myself with the words of my colleagues who have spoken in opposition.

The gentleman from Michigan [Mr. KNOLLENBERG], my friend from Bloomfield Hills, has just raised the issue of corporate welfare. The gentleman from Illinois [Mr. RUSH] also raised that issue. The fact of the matter is this is not corporate welfare. We are not talking about the disposal of fuels that are in any way related with anything other than direct government programs. We have the Department of Energy faced with this very serious question of how to deal with this spent fuel, and we have a very creative, positive solution which is being researched and developed at Argonne.

It seems to me that as we look at this problem which is looming and continues to grow, we have a responsibility to face it.

So Mr. Chairman, I urge my colleagues to join in strong opposition to the Markey amendment. I strongly encourage them to support the position that has been moved forward by the gentleman from Pennsylvania [Mr. MCDADE], chairman of the subcommittee, and the work of this subcommittee.

It seems to me that when we look at the challenges that loom ahead, we have a responsibility to look at every creative way that we can to deal with this pressing issue, because it is not going to be an issue that will in any way go away. It is one that is going to become greater and greater. That is why the work at Argonne must continue. We have got to have once again a very strong vote in opposition to the Markey amendment, and I urge my colleagues to join with us when we cast that vote tomorrow.

Mr. SHAYS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Markey amendment. A number of us are supporting it for a very real reason. We are very concerned about the proliferation of nuclear weapons. We are very concerned that, as the cold war has ended, we are in a different kind of war, the kind of war that will occur when terrorists or rogue nations get access to nuclear weapons.

Mr. Chairman, we can have long and extended debates about this issue, but the bottom line is that if we continue with pyroprocessing, we are going to be allowing a process to be developed that is quite simple, not complex, and nations that do not have a lot of resources will be able to get this type of technology because once we develop it, we cannot contain the knowledge. Once the knowledge is developed, it is there to share with everyone. Terrorists will get it. That is the bottom line.

We talk about this being a serious issue. It is a serious issue. The promoters of this technique, pyroprocessing, make it very clear that this process can be developed in a very small room. When we had dialog about it, they said it could not be developed in a small room because other ancillary services would be needed that would make this product show up and be visible to many.

But, Mr. Chairman, the fact is this is a process that can be developed in a small room. It is a process that separates uranium and can also lead to the separation of plutonium. The trusted scientists that we have spoken to make it very clear that while pyroprocessing does not separate plutonium, a slight change in the process can separate this item.

Mr. Chairman, I cannot speak strongly enough. I wish I could be more eloquent about my feelings, but this is, in my judgment, something that is important to Illinois and Idaho. It is important to these two States because it is a jobs program. But it is absolutely deadly for this Nation and the world. For that reason, I support the Markey amendment and hope that tomorrow we will have the good sense to pass it.

Mr. PALLONE. Mr. Chairman, I move to strike the requisite number of words.

Mr. MARKEY. Mr. Chairman, will the gentleman yield?

Mr. PALLONE. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, there are so many red herrings that are tossed out in a debate like this that we might as well put an aquarium down in the well to contain them all as they are swimming around in this debate.

Mr. Chairman, this is a technology which makes it possible to extract highly enriched uranium. Highly enriched uranium can be used to make nuclear bombs. Terrorists can find the designs for the building of nuclear bombs on the Internet. It took me 10 minutes tonight to find the documents titled ''Documentation and Design of an Atom Bomb'' on the Internet; 10 minutes.

What are they missing? They are missing the enriched uranium. What this technology does is make it possible for enriched uranium to be extracted from a very small, very simple process that our Government is funding.

Now, we have had a 25-year policy in the United States against reprocessing, and it is a policy that we try to spread across the rest of the globe. Now, what do we gain by having this tiny project, for our purposes, be funded in the United States, having it be viewed by other countries in the rest of the world who view us as hypocrites for developing reprocessing technologies, and for the long-term not expect those countries then to seek to emulate us?

Mr. Chairman, if we are in fact going to be realistic about the post-cold war era that we live in, we live in a world of deregulation. The United States and Soviet Union can no longer control the rest of the world. So as a result these issues of nonproliferation loom larger in our future.

Do we voluntarily want to undertake policies that gut a 25-year message we have sent to the rest of the world that we are not going to reprocess spent fuel in a way that can create nuclear bomb grade material?

□ 2330

Mr. Chairman, I think that is not the right direction for our country to be heading into the 21st century. That is why I urge a yes vote on the Markey amendment. We do this because for no other purpose we must begin to seriously discuss in our country the real threats of the 21st century, the threats of nuclear materials going from Russia into Iran, from China into Pakistan or into Iraq. We must begin to discuss what we ourselves can do to give the world leadership on this issue.

If we here tonight continue to fund a project which is nothing more than a leftover from the breeder reactor debates of the 1970s and 1980s, then yes, for a very short period of time we might be able vampirelike to allow this program to suck the budgetary life's blood out of the taxpayers' pockets. But, Mr. Chairman, we will also be sending a message to a couple of dozen countries in the world that there is a technology that perhaps they as well should start to think about availing themselves of, and this technology will come back to haunt us because the next ayatollah could in fact have nuclear weapons. The process that they use could very well be this process. The internet tells them how to build it.

We should not in any way send a message that we think is appropriate for it to be built. That is why I make this amendment this evening. That is

why the gentleman from Connecticut [Mr. SHAYS] and the gentleman from Florida [Mr. FOLEY] make this amendment this evening. It is that we begin the process ourselves of giving the world leadership on an issue that for several decades the United States and Soviet Union turned their backs.

It is now time that we turn to this issue. We are never going to blow ourselves up, the United States and the Soviet Union. What is 10 times more likely to happen is that a terrorist or a Third World country will gain access to this technology and then we will reap the whirlwind. I thank the gentleman from New Jersey so much for yielding to me.

Mr. CRAPO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was going to talk about the proliferation risk at the end of my comments, but because of the impassioned speech we just heard and the debate that we have heard, I think I will bring that discussion to the forefront. In doing so, let me point out that this research has been requested by the Department of Energy, supported by the administration, authorized by both House committees of jurisdiction and is being supported and monitored by our Nation's premier science organization, the National Academy of Sciences. I ask, do you believe that the Clinton administration with Vice President GORE heavily involved in these environmental matters would endorse the electrometallurgical technology if it constituted a proliferation risk? Would both the committees of Congress, would the National Academy of Sciences and the many other scientific groups and boards that have said this research is so critical support this if it were a proliferation risk? No, they would not.

The reason is because, even though we have had this same tired old debate on every nuclear research project for the last four years it has come up, it is always the same argument no matter what the research is on the floor at the particular time. It must be a proliferation risk because that seems to be the only thing that can be said by those who simply want to shut down nuclear research in this country.

The fact is this is not a proliferation risk. Plutonium is not and cannot be separated by this technology. The fact is that this technology blends down plutonium and binds it with other types of products so that it cannot be used in nuclear bombs. The chemistry and physics of the technology does not allow this. The plutonium is automatically bound together with fission products and other transuranic elements, and those materials make the plutonium unusable for weapons use.

Quite simply, this technology is self-protecting. And that is why this Nation, that is why this administration, that is why the committees of this Congress have endorsed it. And those who oppose it do so in my opinion because they do not support nuclear energy research and they do not want to have the beneficial results of this research to occur.

Independent nonpolitical scientific review boards convened in 1986, 1992 and 1994 have all confirmed that this technology does not present a proliferation risk. What is this technology? This technology that is currently being developed by Argonne National Laboratory is a research program designed to prepare spent nuclear fuel for proper disposal. It is interesting for me to note that many of those who oppose this technology are also opposing the legislation that will hopefully come on this floor later this year to provide for the permanent disposal of spent nuclear fuel. This technology has the potential to treat 2700 metric tons of DOE owned spent fuel, some of which has become seriously degraded, as other Members who have spoken tonight have explained.

It is important to me in Idaho not only because the research is being done there but because over the past few decades much of the spent nuclear fuel of this country has been stored in Idaho. And the State of Idaho recently in litigation with the Department of Energy has achieved a negotiated result enforced by a court order that says that the Federal Government has got to take that spent nuclear fuel, treat it and store it somewhere else. And those who would stop this research and those who would stop the implementation of storage facilities would force that spent fuel to stay in Idaho over the aquifer which we have fought so hard to assure that it must move to protect.

This research, as I said, has been supported by the administration, the committees of Congress, and the scientific review boards that have reviewed it have consistently supported it and said that it is needed research. And a special committee at the independent nonpolitical Academy of Sciences has reviewed this program extensively and is monitoring its progress.

In their report, the committee recommends that DOE assign high priority to electrometallurgical research at Argonne National Laboratory saying that it represents a promising technology for treating a variety of DOE spent fuels.

Mr. Chairman, the fact is that this research is critical to this Nation's nuclear research policy, regardless of whether one supports nuclear energy in the future, which I do, or whether one simply supports solving the problems of the existing spent nuclear fuel that needs to be handled. We must support this needed critical research and we must not listen to those who continually throw up the false argument of proliferation against every aspect of our nuclear program in this country.

Mr. FAZIO of California. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, first of all let me say I think the gentleman from Massachusetts [Mr. MARKEY] in bringing this amendment to the floor even at this late hour, which I know is a frustration for him, does a service to the institution, to this committee in that he makes us rethink the position that I think most of us have come to; and that is that we must support the administration's nonproliferation goals and policies. He is obviously impassioned and deeply concerned about nonproliferation. I think his colorful rhetoric sometimes gives Members the impression that the gentleman from Massachusetts [Mr. MARKEY] just loves a fight. But we know in addition he is truly committed to keeping the pressure on in this country to make sure that we do not accidentally or without sufficient debate make decisions that we would live to regret.

I know his opposition stems from a very strong advocacy of nonproliferation and a fear that this technology could be used to reprocess spent fuel to separate out the plutonium. He believes, I am sure sincerely, that the department's research on this technology keeps the possibility of reprocessing alive.

Let me read to my colleagues what has helped convince me of the position that I take. It is a letter that was sent very recently by Terry Lash, Director of the Office of Nuclear Energy Science and Technology, writing to Chairman MCDADE. He says,

> The electrometallurgical treatment technology is not reprocessing. It cannot be used or modified to separate pure plutonium. It is technically possible, he says, to modify it to separate a highly radioactive mixture of actinides including plutonium but this material would be extraordinarily difficult to make into a weapon.
>
> This material therefore is not at all attractive to those who might want to make a nuclear explosive. It is doubtful that a rogue nation or terrorist organization could do so even if it wanted to.

I think that when we hear from our colleagues speaking sincerely, the gentleman from Florida [Mr. FOLEY], the gentleman from Connecticut [Mr. SHAYS], talking about the rogue nation, the terrorist attack, we have to look to the people whose job it is to protect us at all times from that kind of threat. And we all know it is a greater threat, as the gentleman from Massachusetts [Mr. MARKEY] says, than the kind of nuclear exchange that dominated our thinking during all of the cold war years.

In addition, indicating to us that the pure recollection reprocessing is easier to use, cheaper to set up and that can fit any facility, probably the choice of those who would be rogue nations or terrorist organizations, this letter points out that electrometallurgical technology must be conducted in airless inert environments using advanced remote handling equipment that is technologically far more challenging than the conventional pure recollection reprocessing.

So I think we have seen a real debate within the administration. I think they

have properly concluded that this is not the threat that some fear it to be. And I would hope that Members would act as we have in the last 2 years to defeat this amendment and support a rational policy which should be a bipartisan one. I think it will be reaffirmed as such this evening.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. MARKEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MARKEY. Mr. Chairman, I demand a recorded vote and, pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 194, further proceedings on the amendment offered by the gentleman from Massachusetts [Mr. MARKEY] will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Energy and Water Development Appropriations Act, 1998''.

AMENDMENTS OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Chairman, I offer two amendments.

The CHAIRMAN. The Clerk will designate and report the amendments.

The text of the amendment is as follows:

Amendment offered by Mr. SOLOMON:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 502. None of the funds made available in this Act may be provided by contract or by grant (including a grant of funds to be available for student aid) to any institution of higher education, or subelement thereof, that is currently ineligible for contracts and grants pursuant to section 514 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1997 (as contained in section 101(e) of division A of Public Law 104–208; 110 Stat. 3009–270).

The Clerk read as follows:

Amendment Offered by Mr. SOLOMON:

Page 35, after line 20, insert the following new section:

SEC. 502. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with a contractor that is subject to the reporting requirement set forth in subsection (d) of section 4212 of title 38, United States Code, but has not submitted the most recent report required by such subsection.

Mr. SOLOMON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. Is there objection to the gentleman from New York [Mr. SOLOMON] offering the amendments en bloc?

There was no objection.

(Mr. SOLOMON asked and was given permission to revise and extend his remarks.)

Mr. SOLOMON. Mr. Chairman, I will not debate the amendments. I mentioned the title of the first, it being a requirement on the reporting requirements of hiring practices of veterans of the former armed forces of the United States of America. The other is an amendment that would require recruiters and ROTC units to be present on college campuses. Both of these amendments have been offered to numerous legislations and become law. I would appreciate if they could be accepted here tonight.

Mr. MCDADE. Mr. Chairman, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, I want to compliment the gentleman from New York, the distinguished chairman of the Committee on Rules, on his amendments. We are pleased to accept them.

Mr. SOLOMON. Mr. Chairman, I want to thank the gentleman. I have nothing but praise for him and the ranking member and their staffs, for the outstanding job that they do on a very difficult Appropriations Subcommittee. We thank them very much for all of their efforts on behalf of the entire body.

Mr. FAZIO of California. Mr. Chairman, I move to strike the last word.

Given the fact that I had very little background or information about what was coming on this bill, what seems to be on the surface an extraneous amendment, I have been informed that we have supported this in the past. The House has overwhelmingly done so. I will not object. But I do find it a bit out of the ordinary.

Mr. Chairman, I will accept the gentleman's amendment.

However, as we go to conference, I would ask the gentleman to furnish the committee with a more detailed description of what his amendment will do and the problem that it seeks to address.

As I understand the gentleman's amendment, it would simply make contractors who do business with the Federal Government comply with existing Federal veterans' preference law.

I also understand that should such a contractor fail to comply with the reporting requirements in the law, the contractor would be denied Federal funds.

I certainly don't object to veterans preference, and I hope this will ensure that DOE and other agencies are fulfilling their responsibilities.

The CHAIRMAN. The question is on the amendments offered by the gentleman from New York [Mr. SOLOMON].

The amendments were agreed to.

AMENDMENT OFFERED BY MR. BEREUTER

Mr. BEREUTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BEREUTER:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 502. None of the funds made available in this Act may be used to revise the Missouri River Master Water Control Manual when it is made known to the Federal entity or official to which the funds are made available that such revision provides for an increase in the springtime water release program during the spring heavy rainfall and snow melt period in States that have rivers draining into the Missouri River below the Gavins Point Dam.

Mr. BEREUTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MCDADE. Mr. Chairman, I reserve a point of order on the pending amendment.

The CHAIRMAN. A point of order is reserved.

The Chair recognizes the gentleman from Nebraska [Mr. BEREUTER].

□ 2345

Mr. BEREUTER. Mr. Chairman, this common sense amendment is needed to ensure that the Corps of Engineers does not repeat its previous mistake, a proposal which would have devastated farms, businesses, landowners and countless communities along the Missouri River.

In 1994, the Corps issued its proposed changes to the Master Manual and made a colossal blunder by proposing to drastically increase the flow and water level of the Missouri River during the months of April, May and June. These, obviously, are the very months when States such as Nebraska, Iowa, Kansas and Missouri, especially in the area south of Plattsmouth, NE, are already most vulnerable to flooding due to snow melt and heavy rainfall in the internal watersheds that drain into the Missouri River.

It is bad enough that farmers and other landowners along the river have to contend with natural disasters, they should not be forced to deal with the kind of man-made disasters that would have been caused by the Corps' proposal. The floods and heavy spring rains of recent years offer clear and convincing proof that the proposal was seriously flawed.

At a series of two dozen hearings throughout the Missouri River Basin region, participants expressed very strong, even vociferous remarks and nearly unanimous opposition to a number of provisions in the Corps' preferred alternative. One of the most detested provisions was the increased spring rise.

Following this massive opposition to the proposed changes, the Corps acknowledged the flaws in the original proposal and expressed a willingness to reevaluate the issue. However, this Member believes this common sense amendment is desirably discussed each year to make absolutely certain that the Corps does not repeat this mistake.

Mr. Chairman, in conclusion, this Member again heard the strong concerns and objections to the current

Missouri River bottomland flooding from affected landowners and farmers in Otoe County and Nemaha County at town hall meetings this Member held on Monday of this week in Nebraska City, NE, and Auburn, NE.

Some of these individuals have had their crops destroyed by flooding in 4 of the last 5 years. Their crop insurance costs are soaring and they are understandably suffering great economic losses which do threaten their survival. Therefore, Mr. Chairman, it is important that any changes in the Missouri River Master Water Control Plan alleviate this severe flooding problem and not accentuate it.

Finally, Mr. Chairman, this Member will attempt to address this subject throughout any appropriate authorizing committees.

I have had tremendous cooperation from the chairman and the ranking member on this subcommittee, and I am very much appreciative of it. I know that the rules, or the interpretation of the rules which made this amendment possible to be considered in the last two Congresses are different.

Mr. Chairman, I recognize that the gentleman from Pennsylvania has reserved a point of order and I would be willing to hear anything that he wishes to say to me at this point, and will end my remarks by conceding the point of order to the gentleman.

Mr. MCDADE. Mr. Chairman, will the gentleman yield?

Mr. BEREUTER. I yield to the gentleman from Pennsylvania.

POINT OF ORDER

Mr. MCDADE. Mr. Chairman, I am grateful to my friend for conceding the point of order. I am constrained to put the language on the RECORD because, as the gentleman knows, he is attempting here to set a precedent, and so we need to make sure that the Parliamentarian makes a ruling.

Mr. Chairman, I object and make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2(c) of rule XXI.

The rule States in pertinent part, and I quote:

> No amendment to a general appropriations shall be in order if changing existing law, including an amendment making the availability of funds contingent upon the receipt or possession of information not required by existing law for the period of the appropriation.

The amendment changes existing laws because it is based on receipt or possession of information not currently required under existing law and thereby imposes additional duties on a governmental official. This rule was changed for the 105th Congress to specifically prohibit this loophole, a technical loophole, which was used to circumvent the prohibition of legislating on an appropriation bill.

Mr. Chairman, I ask for a ruling from the chairman.

Mr. BEREUTER. Mr. Chairman, may I be heard?

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I want to reluctantly agree, as I said, to concede the point of order and express my general appreciation for the treatment this Member has had.

The CHAIRMAN. The Chair will proceed to rule.

The gentleman from Pennsylvania makes a point of order against the amendment offered by the gentleman from Nebraska [Mr. BEREUTER] that the amendment violates clause 2(c) of rule XXI, which precludes an amendment to an appropriation bill that changes existing law.

As the Chair ruled on July 15, 1997, clause 2(c) of rule XXI was amended in this Congress to include in the definition of an amendment ''changing existing law'' one that makes the availability of funds contingent upon the receipt or possession of information not required by existing law for the period of the appropriation. Precedents to the contrary from prior Congresses are no longer dispositive. The amendment thus constitutes a change in existing law and is in violation of clause 2(c) of rule XXI.

Accordingly, the point of order is sustained.

AMENDMENT OFFERED BY MR. PETRI

Mr. PETRI. Mr. Chairman I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. PETRI:
>
> At the end of the bill, insert after the last section (preceding the short title) the following new section:
>
> SEC. . None of the funds made available in this Act may be used to pay the salary of any officer or employee of the Department of the Interior who authorizes, or implements the acquisition of land for, or construction of, the Animas-La Plata Project, in Colorado and New Mexico, pursuant to the Act of April 11, 1956 (43 U.S.C. 620 et seq.) and the Colorado River Basin Project Act (43 U.S.C. 1501 et seq.).

Mr. PETRI (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. PETRI. Mr. Chairman, this amendment provides that no money can be spent on land acquisition or construction of the Animas LaPlata Water Project in Colorado and New Mexico.

Although this Energy and Water Appropriations bill does not contain any additional funds for the Animas LaPlata project, there is approximately $8.2 million of previously appropriated and unobligated funds that remain, and the other body has appropriated an additional $6 million for this year. I believe the House of Representatives deserves an opportunity to restate its view on this important issue.

As Members know, last year the House voted against the project by a 221 to 200 vote, removing its money from last year's appropriations bill. Nine and a half million dollars was then inserted in the bill in conference.

Fortunately, the supporters to the project have agreed that the project as originally conceived cannot be built. Yet now they have recently presented an alternative which still costs hundreds of millions of dollars, still contains a number of objectionable features, is not in compliance with existing Federal laws and, most importantly, has not been authorized. This alternative is a new project and should be authorized before it goes forward.

We appreciate the fact that the bill contains no new money for the Animas LaPlata project, and we thank the chairman for that. Our concern is that the committee report language directs that existing funds continue to be spent on the project and that spending is not limited to studies of alternatives. We do not believe any funds should be committed to the construction of a project that everyone has abandoned or an unauthorized alternative under the guise of the old project until a new alternative has been developed and authorized.

There is, in fact, a negotiation process underway in the State of Colorado led by Governor Romer and Lieutenant Governor Schoettler discussing new alternatives and other possibilities. We support this negotiation process and hope it results in an acceptable alternative. But until it does so, it is completely premature to be appropriating and spending any more money for the construction of the old project or a new one.

I would just like to have the House be very clear that no funds should be used to start construction until Congress has authorized a new alternative, and that is what this amendment attempts to do.

I would ask all my colleagues to support this amendment.

Ms. DEGETTE. Mr. Chairman, will the gentleman yield?

Mr. PETRI. I yield to the gentlewoman from Colorado.

Ms. DEGETTE. Mr. Chairman, I thank the gentleman for yielding to me. I have a question for the gentleman from Wisconsin.

As the gentleman knows, there are a number of controversies associated with this project, most notably environmental and cost concerns, and as he mentioned, there are currently negotiations underway attempting to address these problems and come up with an alternative that addresses both of these concerns. We are calling it the Romer-Schoettler process in Colorado and every place else.

What I am wondering is, if the gentleman's amendment would in any way prohibit any Department of Interior personnel from participating in the Romer-Schoettler process or in any way exclude or interfere with this resolution process?

Mr. PETRI. Mr. Chairman, reclaiming my time, as I have previously stated, the only limitation on the use of

the funds would be on activities related to the acquisition of land for the construction of the project as originally authorized.

In fact, it has always been our intention that by eliminating the funds in this way, the funds would still be available for the study and planning of a reasonable alternative.

Ms. DEGETTE. Mr. Chairman, if the gentleman would continue to yield, just so that I may follow up, there are currently approximately $8.2 million in unobligated funds in the Animas LaPlata account. Under this amendment, could these funds be used for the continued involvement of Department of Interior personnel in the Romer-Schoettler negotiations or any other negotiations designed to develop an alternative that will resolve the environmental and cost concerns associated with this project?

Mr. PETRI. Mr. Chairman, that is right. As I have stated, the only limitation on the use of funds would be on activities related to the acquisition of lands for or construction of the project as originally authorized.

It has always been our intention that by eliminating the funds in this way, the funds would be still available for the study and planning of a reasonable alternative.

AMENDMENT OFFERED BY MR. FAZIO OF CALIFORNIA AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. PETRI

Mr. FAZIO of California. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. FAZIO of California as a substitute for the amendment offered by Mr. PETRI:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

None of the funds made available in this act to pay the salary of any officer or employee of the Department of Interior may be used for the Animals-La Plata Project, in Colorado and New Mexico, except for (1) activities required to comply with the applicable provisions of current law; and (2) continuation of activities pursuant to the Colorado Ute Indian Water Rights settlement Act of 1988 (Pub. L. 100–585).

Mr. FAZIO of California. Mr. Chairman, I rise in opposition to the Petri amendment and in support of an amendment that I have just offered along with the gentlemen from Colorado [Mr. SKAGGS] and [Mr. MCINNIS] as a substitute on Animas LaPlata.

The gentleman from Wisconsin [Mr. PETRI] and the gentleman from Oregon [Mr. DEFAZIO], his colleague, have been really spoiling for a fight on this subject all year long, and I think what they are showing us tonight is they are not going to allow the lack of funding for the project in our bill to stand in the way of having that debate.

In a sense, our colleagues are really asking us to revote last year's amendment because this amendment, really, has to do with spending last year's funds. The effect of their amendment would be to prevent the Interior Department's agencies and employees from doing the one thing they have said to be seeking in the past, and that is a cost effective alternative to the full-blown Animas LaPlata project.

The effect of their amendment would also be to throw in enormous obstacles in the way of the successful Romer-Schoettler process. The tribes and their neighbors are cooperating in the process in good faith. Proposals, in fact, for changes in this project are due July 31, not very many days from now.

The tribes made their proposal a few weeks ago, and when it is advanced for authorization, we will have the opportunity to debate it on its merits.

The good faith of the tribes is demonstrated by their proposal, which cuts the project cost by $400 million, almost entirely because the non-Indian irrigation components have been removed, one of the great goals of the environmental movement through the years.

Shelving the irrigation features also eliminates any water quality concerns. Two-thirds of the water would go to the tribes and depletions are limited to 57,100 acre-feet, in full compliance with the Endangered Species Act.

All of these proposed changes respond in a responsible manner to concerns the amendment sponsors have raised in previous debates.

The tribes will not accept a buy-out of their water rights. That point was emphasized by Interior Secretary Bruce Babbitt during our committee hearings. The tribes want real water, wet water, not a paper right and the promise of cash.

The tribes have been cooperative and they have been remarkably patient.

The amendment I am offering with the gentlemen from Colorado [Mr. SKAGGS] and [Mr. MCINNIS] is a substitute to the language that would not permit construction to go forward immediately. But unlike the Petri amendment, it will allow the tribes' trustee, the Department of the Interior, to participate in a process which seeks a less expensive way to fulfill our obligation to the Colorado Ute tribes.

The substitute amendment is fair, I think it is evenhanded and, better yet, it, as my colleagues have heard, has the bipartisan support of the Colorado delegation, who know more than anyone how difficult this process has been and the type of balance that is finally being obtained through this process that has long alluded us.

This has been an issue that has been before this committee for as long as I have served on it, I believe 18 years. The substitute amendment is evenhanded and will permit this process that the governor and lieutenant governor engaged in to go forward. I do not think any of us want to interfere with the downsizing and the improvement of a project that obviously has cried out for change.

□ 2400

If we let this process proceed and agreement can be reached, we can move forward to complete a scaledown and improved project rather than have to leave it for future deliberation in a way that will only serve to meet the goals of those who want no project whatsoever and have no interest in compromise.

I hope the Members will accept this as a real step forward in lieu of the kind of amendment that was offered by the gentleman from Wisconsin [Mr. PETRI], which I think would put an end to the good-faith negotiations now underway.

Mr. PETRI. Mr. Chairman, I raise a point of order against the amendment.

The CHAIRMAN. The Chair will state that it is too late; the substitute has already been offered.

Mr. MCINNIS. Mr. Chairman, I move to strike the requisite number of words. I rise to address the substitute amendment.

Mr. Chairman, I think it is very important. First of all, let me thank the gentleman from California. The gentleman from California has been very cooperative. The gentleman from California understands the history of the Animas-La Plata project. The gentleman from California understands the importance of bipartisan support, which this project has had through a number of Congresses, through a number of Presidents, through a number of State legislatures.

This project is in compliance with an agreement made by the United States Government with the Indian tribes of this country. We gave the Native Americans our word that we would comply with an agreement if they simply would not sue us in the courts to get the water that we originally promised them.

Let me quote from an article from a good friend of mine, Bob Ewegen, from the State of Colorado. It involves a fellow named Otto Mears:

''The Utes, for whom the San Juans had been home for generations, naturally resented the rush of the white man to the lands they considered their own. Otto Mears made removing the Indians to smaller reservations in the west his first order of business, thereby opening his area to settlement. He played a prominent role in drawing up the various treaties by which the Utes lost their lands. The first was the Brunot Treaty of 1873, named for Felix Brunot, the United States Indian Commissioner, in which the Utes gave up their San Juan area,' that is a massive area in the State of Colorado, 'for a payment of $25,000 a year.

''. . In 1880 Mears was asked to serve as one of the five commissioners to make another treaty with the Utes. The government was prepared to pay $1.8 million to the Indians for the balance of their land, 11 million acres on the Western Slope' of Colorado. 'Mears had a better idea. He gave each Indian $2 to sign the treaty, thereby saving the government, the United States Government, practically the total sum that it expected to pay.'''.

''Promise them $1.8 million. Give them two bucks. How typical of the United States Government. Unfortunately, things haven't changed much since 1880. In 1988 Congress passed the Colorado Ute Indian Water Rights Settlement Act to honor water rights that were granted the Utes more than a century ago in 1868.''

Ever since, we have worked hard to pass the Animas-La Plata water project in compliance with that agreement. ''The only way that this would be is to convert these legal rights into 'wet water' that the tribes can actually use. But ALP, the Animas-La Plata, ''has been blocked by a coalition of fiscal conservatives,'' theoretically, ''and what I call 'theme park' environmentalists.''

And the article goes on. The intent of the article is the reflection of the history, the sad history of the way that the Native Americans have been treated in this country. And once again, this Congress, through the amendment of the gentleman from Wisconsin [Mr. PETRI] is about again to add to that sad history, and that is to break the word that we gave to the Native Americans.

Now that water that we stole from them originally, we agreed to give the water back to them. We did not give it back to them, so they sued us. We asked them to drop the lawsuit. We promised them we would give them wet water, not money, not beads, not an ax handle. We would give them water, a water project.

We agreed to it. This Congress agreed to it. The previous Congress agreed to it. The previous Congress agreed to it. Previous Presidents agreed to it. And now, once again, here we are on the verge of breaking the word and the honor of the United States Government.

Do not support the amendment offered by the gentleman from Wisconsin, because all we do is put into effect a participatory breach of contract with the Native Americans. I urge everyone in the Chamber to support the substitute amendment of the gentleman from California. That is what is fair. That is what is just. And frankly, that is what keeps our word with the Native Americans.

Mr. SKAGGS. Mr. Chairman, I rise in support of the substitute amendment.

Mr. Chairman and Members, this Nation has a moral and legal obligation to meet the water right claims of the Ute and Mountain Ute Indian tribes in southwestern Colorado. We should recognize and stipulate to that.

The second thing that I think we all recognize, and the gentleman from Wisconsin [Mr. PETRI] in particular, that the existing authorized means of accomplishing that purpose and meeting that obligation, the original Animas-La Plata project, is excessive in cost and damage to the environment. It will not and should not be built as originally designed. But we cannot let that legitimate opposition to the old Animas-La Plata configuration cloud or compromise the vigor of our commitment to meet the Indian water rights claims that are at stake here.

Unfortunately, I am afraid that the amendment offered by the gentleman from Wisconsin will have that effect, and so I oppose it. There is an important effort underway now in Colorado that has already been discussed under auspices of Governor Romer and Lieutenant Governor Schoettler, a search for a compromise between proponents and opponents of the old Animas-La Plata project. I want to see that effort through to a successful conclusion if that is at all possible.

I believe the substitute makes clear that the Nation will not renege on its commitment to the tribes. Admittedly, I think this debate may be largely symbolic. I do not know that the substitute will have a significant effect on changing the legal landscape. I am not sure that the gentleman's original amendment will have much effect either. But I do believe, and regrettably, that there is a connection between this year's amendment by the gentleman from Wisconsin and last year's, which was, I think, a much more directed attempt to end this effort altogether, and therefore there is an understandable interpretation that this represents an effort to undermine that fundamental commitment to meet the tribes' water needs and their water rights. And for that reason, we cannot let that proceed.

Mr. Chairman, I am fully aware of the problems with the original project, serious environmental problems, serious problems with cost. But the fact is, as I said, that it is legally linked by law passed by Congress and signed by President Reagan to settlement of water rights to two Indian tribes. Killing the project without providing an adequate alternative to accommodate those rights would repudiate the settlement and I am afraid lead to costly litigation.

Let us let the Romer-Schoettler process go forward. Let us try to bring the parties together to a compromised solution if we possibly can. I hope that, therefore, we will support the substitute and reject the original amendment and allow this process to go forward.

Mr. PETRI. Mr. Chairman, I rise to speak against the substitute.

Mr. Chairman, first of all, I apologize to you and Members since I had not had an opportunity to read the amendment and it was not submitted to anyone or printed in the RECORD to stand to my feet to object. I have reserved a point of order and perhaps could have saved some time, because it appears to me, at least on the face of it, that it is legislating on appropriation and would not withstand a point of order.

Leaving that aside, nonetheless, it is somewhat of a symbolic argument in that the issue really here is pending the negotiations going on in Colorado to come up with a viable project that honors the Indian treaty rights and is environmentally sensible at the same time: Do we continue down the road of a roughly $750 million project that is a road to nowhere, at great expense to the taxpayers' spending, money that is in the pipeline; or do we stop what is being done now until we have a new project that in fact there is a consensus for?

We are arguing not to throw good money after bad. Let the negotiations go forward. Do not bias those negotiations by continuing to spend money on a project really to nowhere. And, therefore, I would oppose this amendment since it would encourage and permit the spending of money that might be wasteful

Mr. SKAGGS. Mr. Chairman, will the gentleman yield?

Mr. PETRI. I yield to the gentleman from Colorado.

Mr. SKAGGS. Mr. Chairman, I just want to assure the gentleman, I do not want to go down that road either. That is a road that has properly now, I think, been blocked. And progress that has already been made under the discussions convened by the Governor and Lieutenant Governor I think make that clear. But I want to assure the gentleman anyway of my opposition to that original overpriced, overblown project that would have had serious environmental consequences that I agree with him are uncalled for.

Mr. PETRI. Reclaiming my time, as I said, I have not had a chance to read the amendment completely, but as best I can tell, the basic difference between the amendment that I offered and the substitute is that ours would insert in the bill language to the effect that no activity can be conducted that would provide for implementing the acquisition of land for or the construction of the current Animas-La Plata project. And that would obviously be pending the negotiations and the new project coming forward.

This substitute amendment provides, yes, you can go ahead and continue spending money and engaging in activities pursuant to the Colorado Ute Water Settlement Act of 1988; in other words, biasing the negotiations that are now going on in Colorado. I think that would be a mistake, and I urge my colleagues to vote against the substitute and support the underlying amendment.

Mr. McINNIS. Mr. Chairman, will the gentleman yield?

Mr. PETRI. I yield to the gentleman from Colorado.

Mr. McINNIS. Mr. Chairman, the concern that we have about the amendment that my colleague has placed out as his amendment, while there are negotiations going on in Colorado, the Romer negotiations, your amendment gives tremendous leverage to the opponents of the project. Our position is that we should maintain the status quo in the House and that if a compromise is reached by these parties, that that compromise be free to go forward.

We are under a time limitation, a contractual time limitation, to deliver this project to the Native Americans to avoid being in breach of contract.

Mr. PETRI. Reclaiming my time, there is mutual suspicion, obviously, in this. But the report language accompanying the bill that we are considering today does contain language providing for continued spending on the project.

My amendment was an effort to overcome that support language and provide for what we regard as a more neutral field. And, hopefully, there will be some discussions before this comes out of conference and maybe the whole thing can be resolved at that point, I think, we have identified the area of difference.

Mr. REDMOND. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, 41 years ago, when I was 2 years old, there were Native Americans in the American Southwest who were carrying water in buckets to their homes. Plenty of water ran through their land but there was no way to store it or transport it, and therefore, it was virtually useless.

The United States Government promised them a storage and delivery system which became known as the Animas-La Plata water project. For 41 years, this promised storage system has been studied and analyzed, and today our Native American brothers still carry water in buckets to their homes. Cost concerns have been raised and addressed, and still our Native American brothers carry water in buckets to their homes. Environmental concerns have been addressed and resolved, and still our Native American brothers carry water in their buckets to their homes.

In good faith, they have shared some of their water rights with their neighbors to entice this body to keep its word. Several weeks ago, Native American tribal leaders, local water officials, and members of the Colorado and New Mexico delegations came together to show their unified support for the Animas-La Plata reconciliation project. This significantly revised proposal cuts the cost of the original project by two-thirds. It satisfies the NEPA process, and it meets the requirements of the Indian Water Rights Settlement Act.

But tonight my colleagues, using dated information, are offering an amendment that not only prevents further funding of this project, it prevents even negotiation under the Romer-Schoettler process. The gentleman from Wisconsin [Mr. PETRI] and the gentleman from California [Mr. FAZIO] offer this amendment despite the fact that their concerns with the original project have been addressed.

My colleagues have long been opposed to this project for its cost. The revised proposal is two-thirds the original cost of the project. They claim the original plan does not satisfy the requirements of the Indian Water Rights Settlement Act, the revised plan does satisfy those claims, and the tribes are willing to sign an agreement stating such.

My colleagues oppose the old plan because they believe the construction time limitation would be exceeded. The new project will be completed by 2005, a date the tribes have agreed upon.

□ 0015

My colleagues claim that significant environmental concerns will be raised with the construction of this project. All National Environmental Policy Act requirements will be met.

Mr. Chairman, it is time to do the right thing. It is time to fulfill the promise that the U.S. Government made decades ago to the Colorado Ute Tribes. If this body does not act tonight to support this project, our native American brothers will settle this in the courts and they will most certainly win. When they win, the U.S. Government will not only pay for the construction of the Animas La Plata Water Project, it will pay for litigation costs and for damages as well. It is time to put an end to the days that our native American brothers must carry water in buckets to their homes. Let us keep our word.

I urge my colleagues to vote in favor of the Fazio amendment to the Petri-DeFazio amendment.

Mr. Chairman, I include the following article from Colorado for the RECORD:

TWO BUCKS FOR A BIRTHRIGHT

(By Bob Ewegen)

There's a stained glass window in the Colorado Senate honoring Otto Mears as: ''The Pathfinder.''

My wife would offer a blunter title for Mears: ''The Scoundrel.''

My wife, novelist Yvonne Montgomery, is part Cherokee and thus sympathizes with the Utes, who once owned almost all of Colorado's Western Slope—thanks to one of those famous treaties solemnly binding the Great White Father to protect his red children as long as the rivers run, the grass grows and the Broncos lose the Super Bowl.

In practice, those treaties lasted until Great White Father discovered something else he wanted to steal. Then the rivers would dry up, the grass would stop growing, and the Broncos, after losing to the Jaguars in the playoffs, would ask the taxpayers to buy them a new teepee. And the Indians would lose still more of their land and water.

U.S. Rep. Scott McInnis, who represents the Western Slope and Pueblo, reminded me of that sordid past last week by facing a chapter from a delightful book by Gladys R. Bueler, ''Colorado's Colorful Characters,'' published by Pruett Press in Boulder.

Bueler notes that silver and gold were discovered in 1871 in the San Juan mountains, where Mears operated a freight business.

''The Utes, for whom the San Juans had been home for generations, naturally resented the rush of white men to lands they considered their own. Otto Mears made removing the Indians to smaller reservations to the west his first order of business, thereby opening this area to settlement. He played a prominent role in drawing up the various treaties by which the Utes lost their lands. The first was the Brunot Treaty of 1873, named for Felix Brunot, the U.S. Indian Commissioner, in which the Utes gave up their San Juan area for a payment of $25,000 a year.

''. . . In 1880 Mears was asked to serve as one of the five commissioners to make another treaty with the Utes. The government was prepared to pay $1.8 million to the Indians for the balance of their land, 11 million acres on the Western Slope. Mears had a better idea. He gave each Indian $2 to sign the treaty, thereby saving the government practically the total sum it had expected to pay.''

Promise them $1.8 million. Give them two bucks. How typical of the government. Unfortunately, things haven't changed that much since 1880. In 1988 Congress passed the Colorado Ute Indian Water Rights Settlement Act to honor water rights that were granted the Utes more than a century ago, in 1868. Ever since, McInnis and Sen. Ben Campbell have worked hard to pass the Animas-La Plata water project near Durango, the only way to convert those legal rights into ''wet water'' the tribes can actually use. But A–LP has been blocked by a coalition of fiscal conservatives and what I call ''theme park'' environmentalists.

Theme-park environmentalists are those souls, usually Easterners or transplants from the East, who profess to love the West. But what they really love is a fantasy image of the West as it never was—and they don't want the people who actually live in the real West to mess up their theme park by earning a living. They want us natives to remain in a quaint and colorful condition, ready to ferry our environmentalist overlords on their rare rafting trips or serve as their maids and bartenders at our ski resorts. But let a rancher graze a few cows in the high country, and the first yuppie backpacker to step in a cow pie will—what else?—have a cow.

The theme-park environmentalists have now replaced Otto Mears in the time-dishonored effort to cheat the Utes out of their legacy. In their latest scam, the theme parkers have promised that if the Utes will abandon their support for A–LP, the enviros will ask Congress to give them $167 million to buy up some land and water rights. Of course, the Utes already own plenty of such abstract water rights. What they need is a ''bucket''—the Ridges Basin Reservoir—to store that water so the Utes can use it when they need it.

If the fiscal conservatives in the congressional coalition opposing A–LP are fair, they'll accept the offer the Utes made last week to slash the cost of the project from $714 million to $257 million. But if Congress won't even appropriate $257 million, why should it give the Utes $167 million? The fact is, the theme-park environmentalists are just following the path blazed by Otto Mears when he promised the Utes $1.8 million and delivered two bucks.

This time, the Utes should tell the Sierra Clubbers to keep their $2—and go jump in the lake. Specifically, into a Ridges Basin reservoir filled with Ute-owned water.

Mr. McDADE. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Fazio amendment. I am happy to join my colleagues from Colorado, from New Mexico, and from California, indeed all the members of the subcommittee that heard the testimony with respect to this project. We think they have done yeoman work in attempting to meet the criticisms that were leveled on the much different project that was proposed some time

ago. I congratulate them for a marvelous debate tonight in showing their concern for our native Americans and the need for the Government to live up to the water rights that have been agreed to. I hope the substitute amendment will be roundly accepted.

Mr. DELAY. Mr. Chairman, I rise in support of the Fazio substitute and in opposition to the Petri-DeFazio amendment. The effort to scuttle the Animas-La Plata project has arisen year after year with accusations of corporate welfare, antienvironmental impacts, and excessive cost.

But a good faith effort is being made to reach a compromise that addresses the high cost and eliminates water quality concerns. The concerns raised by the opponents of this project are being addressed.

But the Petri-DeFazio amendment would stop that effort in its tracks. It would freeze the Interior Department out of the only process that is examining alternatives to the full blown Animas-La Plata project.

Mr. Chairman, that's just not right. The Indian tribes involved in this effort, like it or not, have agreements with the Federal and State governments—the promise to meet the water supply needs of the Ute Tribes goes back over a century.

I urge my colleagues to support the Fazio amendment—it prohibits construction from going forward but allows the Interior Department to continue its role in working out a reasonable alternative to the current project. Hopefully, this approach will allow the Federal Government to fulfill the commitment it made to the Ute Indians so long ago.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. FAZIO] as a substitute for the amendment offered by the gentleman from Wisconsin [Mr. PETRI].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. PETRI. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 194, further proceedings on the amendment offered by the gentleman from California [Mr. FAZIO] as a substitute for the amendment offered by the gentleman from Wisconsin [Mr. PETRI] will be postponed.

Mr. MCDADE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. MCINNIS] having assumed the chair, Mr. OXLEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

IMMIGRATION REFORM TRANSITION ACT OF 1997—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-111)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on the Judiciary and ordered to be printed:

To the Congress of the United States:

I am pleased to submit for your immediate consideration and enactment the ''Immigration Reform Transition Act of 1997,'' which is accompanied by a section-by-section analysis. This legislative proposal is designed to ensure that the complete transition to the new ''cancellation of removal'' (formerly ''suspension of deportation'') provisions of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA; Public Law 104–208) can be accomplished in a fair and equitable manner consistent with our law enforcement needs and foreign policy interests.

This legislative proposal would aid the transition to IIRIRA's new cancellation of removal rules and prevent the unfairness of applying those rules to cases pending before April 1, 1997, the effective date of the new rules. It would also recognize the special circumstances of certain Central Americans who entered the United States in the 1980s in response to civil war and political persecution. The Nicaraguan Review Program, under successive Administrations from 1985 to 1995, protected roughly 40,000 Nicaraguans from deportation while their cases were under review. During this time the *American Baptist Churches v. Thornburgh* (ABC) litigation resulted in a 1990 court settlement, which protected roughly 190,000 Salvadorans and 50,000 Guatemalans. Other Central Americans have been unable to obtain a decision on their asylum applications for many years. Absent this legislative proposal, many of these individuals would be denied protection from deportation under IIRIRA's new cancellation of removal rules. Such a result would unduly harm stable families and communities here in the United States and undermine our strong interests in facilitating the development of peace and democracy in Central America.

This legislative proposal would delay the effect of IIRIRA's new provisions so that immigration cases pending before April 1, 1997, will continue to be considered and decided under the old suspension of deportation rules as they existed prior to that date. IIRIRA's new cancellation of removal rules would generally apply to cases commended on or after April 1, 1997. This proposal dictates no particular outcome of any case. Every application for suspension of deportation or cancellation of removal must still be considered on a case-by-case basis. The proposal simply restores a fair opportunity to those whose cases have long been in the system or have other demonstrable equities.

In addition to continuing to apply the old standards to old cases, from IIRIRA's annual cap of 4,000 cancellations of removal. It would also exempt from the cap cases of battered spouses and children who otherwise receive such cancellation.

The proposal also guarantees that the cancellation of removal proceedings of certain individuals covered by the 1990 ABC litigation settlement and certain other Central Americans with long-pending asylum claims will be governed by the pre-IIRIRA substantive standard of 7 years continuous physical presence and extreme hardship. It would further exempt those same individuals from IIRIRA's cap. Finally, individuals affected by the legislation whose time has lapsed for reopening their cases following a removal order would be granted 180 days in which to do so.

My Administration is committed to working with the Congress to enact this legislation. If, however, we are unsuccessful in this goal, I am prepared to examine any available administrative options for granting relief to this class of immigrants. These options could include a grant of Deferred Enforced Departure for certain classes of individuals who would qualify for relief from deportation under this legislative proposal. Prompt legislative action on my proposal would ensure a smooth transition to the full implementation of IIRIRA and prevent harsh and avoidable results.

I urge the Congress to give this legislative proposal prompt and favorable consideration.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 24, 1997.*

PERSONAL EXPLANATION

Mr. PALLONE. Mr. Speaker, due to a family emergency, I was absent for votes taken yesterday, Wednesday, July 23.

Had I been present on rollcall No. 300 I would have voted yes; on rollcall No. 301 I would have voted no; on rollcall No. 302 I would have voted yes; on rollcall No. 303 I would have voted yes; on rollcall No. 304 I would have voted yes; on rollcall No. 305 I would have voted no; and on rollcall No. 306 I would have voted no.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PALLONE (at the request of Mr. GEPHARDT] for Wednesday, July 23, on account of a family emergency.

Mr. YATES (at the request of Mr. GEPHARDT) for today after 8 p.m., on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. REDMOND) to revise and

extend their remarks and include extraneous material:)

Mr. DICKEY, for 5 minutes, on July 25.

Mr. BURR of North Carolina, for 5 minutes, on July 25.

Mr. LEACH, or 5 minutes, on July 25.

Mr. COBLE, for 5 minutes, on July 25.

Mr. UPTON, for 5 minutes, on July 29.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous matter:)

Mr. BROWN of California.
Mr. SKELTON.
Mr. MCGOVERN.
Mr. KENNEDY of Massachusetts.
Mr. ENGEL.
Mr. KILDEE.
Ms. MCCARTHY of Missouri.
Ms. FURSE.
Mr. DINGELL.
Mr. BLAGOJEVICH.
Mr. DAVIS of Illinois.
Mr. VISCLOSKY.
Mr. HILLIARD.
Mrs. MALONEY of New York.
Mr. GUTIERREZ.
Mr. KLECZKA.
Mr. BALDACCI.
Mr. YATES.
Mr. MILLER of California.

(The following Members (at the request of Mr. REDMOND) to revise and extend their remarks and include extraneous matter:)

Mr. ENSIGN.
Mr. LEWIS of Kentucky.
Mr. GINGRICH.
Mr. SMITH of New Jersey.
Mr. GILMAN.
Mr. MORAN of Kansas.
Mr. YOUNG of Alaska.
Mr. HANSEN.
Mr. SOLOMON.
Mr. ARCHER.
Mr. FRELINGHUYSEN.
Mr. TAYLOR of North Carolina.
Mr. SCHIFF.
Mr. BEREUTER.
Mr. SENSENBRENNER.
Mr. KIM.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 709. An act to reauthorize and amend the National Geologic Mapping Act of 1992, and for other purposes.

H.R. 1226. An act to amend the Internal Revenue Code of 1986 to prevent the unauthorized inspection of tax returns or tax return information.

ADJOURNMENT

Mr. REDMOND. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 23 minutes a.m.), the House adjourned until today, Friday, July 25, 1997, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4327. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Cymoxanil; Pesticide Tolerances for Emergency Exemptions [OPP–300514; FRL–5730–4] (RIN: 2070–AB78) received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4328. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Pyriproxyfen; Pesticide Tolerances for Emergency Exemptions [OPP–300518; FRL–5731–9] (RIN: 2070–AB78) received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4329. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Dimethomorph; Pesticide Tolerances for Emergency Exemptions [OPP–300513; FRL–5730–3] (RIN: 2070–AB78) received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4330. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's ''Major'' final rule—Sodium Salt of Acifluorfen; Pesticide Tolerances for Emergency Exemptions [OPP–300516; FRL–5732–3] (RIN: 2070–AB78) received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4331. A letter from the Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. 11–97 requesting Final Authority (RFA) to conclude a Memorandum of Understanding (MOU) with Canada related to the Joint Strike Fighter (JSF) Preferred Weapon System Concept, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

4332. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Federal Employees Health Benefits Program: Opportunities to Enroll and Change Enrollment (RIN: 3206–AH46) received July 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

4333. A letter from the the Clerk of the House of Representatives, transmitting the annual compilation of personal financial disclosure statements and amendments thereto filed with the Clerk of the House of Representatives, pursuant to 2 U.S.C. 703(d)(1) and Rule XLIV, clause 1, of the House Rules; (H. Doc. No. 105–110); to the Committee on House Oversight and ordered to be printed.

4334. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Economic Exclusive Zone Off Alaska; Deep-water Species Fishery by Vessels using Trawl Gear in the Gulf of Alaska [Docket No. 961126334–7025–02, I.D. 071897A] received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4335. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Regulatory Area of the Gulf of Alaska [Docket No. 961126334–7025–02; I.D. 071897B] received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4336. A letter from the Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, Department of Commerce, transmitting the Department's final rule—Revision of Patent and Trademark Fees for Fiscal Year 1998 (Patent and Trademark Office) [Docket No. 970410086–7174–02] (RIN: 0651–AA92) received July 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4337. A letter from the Commissioner, Immigration and Naturalization Service, transmitting the Service's final rule—Acquisition of Citizenship; Equal Treatment of Women in Conferring Citizenship on Children Born Abroad [INS No. 1736–95] (RIN: 1115–AE19) received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4338. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Notice of Safety Directive 97–1 (Federal Railroad Administration) (RIN: 2130–XX01) received July 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4339. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Regulated Navigation Area; Delaware Bay and River, Salem River, Christina River, and Schuylkill River (Coast Guard) [CGD 05–96–010] (RIN: 2115–AE84) received July 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4340. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone Regulation; Naval Air Station Whidbey Island Air Show, Puget Sound, Washington (Coast Guard) [CGD13–97–019] (RIN: 2115–AA97) received July 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4341. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Implementation of the 1995 Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW) (Coast Guard) [CGD 95–062] (RIN: 2115–AF26) received July 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4342. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Radar Requirements for Towing Vessels 300 Gross Tons or More (Coast Guard) [CGD 97–034] (RIN: 2115–AF46) received July 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4343. A letter from the Administrator, General Services Administration, transmitting an informational copy of the alteration prospectus for the Emmett J. Bean Center in Lawrence, IN, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

4344. A letter from the Acting Assistant Commissioner, Internal Revenue Service, transmitting the Service's final rule—Maquiladora Industry [Coordinated Issue Revision] received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4345. A letter from the National Director, Tax Forms and Publications Division, Internal Revenue Service, transmitting the Service's final rule— Forms and instructions [Revenue Procedure 97–32] received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COBLE: Committee on the Judiciary. H.R. 567. A bill to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions, and for other purposes (Rept. 105–199). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. House Concurrent Resolution 98. Resolution authorizing the use of the Capitol grounds for the SAFE KIDS Buckle Up Car Seat Safety Check (Rept. 105–200). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2005. A bill to amend title 49, United States Code, to clarify the application of the Act popularly known as the Death on the High Seas Act to aviation incidents, (Rept. 105–201). Referred to the Committee of the Whole House on the State of the Union.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 197. Resolution providing for consideration of the bill (H.R. 2209) making appropriations for the legislative branch for the fiscal year ending September 30, 1998, and for other purposes (Rept. 105–202). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BALDACCI (for himself and Mr. LAFALCE):

H.R. 2235. A bill to amend the Small Business Act to make permanent the microloan program, and for other purposes; to the Committee on Small Business.

By Mr. GILMAN:

H.R. 2236. A bill to suspend until January 1, 2000, the duty on Irganox 1520; to the Committee on Ways and Means.

H.R. 2237. A bill to suspend until January 1, 2000, the duty on Irganox 1425; to the Committee on Ways and Means.

H.R. 2238. A bill to suspend until January 1, 2000, the duty on Irganox 565; to the Committee on Ways and Means.

H.R. 2239. A bill to suspend until January 1, 2000, the duty on Irganox 1520LR; to the Committee on Ways and Means.

H.R. 2240. A bill to suspend until January 1, 2000, the duty on Irgacure 184; to the Committee on Ways and Means.

H.R. 2241. A bill to suspend until January 1, 2000, the duty on Darocure 1173; to the Committee on Ways and Means.

H.R. 2242. A bill to suspend until January 1, 2000, the duty on Irgacure 819; to the Committee on Ways and Means.

H.R. 2243. A bill to suspend until January 1, 2000, the duty on Irgacure 369; to the Committee on Ways and Means.

H.R. 2244. A bill to suspend until January 1, 2000, the duty on Irgacure 1700; to the Committee on Ways and Means.

H.R. 2245. A bill to suspend until January 1, 2000, the duty on Irgacor 252LD; to the Committee on Ways and Means.

H.R. 2246. A bill to suspend until January 1, 2000, the duty on Irgacor 1405; to the Committee on Ways and Means.

By Ms. MOLINARI (for herself and Mr. SHUSTER):

H.R. 2247. A bill to reform the statutes relating to Amtrak, to authorize appropriations for Amtrak, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LEACH (for himself and Mr. GONZALEZ):

H.R. 2248. A bill to authorize the President to award a gold medal on behalf of the Congress to Ecumenical Patriarch Bartholomew in recognition of his outstanding and enduring contributions toward religious understanding and peace, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. SENSENBRENNER (for himself and Mr. BROWN of California):

H.R. 2249. A bill to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999, and for other purposes; to the Committee on Science.

By Mr. ARCHER (for himself, Mr. GOSS, Mr. LIVINGSTON, Mr. SPENCE, Mr. STUMP, Mr. YOUNG of Alaska, Mr. SPRATT, Mr. TALENT, Mr. STENHOLM, Mr. CRANE, Mr. HEFNER, Mr. FROST, Mr. PORTER, Mr. HALL of Texas, Mr. HANSEN, Mr. MCCOLLUM, Mr. SHAW, Mr. SKEEN, Mrs. JOHNSON of Connecticut, Mr. OXLEY, Mr. BARTON of Texas, Mr. COMBEST, Mr. GORDON, Mr. DUNCAN, Mr. MCCRERY, Mr. PICKETT, Mr. NEAL of Massachusetts, Mr. STEARNS, Mr. TANNER, Mr. WALSH, Mr. DOOLEY of California, Mr. CAMP, Mr. CRAMER, Mr. CUNNINGHAM, Mr. SAM JOHNSON, Mr. KLUG, Mr. EHLERS, Mrs. FOWLER, Mr. HOLDEN, Mr. LEWIS of Kentucky, Ms. PRYCE of Ohio, Mrs. THURMAN, Mr. BALDACCI, Mrs. CHENOWETH, Mr. COBURN, Mrs. CUBIN, Mr. EHRLICH, Mr. ENGLISH of Pennsylvania, Mr. ENSIGN, Mr. FOLEY, Mr. GANSKE, Mr. MCINTOSH, Mr. NETHERCUTT, Mr. NORWOOD, Mr. SHADEGG, Mr. THORNBERRY, Mr. SESSIONS, Mr. BURTON of Indiana, Mr. SAXTON, and Mr. GILLMOR):

H.R. 2250. A bill to amend section 353 of the Public Health Service Act to exempt physician office laboratories from the clinical laboratories requirements of that section; to the Committee on Commerce.

By Mr. DINGELL (for himself and Mr. RAHALL):

H.R. 2251. A bill to extend authorities under the Middle East Peace Facilitation Act of 1995; to the Committee on International Relations.

By Ms. FURSE:

H.R. 2252. A bill to amend the Internal Revenue Code to provide that capital gains not be recognized if invested in certain small businesses; to the Committee on Ways and Means.

By Mr. GUTIERREZ (for himself, Mr. EVANS, Mr. FILNER, Ms. WATERS, Ms. BROWN of Florida, Mr. LEACH, Mr. PETERSON of Minnesota, Ms. WOOLSEY, Mr. BONIOR, Ms. SLAUGHTER, Mrs. MALONEY of New York, Mr. RODRIGUEZ, Mr. MANTON, Mr. MATSUI, Mr. FROST, Mrs. MINK of Hawaii, Mr. CLYBURN, Mrs. THURMAN, Ms. DELAURO, Ms. ROYBAL-ALLARD, Ms. CARSON, Ms. LOFGREN, Mr. MCDERMOTT, Mr. PASTOR, Mr. MASCARA, Mr. STARK, Mr. CAPPS, Mr. KENNEDY of Massachusetts, Ms. VELAZQUEZ, Mr. ABERCROMBIE, Mr. UNDERWOOD, Ms. KILPATRICK, Mr. DELLUMS, and Ms. NORTON):

H.R. 2253. A bill to amend title 38, United States Code, to revise and improve the authorities of the Secretary of Veterans Affairs relating to the provision of counseling and treatment for sexual trauma experienced by veterans; to the Committee on Veterans' Affairs.

By Mr. KENNEDY of Massachusetts (for himself, Ms. WATERS, Mr. BECERRA, Mr. BONIOR, Mr. GONZALEZ, Mr. BARRETT of Wisconsin, Ms. BROWN of Florida, Mr. BROWN of California, Ms. CARSON, Mr. COYNE, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mr. FALEOMAVAEGA, Mr. FATTAH, Mr. FILNER, Mr. FLAKE, Mr. FRANK of Massachusetts, Mr. GUTIERREZ, Mr. HINCHEY, Mr. HINOJOSA, Mr. JACKSON, Ms. KILPATRICK, Mr. MCDERMOTT, Ms. MCKINNEY, Mr. MARTINEZ, Mrs. MEEK of Florida, Ms. MILLENDER-MCDONALD, Mr. OLVER, Ms. ROYBAL-ALLARD, Mr. SANDERS, Mr. SCOTT, and Mr. WAXMAN):

H.R. 2254. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for equity investments in community development financial institutions; to the Committee on Ways and Means.

By Mr. KLECZKA:

H.R. 2255. A bill to provide that the firearms prohibitions applicable by reason of a domestic violence misdemeanor conviction do not apply to a government official engaged in official conduct while on duty; to the Committee on the Judiciary.

By Mr. SCHUMER:

H.R. 2256. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to ensure that States do not require registration of individuals convicted of an offense that involves consensual sexual activity between individuals 18 years of age or older; to the Committee on the Judiciary.

By Mr. STRICKLAND:

H.R. 2257. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to make modifications to the temporary housing assistance program; to the Committee on Transportation and Infrastructure.

By Mr. THOMAS (for himself, Mr. MATSUI, Mr. ENGLISH of Pennsylvania, Mr. CALVERT, and Mr. SENSENBRENNER):

H.R. 2258. A bill to amend the Internal Revenue Code of 1986 to provide for fair treatment of small property and casualty insurance companies; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 2259. A bill to provide for a transfer of land interests in order to facilitate surface transportation between the cities of Cold Bay, AK, and King Cove, AK, and for other purposes; to the Committee on Resources.

By Mr. HOYER (for himself, Mr. HYDE, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. SENSENBRENNER, Mr. SABO, Mr. PALLONE, and Mr. SKAGGS):

H.J. Res. 88. A joint resolution proposing an amendment to the Constitution of the United States repealing the 22d article of amendment to the Constitution; to the Committee on the Judiciary.

By Mr. LEACH (for himself and Mr. GONZALEZ):

H. Con. Res. 120. Concurrent resolution to authorize the use of the rotunda of the Capitol for a congressional ceremony honoring Ecumenical Patriarch Bartholomew; to the Committee on House Oversight.

By Ms. HARMAN:

H. Con. Res. 121. Concurrent resolution expressing the sense of the Congress regarding proliferation of missile technology from Russia to Iran; to the Committee on International Relations.

By Mr. LANTOS:

H. Con. Res. 122. Concurrent resolution expressing the sense of the Congress regarding Israeli soldiers missing in action and calling upon governments and authorities in the

Middle East to act to resolve these tragic cases; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII,

Mr. SCARBOROUGH introduced A bill (H.R. 2260) for the relief of Harold David Strother, Jr.; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mr. RANGEL and Ms. ROYBAL-ALLARD.

H.R. 44: Mr. MCGOVERN.

H.R. 51: Mr. GIBBONS.

H.R. 65: Mr. MCHALE and Mr. MCGOVERN.

H.R. 100: Mr. CONYERS and Mr. MCGOVERN.

H.R. 144: Ms. STABENOW.

H.R. 146: Mr. HAYWORTH.

H.R. 209: Mr. MANTON and Mr. DEUTSCH.

H.R. 303: Mr. MCGOVERN.

H.R. 332: Mr. TIAHRT.

H.R. 399: Mr. PASCRELL and Mr. LUTHER.

H.R. 532: Mr. ADERHOLT, Mr. BARCIA of Michigan, Mr. CLYBURN, and Mr. STUMP.

H.R. 563: Mr. FOX of Pennsylvania.

H.R. 622: Mr. GOODE.

H.R. 623: Ms. BROWN of Florida.

H.R. 659: Mr. POSHARD.

H.R. 691: Mr. FRANK of Massachusetts.

H.R. 695: Mr. TIERNEY, Mr. KLUG, Mr. JENKINS, Mr. CONDIT, Mr. HALL of Texas, Mr. BACHUS, Mr. CRANE, Mr. WAMP, Mr. CASTLE, Mr. LAHOOD, Mr. GOODLING, Mr. SHIMKUS, Mr. SERRANO, Mr. HOLDEN, Mr. HOBSON, Mr. RAHALL, Mr. THOMPSON, Mr. THUNE, Mr. CLYBURN, Mr. HILLEARY, Mr. DEAL of Georgia, Mr. COLLINS, Mr. DAN SCHAEFER of Colorado, and Mr. THORNBERRY.

H.R. 715: Mr. BOEHLERT and Mr. LATOURETTE.

H.R. 755: Ms. DUNN of Washington, Mr. COBLE, and Mrs. EMERSON.

H.R. 789: Mr. GRAHAM.

H.R. 815: Mr. FOX of Pennsylvania.

H.R. 859: Mr. HANSEN, Mr. HERGER, Mr. TRAFICANT, and Mr. SAM JOHNSON.

H.R. 899: Ms. ESHOO and Mr. ROTHMAN.

H.R. 983: Ms. CHRISTIAN-GREEN.

H.R. 986: Mr. SNOWBARGER.

H.R. 991: Mr. DIAZ-BALART and Mr. DEUTSCH.

H.R. 1009: Mr. KOLBE.

H.R. 1047: Mr. RUSH and Mr. SHERMAN.

H.R. 1108: Mr. CALLAHAN.

H.R. 1126: Mr. PETERSON of Minnesota.

H.R. 1151: Mr. BLUNT, Mr. BECERRA, Mr. TALENT, and Mr. OWENS.

H.R. 1165: Mr. ANDREWS.

H.R. 1260: Ms. RIVERS, Mr. MCHUGH, Mr. MCNULTY, Mr. SCOTT, and Mr. COX of California.

H.R. 1353: Mr. TANNER.

H.R. 1362: Mr. PETERSON of Pennsylvania and Mr. TALENT.

H.R. 1437: Mr. ABERCROMBIE, Mr. PALLONE, and Ms. HOOLEY of Oregon.

H.R. 1480: Mr. RUSH.

H.R. 1539: Mr. PAPPAS.

H.R. 1541: Mr. MEEHAN.

H.R. 1544: Mr. BONIOR.

H.R. 1570: Mr. DAVIS of Illinois.

H.R. 1608: Ms. DUNN of Washington, Mr. HOSTETTLER, and Mr. BROWN of Ohio.

H.R. 1614: Ms. FURSE and Mr. FOLEY.

H.R. 1619: Mr. BAESLER.

H.R. 1801: Mrs. MORELLA, Mr. VENTO, Mr. EHLERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Florida, and Mr. TORRES.

H.R. 1824: Ms. DEGETTE and Mr. MALONEY of Connecticut.

H.R. 1839: Mr. PETERSON of Pennsylvania.

H.R. 1880: Mr. OLVER.

H.R. 1903: Mr. FOLEY, Mr. ENGLISH of Pennsylvania, Mr. DAN SCHAEFER of Colorado, and Mr. DOYLE.

H.R. 1970: Mr. DAVIS of Illinois.

H.R. 1971: Ms. NORTON.

H.R. 1972: Mr. MCINTOSH.

H.R. 1984: Mr. BONILLA, Mr. LATHAM, Mr. EHRLICH, Mr. GANSKE, Mr. BORSKI, Mr. NEUMANN, Mr. LIPINSKI, Mr. ORTIZ, Mr. BAKER, Mr. CRAPO, and Mr. CALLAHAN.

H.R. 2040: Mr. LEWIS of Kentucky.

H.R. 2064: Ms. JACKSON-LEE.

H.R. 2118: Ms. PELOSI, Mr. LEWIS of Georgia, Mr. GUTIERREZ, Ms. LOFGREN, and Mr. MEEHAN.

H.R. 2122: Mr. ROTHMAN.

H.R. 2129: Mr. SAWYER.

H.R. 2139: Mr. CONDIT, Ms. KAPTUR, Mr. STUPAK, Mr. KIND of Wisconsin, Mr. MCHUGH, Mr. HOLDEN, Mr. MINGE, Mr. FARR of California, Mr. WATKINS, Mr. KLECZKA, Ms. SANCHEZ, and Mr. POMEROY.

H.R. 2173: Mr. TURNER, Mr. PETERSON of Minnesota, Mr. SOLOMON, and Mr. SHERMAN.

H.R. 2185: Mr. TOWNS.

H.R. 2190: Mr. KING of New York.

H.R. 2195: Mr. ROYCE, Mr. HUNTER, and Mr. KING of New York.

H.R. 2198: Mr. MINGE.

H.R. 2200: Mr. LANTOS.

H.R. 2222: Mr. LIPINSKI.

H. J. Res. 70: Mr. HEFLEY and Mr. COX of California.

H. Con. Res. 6: Mr. GREEN.

H. Con. Res. 80: Mr. ETHERIDGE, Mr. THOMPSON, Mr. MCNULTY, Mr. KING of New York, and Mr. MCGOVERN.

H. Con. Res. 109: Mrs. EMERSON, Mr. RUSH, Mr. SPENCE, Mr. HANSEN, Mrs. MEEK of Florida, and Mr. DEFAZIO.

H. Res. 16: Mr. CRAMER, Mr. BOSWELL, Mr. VENTO, and Mr. MINGE.

H. Res. 37: Mr. HOUGHTON, Mr. PETERSON of Minnesota; Mr. SCHUMER, Mr. GORDON, Mr. NEAL of Massachusetts, Mr. MEEHAN, Mr. TIERNEY, and Mr. EDWARDS.

H. Res. 119: Mr. MCHALE.

H. Res. 166: Mr. GILCHREST.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXIII, sponsors were deleted from public bills and resolutions as follows:

H.R. 695. Mr. ROTHMAN.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2159

OFFERED BY: MS. MCKINNEY

AMENDMENT NO. 55. Page 44, line 21, strike ''and Liberia'' and insert '', Liberia, and the Democratic Republic of Congo''.

H.R. 2159

OFFERED BY: MR. OBEY

AMENDMENT NO. 56: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 572. Section 301 of the Foreign Assistance Act of 1961 is amended by adding at the end the following new subsection:

''(i) LIMITATION RELATING TO FORCED ABORTIONS IN THE PEOPLE'S REPUBLIC OF CHINA.—Notwithstanding section 614 of this Act or any other provision of law, no funds may be made available for the United Nations Population Fund (UNFPA) in any fiscal year unless the President certifies that—

''(1) UNFPA has terminated all activities in the People's Republic of China, and the United States has received assurances that UNFPA will conduct no such activities during the fiscal year for which the funds are to be made available; or

''(2) during the 12 months preceding such certification there have been no abortions as the result of coercion associated with the family planning policies of the national government or other government entities within the People's Republic of China.

As used in this section, the term 'coercion' includes physical duress or abuse, destruction or confiscation of property, loss of means of livelihood, or severe psychological pressure.''.

H.R. 2159

OFFERED BY: MR. PAYNE

AMENDMENT NO. 57: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 572. Of the funds appropriated or otherwise made available by this Act under the heading ''DEVELOPMENT ASSISTANCE'' and under the heading ''CHILD SURVIVAL AND DISEASE PROGRAMS FUND'' (that are made available to the Administrator of the United States Agency for International Development for developing assistance activities), the amount made available to carry out chapter 10 of part I of the Foreign Assistance Act of 1961 (relating to the Development Fund for Africa) should be in at least the same proportion as the amount identified in the fiscal year 1998 United States Agency for International Development congressional presentation document for development assistance for sub-Saharan Africa is to the total amount requested for development assistance for such fiscal year.

H.R. 2159

OFFERED BY: MS. PELOSI

AMENDMENT NO. 58: In the matter proposed to be inserted by the amendment as a new subsection (h) of section 104 of the Foreign Assistance Act of 1961, strike the quotation marks and second period at the end of paragraph (3), and insert the following new paragraph:

''(4) RULE OF CONSTRUCTION.—The provisions of this subsection shall be effective only upon the enactment of a law (other than an appropriation law) that contains the same or substantially the same provisions as are contained in this subsection.''.

H.R. 2159

OFFERED BY: MS. PELOSI

AMENDMENT NO. 59: In the matter proposed to be inserted by the amendment as a new subsection (h) of section 104 of the Foreign Assistance Act of 1961, strike the quotation marks and second period at the end of paragraph (3), and insert the following new paragraph:

''(4) RULE OF CONSTRUCTION.—The provisions of this subsection shall be effective only upon the enactment of a law (other than an appropriation law) that contains the same or substantially the same provisions as are contained in this subsection.''.

In the matter proposed to be inserted by the amendment as a new subsection (i) of section 301 of the Foreign Assistance Act of 1961, insert before the quotation marks at the end the following new sentence:

The provisions of this subsection shall be effective only upon the enactment of a law (other than an appropriation law) that contains the same or substantially the same provisions as are contained in this subsection.

H.R. 2159

OFFERED BY: MR. TORRES

AMENDMENT NO. 60: Page 24, line 8, insert the following after ''propriations'': ''*:Provided further,* That none of the funds made available under this heading may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence to believe such unit has committed gross violations of human rights unless the Secretary determines and report to the Committees on Appropriations that the government of such country is taking steps to bring the responsible members of the security forces unit to justice''.

H.R. 2159

OFFERED BY: MR. TORRES

AMENDMENT NO. 61: Page 95, insert the following after line 3:

LIMITATION OF FUNDS BECAUSE OF HUMAN RIGHTS VIOLATIONS

SEC. 572. None of the funds made available under the heading ''BILATERAL ECONOMIC ASSISTANCE, DEPARTMENT OF STATE, INTERNATIONAL NARCOTICS CONTROL'' may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence to believe such unit has committed gross violations of human rights unless the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking steps to bring the responsible members of the security forces unit to justice.

H.R. 2203

OFFERED BY: MR. BEREUTER

AMENDMENT NO. 5: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 502. None of the funds made available in this Act may be used to revise the Missouri River Master Water Control Manual when it is made known to the Federal entity or official to which the funds are made available that such revision provides for an increase in the springtime water release program during the spring heavy rainfall and snow melt period in States that have rivers draining into the Missouri River below the Gavins Point Dam.

H.R. 2203

OFFERED BY: MR. LATOURETTE

AMENDMENT NO. 6: Page 8, line 23, after the semicolon, insert the following:

sediment remediation projects under section 401(b) of the Water Resources Development Act of 1990 (33 U.S.C. 1268 note; 110 Stat. 3763);

H.R. 2203

OFFERED BY: MR. MARKEY

AMENDMENT NO. 7: Insert at the end before the short title the following:

SEC. 502. (a) LIMITATION.—No funds shall be made available under this Act for—

(1) nuclear technology research and development programs to continue the study of treating spent nuclear fuel using electrometallurgical technology; or

(2) the demonstration of the electrometallurgical technology at the Fuel Conditioning Facility.

(b) OVERALL AMOUNT.—To carry out subsection (a)—

(1) the amount otherwise appropriated in this Act for ''Department of Energy-Energy Programs-Energy Supply'' is reduced by $33,000,000; and

(2) the amount otherwise appropriated in this Act for ''Department of Energy-Atomic Energy Defense Activities-Other Defense Activities'' is reduced by $12,000,000.

H.R. 2203

OFFERED BY: MR. MARKEY

AMENDMENT NO. 8: Insert at the end before the short title the following:

SEC. 502 (a) LIMITATION.—No funds shall be made available under this Act for—

(1) nuclear technology research and development programs to continue the study of treating spent nuclear fuel using electrometallurgical technology; or

(2) the demonstration of the electrometallurgical technology at the Fuel Conditioning Facility.

(b) REDUCTION.—Under the heading ''Department of Energy-Energy Programs-Energy Supply'' insert after the dollar sign the following ''(reduced by $33,000,000)'' and under the heading ''Department of Energy-Atomic Energy Defense Activities-Other Defense Activities'' insert after the dollar sign the following: ''(reduced by $12,000,000)''.

H.R. 2203

OFFERED BY: MR. SOLOMON

AMENDMENT NO. 9: Page 35, after line 20, insert the following new section:

SEC. 502. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with a contractor that is subject to the reporting requirement set forth in subsection (d) of section 4212 of title 38, United States Code, but has not submitted the most recent report required by such subsection.