24 I introduced the Guam Commonwealth Act, H.R. 1056, which would create a commonwealth that would carry Guam into the next century and give Guam the tools to prosper economically in the global marketplace. Guam is confident of its future and Guam has achieved in recent years, through remarkable growth in its private sector, the self-sufficiency to make the new Commonwealth a viable political entity.

The people of Guam voted in plebiscites to improve their relationship with the United States by establishing a commonwealth based on mutual consent and that protects the right to self-determination for the indigenous people of Guam. It will ultimately be Congress' responsibility to respond to Guam's political aspirations. However, before Congress holds hearings on the draft Commonwealth Act, the administration should conclude its discussions with the Guam Commission on Self-Determination that have been ongoing for over a year. The result of these discussions would be useful to Congress in its deliberations on the many issues that the Commonwealth Act addresses.

And there is good reason to believe that these discussions will be helpful to the Commonwealth process. Last year, under the guidance of then-Governor, Joseph Ada, who chaired the Commission, the Guam Commission on Self—Determination had a significant breakthrough on mutual consent to the Commonwealth agreement—meaning, that any agreement between Guam and the United States cannot be changed without the mutual consent of both parties. With the recent elections on Guam, there is renewed optimism in the future. Gov. Carl Gutierrez and the newly reconstituted Commission, Consisting of Judge Alberto Lamorena, Former Lt. Gov. Rudy Sablan, Mayor Frank Lizama, Senator Hope Cristobal, Senator Mark Forbes, Senator Francis Santos, Attorney David Lujan, and Youth Congress Speaker Roy Respicio, bring to the table a team committed to Guam and to our island's future.

These Commonwealth discussions have been recently put on hold because of the announced resignation of the President's Special Representative, Mr. I. Michael Heyman in February of this year. I had hoped that the administration would have moved expeditiously to find a replacement for Mr. Heyman.

Recently, I have been given assurances that this appointment would be given priority in the White House with the strong support of Secretary Babbitt, and that the nominee may be going through the necessary background checks. While I certainly appreciate the efforts of the administration, I must also point out our frustration with the valuable time that has been lost in the past 65 days.

Therefore, I call on the administration to redouble its efforts to finalize the appointment of a special representative. We have made important progress in these talks. But we must be careful not to squander the opportunity that lies before us in resolving Guam's political status, and we must not lose the momentum that we once had.

The Guam Commission on Self-Determination and I are eager to see this process reach its conclusion. The people of Guam are ready to take their rightful place in the American community. We can only hope that the administration and the Congress share our commitment to improve the lives of the American citizens who live on our island.

□ 1845

The SPEAKER pro tempore (Mr. RADANOVICH). Under a previous order of the House, the gentleman from Missouri [Mr. TALENT] is recognized for 5 minutes.

[Mr. TALENT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

[Ms. JACKSON-LEE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

INTRODUCTION OF AGRICULTURE DISASTER ASSISTANCE BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. FARR] is recognized for 5 minutes.

Mr. FARR. Mr. Speaker, today, I am introducing a bill to provide disaster assistance to farmers who have no other access to disaster assistance. I am joined in this effort by my colleagues, Mr. DOOLITTLE, Ms. PELOSI, Mr. POMBO, Ms. ESHOO, Mr. HERGER, Mr. FAZIO, Mrs. SEASTRAND, Mr. RADANOVICH, Mr. CALVERT, Mr. BROWN of California, Mr. ROSE, and Mr. DOOLEY.

As you know, Mr. Speaker, the central coast and northern California have been racked with flooding. My own district around the Monterey Bay area has been the worst hit with more than $240 million in agriculture damage alone.

But whereas small businesses and individuals have recourse to private flood insurance, to FEMA emergency assistance, and to low-interest loans from the SBA, most of the agriculture in my district has access to none of this help.

Farmers who grow specialty crops—items like strawberries, artichokes, lettuce, and broccoli or flowers—are not eligible for Federal crop insurance. They are not eligible for FEMA assistance. They are not eligible for SBA loans.

This situation is inherently unfair. A businessman whose business is washed out can apply for emergency grants and loans. A farmer with the same investment cannot, simply because his business is agriculture.

Congress attempted to correct this hole in the safety net when in enacted the Non-Insured Assistance Program, or NAP. The purpose of NAP was to provide some assistance where none other was available. Unfortunately, even under this failsafe program, nearly 85 percent of affected farmers in my district are still not eligible for assistance.

The problem arises in three areas: the definition of family farm; the threshold on income that determines eligibility; and, the amount of planted area that must be affected.

In all these three cases, the criteria established looks reasonable on its face. But in real life, they deny access to aid to farmers who have suffered terrible crop losses.

For example, the farms in my district—like most other districts—are run like businesses. The product is produce. Farms that are held by and operated by a single family are considered family farms in the traditional sense. But the NAP definition is unclear on this point and implementation of programs that use this definition have erred on the side of not including these family farmers simply because not every member of the family works on the farm, even though the chief operating officer is a family member.

Another problem is that the NAP program disallows any farmer who has a gross income of $2 million. Many, many farmers have much more than this tied up in their farms. But after all is said and done, their net income is far, far lower than $2 million. But because the program looks at gross income and not net, these farmers are left uncovered.

Finally, there is confusion over how much land and crop must be affected before a farmer becomes eligible for assistance under NAP. As I understand it, 35 percent of the area must be affected by the disaster. But area is not clearly defined. Is it county? Is it acres? Is it statewide? Also, NAP requires that a producer lose 50 percent of his crop before he can be eligible for aid. But what if a farmer loses 100 percent of his first crop but not of the two or three others he would have planted later? Has he lost 100 percent of his crop or only 33? If the decision is that he has lost only 33 percent of his crop, he cannot receive aid under NAP, but again, without assistance, he will have no funds with which to rebuild his farm or plant the other crops.

Mr. Speaker, this is unfair. During times of emergency and disaster, this country has always risen to the occasion and provided relief to hurricane, flood, earthquake, drought, and fire victims, with one exception: farmers of specialty crops.

Well, the livelihood of a strawberry farmer who gets flooded out is just as disrupted as the livelihood of a restaurant owner who gets flooded out.