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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore [Mr. MCINNIS].

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 29, 1996.

I hereby designate the Honorable SCOTT MCINNIS to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

From the rising of the Sun until the going down of the same, we offer our thanks and praise to You, O God, for Your gracious gifts of faith and hope and love. When we falter or fail, You lift us up; when we do justice and seek mercy, You encourage and make us whole. For all Your marvelous deeds, O God, that forgive us and point us in the way, we offer these words of gratitude and thanksgiving. Amen.

THE JOURNAL

The SPEAKER pro tempore. 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 pro tempore. Will the gentleman from Nebraska [Mr. BARRETT] come forward and lead the House in the Pledge of Allegiance.

Mr. BARRETT of Nebraska 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.

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. BARRETT of Nebraska. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole under the 5-minute rule: Committee on Banking and Financial Services, Committee on Commerce, Committee on Economic and Educational Opportunities, Committee on Government Reform and Oversight, Committee on International Relations, Committee on the Judiciary, Committee on National Security, Committee on Resources, Committee on Science, and Committee on Transportation and Infrastructure.

It is my understanding, Mr. Speaker, that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

AGRICULTURAL MARKET TRANSITION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 366 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. 2854).

□ 0903

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. 2854) to modify the operation of certain agricultural programs, with MR. HANSEN, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Wednesday, February 28, 1996, amendment No. 8 printed in House Report 104–463 offered by the gentleman from New York [Mr. BOEHLERT] had been designated.

Pursuant to the rule, the gentleman from New York [Mr. BOEHLERT] and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from New York [Mr. BOEHLERT].

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

Mr. Chairman, I rise this morning on behalf of America's farmers, on behalf of America's hunters and fishermen, and on behalf of the environment. What do the National Wildlife Federation, the American Farm Bureau, and the National Rifle Association all have in common?

They are all strong supporters of the Boehlert conservation amendment. Why have major agriculture and environmental organizations in the United States endorsed my conservation amendment? Because the conservation amendment before us is truly profarmer and proenvironment. Chairman ROBERTS, Chairman BARRETT, and Congressman PETERSON have all worked with me to craft a conservation title that provides American farmers with the resources they need to protect the environment that we all need. Every urban American and every rural American will benefit from this amendment.

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Today, 51 percent of all privately owned lands in the United States are held by farmers and ranchers. If we are serious about improving the quality of America's rivers and lakes, and we darn well better be, if we are serious about preserving essential wildlife habitat, and we darn well better be, if we are serious about protecting our Nation's drinking water supplies, and, there is nothing more important than that, we have got to work with the American farmer.

Agricultural programs represent the single best opportunity for this Congress to make significant improvements in the quality of our environment. Best of all, we will be achieving these dramatic environmental improvements with voluntary incentive-based programs, programs strongly supported by the agriculture community.

The Boehlert-Roberts-Barrett-Peterson amendment builds on the proven success of the existing conservation reserve program and wetland reserve program. This conservation title also provides new resources and technical assistance for the management of nutrients and manure on America's farms. While providing significant conservation resources to America's farmers, this amendment achieves these conservation goals in a fiscally responsible manner.

This conservation title costs less than half of the $4.5 billion in the one passed by the Senate on February 7. The numbers tell the story. My conservation amendment costs $2.1 billion, while the Senate conservation title has been scored by the Congressional Budget Office at $4.5 billion. The Boehlert amendment makes agricultural, environmental, and fiscal sense.

The Senate and the administration have made it clear they will not support a farm bill absent a comprehensive conservation title. If this body can produce a comprehensive conservation title that has the support of farmers and sportsmen and environmentalists, we should do it.

In closing, I would like to read to you what the Natural Resources Defense Council, the Environmental Defense Fund, and Trout Unlimited are saying about my amendment, and I quote: ''We are pleased to support the amendment and urge all Members of the House to join in support.'' The American Farm Bureau, the National Grange, the National Milk Producers Federation, the National Corn Growers, the National Wheat Growers and the National Association of State Departments of Agriculture are all strongly supporting the Boehlert conservation amendment. I urge my colleagues to join me in supporting this pro-farmer, pro-environment amendment.

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

The CHAIRMAN pro tempore. Does any Member seek time in opposition?

Mr. LIVINGSTON. Yes, Mr. Chairman, I do.

The CHAIRMAN pro tempore. Is the gentleman from Louisiana opposed to the amendment?

Mr. LIVINGSTON. Yes, Mr. Chairman, I am, and I seek time to express my opposition.

The CHAIRMAN pro tempore. The gentleman from Louisiana is recognized for 20 minutes.

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

Mr. Chairman, the Boehlert amendment actually doubles the impact of a provision in the existing bill that is before the House. I had intended to come to the floor in opposition to the existing provision. So let me double my opposition to the Boehlert amendment. Because what we are talking about here is a whole new entitlement. An entitlement which, if the Boehlert amendment is adopted, amounts to $1.4 billion of mandatory spending; $1.4 billion in taxpayers' dollars which will be spent at the same time that we in this Congress for the last 14 months have been working diligently to pare down the discretionary budget. At the same time that we are telling America how important it is to get entitlements under control and to get a leash on the entitlement portion of the budget, which represents two-thirds of the $1.6 trillion that this Federal Government spends every single year.

At the same time that we are saying we cannot get President Clinton to the table to agree on how to pare down Social Security, Medicare, Medicaid, welfare, and all of the other entitlements that are going rapidly out of control, all of a sudden, quietly, here this morning, we hear the gentleman from New York, my very good friend, come here and say that the provision in this bill which creates a $700 million new entitlement for cattle farmers is not enough and it should be raised to a $1.4 billion entitlement.

To say that I am shocked is only an understatement, because actually I am incredulous. I have worked diligently as chairman of the Committee on Appropriations to get the spending on the discretionary side of the equation under control. We have succeeded.

I would like to take a minute just to show how in Democrat control, the U.S. Congress, in the House and Senate in fiscal year 1994, discretionary spending was roughly $237 billion. This is nondefense discretionary spending under Democrat control.

In fiscal year 1995, it rose to $246 billion. And under Republican control, we shrank fiscal year 1995, because of our rescission bill last year, to under $230 billion, roughly $229 billion.

Currently, in fiscal year 1996, we are at $222 billion. Our projections for fiscal year 1997 are $219 billion. We have had Republicans and Democrats, moderates and conservatives alike, come to the floor and say, ''You can't cut this program, you can't cut that program.'' We want to keep restoring money for education, health and welfare, safety, and all of the wonderful programs in the discretionary portion of the budget.

What we have here this morning, at a time when nobody is paying attention, is Members of the Congress coming forward and saying, ''Wait a minute. We want to create a new entitlement, a new mandatory program to spend $1.4 billion.''

Mr. Chairman, let me stress, today is February 29, 1996. Once every 4 years we are privileged in this world of ours to add an additional day to the calendar of the year. It is called Leap Day. This program coincidentally enough falls on Leap Day. You know what the name of the program is? It is the Livestock Environmental Assistance Program, or the LEAP Program.

Mr. Chairman, I would suggest to all of my Members who are listening somewhere in cyberspace, or here on the floor, I would suggest to them that if they want to create a brand new entitlement after we are cutting the discretionary budget as successfully as we are doing, then they will have succeeded in making a great leap back on Leap Day of Leap Year 1996.

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

Mr. BOEHLERT. Mr. Chairman, I yield 8 minutes to the gentleman from Kansas [Mr. ROBERTS], the distinguished chairman of the Committee on Agriculture.

□ 0915

Mr. ROBERTS. Mr. Chairman, I am sorry for the delay. I was taking Mr. LIVINGSTON's pulse. He seemed to be worked up about the budget. I can get worked up about the budget. I can get worked up about entitlement programs.

But this is not an entitlement program. This is the continuation of a strong difference of opinion between our good friends in the Committee on Appropriations, and let me say at the outset, that we have no better chairman of the Committee on Appropriations that the gentleman from Louisiana [Mr. LIVINGSTON], who has done precisely what he said he has done in regards to getting our discretionary, I emphasize the word discretionary, spending down to reasonable levels. He deserves every accolade in that respect.

But the difference in regard to the LEAP program and the EQUIP program here is that we pay for it. We paid for it out of farm programs payments, out of the CCC fund used by Agriculture that is in the mandatory spending category. That comes under the jurisdiction of the House Committee on Agriculture, and we are cutting those funds dramatically, and in addition to cutting those funds and meeting our budget responsibilities, we also cut them again to provide two vitally needed environmental programs, actually three, EQUIP, LEAP, and the conservation reserve program, and we pay for it.

How do we pay for it? Our farmers know that in facing all of the regulatory overkill and their responsibilities as stewards of the soil, they need programs by which the Federal Government is also in partnership with them to reach our environmental responsibilities and our goals. So we reduced those expenditures. This is paid for, and it is capped. It is capped ever year.

Now, I understand that the gentleman from Louisiana and my good friends on the Committee on Appropriations Subcommittee on Agriculture, who do a splendid job for us most of the time, would like to have control over these funds. But, in effect, we have already paid for them out of the farm program benefits that would have gone to farmers.

So we are meeting our budget responsibilities, and we are doing that. And this is the most budget conscious, responsible farm bill that we have ever had. And the program is capped. And we have paid for it, and our farmers have paid for it. It is not a new entitlement. It is a great leap forward, if you will, for the most, for the strongest and the most proenvironmental farm bill that has ever been written.

I would like to at least say I had not expected this kind of a fiscal tirade here this morning, and so if I could be granted some additional time through my friend from New York, I would like to say something positive about the legislation.

This has been a very difficult time, a difficult amendment, but it has been worked out through the diligence of my committee colleague, the gentleman from Nebraska [Mr. BARRETT], and my good friend and colleague, the gentleman from New York [Mr. BOEHLERT], and many others, the gentleman from Minnesota [Mr. PETERSON], on that side of the aisle, myself, the gentleman from Missouri [Mr. EMERSON], and many members of the Committee on Agriculture as a means of addressing several important positive environmental programs. It is a capstone to a truly environmental farm bill.

Under the freedom to farm concept, which is the foundation, we really free farmers from the restrictions of 50 years of federally mandated mono-agriculture. American agriculture will be more environmentally friendly. Our farmers will be free to respond to market signals. They will now be able to rotate their crops and instead of planting the same crop time after time after time after time to protect their acreage base in order to get the Government subsidy, they will follow the market signals and what they should be doing in regard to their environmental responsibilities. That means fewer pesticides. That means less fertilizer. And it means more integrated farm management.

Now, past environmental programs have impacted only a few million acres. Every one of the environmental programs that we have heard about in this Congress before have been piecemeal. Under the freedom to farm bill, we will encourage sound conservation and environmentally positive activity on 300 million acres of U.S. farmlands. That is good for all Americans, and it is also good for the farmer and rancher.

I could go down a long list of environmental and wildlife groups that support this amendment and that also understand it is fiscally responsible because we do pay for it. We have the Farm Bureau, Meat Institute, Sheep Industry Association, Soybean Association, Equipment Manufacturers' Institute. And I will make this part of the RECORD.

In this regard, these are the organizations that support the conservation reserve program, and I certainly want to thank also the gentleman from Texas, [Mr. PETE GEREN] for his efforts in this regard.

But the conservation reserve program has been a monumental success. It reduces soil erosion. It improves the surface and ground water quality on environmentally sensitive lands. It sets aside huge blocks of land in the Great Plains and cornbelt for wildlife habitat. We have economic studies that generally have concluded that the CRP has provided public benefits totaling $12.5 billion since 1985, when the CRP was enacted. That is $8.6 billion for fish and wildlife, $3.1 billion in water quality improvements, $1.3 billion in soil productivity, and a half a billion dollars in benefits generally caused by wind erosion. So it is a plus. As well as paying for this, there is a positive benefit.

So this amendment assures the continuation of these benefits and will improve our Nation's water quality.

Now, under the terms of the compromise amendment offered today by the gentleman from Nebraska [Mr. BARRETT] and the gentleman from New York [Mr. BOEHLERT], the CRP will be continued at its current level of 36.4 million acres. I think I have extolled the virtues of the CRP program enough for Members.

I want to say finally, Mr. Chairman, the amendment does establish a few environmental quality incentive program, or EQUIP, for livestock men and other agriculture producers. This new program is similar to the one adopted by the other body. We have cost share and incentive payments made to producers for structural and land management practices.

Let me just say this: This is the strongest proenvironment farm bill ever passed in this Congress. Under freedom to farm, the farmer will not longer be trapped into monoagriculture, putting the seed in the ground to protect his acreage base in order to receive the deficiency payment or the subsidy payments. He has the flexibility. It means less pesticides, less fertilizer, a proenvironment farm bill. It also locks in the ability of farmers to participate in their conservation compliance plan for 7 years.

Otherwise, if you extend the current farm bill, they will probably get out of the farm program, and there is no conservation compliance. Then we have the three programs: the conservation reserve program, EQUIP, and LEAP. They are all good programs, and they are paid for, and they are capped, and it is out of the mandatory fund.

So I know, while the argument of the gentleman from Louisiana can be very, very persuasive in his efforts to reduce our budget exposure, we have already paid for this, Mr. Chairman, lock, stock, and barrel. It is capped, and there will be no more money spent on a so-called entitlement program that is permitted in this program.

As I have said, our farmers have already sacrificed their program benefits to pay for these environmental programs.

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

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

Mr. LIVINGSTON. Mr. Chairman, since I am overwhelmed with speakers on my side of the issue, I will engage just a second again.

You know, for the last 14 months I have heard one speaker after another from both sides of the aisle come up and talk about how important it is to balance the budget. We are going to do it, oh, we are going to balance the budget, but not with this program, because this program is a good program, that program is a good program. You know, you need a little more, a little touch-up over here, a little more spending here. In fact, that is what we have been hearing in my 19 years in the U.S. Congress, ''We are going to do it one day.'' But, oh, now that we are really getting serious, now that we are really starting to get a handle on discretionary spending, let us come up with new gimmicks, new tricks, and when you have got a good idea, let's just not worry about the discretionary side of the equation. Let us switch it over to the mandatory side of the equation. Let us just kind of move it over in a bookkeeping entry, lock it into law, make it an entitlement, walk away from it because we know this program is a good one; it will be funded for eternity.

Once we get an entitlement, it will never be cut. You know, I could list 10,000 programs that the U.S. Government engages in that every one of which are good ideas. We might as well just take all 10,000 of them and say they are mandatory and not worry. We could all do what Lamar Alexander said, pack our bags, cut our salaries 100 percent and go home, let Bill Clinton run the Government. Is that what we are supposed to do? Is that really what we are elected to do? Are we elected to take every program known to man that is a good idea? And this is a good idea. There is no doubt about the substance of this program. In fact, there never has been any doubt about the substance of the program.

Just this last year we appropriated $75 million for this program, essentially the same thing. We are already doing it.

But my friends in the farm community say, well, we need to spend more because we need to show the environmentalists that we are really looking out after them. I mean after all, we are spending a lot more money on farm programs in order to justify that and to pass a farm bill. Let us put a little money in for the environmentalists; then we get a lot of votes and pass the bill. That is the key here. That is what we are talking about. ''Let's buy the votes.'' Let us not worry about the fact the last 14 months we have been worrying about a balanced budget and trying to pare down discretionary spending and save money for the taxpayers so that eventually we can turn some back to him. Let us come up with a new, neat environmental idea. Well, not so new, because we have been doing it already on the discretionary side. But let us make it an entitlement. Let us lock it into law so those appropriators cannot ever get to it, so we can never decrease it and we can say to the environmental community, ''Look what we have done for you today.''

Is that not the same old story we have been telling for the last 50 years? We take the taxpayers' money. We are looking at them straight in the eye and say, ''Look what I've done for you today. Vote for me in the next election.''

Mr. ROBERTS. Mr. Chairman, will the gentleman yield?

Mr. LIVINGSTON. If the gentleman would be happy to yield to me on his time, I would be happy to. I want to say——

Mr. ROBERTS. I do not have any time. I would just like to respond to the gentleman.

Mr. LIVINGSTON. I yield to the gentleman from Kansas, the distinguished chairman of the Committee on Agriculture.

Mr. ROBERTS. Bless your heart. Well, do not wander off.

Mr. LIVINGSTON. I am here.

Mr. ROBERTS. OK. Again, let me say to the gentleman that we all stand in admiration of the gentleman's efforts to cut spending. Nobody has done more in the Congress. But what I would like to try to point out is that we do have two separate pastures in regard to our financial obligation in regard to agriculture. One is the mandatory pasture, and one is the discretionary pasture.

The gentleman has done yeoman work in regards to the discretionary part of the funding. We are in charge of the mandatory part.

Now, we started out at $56.6 billion.

Mr. LIVINGSTON. Reclaiming my time, the gentleman has plenty of time from the gentleman from New York.

Mr. ROBERTS. It will only take 30 seconds.

Mr. LIVINGSTON. I understand the gentleman's point. I will summarize it.

Essentially he is saying the appropriators appropriate and the authorizers authorize, and therefore he is going to authorize and take all the money from the taxpayer and make sure that it is locked in.

Look, the bottom line is, with all due respect to my friend, and because my time is limited and I think I might have other speakers before this day is over, the fact that this is a program that might be wise today but someday in the future might be unwise. It might be adjusted. And the point is we should make it discretionary, we should control it.

If, in fact, the money is being wasted, somebody in Congress should say it is being wasted, just like on most of these other programs we have. We should never lock things into law simply because they are a good idea. This is a mistake. It was a mistake to put it in the bill and add $700 million. It is an even worse mistake to put it in as an amendment at $1.4 billion, as the gentleman from New York would do.

I urge my friends to vote down this amendment and vote with me to eliminate this whole bad leap year, leap day LEAP program provision from this bill.

Mr. BOEHLERT. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. DE LA GARZA], the distinguished ranking member of the Committee on Agriculture, and I ask unanimous consent that he be allowed to control that time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DE LA GARZA. Mr. Chairman, I yield 1 minute to the gentleman from South Dakota [Mr. JOHNSON].

(Mr. JOHNSON of South Dakota asked and was given permission to revise and extend his remarks.)

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise in support of the Boehlert-Barrett conservation amendment. It contains the backbone of a comprehensive conservation title that should be in the final version of the farm bill whenever that might come about.

I am pleased that the authority for new enrollments in the Conservation Reserve Program is included. The CRP is of great importance in my State of South Dakota for several reasons, for its impact on cutting soil erosion, increasing water quality and enhancing habitat for wildlife. We have seen pheasant populations in South Dakota head back toward historical, record levels. The same is true of duck populations, which have increased by 30 percent, and songbird populations. Many of the songbirds documented on CRP acreage were previously headed toward decline and facing the possibility of being threatened under the Endangered Species Act.

I am also pleased that the gentleman from Nebraska worked with agricultural interests and wildlife groups to come up with a compromise on the issue of early outs.

The other component of this amendment is the Environmental Quality Incentives Program. I have been working with Chairman ALLARD on a similar provision in the Agriculture Committee. This program will be vital in ensuring the viability of livestock operations throughout the country. The livestock sector is facing devastating swings in market prices and the technical assistance and cost-share funds provided by EQIP may help keep many family operations from going out of business.

I want to commend the livestock and commodity groups in their initiative in working to meet the environmental concerns facing their industry. They want to take an active role in ensuring their operations do not degradate the land they live on or the water their families drink.

As I indicated, this is a start toward a conservation title that can balance the survival of family farms with protection of their land and resources for generations to come. I look forward to working with Chairmen ROBERTS and ALLARD to address the remaining important issues such as commonsense reforms to the Swampbuster provision that they included in H.R. 2973.

□ 0930

Mr. DE LA GARZA. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Minnesota [Mr. PETERSON].

Mr. PETERSON of Minnesota. Mr. Chairman, I am proud to stand today to offer this amendment with the gentleman from New York [Mr. BOEHLERT] and the gentleman from Nebraska [Mr. BARRETT]. On behalf of the Sportsmen's Caucus, which has made the Conservation Reserve Program the main focus of this Congress, we are very pleased with the language that is in this amendment. This is a straight, clean, reauthorization of the Conservation Reservation Program, which is what we have been working for, for the last couple of years.

I think the earlyout provision that has been negotiated with the gentleman from Nebraska [Mr. BARRETT] and others is a good provision which is actually, in my judgment, going to benefit wildlife, because frankly, the first 5 years of these contracts are when they do the best job in providing habitat for wildlife. It might be a good thing to allow these to turn over after 5 years so we can take some of this mature cover and turn it into new cover, which is the best for wildlife.

So, Mr. Chairman, I think we have got a very good compromise put together here. It is going to be good for wildlife, farmers, conservationists, and environmentalists. I am glad to support this.

Mr. BOEHLERT. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska [Mr. BARRETT].

Mr. ROBERTS. Mr. Chairman, will the gentleman yield?

Mr. BARRETT of Nebraska. I yield to the gentleman from Kansas.

Mr. ROBERTS. Mr. Chairman, I thank the gentleman. It used to be in this body, where we delegated responsibility, we appropriated the credit and sifted the blame. Through the leadership of the gentleman from Louisiana [Mr. LIVINGSTON], we do not do that anymore. Let me point out to the distinguished gentleman from Louisiana, we started with $56.6 billion in the mandatory account, went down to $43 billion, went down to $38 billion, went down to $36 billion. These are farm program payments. The reason we went from 38 to 36 is to pay for this. It is paid. It is capped. It is paid. This is not a new entitlement payment program. We paid for it.

Mr. BARRETT of Nebraska. Mr. Chairman, reclaiming my time, I am pleased that the House actually has an opportunity to discuss a strong amendment to the farm bill such as this amendment. I am particularly excited about the Conservation Reserve Program, as has been pointed out.

As a long time supporter of the Agricultural Marketing Transition Act, I will admit I had a concern about moving a farm bill without a conservation section, which should have been included in the reauthorization of the program itself. Without the Boehlert-Barrett-Peterson amendment, we would be ignoring about 15 million acres of CRP land that will be coming out of the program this year. If you add the CRP contracts to expire next year, we are talking about 24 million acres of land.

So the Conservation Reserve Program, which was established in 1985, helps to protect our soil and water. It is an extremely important matter that we continue the program. It has a wide spectrum of interests, and farmers and environmentalists and sportsmen and the public sector, frankly, get large benefits from the program, and the House should not dismiss our responsibility to reauthorize the program. It is a good amendment, it is an amendment that should be adopted. It will help complete the farm bill and give the House a position on CRP as we go to conference with the Senate.

So, Mr. Chairman, in conclusion, I would say please support the amendment, vote yes on Boehlert-Barrett-Peterson.

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. FARR].

Mr. FARR of California. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise with a great deal of concern on this amendment. This is an amendment that those of us in the environmental community ought to be embracing. But it has some very serious reservations. In fact, I have a letter here signed by the Sierra Club, the American Farmland Trust, Defenders of Wildlife, Environmental Working Group Humane Society of the United States, Friends of the Earth, the Isaak Walton League of America, the Land Trust Alliance, the Union for Concerned Scientists, Public Voice for Food and Health Policy, the Soil and Water Conservation Society, Sustainable Agriculture Coalition, U.S. PIRG, and the Wallace Institute for Alternative Agriculture, all addressing Members of this body, asking them to vote against the bill because of this provision that is from it.

I have some concerns as I have been working closely through the year, only I think we have a lot of mutual interests. One of my biggest concerns in America is the erosion of good, prime, agriculture land. America seems to be doing urban sprawl better than it can do agriculture policy. So what we want to do, rather than get government highly involved in this, is to allow—we have in America these agriculture land trusts created in countries and States throughout the United States. Those are private, nonprofit entities that go out and buy from willing sellers, willing sellers, development rights that are on agriculture land, so that the agriculture land remains permanently in agriculture. I have been trying to get that amendment into the bill and had a very difficult time because it is always sort of delayed.

The Senate policy allowed that amendment in there, and this amendment does not. So, therefore, I reluctantly have to oppose the Boehlert amendment.

I do so because I believe that this amendment undermines efforts both here in the House and in the Senate to protect farmland from urban sprawl.

I have coauthored legislation with my good friend from Maryland, Mr. GILCHREST, to help the States address the troubling loss of farmland to urbanization—over 1,000,000 acres a year at current rates.

The States have taken the lead in helping farmers keep this land in agriculture and out of the grasp of urban sprawl and the Federal Government should help the States with their efforts.

States like New York, California, Maryland, Pennsylvania, Massachusetts, New Jersey, Michigan, and many others.

A version of our bill was added to the Senate farm bill by Senator SANTORUM.

Before Tuesday, the Boehlert amendment would have included most of the Senate conservation title—including farmland protection.

But Tuesday night, the Boehlert amendment was cut down to a size more acceptable to the environmentally leaning Republican leadership.

Farmland protection was dropped from the bill.

This amendment will hurt the Senate farmland protection provisions in conference.

I believe that a vote for the de la Garza-Clayton fund for rural America amendment is better for farmland protection, better for the, environment, better for rural economies, and better for farmers.

I cannot support this bill if it lacks adequate funding for conservation, research, and rural development.

And I cannot support this bill if it does not help State farmland protection efforts, or undercuts the Senate farmland protection amendment in the conference—as I believe the Boehlert conservation amendment will.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. FARR. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I would point out the letter the gentleman just referred to, signed by all the environmental organizations, is silent to this amendment. They are actually supportive of my amendment, opposed though to the bill.

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

Mr. CASTLE. Mr. Chairman, I thank the gentleman for yielding me time. In my 1 minute I would like to make several points.

One is, who is an environmentalist? I have yet to find anybody who does not believe in clean drinking water. would not like to see clean water in general. Everybody wants clean air. You talk about environmentalists, but the trust of matter is about 100 percent of the United States of America is in one way or another an environmentalist.

Second, who owns the land? About 50 percent of the land in America is owned or controlled by our farmers and our ranchers. That is a very important commodity in terms of how we are going to impact our environment.

Next our agricultural interests, also our environmental interests, I have not met many farmers, ranchers, or anybody who deals with that area, who is not interested in the environment.

Finally, there is a very close tie-in between the environment and our agricultural interests. I know in my State of Delaware, in our inland bays where Rehoboth Beach is, which many people know about, we have a lot of farm interests. We have studied those inland bays and realize the impact of fertilizers and other products on them.

Mr. Chairman, I would encourage all of us to support the program.

Mr. LIVINGSTON. Mr. Chairman, by national acclaim, I will take the podium again. I yield myself such time as I may consume.

Mr. Chairman, just so that everybody is absolutely clear, I have already made the point that we are scoring big points in getting discretionary spending under control. What the proponents of this amendment and the later subsequent provision in the agriculture bill do to create the LEAP Program on Leap Day of Leap Year of 1996 is to create a $1.4 billion mandatory program.

Now, there has been some discussion that, well, it is not really a mandatory entitlement. I would only point to the bill itself, in fact to the provision, I think this is the Boehlert amendment, ''Title III, Conservation, section 1241, mandatory expenses.'' The whole program is listed under mandatory expenses.

It says the ''Environmental Quality Incentive Program for each of fiscal years 1996 through 2002, $200 million of funds of the Commodity Credit Corporation shall be available.'' It does

not say ''may be available'' or ''may be appropriated'' or ''might be spent.'' It says ''it shall be available,'' which means this indeed is a mandatory program. It increases spending.

Now, I have to tell my Republican colleagues, I got this report from the House Republican conference talking points on why you should support the House bill and not support the Senate bill. Well, on the second page, it says the Senate bill is ''chock full of new spending.'' That is the reason you should not vote for the Senate bill.

Well, what are we doing here? Creating a nondiscretionary, mandatory new entitlement for $1.4 billion. Do not come to the Committee on Appropriations and say ''We need to cut spending'' if you vote for this. This is locked in spending. Nobody can cut it, nobody can adjust it, you just have to spend the money. And when you go back to the campaign trail and say ''We have got to do something about the mandatory side of the equation, two-thirds of the Federal budget, two-thirds of $1.6 billion that we spend every year, but we can't do it because we can't get the votes, can't get the support,'' if you vote for this, you will know why. You can look in the mirror and see the person responsible.

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

Mr. BOEHLERT. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from New York for yielding me time, and I thank the gentleman from Kansas for allowing the opportunity to discuss an issue such as conservation.

The previous speaker spoke about an important issue, and that is balancing the budget. He spoke about an important issue in not frivolously spending the taxpayers' dollars in a wasteful manner. We must balance the Federal budget. But in so doing, I think we have to remember that we have to reduce some of the problems that are causing Federal spending to go spiralling out of sight.

If we are dealing with the area of agriculture, how do we save money? We reduce soil erosion, we prevent ground water from becoming contaminated, we reduce the necessity of spending Federal dollars on flooding. How do you do all these things in one particular area in the scheme of things? If we are dealing with agriculture, we need to spend taxpayer money wisely, we need to spend Federal dollars wisely, to reduce the overall mismanagement of things.

So if we can have conservation programs that protect things such as wetlands, which, by the way, are now relatively easily identified and farmers wanted to participate in that so they can encourage the fact that soil will not be eroded anymore, ground water will be clean, we will have areas that will not be flooded anymore, we have areas where fish can spawn, and they want to participate in the best management practices for farming, then we are going to work as a team. It is going to work.

Mr. Chairman, I encourage an aye vote on this amendment.

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. LATHAM].

Mr. LATHAM. Mr. Chairman, I would like to engage the gentleman from New York [Mr. BOEHLERT] in a colloquy. I just want some clarification on different parts of this.

Is there anything in this that requires a whole farm plan?

Mr. BOEHLERT. Mr. Chairman, if the gentleman will yield, there is nothing in there to require a whole farm plan.

Mr. LATHAM. There is no intention that would be part of it?

Mr. BOEHLERT. No intention.

Mr. LATHAM. Under the CRP provision it is added as far as water conditions on the criteria. I want to know, is there an actual effect as far as moving acres out of the Midwest to the Northeast, or is there an intent, or will it have an effect in that regard?

Mr. BOEHLERT. I will be glad to direct that response to the chairman of the full committee. We have had extensive conversations on that.

Mr. ROBERTS. Mr. Chairman, if the gentleman will yield, as the gentleman knows, you are looking at possibly the strongest possible defender of the CRP. To have those acres remain in the Great Plains, where we truly need it in this criteria, there is an out-option. The farmer may leave the Conservation Reserve Program, but not, of course, in terms of the highly environmentally sensitive ground. When he does that, on his own volition, the Secretary then has the same number of acres and money and he can apply it to other sensitive acres. But there is no criteria to move this program from one section of the country to another.

Mr. LATHAM. I would just like to ask the gentleman from New York, as far as the Wetlands Reserve Program, you have got a third permanent, third 30 years, and the others are different time periods. Is there anything as far as new delineations of wetlands?

Mr. BOEHLERT. No, there is not.

Mr. LATHAM. Does the gentleman expect any effect as far as with tying up the one-third as far as being permanent, as to what the anticipated effect will be as far as how many acres currently are permanent and will now be able to go into the 30 and the temporary?

Mr. BOEHLERT. We were anticipating more people would participate in the program.

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

Mr. Chairman, I appreciate my colleagues listening to my extemporaneous tirades here. I just hope that people will reflect that this is serious. This is not about the merits of the program. We have heard a lot of good speakers talk about the merits of the program. I have to agree with that. It is a good program. We would like to appropriate as much money as possible to this program. By the way, I have dairy farmers who probably would avail themselves of the benefits of this program. It is important.

But this is not a debate about the program or the benefits of the program or the merits of the program. This is a debate about whether or not we meant what we said when we said we wanted a balanced budget by the year 2002. Now, it is nice that we come to the floor and debate this issue about the LEAP program on leap day of leap year, 1996. That is interesting. That is coincidental. But the real fact is, are we just pulling the wool over the American people's eyes when we talk about a balanced budget?

I suggest to Members, that they look at the trend that we have created with discretionary spending, and remember, discretionary spending is only one-third of the equation, one-third of the budget of the United States that we spend every year. But we are working on nondefense discretionary, we are getting the sum down. We are serious about trying to save the taxpayers money.

As we all know, however, that other two-thirds is growing. Without a budget agreement, we will not get a handle on it. The last thing we need to do is make the problem worse. The last thing we need to do is create new entitlements. The last thing we need to do is make those entitlements lock in good programs, well-intentioned programs, well-meaning programs, so we cannot ever adjust them. We cannot touch them.

But if you vote for this amendment, if you vote against my provision, in fact, you do not want to balance the budget by the year 2002. Perhaps you mean 3002.

The CHAIRMAN pro tempore. The gentleman from New York [Mr. BOEHLERT] has 2 minutes remaining.

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

Mr. Chairman, the principal opponent of this amendment has just made a compelling argument to support the amendment. He said his argument is not about the merits of the program. He said it is a good program, but he is concerned about priorities. So are we. So are the American people.

The election of November 8, 1994, sent a clear, unequivocal message to the Congress of the United States. The American people want smaller, less costly, less intrusive, yet more efficient government. They want us to get our priorities in order. And guess what, they did not send us here to dismantle a quarter of a century of progress in important, sensitive, environmental legislation. Who are the principal stewards of our land? Our farmers, agriculture.

This is our greatest opportunity to do something meaningful to protect our environment. When we want to

talk about water quality, are Members not all concerned, as we all should be, when in one of the premier cities of America, Milwaukee, in December 1993, 104 people died because they drank the water from a public water system? That is a cause for concern. If we can do something in just a small way here in this House to prevent that from happening in the future, that is a job well done.

The sportsmen of America, the environmentalists of America, the farmers of America support this amendment because it makes sense for America. I urge my colleagues to join with us in a bipartisan manner and win one for the American people.

Mr. FAZIO of California. Mr. Chairman, Mr. BOEHLERT has been a leader respected on both sides of the aisle for lack of partisanship on environmental issues.

His amendment emphasizes the importance of conservation programs in a total farmland management plan.

It addresses many concerns of USDA Secretary Glickman who says "this bill fails to make changes necessary in conservation programs that would lead to cleaner water and better soil protection."

JIM LIGHTFOOT and I have delivered a letter to Chairman ROBERTS in support of the Conservation Reserve Program.

It is vital to reauthorize the program and permit new sign-ups to keep the program viable and maintain the significant investment made over the past 10 years.

Its absence from the Roberts bill is a glaring omission.

I commend the Boehlert amendment and recommend passage.

Mr. VENTO. Mr. Chairman, I rise to support the Boehlert amendment which represents the only opportunity on this farm legislation to address the Conservation Reserve Program [CRP] and the Wetlands Reserve Program [WRP]. Under the rules of the House we should have had a more open debate and an opportunity for the House to work its will on these important provisions—but were denied that by the closed rule adopted for the consideration of this measure, H.R. 2854.

I am frankly very concerned about the Livestock Environmental Assistance Program embodied in the amendment, not because we do not need to clean up the feedlot seepage and pollution, but because the funding duty to do so will be transferred to the Federal Government in the absence of compliance. Such clean up and pollution prevention should be borne by those responsible for the contamination, the producers in agribusiness.

Furthermore, the limitations on the acreage included in the CRP and the WRP proposal will sharply limit their effectiveness. I am hopeful that there is not an implication in the purchase of easements, a concept, that the Federal Government must pay land owners so that they will not pollute or damage the environment.

Hopefully when and if this overall measure moves to conference, we will see these shortcomings corrected. But this amendment, which will no doubt pass today, is a mixed message and not the best product for a sound conservation policy path in 1996.

Mr. WELLER. Mr. Chairman, I rise in strong support of the Boehlert amendment to H.R. 2854 to add much needed conservation provisions to the Agriculture Market Transition Act.

The Boehlert amendment achieves significant conservation measures that benefit the environment by retiring highly erodible and environmentally sensitive land and protecting wetlands, thereby expanding wildlife habitat, enhancing water quality and restoring soil quality. And, at the same time, this amendment provides necessary reform to improve farm management and operation while preserving profitability for farmers.

I understand the chairman's plans to address conservation efforts in future legislation. But, given the President's much-abused use of the veto pen, I don't think that we can afford to delay consideration of this essential authorization.

The time is now to enact conservation authorization reforms. Authority to enroll new CRP lands expired in 1995. The first CRP contracts expired in October 1995 and contracts covering over half the land in the current program will expire this year and next.

I grew up on a fifth generation family farm and my father taught me the importance of preserving the land for future generations.

Conservation efforts benefit not only the community surrounding contract land, but also across state boundaries. Preserving wildlife habitat for future generations is important to my constituents and our heritage. For example, CRP's wildlife benefits are enjoyed by millions of sportsmen and have generated billions of dollars in economic activity, and restoring and protecting ground water and stream flows for fish, wildlife, and rural communities is essential.

I think it is also important to note that, according to the Congressional Budget Office, Representative BOEHLERT's amendment costs less than half of the Senate provisions, while doing a better job of protecting our soil and water resources.

Mr. Speaker, the time to reauthorize conservation programs is now, and I urge my colleagues to support the Boehlert amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. BOEHLERT].

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

RECORDED VOTE

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

A recorded vote was orderd.

The vote was taken by electronic device, and there were—ayes 372, noes 37, not voting 22, as follows:

[Roll No 37]

AYES—372

Abercrombie
Ackerman
Allard
Andrews
Bachus
Baesler
Baker (CA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Buyer
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Green
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Jones
Kanjorski
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Leach
Levin
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Miller (CA)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Ros-Lehtinen
Roth
Roukema
Roybal-Allard
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Studds
Stupak
Talent
Tanner
Tate
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton

Velazquez	Watt (NC)	Williams
Vento	Watts (OK)	Wise
Visclosky	Waxman	Wolf
Volkmer	Weldon (FL)	Woolsey
Waldholtz	Weldon (PA)	Wynn
Walsh	Weller	Yates
Wamp	White	Zimmer
Ward	Whitfield	
Waters	Wicker	

NOES—37

Archer	Herger	Radanovich
Armey	Hostettler	Rogers
Baker (LA)	Hunter	Rohrabacher
Barton	Istook	Royce
Chenoweth	Johnson, Sam	Scarborough
Collins (GA)	Kaptur	Souder
Crane	Lewis (CA)	Stump
DeLay	Livingston	Tauzin
Farr	McDade	Vucanovich
Goodling	Miller (FL)	Walker
Hancock	Neumann	Young (FL)
Hansen	Packard	
Hayes	Pombo	

NOT VOTING—22

Bryant (TX)	Gibbons	Rose
Burton	Graham	Sisisky
Callahan	Greenwood	Stokes
Collins (IL)	Kasich	Wilson
Dingell	Lazio	Young (AK)
Dixon	Maloney	Zeliff
Fattah	McKinney	
Furse	Moorhead	

□ 1010

The Clerk announced the following pair:

On this vote:

Mr. Fazio of California for, with Mr. Kasich against.

Messrs. MCDADE, NEUMANN, and SCARBOROUGH changed their vote from ''aye'' to ''no.''

Mr. OXLEY and Mr. MCINTOSH changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore. (Mrs. WALDHOLTZ]. It is now in order to consider amendment No. 10 printed in House Report 104–463.

AMENDMENT OFFERED BY MR. ROTH

Mr. ROTH. Madam Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROTH:

Add at the end of title IV the following:

Subtitle B—Amendments to Agricultural Trade Development and Assistance Act of 1954 and Related Statutes

SEC. 411. FOOD AID TO DEVELOPING COUNTRIES.

(a) IN GENERAL.—Section 3 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691a) is amended to read as follows:

''SEC. 3. FOOD AID TO DEVELOPING COUNTRIES.

''(a) POLICY.—In light of the Uruguay Round Agreement on Agriculture and the Ministerial Decision on Measures Concerning the Possible Negative Effects of the Reform Program on Least-Developed and Net-Food Importing Developing Countries, the United States reaffirms the commitment of the United States to providing food aid to developing countries.

''(b) SENSE OF CONGRESS.—It is the sense of Congress that—

''(1) the President should initiate consultations with other donor nations to consider appropriate levels of food aid commitments to meet the legitimate needs of developing countries;

''(2) the United States should increase its contribution of bona fide food assistance to developing countries consistent with the Agreement on Agriculture.''.

(b) CONFORMING AMENDMENT.—Section 411 of the Uruguay Round Agreements Act (19 U.S.C. 3611) is amended by striking subsection (e).

SEC. 412. TRADE AND DEVELOPMENT ASSISTANCE.

Section 101 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1701) is amended—

(1) by striking ''developing countries'' each place it appears and inserting ''developing countries and private entities''; and

(2) in subsection (b), by inserting ''and entities'' before the period at the end.

SEC. 413. AGREEMENTS REGARDING ELIGIBLE COUNTRIES AND PRIVATE ENTITIES.

Section 102 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1702) is amended to read as follows:

''SEC. 102. AGREEMENTS REGARDING ELIGIBLE COUNTRIES AND PRIVATE ENTITIES.

''(a) PRIORITY.—In selecting agreements to be entered into under this title, the Secretary shall give priority to agreements providing for the export of agricultural commodities to developing countries that—

''(1) have the demonstrated potential to become commercial markets for competitively priced United States agricultural commodities;

''(2) are undertaking measures for economic development purposes to improve food security and agricultural development, alleviate poverty, and promote broad-based equitable and sustainable development; and

''(3) demonstrate the greatest need for food.

''(b) PRIVATE ENTITIES.—An agreement entered into under this title with a private entity shall require such security, or such other provisions as the Secretary determines necessary, to provide reasonable and adequate assurance of repayment of the financing extended to the private entity.

''(c) AGRICULTURAL MARKET DEVELOPMENT PLAN.—

''(1) DEFINITION OF AGRICULTURAL TRADE ORGANIZATION.—In this subsection, the term 'agricultural trade organization' means a United States agricultural trade organization that promotes the export and sale of a United States agricultural commodity and that does not stand to profit directly from the specific sale of the commodity.

''(2) AN.—The Secretary shall consider a developing country for which an agricultural market development plan has been approved under this subsection to have the demonstrated potential to become a commercial market for competitively priced United States agricultural commodities for the purpose of granting a priority under subsection (a).

''(3) REQUIREMENTS.—

''(A) IN GENERAL.—To be approved by the Secretary, an agricultural market development plan shall—

''(i) be submitted by a developing country or private entity, in conjunction with an agricultural trade organization;

''(ii) describe a project or program for the development and expansion of a United States agricultural commodity market in a developing country, and the economic development of the country, using funds derived from the sale of agricultural commodities received under an agreement described in section 101;

''(iii) provide for any matching funds that are required by the Secretary for the project or program;

''(iv) provide for a results-oriented means of measuring the success of the project or program; and

''(v) provide for graduation to the use of non-Federal funds to carry out the project or program, consistent with requirements established by the Secretary.

''(B) AGRICULTURAL TRADE ORGANIZATION.—The project or program shall be designed and carried out by the agricultural trade organization.

''(C) ADDITIONAL REQUIREMENTS.—An agricultural market development plan shall contain such additional requirements as are determined necessary by the Secretary.

''(4) ADMINISTRATIVE COSTS.—

''(A) IN GENERAL.—The Secretary shall make funds made available to carry out this title available for the reimbursement of administrative expenses incurred by agricultural trade organizations in developing, implementing, and administering agricultural market development plans, subject to such requirements and in such amounts as the Secretary considers appropriate.

''(B) DURATION.—The funds shall be made available to agricultural trade organizations for the duration of the applicable agricultural market development plan.

''(C) TERMINATION.—The Secretary may terminate assistance made available under this subsection if the agricultural trade organization is not carrying out the approved agricultural market development plan.''.

SEC. 414. TERMS AND CONDITIONS OF SALES.

Section 103 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1703) is amended—

(1) in subsection (a)(2)(A)—

(A) by striking ''a recipient country to make''; and

(B) by striking ''such country'' and inserting ''the appropriate country'';

(2) in subsection (c), by striking ''less than 10 nor''; and

(3) in subsection (d)—

(A) by striking ''recipient country'' and inserting ''developing country or private entity''; and

(B) by striking ''7'' and inserting ''5''.

SEC. 415. USE OF LOCAL CURRENCY PAYMENT.

Section 104 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704) is amended—

(1) in subsection (a), by striking ''recipient country'' and inserting ''developing country or private entity''; and

(2) in subsection (c)—

(A) by striking ''recipient country'' each place it appears and inserting ''appropriate developing country''; and

(B) in paragraph (3), by striking ''recipient countries'' and inserting ''appropriate developing countries''.

SEC. 416. ELIGIBLE ORGANIZATIONS.

Section 202 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1722) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) NONEMERGENCY ASSISTANCE.—

''(1) IN GENERAL.—The Administrator may provide agricultural commodities for nonemergency assistance under this title through eligible organizations (as described in subsection (d)) that have entered into an agreement with the Administrator to use the commodities in accordance with this title.

''(2) LIMITATION.—The Administrator may not deny a request for funds or commodities submitted under this subsection because the program for which the funds or commodities are requested—

''(A) would be carried out by the eligible organization in a foreign country in which the Agency for International Development does not have a mission, office, or other presence; or

''(B) is not part of a development plan for the country prepared by the Agency.''; and

(2) in subsection (e)—

(A) in the subsection heading, by striking ''PRIVATE VOLUNTARY ORGANIZATIONS AND

COOPERATIVES'' and inserting ''ELIGIBLE ORGANIZATIONS'';

(B) in paragraph (1)—

(i) by striking ''$13,500,000'' and inserting ''$28,000,000''; and

(ii) by striking ''private voluntary organizations and cooperatives to assist such organizations and cooperatives'' and inserting ''eligible organizations described in subsection (d), to assist the organizations'';

(C) in paragraph (3), by striking ''a private voluntary organization or cooperative, the Administrator may provide assistance to that organization or cooperative'' and inserting ''an eligible organization, the Administrator may provide assistance to the eligible organization''.

SEC. 417. GENERATION AND USE OF FOREIGN CURRENCIES.

Section 203 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1723) is amended—

(1) in subsection (a), by inserting '', or in a country in the same region,'' after ''in the recipient country'';

(2) in subsection (b)—

(A) by inserting ''or in countries in the same region,'' after ''in recipient countries,''; and

(B) by striking ''10 percent'' and inserting ''15 percent'';

(3) in subsection (c), by inserting ''or in a country in the same region,'' after ''in the recipient country,''; and

(4) in subsection (d)(2), by inserting ''or within a country in the same region'' after ''within the recipient country''.

SEC. 418. GENERAL LEVELS OF ASSISTANCE UNDER PUBLIC LAW 480.

Section 204(a) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724(a)) is amended—

(1) in paragraph (1), by striking ''amount that'' and all that follows through the period at the end and inserting ''amount that for each of fiscal years 1996 through 2002 is not less than 2,025,000 metric tons.'';

(2) in paragraph (2), by striking ''amount that'' and all that follows through the period at the end and inserting ''amount that for each of fiscal years 1996 through 2002 is not less than 1,550,000 metric tons.''; and

(3) in paragraph (3), by adding at the end the following: ''No waiver shall be made before the beginning of the applicable fiscal year.''.

SEC. 419. FOOD AID CONSULTATIVE GROUP.

Section 205 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1725) is amended—

(1) in subsection (a), by striking ''private voluntary organizations, cooperatives and indigenous non-governmental organizations'' and inserting ''eligible organizations described in section 202(d)(1)'';

(2) in subsection (b)—

(A) in paragraph (2), by striking ''for International Affairs and Commodity Programs'' and inserting ''of Agriculture for Farm and Foreign Agricultural Services'';

(B) in paragraph (4), by striking ''and'' at the end;

(C) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(6) representatives from agricultural producer groups in the United States.'';

(3) in the second sentence of subsection (d), by inserting ''(but at least twice per year)'' after ''when appropriate''; and

(4) in subsection (f), by striking ''1995'' and inserting ''2002''.

SEC. 420. SUPPORT OF NONGOVERNMENTAL ORGANIZATIONS.

(a) IN GENERAL.—Section 306(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1727e(b)) is amended—

(1) in the subsection heading, by striking ''INDIGENOUS NON-GOVERNMENTAL'' and inserting ''NONGOVERNMENTAL''; and

(2) by striking ''utilization of indigenous'' and inserting ''utilization of''.

(b) CONFORMING AMENDMENT.—Section 402 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1732) is amended by striking paragraph (6) and inserting the following:

''(6) NONGOVERNMENTAL ORGANIZATION.—The term 'nongovernmental organization' means an organization that works at the local level to solve development problems in a foreign country in which the organization is located, except that the term does not include an organization that is primarily an agency or instrumentality of the government of the foreign country.''.

SEC. 421. COMMODITY DETERMINATIONS.

Section 401 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1731) is amended—

(1) by striking subsections (a) through (d) and inserting the following:

''(a) AVAILABILITY OF COMMODITIES.—No agricultural commodity shall be available for disposition under this Act if the Secretary determines that the disposition would reduce the domestic supply of the commodity below the supply needed to meet domestic requirements and provide adequate carryover (as determined by the Secretary), unless the Secretary determines that some part of the supply should be used to carry out urgent humanitarian purposes under this Act.'';

(2) by redesignating subsections (e) and (f) as subsections (b) and (c), respectively; and

(3) in subsection (c) (as so redesignated), by striking ''(e)(1)'' and inserting ''(b)(1)''.

SEC. 422. GENERAL PROVISIONS.

Section 403 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1733) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking ''CONSULTATIONS'' and inserting ''IMPACT ON LOCAL FARMERS AND ECONOMY''; and

(B) by striking ''consult with'' and all that follows through ''other donor organizations to'';

(2) in subsection (c)—

(A) by striking ''from countries''; and

(B) by striking ''for use'' and inserting ''or use'';

(3) in subsection (f)—

(A) by inserting ''or private entities, as appropriate,'' after ''from countries''; and

(B) by inserting ''or private entities'' after ''such countries''; and

(4) in subsection (i)(2), by striking subparagraph (C).

SEC. 423. AGREEMENTS.

Section 404 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1734) is amended—

(1) in subsection (a), by inserting ''with foreign countries'' after ''Before entering into agreements'';

(2) in subsection (b)(2)—

(A) by inserting ''with foreign countries'' after ''with respect to agreements entered into''; and

(B) by inserting before the semicolon at the end the following: ''and broad-based economic growth''; and

(3) in subsection (c), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Agreements to provide assistance on a multi-year basis to recipient countries or to eligible organizations—

''(A) may be made available under titles I and III; and

''(B) shall be made available under title II.''.

SEC. 424. ADMINISTRATIVE PROVISIONS.

Section 407 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736a) is amended—

(1) in subsection (a)—

(A) in paragraph(1), by inserting ''or private entity that enters into an agreement under title I'' after ''importing country''; and

(B) in paragraph (2), by adding at the end the following: ''Resulting contracts may contain such terms and conditions as the Secretary determines are necessary and appropriate.'';

(2) in subsection (c)—

(A) in paragraph (1)(A), by inserting ''importer or'' before ''importing country''; and

(B) in paragraph (2)(A), by inserting ''importer or'' before ''importing country'';

(3) in subsection (d)—

(A) by striking paragraph (2) and inserting the following:

''(2) FREIGHT PROCUREMENT.—Notwithstanding the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) or other similar provisions of law relating to the making or performance of Federal Government contracts, ocean transportation under titles II and III may be procured on the basis of such full and open competitive procedures. Resulting contracts may contain such terms and conditions, as the Administrator determines are necessary and appropriate.''; and

(B) by striking paragraph (4);

(4) in subsection (g)(2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) an assessment of the progress towards achieving food security in each country receiving food assistance from the United States Government, with special emphasis on the nutritional status of the poorest populations in each country.''; and

(5) by striking subsection (h).

SEC. 425. EXPIRATION DATE.

Section 408 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736b) is amended by striking ''1995'' and inserting ''2002''.

SEC. 426. REGULATIONS.

Section 409 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736c) is repealed.

SEC. 427. INDEPENDENT EVALUATION OF PROGRAMS.

Section 410 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736d) is repealed.

SEC. 428. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 412 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736f) is amended—

(1) by striking subsections (b) and (c) and inserting the following:

''(b) TRANSFER OF FUNDS.—Notwithstanding any other provision of law, the President may direct that—

''(1) up to 15 percent of the funds available for any fiscal year for carrying out title I or III of this Act be used to carry out any other title of this Act; and

''(2) up to 100 percent of funds available for title III be used to carry out title II.''; and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(b) RELATION TO OTHER WAIVER.—Section 204(a)(3) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724(a)(3)) is amended by inserting ''all authority to transfer from title I under section 412 has been exercised with respect to that fiscal year and'' after ''any fiscal year if''.

SEC. 429. COORDINATION OF FOREIGN ASSISTANCE PROGRAMS.

Section 413 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736g) is amended by inserting ''title III of'' before ''this Act'' each place it appears.

SEC. 430. USE OF CERTAIN LOCAL CURRENCY.

Title IV of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1731 et seq.) (as amended by section 222) is further amended by adding at the end the following:

''SEC. 416. USE OF CERTAIN LOCAL CURRENCY.

''Local currency payments received by the United States pursuant to agreements entered into under title I (as in effect on November 27, 1990) may be utilized by the Secretary in accordance with section 108 (as in effect on November 27, 1990).''.

SEC. 431. LEVEL OF ASSISTANCE TO FARMER TO FARMER PROGRAM.

Section 501(c) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1737(c)) is amended—

(1) by striking ''0.2'' and inserting ''0.4'';

(2) by striking ''0.1'' and inserting ''0.2''; and

(3) by striking ''1991 through 1995'' and inserting ''1996 through 2002''.

SEC. 432. FOOD SECURITY COMMODITY RESERVE.

(a) FOOD SECURITY COMMODITY RESERVE ACT OF 1995.—The title heading of title III of the Agricultural Act of 1980 (7 U.S.C. 1736f–1 note) is amended by striking ''**FOOD SECURITY WHEAT RESERVE ACT OF 1980**'' and inserting ''**FOOD SECURITY COMMODITY RESERVE ACT OF 1995**''.

(b) SHORT TITLE.—Section 301 of the Act (7 U.S.C. 1736f–1 note) is amended by striking ''Food Security Wheat Reserve Act of 1980'' and inserting ''Food Security Commodity Reserve Act of 1995''.

(c) IN GENERAL.—Section 302 of the Act (7 U.S.C. 1736f–1) is amended—

(1) in the section heading, by striking ''**FOOD SECURITY WHEAT RESERVE**'' and inserting ''**FOOD SECURITY COMMODITY RESERVE**'';

(2) so that subsection (a) reads as follows:

''(a) IN GENERAL.—To provide for a reserve solely to meet emergency humanitarian food needs in developing countries, the Secretary shall establish a reserve stock of wheat, rice, corn, or sorghum, or any combination of the commodities, totaling not more than 4,000,000 metric tons for use as described in subsection (c).'';

(3) so that subsection (b)(1) reads as follows:

''(b) COMMODITIES IN RESERVE.—

''(1) IN GENERAL.—The reserve established under this section shall consist of—

''(A) wheat in the reserve established under the Food Security Commodity Reserve Act of 1980 as of the date of enactment of the Food For Peace Reauthorization Act of 1995;

''(B) wheat, rice, corn, and sorghum (referred to in this section as 'eligible commodities') acquired in accordance with paragraph (2) to replenish eligible commodities released from the reserve, including wheat to replenish wheat released from the reserve established under the Food Security Wheat Reserve Act of 1980 but not replenished as of the date of enactment of the Food For Peace Reauthorization Act of 1995; and

''(C) such rice, corn, and sorghum as the Secretary of Agriculture (referred to in this section as the 'Secretary') may, at such time and in such manner as the Secretary determines appropriate, acquire as a result of exchanging an equivalent value of wheat in the reserve established under this section.'';

(4) in subsection (b)(2)—

(A) by striking ''(2)(A) Subject to'' and inserting the following:

''(2) REPLENISHMENT OF RESERVE.—

''(A) IN GENERAL.—Subject to'';

(B) in subparagraph (A)—

(i) by striking ''(i) of this section stocks of wheat'' and inserting ''(i) stocks of eligible commodities'';

(ii) in clause (ii), by striking ''stocks of wheat'' and inserting ''stocks of eligible commodities''; and

(iii) in the second sentence, by striking ''wheat'' and inserting ''eligible commodities''; and

(C) in subparagraph (B)—

(i) by striking ''(B) Not later'' and inserting ''(B) TIME FOR REPLENISHMENT OF RESERVE.—Not later''; and

(ii) in clause (ii), by striking ''wheat'' and inserting ''eligible commodities'';

(5) so that subsections (c) through (f) read as follows:

''(c) RELEASE OF ELIGIBLE COMMODITIES.—

''(1) DETERMINATION.—If the Secretary determines that the amount of commodities allocated for minimum assistance under section 204(a)(1) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724(a)(1)) less the amount of commodities allocated for minimum non-emergency assistance under section 204(a)(2) of the Act (7 U.S.C. 1724(a)(2)) will be insufficient to meet the need for commodities for emergency assistance under section 202(a) of the Act (7 U.S.C. 1722(a)), the Secretary in any fiscal year may release from the reserve—

''(A) up to 500,000 metric tons of wheat or the equivalent value of eligible commodities other than wheat; and

''(B) any eligible commodities which under subparagraph (A) could have been released but were not released in prior fiscal years.

''(2) AVAILABILITY OF COMMODITIES.—Commodities released under paragraph (1) shall be made available under title II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721 et seq.) for emergency assistance.

''(3) EXCHANGE.—The Secretary may exchange an eligible commodity for another United States commodity of equal value, including powdered milk, pulses, and vegetable oil.

''(4) USE OF NORMAL COMMERCIAL PRACTICES.—To the maximum extend practicable consistent with the fulfillment of the purposes of this section and the effective and efficient administration of this section, the Secretary shall use the usual and customary channels, facilities, arrangements, and practices of the trade and commerce.

''(5) WAIVER OF MINIMUM TONNAGE REQUIREMENTS.—Nothing in this subsection shall require the exercise of the waiver under section 204(a)(3) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724(a)(3)) as a prerequisite for the release of eligible commodities under this subsection.

''(d) TRANSPORTATION AND HANDLING COSTS.—

''(1) IN GENERAL.—The cost of transportation and handling of eligible commodities released from the reserve established under this section shall be paid by the Commodity Credit Corporation in accordance with section 406 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736).

''(2) REIMBURSEMENT.—

''(A) IN GENERAL.—The Commodity Credit Corporation shall be reimbursed for the costs incurred under paragraph (1) from the funds made available to carry out the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.).

''(B) BASIS FOR REIMBURSEMENT.—The reimbursement shall be made on the basis of the lesser of the actual cost incurred by the Commodity Credit Corporation less any savings achieved as a result of decreased storage and handling costs for the reserve.

''(C) DECREASED STORAGE AND HANDLING COSTS.—For purposes of this subsection, 'decreased storage and handling costs' shall mean the total actual costs for storage and handling incurred by the Commodity Credit Corporation for the reserve established under title III of the Agricultural Act of 1980 in fiscal year 1995 less the total actual costs for storage and handling incurred by the Corporation for the reserve established under this Act in the fiscal year for which the savings are calculated.

''(e) MANAGEMENT OF RESERVE.—The Secretary shall provide for—

''(1) the management of eligible commodities in the reserve as to location and quality of commodities needed to meet emergency situations; and

''(2) the periodic rotation of eligible commodities in the reserve to avoid spoilage and deterioration of such stocks.

''(f) TREATMENT OF RESERVE UNDER OTHER LAW.—Eligible commodities in the reserve established under this section shall not be—

''(1) considered a part of the total domestic supply (including carryover) for the purpose of administering the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.); and

''(2) subject to any quantitative limitation on exports that may be imposed under section 7 of the Export Administration Act of 1979 (50 U.S.C. App. 2406).'';

(6) in subsection (g)—

(A) by striking ''(g)(1) The'' and inserting the following:

''(g) USE OF COMMODITY CREDIT CORPORATION.—The'';

(B) by striking ''wheat'' and inserting ''an eligible commodity''; and

(C) by striking paragraph (2);

(7) in subsection (h)—

(A) by striking ''(h) Any'' and inserting:

''(h) FINALITY OF DETERMINATION.—Any''; and

(B) by striking ''President or the Secretary of Agriculture'' and inserting ''Secretary''; and

(8) in subsection (i)—

(A) by striking ''(i) The'' and inserting:

''(i) TERMINATION OF AUTHORITY.—The'';

(B) by striking ''wheat'' each place it appears and inserting ''eligible commodities''; and

(C) by striking ''1995'' each place it appears and inserting ''2002''.

(d) EFFECTIVE DATE.—Section 303 of the Act (7 U.S.C. 1736–1 note) is amended by striking ''October 1, 1980'' and all that follows through the end of the section and inserting ''on the date of enactment of this Act.''.

(e) CONFORMING AMENDMENT.—Section 208(d)(2) of the Agriculture Trade Suspension Adjustment Act of 1980 (7 U.S.C. 4001(d)(2)) is amended to read as follows:

''(2) APPLICABILITY OF CERTAIN PROVISIONS.—Subsections (b)(2), (c), (e), and (f) of section 302 of the Food Security Commodity Reserve Act of 1995 shall apply to commodities in any reserve established under paragraph (1), except that the references to 'eligible commodities' in the subsections shall be deemed to be references to 'agricultural commodities'.''.

SEC. 423. FOOD FOR PROGRESS PROGRAM.

The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''(b)(1)'' and inserting ''(b)''; and

(ii) in the first sentence, by inserting ''intergovernmental organizations'' after ''cooperatives''; and

(B) by striking paragraph (2);

(2) in subsection (e)(4), by striking ''203'' and inserting ''406'';

(3) in subsection (f)—

(A) in paragraph (1), by striking ''in the case of the independent states of the former Soviet Union,'';

(B) by striking paragraph (2);

(C) in paragraph (4), by inserting ''in each of fiscal years 1996 through 2002'' after ''may be used''; and

(D) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively;

(4) in subsection (g), by striking ''1995'' and inserting ''2002'';

(5) in subsection (j), by striking ''shall'' and inserting ''may'';

(6) in subsection (k), by striking ''1995'' and inserting ''2002'';

(7) in subsection (l)(1)—

(A) by striking ''1991 through 1995'' and inserting ''1996 through 2002''; and

(B) by inserting '', and to provide technical assistance for monetization programs,'' after ''monitoring of food assistance programs''; and

(8) in subsection (m)—

(A) by striking ''with respect to the independent states of the former Soviet Union'';

(B) by striking ''private voluntary organizations and cooperatives'' each place it appears and inserting ''agricultural trade organizations, intergovernmental organizations, private voluntary organizations, and cooperatives''; and

(C) in paragraph (2), by striking ''in the independent states''.

Subtitle C—Amendments to Agricultural Trade Act of 1978

SEC. 451. AGRICULTURAL EXPORT PROMOTION STRATEGY.

(a) IN GENERAL.—Section 103 of the Agricultural Trade Act of 1978 (7 U.S.C. 5603) is amended to read as follows:

''SEC. 103. AGRICULTURAL EXPORT PROMOTION STRATEGY.

''(a) IN GENERAL.—The Secretary shall develop a strategy for implementing Federal agricultural export promotion programs that takes into account the new market opportunities for agricultural products, including opportunities that result from—

''(1) the North American Free Trade Agreement and the Uruguay Round Agreements;

''(2) any accession to membership in the World Trade Organization;

''(3) the continued economic growth in the Pacific Rim; and

''(4) other developments.

''(b) PURPOSE OF STRATEGY.—The strategy developed under subsection (a) shall encourage the maintenance, development, and expansion of export markets for United States agricultural commodities and related products, including high-value and value-added products.

''(c) GOALS OF STRATEGY.—The strategy developed under subsection (a) shall have the following goals:

''(1) By September 30, 2002, increasing the value of annual United States agricultural exports to $60,000,000,000.

''(2) By September 30, 2002, increasing the United States share of world export trade in agricultural products significantly above the average United States share from 1993 through 1995.

''(3) By September 30, 2002, increasing the United States share of world trade in high-value agricultural products to 20 percent.

''(4) Ensuring that the value of United States exports of agricultural products increases at a faster rate than the rate of increase in the value of overall world export trade in agricultural products.

''(5) Ensuring that the value of United States exports of high-value agricultural products increases at a faster rate than the rate of increase in overall world export trade in high-value agricultural products.

''(6) Ensuring to the extent practicable that—

''(A) substantially all obligations undertaken in the Uruguay Round Agreement on Agriculture that provide significantly increased access for United States agricultural commodities are implemented to the extent required by the Uruguay Round Agreements; or

''(B) applicable United States trade laws are used to secure United States rights under the Uruguay Round Agreement on Agriculture.

''(d) PRIORITY MARKETS.—

''(1) IDENTIFICATION OF MARKETS.—In developing the strategy required under subsection (a), the Secretary shall identify as priority markets—

''(A) those markets in which imports of agricultural products show the greatest potential for increase by September 30, 2002; and

''(B) those markets in which, with the assistance of Federal export promotion programs, exports of United States agricultural products show the greatest potential for increase by September 30, 2002.

''(2) IDENTIFICATION OF SUPPORTING OFFICES.—The President shall identify annually in the budget of the United States Government submitted under section 1105 of title 31, United States Code, each overseas office of the Foreign Agricultural Service that provides assistance to United States exporters in each of the priority markets identified under paragraph (1).

''(e) REPORT.—Not later than December 31, 2001, the Secretary shall prepare and submit a report to Congress assessing progress in meeting the goals established by subsection (c).

''(f) FAILURE TO MEET GOALS.—Notwithstanding any other law, if the Secretary determines that more than 2 of the goals established by subsection (c) are not met by September 30, 2002, the Secretary may not carry out agricultural trade programs under the Agricultural Trade Act of 1978 (7 U.S.C. 5601 et seq.) as of that date.

''(g) NO PRIVATE RIGHT OF ACTION.—This section shall not create any private right of action.''.

(b) CONTINUATION OF FUNDING.—

(1) IN GENERAL.—If the Secretary of Agriculture makes a determination under section 103(f) of the Agricultural Trade Act of 1978 (as amended by subsection (a)), the Secretary shall utilize funds of the Commodity Credit Corporation to promote United States agricultural exports in a manner consistent with the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.) and obligations pursuant to the Uruguay Round Agreements.

(2) FUNDING.—The amount of Commodity Credit Corporation funds used to carry out paragraph (1) during a fiscal year shall not exceed the total outlays for agricultural trade programs under the Agricultural Trade Act of 1978 (7 U.S.C. 5601 et seq.) during fiscal year 2002.

(c) ELIMINATION OF REPORT.—

(1) IN GENERAL.—Section 601 of the Agricultural Trade Act of 1978 (7 U.S.C. 5711) is repealed.

(2) CONFORMING AMENDMENT.—The last sentence of section 603 of the Agricultural Trade Act of 1978 (7 U.S.C. 5713) is amended by striking '', in a consolidated report,'' and all that follows through ''section 601'' and inserting ''or in a consolidated report''.

SEC. 452. EXPORT CREDITS.

(a) EXPORT CREDIT GUARANTEE PROGRAM.—Section 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5622) is amended—

(1) in subsection (a)—

(A) by striking ''GUARANTEES.—The'' and inserting the following: ''GUARANTEES.—

''(1) IN GENERAL.—The''; and

(B) by adding at the end the following:

''(2) SUPPLIER CREDITS.—In carrying out this section, the Commodity Credit Corporation may issue guarantees for the repayment of credit made available for a period of not more than 180 days by a United States exporter to a buyer in a foreign country.'';

(2) in subsection (f)—

(A) by striking ''(f) RESTRICTIONS.—The'' and inserting the following:

''(f) RESTRICTIONS.—

''(1) IN GENERAL.—The''; and

(B) by adding at the end the following:

''(2) CRITERIA FOR DETERMINATION.—In making the determination required under paragraph (1) with respect to credit guarantees under subsection (b) for a country, the Secretary may consider, in addition to financial, macroeconomic, and monetary indicators—

''(A) whether an International Monetary Fund standby agreement, Paris Club rescheduling plan, or other economic restructuring plan is in place with respect to the country;

''(B) the convertibility of the currency of the country;

''(C) whether the country provides adequate legal protection for foreign investments;

''(D) whether the country has viable financial markets;

''(E) whether the country provides adequate legal protection for the private property rights of citizens of the country; and

''(F) any other factors that are relevant to the ability of the country to service the debt of the country.'';

(3) by striking subsection (h) and inserting the following:

''(h) UNITED STATES AGRICULTURAL COMPONENTS.—The Commodity Credit Corporation shall finance or guarantee under this section only United States agricultural commodities.'';

(4) in subsection (i)—

(A) by striking ''INSTITUTIONS.—A financial'' and inserting the following: ''INSTITUTIONS.—

''(1) IN GENERAL.—A financial'';

(B) by striking paragraph (1);

(C) by striking ''(2) is'' and inserting the following:

''(A) is'';

(D) by striking ''(3) is'' and inserting the following:

''(B) is''; and

(E) by adding at the end the following:

''(2) THIRD COUNTRY BANKS.—The Commodity Credit Corporation may guarantee under subsections (a) and (b) the repayment of credit made available to finance an export sale irrespective of whether the obligor is located in the country to which the export sale is destined.''; and

(5) by striking subsection (k) and inserting the following:

''(k) PROCESSED AND HIGH-VALUE PRODUCTS.—

''(1) IN GENERAL.—In issuing export credit guarantees under this section, the Commodity Credit Corporation shall, subject to paragraph (2), ensure that not less than 25 percent for each of fiscal years 1996 and 1997, 30 percent for each of fiscal years 1998 and 1999, and 35 percent for each of fiscal years 2000, 2001, and 2002, of the total amount of credit guarantees issued for a fiscal year is issued to promote the export of processed or high-value agricultural products and that the balance is issued to promote the export of bulk or raw agricultural commodities.

''(2) LIMITATION.—The percentage requirement of paragraph (1) shall apply for a fiscal

year to the extent that a reduction in the total amount of credit guarantees issued for the fiscal year is not required to meet the percentage requirement.''.

(b) FUNDING LEVELS.—Section 211(b) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(b)) is amended—

(1) by striking paragraph (2);

(2) by redesignating subparagraph (B) of paragraph (1) as paragraph (2) and indenting the margin of paragraph (2) (as so redesignated) so as to align with the margin of paragraph (1); and

(3) by striking paragraph (1) and inserting the following:

''(1) EXPORT CREDIT GUARANTEES.—The Commodity Credit Corporation shall make available for each of fiscal years 1996 through 2002 not less than $5,500,000,000 in credit guarantees under subsections (a) and (b) of section 202.''.

(c) DEFINITIONS.—Section 102(7) of the Agricultural Trade Act of 1978 (7 U.S.C. 5602(7)) is amended by striking subparagraphs (A) and (B) and inserting the following:

''(A) an agricultural commodity or product entirely produced in the United States; or

''(B) a product of an agricultural commodity—

''(i) 90 percent or more of the agricultural components of which by weight, excluding packaging and added water, is entirely produced in the United States; and

''(ii) that the Secretary determines to be a United States high value agricultural product.''.

(d) REGULATIONS.—Not later than 180 days after the effective date of this title, the Secretary of Agriculture shall issue regulations to carry out the amendments made by this section.

SEC. 453. EXPORT PROGRAM AND FOOD ASSISTANCE TRANSFER AUTHORITY.

The Secretary of Agriculture shall fully utilize and aggressively implement the full range of agricultural export programs authorized in this Act and any other Act, in any combination, to help United States agriculture maintain and expand export markets, promote United States agricultural commodity and product exports, counter subsidized foreign competition, and capitalize on potential new market opportunities. Consistent with United States obligations under GATT, if the Secretary determines that funds available under 1 or more export subsidy programs cannot be fully or effectively utilized for such programs, the Secretary may utilize such funds for other authorized agricultural export and food assistance programs to achieve the above objectives and to further enhance the overall global competitiveness of United States agriculture. Funds so utilized shall be in addition to funds which may otherwise be authorized or appropriated for such other agricultural export programs.

SEC. 454. ARRIVAL CERTIFICATION.

Section 401 of the Agricultural Trade Act of 1978 (7 U.S.C. 5662(a)) is amended by striking subsection (a) and inserting the following:

''(a) ARRIVAL CERTIFICATION.—With respect to a commodity provided, or for which financing or a credit guarantee or other assistance is made available, under a program authorized in section 201, 202, or 301, the Commodity Credit Corporation shall require the exporter of the commodity to maintain records of an official or customary commercial nature or other documents as the Secretary may require, and shall allow representatives of the Commodity Credit Corporation access to the records or documents as needed, to verify the arrival of the commodity in the country that was the intended destination of the commodity.''.

SEC. 455. REGULATIONS.

Section 404 of the Agricultural Trade Act of 1978 (7 U.S.C. 5664) is repealed.

SEC. 456. FOREIGN AGRICULTURAL SERVICE.

Section 503 of the Agricultural Trade Act of 1978 (7 U.S.C. 5693) is amended to read as follows:

''SEC. 503. ESTABLISHMENT OF THE FOREIGN AGRICULTURAL SERVICE.

''The Service shall assist the Secretary in carrying out the agricultural trade policy and international cooperation policy of the United States by—

''(1) acquiring information pertaining to agricultural trade;

''(2) carrying out market promotion and development activities;

''(3) providing agricultural technical assistance and training; and

''(4) carrying out the programs authorized under this Act, the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.), and other Acts.''.

SEC. 457. REPORTS.

The first sentence of section 603 of the Agricultural Trade Act of 1978 (7 U.S.C. 5713) is amended by striking ''The'' and inserting ''Subject to section 217 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6917), the''.

Subtitle D—Miscellaneous

SEC. 471. REPORTING REQUIREMENTS RELATING TO TOBACCO.

Section 214 of the Tobacco Adjustment Act of 1983 (7 U.S.C. 509) is repealed.

SEC. 472. TRIGGERED EXPORT ENHANCEMENT.

(a) READJUSTMENT OF SUPPORT LEVELS.—Section 1302 of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101–508; 7 U.S.C. 1421 note) is repealed.

(b) TRIGGERED MARKETING LOANS AND EXPORT ENHANCEMENT.—Section 4301 of the Omnibus Trade and Competitiveness Act of 1988 (Public Law 100–418; 7 U.S.C. 1446 note) is repealed.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective beginning with the 1996 crops of wheat, feed grains, upland cotton, and rice.

SEC. 473. DISPOSITION OF COMMODITIES TO PREVENT WASTE.

Section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting after the first sentence the following: ''The Secretary may use funds of the Commodity Credit Corporation to cover administrative expenses of the programs.'';

(B) in paragraph (7)(D)(iv), by striking ''one year of acquisition'' and all that follows and inserting the following: ''a reasonable length of time, as determined by the Secretary, except that the Secretary may permit the use of proceeds in a country other than the country of origin—

''(I) as necessary to expedite the transportation of commodities and products furnished under this subsection; or

''(II) if the proceeds are generated in a currency generally accepted in the other country.'';

(C) in paragraph (8), by striking subparagraph (C); and

(D) by striking paragraphs (10), (11), and (12); and

(2) by striking subsection (c).

SEC. 474. DEBT-FOR-HEALTH-AND-PROTECTION SWAP.

(a) IN GENERAL.—Section 1517 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1706) is repealed.

(b) CONFORMING AMENDMENT.—Subsection (e)(3) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(e)(3)) is amended by striking ''section 106'' and inserting ''section 103''.

SEC. 475. POLICY ON EXPANSION OF INTERNATIONAL MARKETS.

Section 1207 of the Agriculture and Food Act of 1981 (7 U.S.C. 1736m) is repealed.

SEC. 476. POLICY ON MAINTENANCE AND DEVELOPMENT OF EXPORT MARKETS.

Section 1121 of the Food Security Act of 1985 (7 U.S.C. 1736p) is amended—

(1) by striking subsection (a); and

(2) in subsection (b)—

(A) by striking ''(b)''; and

(B) by striking paragraphs (1) through (4) and inserting the following:

''(1) be the premier supplier of agricultural and food products to world markets and expand exports of high value products;

''(2) support the principle of free trade and the promotion of fair trade in agricultural commodities and products;

''(3) cooperate fully in all efforts to negotiate with foreign countries further reductions in tariff and nontariff barriers to trade, including sanitary and phytosanitary measures and trade-distorting subsidies;

''(4) aggressively counter unfair foreign trade practices as a means of encouraging fairer trade;''.

SEC. 477. POLICY ON TRADE LIBERALIZATION.

Section 1122 of the Food Security Act of 1985 (7 U.S.C. 1736q) is repealed.

SEC. 478. AGRICULTURAL TRADE NEGOTIATIONS.

Section 1123 of the Food Security Act of 1985 (7 U.S.C. 1736r) is amended to read as follows:

''SEC. 1123. TRADE NEGOTIATIONS POLICY.

''(a) FINDINGS.—Congress finds that—

''(1) on a level playing field, United States producers are the most competitive suppliers of agricultural products in the world;

''(2) exports of United States agricultural products will account for $54,000,000,000 in 1995, contributing a net $24,000,000,000 to the merchandise trade balance of the United States and supporting approximately 1,000,000 jobs;

''(3) increased agricultural exports are critical to the future of the farm, rural, and overall United States economy, but the opportunities for increased agricultural exports are limited by the unfair subsidies of the competitors of the United States, and a variety of tariff and nontariff barriers to highly competitive United States agricultural products;

''(4) international negotiations can play a key role in breaking down barriers to United States agricultural exports;

''(5) the Uruguay Round Agreement on Agriculture made significant progress in the attainment of increased market access opportunities for United States exports of agricultural products, for the first time—

''(A) restraining foreign trade-distorting domestic support and export subsidy programs; and

''(B) developing common rules for the application of sanitary and phytosanitary restrictions;

that should result in increased exports of United States agricultural products, jobs, and income growth in the United States;

''(6) the Uruguay Round Agreement on Agriculture did not succeed in completely eliminating trade distorting domestic support and export subsidies by—

''(A) allowing the European Union to continue unreasonable levels of spending on export subsidies; and

''(B) failing to discipline monopolistic state trading entities, such as the Canadian Wheat Board, that use nontransparent and discriminatory pricing as a hidden de facto export subsidy;

''(7) during the period 1996 through 2002, there will be several opportunities for the United States to negotiate fairer trade in agricultural products, including further negotiations under the World Trade Organization,

and steps toward possible free trade agreements of the Americas and Asian-Pacific Economic Cooperation (APEC); and

''(8) the United States should aggressively use these opportunities to achieve more open and fair opportunities for trade in agricultural products.

''(b) GOALS OF THE UNITED STATES IN AGRICULTURAL TRADE NEGOTIATIONS.—The objectives of the United States with respect to future negotiations on agricultural trade include—

''(1) increasing opportunities for United States exports of agricultural products by eliminating tariff and nontariff barriers to trade;

''(2) leveling the playing field for United States producers of agricultural products by limiting per unit domestic production supports to levels that are no greater than those available in the United States;

''(3) ending the practice of export dumping by eliminating all trade distorting export subsidies and disciplining state trading entities so that they do not (except in cases of bona fide food aid) sell in foreign markets at below domestic market prices nor their full costs of acquiring and delivering agricultural products to the foreign markets; and

''(4) encouraging government policies that avoid price-depressing surpluses.''.

SEC. 479. POLICY ON UNFAIR TRADE PRACTICES.

Section 1164 of the Food Security Act of 1985 (Public Law 99–198; 99 Stat. 1499) is repealed.

SEC. 480. AGRICULTURAL AID AND TRADE MISSIONS.

(a) IN GENERAL.—The Agricultural Aid and Trade Missions Act (7 U.S.C. 1736bb et seq.) is repealed.

(b) CONFORMING AMENDMENT.—Section 7 of Public Law 100–277 (7 U.S.C. 1736bb note) is repealed.

SEC. 481. ANNUAL REPORTS BY AGRICULTURAL ATTACHES.

Section 108(b)(1)(B) of the Agricultural Act of 1954 (7 U.S.C. 1748(b)(1)(B)) is amended by striking ''including fruits, vegetables, legumes, popcorn, and ducks''.

SEC. 482. WORLD LIVESTOCK MARKET PRICE INFORMATION.

Section 1545 of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 7 U.S.C. 1761 note) is repealed.

SEC. 483. ORDERLY LIQUIDATION OF STOCKS.

Sections 201 and 207 of the Agricultural Act of 1956 (7 U.S.C. 1851 and 1857) are repealed.

SEC. 484. SALES OF EXTRA LONG STAPLE COTTON.

Section 202 of the Agricultural Act of 1956 (7 U.S.C. 1852) is repealed.

SEC. 485. REGULATIONS.

Section 707 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (Public Law 102–511; 7 U.S.C. 5621 note) is amended by striking subsection (d).

SEC. 486. EMERGING MARKETS.

(a) PROMOTION OF AGRICULTURAL EXPORTS TO EMERGING MARKETS.—

(1) EMERGING MARKETS.—Section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 7 U.S.C. 5622 note) is amended—

(A) in the section heading, by striking ''**EMERGING DEMOCRACIES**'' and inserting ''**EMERGING MARKETS**'';

(B) by striking ''emerging democracies'' each place it appears in subsections (b), (d), and (e) and inserting ''emerging markets'';

(C) by striking ''emerging democracy'' each place it appears in subsection (c) and inserting ''emerging market''; and

(D) by striking subsection (f) and inserting the following:

''(f) EMERGING MARKET.—In this section and section 1543, the term 'emerging market' means any country that the Secretary determines—

''(1) is taking steps toward a market-oriented economy through the food, agriculture, or rural business sectors of the economy of the country; and

''(2) has the potential to provide a viable and significant market for United States agricultural commodities or products of United States agricultural commodities.''.

(2) FUNDING.—Section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 is amended by striking subsection (a) and inserting the following:

''(a) FUNDING.—The Commodity Credit Corporation shall make available for fiscal years 1996 through 2002 not less than $1,000,000,000 of direct credits or export credit guarantees for exports to emerging markets under section 201 or 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5621 and 5622), in addition to the amounts acquired or authorized under section 211 of the Act (7 U.S.C. 5641) for the program.''.

(3) AGRICULTURAL FELLOWSHIP PROGRAM.—Section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 is amended—

(A) in subsection (b), by striking the last sentence and inserting the following: ''The Commodity Credit Corporation shall give priority under this subsection to—

''(A) projects that encourage the privatization of the agricultural sector or that benefit private farms or cooperatives in emerging markets; and

''(B) projects for which nongovernmental persons agree to assume a relatively larger share of the costs.''; and

(B) in subsection (d)—

(i) in the matter preceding paragraph (1), by striking ''the Soviet Union'' and inserting ''emerging markets'';

(ii) in paragraph (1)—

(I) in subparagraph (A)(i)—

(aa) by striking ''1995'' and inserting ''2002''; and

(bb) by striking ''those systems, and identify'' and inserting ''the systems, including potential reductions in trade barriers, and identify and carry out'';

(II) in subparagraph (B), by striking ''shall'' and inserting ''may'';

(III) in subparagraph (D), by inserting ''(including the establishment of extension services)'' after ''technical assistance'';

(IV) by striking subparagraph (F);

(V) by redesignating subparagraphs (G), (H), and (I) as subparagraphs (F), (G), and (H), respectively; and

(VI) in subparagraph (H) (as redesignated by subclause (V)), by striking ''$10,000,000'' and inserting ''$20,000,000'';

(iii) in paragraph (2)—

(I) by striking ''the Soviet Union'' each place it appears and inserting ''emerging markets'';

(II) in subparagraph (A), by striking ''a free market food production and distribution system'' and inserting ''free market food production and distribution systems'';

(III) in subparagraph (B)—

(aa) in clause (i), by striking ''Government'' and inserting ''governments'';

(bb) in clause (iii)(II), by striking ''and'' at the end;

(cc) in clause (iii)(III), by striking the period at the end and inserting ''; and''; and

(dd) by adding at the end of clause (iii) the following:

''(IV) to provide for the exchange of administrators and faculty members from agricultural and other institutions to strengthen and revise educational programs in agricultural economics, agribusiness, and agrarian law, to support change towards a free market economy in emerging markets.'';

(IV) by striking subparagraph (D); and

by redesignating subparagraph (E) as subparagraph (D); and

(iv) by striking paragraph (3).

(4) UNITED STATES AGRICULTURAL COMMODITY.—Subsections (b) and (c) of section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 are amended by striking ''section 101(6)'' each place it appears and inserting ''section 102(7)''.

(5) REPORT.—The first sentence of section 1542(e)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 is amended by striking ''Not'' and inserting ''Subject to section 217 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6917), not''.

(b) AGRICULTURAL FELLOWSHIP PROGRAM FOR MIDDLE INCOME COUNTRIES, EMERGING DEMOCRACIES, AND EMERGING MARKETS.—Section 1543 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 3293) is amended—

(1) in the section heading, by striking ''**MIDDLE INCOME COUNTRIES AND EMERGING DEMOCRACIES**'' and inserting ''**MIDDLE INCOME COUNTRIES, EMERGING DEMOCRACIES, AND EMERGING MARKETS**'';

(2) in subsection (b), by adding at the end the following:

''(5) EMERGING MARKET.—Any emerging market, as defined in section 1542(f).''; and

(3) in subsection (c)(1), by striking ''food needs'' and inserting ''food and fiber needs''.

(c) CONFORMING AMENDMENTS.—

(1) Section 501 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1737) is amended—

(A) in subsection (a), by striking ''emerging democracies'' and inserting ''emerging markets''; and

(B) in subsection (b), by striking paragraph (1) and inserting the following:

''(1) EMERGING MARKET.—The term 'emerging market' means any country that the Secretary determines—

''(A) is taking steps toward a market-oriented economy through the food, agriculture, or rural business sectors of the economy of the country; and

''(B) has the potential to provide a viable and significant market for United States agricultural commodities or products of United States agricultural commodities.''.

(2) Section 201(d)(1)(C)(ii) of the Agricultural Trade Act of 1978 (7 U.S.C. 5621(d)(1)(C)(ii)) is amended by striking ''emerging democracies'' and inserting ''emerging markets''.

(3) Section 202(d)(3)(B) of the Agricultural Trade Act of 1978 (7 U.S.C. 5622(d)(3)(B)) is amended by striking ''emerging democracies'' and inserting ''emerging markets''.

SEC. 487. IMPLEMENTATION OF COMMITMENTS UNDER URUGUAY ROUND AGREEMENTS.

Part III of subtitle A of title IV of the Uruguay Round Agreements Act (Public Law 103–465; 108 Stat. 4964) is amended by adding at the end the following:

''SEC. 427. IMPLEMENTATION OF COMMITMENTS UNDER URUGUAY ROUND AGREEMENTS.

''Not later than September 30 of each fiscal year, the Secretary of Agriculture shall determine whether the obligations undertaken by foreign countries under the Uruguay Round Agreement on Agriculture are being fully implemented. If the Secretary of Agriculture determines that any foreign country, by not implementing the obligations of the country, is significantly constraining an opportunity for United States agricultural exports, the Secretary shall—

''(1) submit to the United States Trade Representative a recommendation as to

whether the President should take action under any provision of law; and

''(2) transmit a copy of the recommendation to the Committee on Agriculture, the Committee on International Relations, and the Committee on Ways and Means, of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry, and the Committee on Finance, of the Senate.''.

SEC. 488. SENSE OF CONGRESS CONCERNING MULTILATERAL DISCIPLINES ON CREDIT GUARANTEES.

It is the sense of Congress that—

(1) in negotiations to establish multilateral disciplines on agricultural export credits and credit guarantees, the United States should not agree to any arrangement that is incompatible with the provisions of United States law that authorize agricultural export credits and credit guarantees;

(2) in the negotiations (which are held under the auspices of the Organization for Economic Cooperation and Development), the United States should not reach any agreement that fails to impose disciplines on the practices of foreign government trading entities such as the Australian Wheat Board and Canadian Wheat Board; and

(3) the disciplines should include greater openness in the operations of the entities as long as the entities are subsidized by the foreign government or have monopolies for exports of a commodity that are sanctioned by the foreign government.

SEC. 489. FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.

The Agricultural Trade Act of 1978 (7 U.S.C. 5601 et seq.) is amended by adding at the end the following:

''TITLE VII—FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM

''SEC. 701. DEFINITION OF ELIGIBLE TRADE ORGANIZATION.

''In this title, the term 'eligible trade organization' means a United States trade organization that—

''(1) promotes the export of 1 or more United States agricultural commodities or products; and

''(2) does not have a business interest in or receive remuneration from specific sales of agricultural commodities or products.

''SEC. 702. FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.

''(a) IN GENERAL.—The Secretary shall establish and, in cooperation with eligible trade organizations, carry out a foreign market development cooperator program to maintain and develop foreign markets for United States agricultural commodities and products.

''(b) ADMINISTRATION.—Funds made available to carry out this title shall be used only to provide—

''(1) cost-share assistance to an eligible trade organization under a contract or agreement with the organization; and

''(2) assistance for other costs that are necessary or appropriate to carry out the foreign market development cooperator program, including contingent liabilities that are not otherwise funded.

''SEC. 703. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title such sums as may be necessary for each of fiscal years 1996 through 2002.''.

Subtitle E—Dairy Exports

SEC. 491. DAIRY EXPORT INCENTIVE PROGRAM.

(a) IN GENERAL.—Section 153(c) of the Food Security Act of 1985 (15 U.S.C. 713a–14(c)) is amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting '';''; and

(3) by adding at the end the following new paragraphs:

''(3) the maximum volume of dairy product exports allowable consistent with the obligations of the United States as a member of the World Trade Organization are exported under the program each year (minus the volume sold under section 1163 of the Food Security Act of 1985 (7 U.S.C. 1731 note) during that year), except to the extent that the export of such a volume under the program would, in the judgment of the Secretary, exceed the limitations on the value set forth in subsection (f); and

(4) payments may be made under the program for exports to any destination in the world for the purpose of market development, except a destination in a country with respect to which shipments from the United States are otherwise restricted by law.''.

(b) SOLE DISCRETION.—Section 153(b) of the Food Security Act of 1985 (15 U.S.C. 713a–14(b)) is amended by inserting ''sole'' before ''discretion''.

(c) MARKET DEVELOPMENT.—Section 153(e)(1) of the Food Security Act of 1985 (15 U.S.C. 713a–14(e)(1)) is amended—

(1) by striking ''and'' and inserting ''the''; and

(2) by inserting before the period the following: '', and any additional amount that may be required to assist in the development of world markets for United States dairy products''.

(d) MAXIMUM ALLOWABLE AMOUNTS.—Section 153 of the Food Security Act of 1985 (15 U.S.C. 713a–14) is amended by adding at the end the following:

''(f) REQUIRED FUNDING.—The Commodity Credit Corporation shall in each year use money and commodities for the program under this section in the maximum amount consistent with the obligations of the United States as a member of the World Trade Organization, minus the amount expended under section 1163 of the Food Security Act of 1985 (7 U.S.C. 1731 note) during that year. However, the Commodity Credit Corporation may not exceed the limitations specified in subsection (c)(3) on the volume of allowable dairy product exports.''.

(e) CONFORMING AMENDMENT.—Section 153(a) of the Food Security Act of 1985 (15 U.S.C. 713a–14(a)) is amended by striking ''2001'' and inserting ''2002''.

SEC. 492. AUTHORITY TO ASSIST IN ESTABLISHMENT AND MAINTENANCE OF EXPORT TRADING COMPANY.

The Secretary of Agriculture shall, consistent with the obligations of the United States as a member of the World Trade Organization, provide such advice and assistance to the United States dairy industry as may be necessary to enable that industry to establish and maintain an export trading company under the Export Trading Company Act of 1982 (15 U.S.C. 4001 et seq.) for the purpose of facilitating the international market development for and exportation of dairy products produced in the United States.

SEC. 493. STANDBY AUTHORITY TO INDICATE ENTITY BEST SUITED TO PROVIDE INTERNATIONAL MARKET DEVELOPMENT AND EXPORT SERVICES.

(a) INDICATION OF ENTITY BEST SUITED TO ASSIST INTERNATIONAL MARKET DEVELOPMENT FOR AND EXPORT OF UNITED STATES DAIRY PRODUCTS.—If—

(1) the United States dairy products has not established an export trading company under the Export Trading Company Act of 1982 (15 U.S.C. 4001 et seq.) for the purpose of facilitating the international market development for and exportation of dairy products produced in the United States on or before June 30, 1996; or

(2) the quantity of exports of United States dairy products during the 12-month period preceding July 1, 1997 does not exceed the quantity of exports of United States dairy products during the 12-month period preceding July 1, 1996 by 1.5 billion pounds (milk equivalent, total solids basis);

the Secretary of Agriculture is directed to indicate which entity autonomous of the Government of the United States is best suited to facilitate the international market development for and exportation of United States dairy products.

(b) FUNDING OF EXPORT ACTIVITIES.—The Secretary shall assist the entity in identifying sources of funding for the activities specified in subsection (a) from within the dairy industry and elsewhere.

(c) APPLICATION OF SECTION.—This section shall apply only during the period beginning on July 1, 1997 and ending on September 30, 2000.

SEC. 494. STUDY AND REPORT REGARDING POTENTIAL IMPACT OF URUGUAY ROUND ON PRICES, INCOME AND GOVERNMENT PURCHASES.

(a) STUDY.—The Secretary of Agriculture shall conduct a study, on a variety by variety of cheese basis, to determine the potential impact on milk prices in the United States, dairy producer income, and Federal dairy program costs, of the allocation of additional cheese granted access to the United States as a result of the obligations of the United States as a member of the World Trade Organization.

(b) REPORT.—Not later than June 30, 1997, the Secretary shall report to the Committees on Agriculture of the Senate and the House of Representatives the results of the study conducted under this section.

(c) RULE OF CONSTRUCTION.—Any limitation imposed by Act of Congress on the conduct or completion of studies or reports to Congress shall not apply to the study and report required under this section unless such limitation explicitly references this section in doing so.

SEC. 495. PROMOTION OF UNITED STATES DAIRY PRODUCTS IN INTERNATIONAL MARKETS THROUGH DAIRY PROMOTION PROGRAM.

Section 113(e) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(e)) is amended by adding at the end the following new sentence: ''For each of the fiscal years 1996 through 2000, the Board's budget shall provide for the expenditure of not less than 10 percent of the anticipated revenues available to the Board to develop international markets for, and to promote within such markets, the consumption of dairy products produced in the United States from milk produced in the United States.''.

The CHAIRMAN pro tempore. Pursuant to the rule, the gentleman from Wisconsin [Mr. ROTH] and a Member opposed will each be recognized for 15 minutes.

Is the gentleman from Kansas [Mr. ROBERTS] opposed to the amendment?

Mr. ROBERTS. Yes, Madam Chairman, I am.

The CHAIRMAN pro tempore. The gentleman from Kansas [Mr. ROBERTS] will be recognized for 15 minutes.

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

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

Madam Chairman, we all heard the arguments, here on the floor, that under this bill Congress is basically phasing out Federal Government support for agriculture.

People on our farms work 7 days a week—52 weeks a year—to put food on

our tables. We can not abandon these people. What the farmers need are markets.

If we make it possible for our farmers to export that will be more beneficial than any Government program. Today, many overseas doors are slammed shut to our farmers.

As chairman of the Trade Subcommittee, I can tell you that, without a doubt, our foreign competitors are rubbing their hands with glee. They are anticipating the opportunity to grab our market share.

We are not going to let foreign agriculture decimate our domestic agricultural industry and rob us of our overseas markets.

The Senate bill has addressed this issue. The Senate understands that we need to continue helping our farmers with opening markets.

This amendment reauthorizes our farm export credit programs. These initiatives are essential if American agriculture is to be competitive in international markets.

This amendment continues, for example, our Public Law 480 Food Program.

As has been referred to here on the floor, the Agriculture Committee has held hearings on this bill all over America and the message from America's farmers is that they want a chance to compete in markets here at home and in markets overseas. This amendment makes that possible.

This amendment also makes the remaining programs more efficient by eliminating outdated rules.

Due to the welter of change taking place in agriculture, we must reduce the level of bureaucracy and give more elbow room to the Secretary of Agriculture.

We have seen in the Presidential primaries that unfair trade practices are receiving, as they should, the attention of the American people. This amendment combats unfair trade practices.

All of our competitors are subsidizing their farmers and exporters. Without this amendment, American farmers have no defenses against unfair trade practices.

Therefore, our farmers are asking for this amendment, so they will not be totally disadvantaged in competition for overseas markets.

The 1995 trade figures are in, and the merchandise deficit was $174 billion. Agriculture was the one bright light.

We increased our farm exports by $10 billion. Why? Because these programs made that success possible. They are trade lifelines to American farmers.

This amendment is essential to continuing our exports of farm products.

Without this amendment, our trade deficit will get worse and worse. That is why every major farm group is supporting this amendment.

This amendment provides the leadership that our farmers are crying out for.

I ask a ''yes'' vote on this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. ROBERTS. Madam Chairman, I yield 3 minutes to the gentlewoman from Idaho [Mrs. CHENOWETH], a valued member of the committee.

Mrs. CHENOWETH. Madam Chairman, I thank the gentleman from Kansas for yielding time to me, and I thank the chairman of the Committee on Agriculture for all of his hard work. This has been a difficult road and the expertise that we have seen and his leadership has been remarkable.

I rise in opposition to the Roth amendment because, the Roth amendment preempts a careful, reasoned formulation of agriculture trade policy and strategy for the next 7 years. The Roth amendment sets forth a 7-year plan for U.S. food assistance and a 7-year plan for an agriculture trade strategy and agriculture export programs. This is accomplished without the benefit of any discussion or consultation with members of the committee of jurisdiction, the Agriculture Committee. Not only does the Roth amendment reject the ideas of members of the Agriculture Committee, it rejects and precludes the ideas of the other members of the Committee on International Relations.

The Roth amendment takes the Senate-passed provisions on agriculture export programs and trade strategy and adopts them. No House Members are given the opportunity to have their views on agriculture export programs and trade incorporated. The House of Representatives should not rubber-stamp the actions of the Senate.

Members of the Agriculture Committee have introduced a comprehensive bill to provide American farmers with regulatory relief that will enable them to compete in a very competitive global environment. It is the intention of the chairman of the Agriculture Committee to consider this bill and have the final product reflect the views of members of the Agriculture Committee. The Roth amendment precludes this step for agriculture trade programs.

The authors of this amendment assume they have the final word on agriculture export policy. By taking the Senate language they have cut off debate. The Roth amendment effectively ends discussions and reforms of important agriculture export programs such as the market Promotion Program and the Export Enhancement program. It cuts off debate on this very important subject—one that is essential to the prosperity of U.S. farmers. This is wrong, especially in a time that our competitors are rearming and setting up programs to gain control of global markets in the Pacific Rim and Latin America.

The Roth amendment is short-sighted in its agriculture trade strategy. By setting a goal of increasing agriculture exports to $60 billion by 2002, it effectively holds our current trade levels in place. According to USDA, agriculture exports will reach the $60 billion level this year. The Roth amendment wants to maintain the status quo for agriculture trade. This would be a disaster for U.S. farmers and ranchers—the most efficient and productive in the word—who depend on export markets.

The Roth amendment terminates all agriculture export programs if the unilateral goals of the amendment's trade strategy are not met. A trade strategy in which not one member of the Agriculture Committee and only a few in the International Relations committee participated should not dictate the future of American agriculture.

Members of the Agriculture Committee want to participate in formulation of an agriculture and trade policy essential to the well-being of U.S. farmers. All Members will be precluded from participating in this debate under the Roth amendment. Amendments Members want to include in a farm bill trade title include:

Protection from trade embargoes that have a detrimental effect on agriculture producers. Embargoes cede world market share to our competitors. The Roth amendment offers no protection for U.S. farmers against devastating trade embargoes.

Requiring the Secretary to monitor compliance of the World Trade Organization member countries with the GATT provisions on sanitary and phytosanitary measures. U.S. farmers can be wiped out by nontariff trade barriers erected by foreign countries. Our farmers have experienced this in the past and we want to take steps to prevent this from happening again.

Reform of the credit-worthiness standards for the credit guarantee program so that financing requirements can better match the credit guarantee. We need to update our credit programs to take advantage of all export opportunities available.

Significant reform of the Market Promotion Program and the Export Enhancement Program. These are two of the essential programs needed to counteract the trade practices of our competitors. We want to ensure they are responsible, flexible, and respond to current trade situations.

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Mr. ROTH. Madam Chairman, I yield 2 minutes to the gentleman from New York [Mr. GILMAN], the chairman of the Committee on International Relations, the committee of jurisdiction in this area.

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

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

Madam Chairman, I support Chairman ROBERTS' bill and hope that it is expeditiously passed by the House and signed by the President. I want to work with him and the leadership to make certain that our demonestic agriculture programs are put on a firm footing following the expiration of the 1990 farm bill. I want to commend on distinguished Agriculture Committee chairman Mr. ROBERTS, for an excellent bill and for his diligent, hard work on behalf of America's farmers.

I sponsored the amendment now before us in the hope of bringing agricultural trade and aid programs into the bill before us.

As members of the Agriculture Committee are aware, the International Relations Committee shares jurisdiction with the Agriculture Committee over agricultural trade issues and international food aid programs. Our committee marked up our portions of both the 1985 and 1990 farm bills and had a major impact on their final product. Many members of my committee, most notably Messrs. BEREUTER, ROTH, and HAMILTON, strongly support our international trade and aid programs that directly benefit U.S. agriculture. We held hearings this summer on both trade and aid issues.

It is my understanding that the Senate companion to the bill before us included both the trade and aid reauthorizations in the final bill that passed the Senate floor. It is my understanding that the Senate would like to see trade and aid programs authorized in the legislation now to come before the House. It is also my understanding that the administration, specifically the U.S. Agency for International Development, supports this amendment as presented here today, along with CARE, Catholic Relief Services, Save the Children, World Vision, and many other international humanitarian organizations ending hunger around the world.

In short, the amendment would reauthorize trade and aid programs for the term of the farm bill. We were not insisting on specifics—that is for the upcoming conference. We merely want to improve the chances of language authorizing these programs to survive the upcoming conference on the farm bill.

I want to thank Messrs. ROTH, HALL, and HAMILTON for their support on this amendment. I also want to especially thank Mr. BEREUTER and his staff for the work they have contributed to it. I look forward to working with them, Chairman ROBERTS and the leadership to resolve these issues to ensure America's agricultural trade and aid programs remain a strong part of our economic and foreign policy. I strongly urge Members to support the Gilman-Hamilton-Roth-Bereuter-Hall amendment.

Mr. ROBERTS. Madam Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. HOKE].

Mr. HOKE. Madam Chairman, I thank the gentleman for yielding me the time, and I thank the chairman for the work he has done on this bill. It has been a long hard road for the chairman, I know, and we all appreciate the work he has done.

Madam Chairman, I am speaking in opposition to this amendment and in support of the chairman's position here. I think it is a terrible mistake to try to ram through another 7 years of these programs without the debate that they deserve.

Madam Chairman, I want to speak specifically to one of these programs, Public Law 480, because if I had the opportunity to participate in the debate about Public Law 480, this is what I would say: The program, Public Law 480 and particularly title I in Public Law 480, is often euphemistically called food for peace or humanitarian aid. But the fact is that we cover humanitarian aid under title III of Public Law 480. In fact what title I is all about is corporate welfare for agriconglomerates and we are not even talking about American agriconglomerates. Look at the figures. The No. 3 recipient of these subsidies from 1990 through 1995 was Bunge Corp. of Germany, $258 million; Louis Dreyfus Corp. of France, No. 4, $236 million. Then we have Toshoku Inc., Japanese company, $64 million; Mitsubishi, Japanese company, $50 million; Marubeni America Corp., a Japanese company, $37 million; Gersony-Strauss and Zen-Noh Grain, another Japanese company.

These are not American companies. Yet that is where our U.S. taxpayer dollars are going in this Public Law 480 title I program. That is not right. It is not right to use American taxpayer dollars that way. Not only that, not only that, but by giving away these farm products to less developed countries, what we are doing is we are making it impossible for self-sustained independent agricultural economies to develop in these countries. We lower the price at which Third World farmers can sell their crops, we depress the local food supplies and we make it harder for those poor countries to feed themselves in the long run.

This is not humanitarian aid. It is covered under title III. There is plenty of humanitarian aid. But what we are doing instead of teaching people how to fish, we give them the fish and then we entrap them in this program that comes under the guise of food for peace or humanitarian aid, when we know doggone well that what it really is about is, it is really about corporate U.S. taxpayer welfare for agriconglomerates, many of whom, with hundreds of millions of dollars in receipts, are actually foreign-owned companies.

Madam Chairman, I include the following data for the RECORD:

PUBLIC LAW 480, TITLE I SUPPLIER SUBSIDIES FOR FISCAL YEARS 1990–95

Name	Amount	Percent
1. Continental Grain Co. Inc. (US) [a]	$523,245,770.00	21.24
2. Cargill Inc. (US) [b]	456,611,376.90	18.54
3. Bunge Corp. (Germany) [c]	258,191,751.00	10.48
4. Louis Dreyfus Corp. (France) [d]	236,665,060.90	9.61
5. Archer Daniels Midland Co. Inc. (US) [e]	135,223,076.30	5.49
6. ConAgra Inc. (US) [f]	92,573,510.73	3.76
7. Goldman Sachs Group, LP (US) [g]	66,725,631.11	2.71
8. Toshoku America Inc. (Japan)	64,639,493.90	2.62
9. Farmland Industries Inc. (US)	59,864,466.84	2.43
10. Harvest States Cooperatives Inc. (US) [h]	52,513,100.43	2.13
11. Mitsubishi Int'l Corp. (Japan) [i]	49,943,857.86	2.03
12. Marubeni America Corp. (Japan) [j]	37,165,648.19	1.51
13. Gersony-Strauss Co. Inc. (US) [k]	33,127,828.76	1.34
14. Zen-Noh Grain Corp. (Japan) [l]	29,019,459.21	1.18
15. Central States Enterprises (US) [m]	25,700,677.71	1.04

[a]—1996 Forbes 500 largest private company rating: #4.
[b]—1996 Forbes 500 largest private company rating: #1.
[c]—1994 US subsidiary sales of $1.3 billion.
[d]—1994 US subsidiary sales of $1.1 billion.
[e]—1994 Forbes 500 largest public company rating: #76 (1995 sales of $12.8 billion with $643.6 million in net profits).
[f]—1994 Forbes 500 largest public company rating: #21 (1995 sales of $24.3 billion with $477 million in net profits).
[g]—1996 Forbes 500 largest private company rating: #6.
[h]—1994 sales of $3.8 billion.
[i]—1995 transactions of $200.8 billion.
[j]—1994 transactions of $14.5 billion.
[k]—1994 sales of $770,000.
[l]—1994 sales of $2 billion.
[m]—1994 sales of $109 million.

Public Law 480, Title I Supplier Subsidies for Fiscal Years 1990–95

[Total: $2,463,436,086.67 (49 companies); US: $1,706,910,866.37 (69.29%) (33 companies); Foreign: $756,525,220.30 (30.71%) (16 companies); Top Five: (65.36%) Top Ten: (79.01%) Top Fifteen: (86.11%)]

United States:	
Adolph Hanslik Cotton Company Inc	$429,750.00
Aljoma Lumber Inc	438,237.21
Archer Daniels Midland Company Inc	135,223,076.30
ADM Export Co.	
ADM Milling	
Bartlett and Company Inc	18,706,602.81
Bartlett Milling Co.	
Calcott Ltd Inc	9,011,281.36
Cargill Inc	456,611,376.90
Cargill Rice Inc.	
Hohenberg Brothers Company Inc.	
Caribbean Lumber Company Inc	94,248.13
Central National-Gottesman Inc	128,269.86
Lindenmyer Munroe Division	
Central States Enterprises Inc	25,700,677.71
Cereal Food Processors Inc	7,390,529.39
Conagra Inc	92,573,510.73
Alliance Grain Company Inc.	
Armour Processed Meat Company	
Peavey Company	
Connell Rice and Sugar Company	2,276,033.44
Continental Grain Company Inc	523,245,770.00
Farmland Industries Inc	59,864,466.84
Tradigrain Inc.	
Georgia-Pacific Corporation	1,110,458.64
Gersony-Strauss Company Inc	33,127,828.76
Golden Peanut Company	7,355,216.45
Goldman Sachs Group, LP	66,725,631.11
J. Aron and Company	
Gulf South Forest Products Inc	45,101.85
Harvest States Cooperatives Inc	52,513,100.43
GTA Feeds	
Jacob Stern and Sons Inc	16,420,098.35
Acme-Hardesty Company	
Lombard and Company Inc	3,013,657.50
Norfoods Incorporated	4,099,151.08
Garnac Grain Company Inc.	
Pasternak, Baum and Company Inc	14,247,324.27
Phillips Grain Company Inc	6,254,169.20
P S International Inc	2,316,600.00
P S International Ltd.	
Riceland Foods Inc	3,991,879.05
Sunbelt Cotton Co	313,750.00
Supreme Rice Mill Inc	8,625,064.67
Temple-Inland Inc	107,434.65
Weil Brothers-Cotton Incorporated	5,062,725.17
France:	
Louis Dreyfus Holding Company Inc	236,665,060.90
Louis Dreyfus Corporation	
Allenberg Cotton Company	
Allenberg Cotton Division	
Germany:	
Bunge Corporation	258,191,751.00

Bunge Commodities Group	
Japan:	
Global Rice Corporation Ltd	11,521,300.94
Granplex Inc	14,214,434.11
Itochu International Inc	1,425,094.02
C. ITOH and Company (America) Inc.	
Marubeni America Corporation	37,165,648.19
Columbia Grain International Inc.	
Mitsubishi International Corp	49,943,857.86
Mitsui and Company USA Inc	6,392,139.44
Mitsui Grain Corporation	
United Grain Corporation of Oregon Inc.	
United Grain Corporation	
Sumitomo Corporation of America	4,940,586.82
Toshoku America Inc	64,639,493.90
Zen-Noh Grain Corp	29,019,459.21
Foreign (Origin Uncertain):	
Artfer Inc	1,533,542.85
CAM USA Inc	
Grand Metropolitan Inc	9,821,111.13
The Pillsbury Company Inc.	
Incotrade Inc	10,057,545.57
Intrade Toepfer US Holdings Inc	20,994,194.80
Alfred C. Toepfer International Inc.	
A.C. Toepfer International	

Mr. ROTH. Madam Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. HAMILTON] who has spent years and years on this topic.

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

Mr. HAMILTON. I thank the gentleman from Wisconsin for yielding me the time. I want to commend my colleagues, the gentleman from Wisconsin [Mr. ROTH], the gentleman from Nebraska [Mr. BEREUTER], the gentleman from Ohio [Mr. HALL] and others who have worked on this amendment which I strongly support.

Madam Chairman, so far as I know, the substance of this amendment really is relatively noncontroversial. It is supported by every major farm group. I do want to say to the chairman of the Ag Committee that I have appreciated his leadership on this bill. I support this bill. I think he has done a good job on it. So far as I know, the difference here lies largely in tactics. My view is that we have the opportunity now to strengthen these export and trade provisions. It may be the only opportunity we will have to vote on it in the House this year, and we should do so.

The conference committee is already going to include these issues on trade and food aid. It is in the Senate bill, it is in this bill.

Although the provisions of the Roth amendment strengthen our ability to export and our ability to use food aid as a tool of American foreign policy, the weakness in this bill today it seems to me is it kind of tries to divide into two discrete sectors, one domestic, the other international, the American farm economy, and you just cannot do that. We want a whole bill here that strengthens both the domestic and the international aspects of American farm policy.

I think we must worry much less, Madam Chairman, about the jurisdiction of the various committees here and worry much more about the status of the American farmer. The American farmer needs the export tools that are available in the Roth amendment and he needs the market created by the food aid provisions in this amendment as well.

U.S. farm export and food aid programs have served the American national interest for years, they have promoted billions of dollars in export sales and they have forced very sharp reductions in foreign subsidies.

□ 1030

They have saved tens of millions of people around the world.

Madam Chairman, I rise in support of the Roth-Bereuter-Hamilton-Hall amendment to H.R. 2854.

THE INTERNATIONAL DIMENSION OF AMERICAN AGRICULTURE

Madam Chairman, America's farm economy can no longer be neatly divided into two discrete sectors—one domestic, and one international. The health of America's farm economy depends increasingly upon our capacity to export. In fact, exports already provide the margin of profit in the U.S. farm economy, accounting for more than one-fourth of all sales.

But American farmers face a tough world agricultural market. Low-cost foreign producers, massive foreign subsidies, and import restrictions all pose competitive challenges.

American farm policy needs better tools to deal with these competitive challenges—to develop new markets and eliminate unfair trade practices.

Madam Chairman, H.R. 2854 neglects the critical international dimension of U.S. farm policy. Roth-Bereuter-Hamilton-Hall amendment corrects that deficiency.

This amendment will improve the capacity of U.S. export programs to increase foreign sales. But it will also promote U.S. foreign policy interests by making our generous food aid programs more effective.

IMPORTANCE OF U.S. FOOD AID AND EXPORT PROGRAM

U.S. farm export and food aid programs have served American national interests for several decades.

These programs have: Promoted billions of dollars in export sales annually; forced sharp reductions in foreign subsidies that hurt U.S. farm exports.

U.S. food aid programs have: Saved tens of millions of people around the world from starvation; created large markets for U.S. exports. Japan, Korea, Taiwan, Indonesia, Turkey—all huge current customers for U.S. farm products—were once food aid recipients; bolstered the economic development and political stability of dozens of friendly countries.

WHAT THE AMENDMENT DOES

The Roth-Bereuter-Hamilton-Hall amendment will strengthen these successful programs. It will:

Direct the Secretary of Agriculture to develop a strategy to achieve specific targets for future export sales and world market share.

Reauthorize U.S. food aid programs through 2002.

Authorize Commodity Credit Corporation [CCC] export guarantees through 2002, and empower the CCC to guarantee more exports to emerging markets and countries in transition to free-market systems.

Authorize the Secretary of Agriculture to reprogram unused export subsidy funds among a variety of export and food aid programs.

Require stricter monitoring of foreign compliance with the agricultural provisions of the Uruguay Round.

Improve our emergency-preparedness by increasing—at no extra budgetary cost—the amount and variety of food that may be drawn each year from emergency reserves.

DON'T POSTPONE ACTION ON INTERNATIONAL AGRICULTURE

Madam Chairman, I know the distinguished chairman of the Agriculture Committee, Mr. ROBERTS, recently introduced a new bill, which includes a number of international farm provisions. But I believe we need to move forward on this amendment at this time:

U.S. foreign agricultural policy should not be treated as a second tier issue, left for a second bill.

The American farm community is solidly behind this amendment.

The amendment has been endorsed by two leading farm groups, the American Farm Bureau Federation and the National Council of Farmer Cooperatives.

CARE, Save the Children, and the other major private humanitarian organizations also endorse it.

This amendment stands a good chance of becoming law. The text is very similar to the international titles of the Senate-passed farm bill—which were adopted unanimously.

Finally, despite Mr. ROBERTS' best intentions—which are not in doubt—there are strong indications the Senate will not take up another farm bill, nor conference a second House bill, this year. This could be the House's only opportunity to vote on substantial reforms of U.S. farm export and aid programs.

Madam Chairman, I urge Members to support the Roth-Bereuter-Hamilton-Hall amendment. It will bolster program that have promoted U.S. economic and foreign policy interests for several decades.

America's foreign agricultural policy needs our support, and there is no reason not to provide that support today.

I urge a ''yes'' vote.

Mr. ROBERTS. Madam Chairman, I yield 30 seconds to the distinguished gentleman from Missouri [Mr. EMERSON], a very valued member of the committee.

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

Mr. EMERSON. Madam Chairman, I rise in particular support of the provisions that address the Public Law 480 Food for Peace Program. As many are aware, Public Law 480 is a unique program that has enjoyed broad, bipartisan support for over 40 years. These food assistance programs are widely championed because they build a two way highway on which we help others while also helping U.S. farmers. The food for peace funds are first spent right here as farmers grow, process,

fortify, bag, can, rail, and ship the commodities to developing countries.

This amendment's reforms to the Food for Peace Program are very similar to the reforms that were encompassed in the bill my subcommittee passed last October. The improvements build on the successful aspects of the program by making modifications to refine and update the existing structure. Recommendations of the administration as well as the concerns voiced by many of the groups whose members deliver relief in the field were largely considered. The result is a bill that more strongly emphasizes the long-term market development aspects of the program, stresses private sector involvement, and recognizes the limits imposed by budgetary constraints.

I hope Members will join with me and support these modifications to the Food for Peace Program.

Mr. ROTH. Madam Chairman, I yield 2 minutes to the gentleman from Nebraska [Mr. BEREUTER], who has done so much work on this and helped with the amendment and has not only had hearings on this but knows these issues and all the nuances.

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

Mr. BEREUTER. Madam Chairman, this amendment and recommendation should be noncontroversial, and, in fact, they are consistent with the House Committee on Agriculture's general food and trade goals.

This amendment is in compliance with overall budget guidelines. It is not our intent, for example, to amend the House Committee on Agriculture recommendations on the support enhancement program or the market promotion program. Although we have indicated earlier we support full EEP funding to the full Uruguay round agreement allowed levels, we recognize the budget considerations require self-imposed caps. So we have accepted the advice of the Committee on Agriculture.

Nevertheless, we give authority to the Secretary of Agriculture to spend agriculture export promotion funds more wisely.

If the Secretary does not need all the money we provide for EEP, the Secretary can designate that it be used for the highly successful Foreign Market Development Program or even U.S. food assistance. To make sure that the U.S. Department of Agriculture remains focused focused on increasing U.S. agricultural exports, we establish realistic goals and require concrete trade strategies to meet those goals.

To guarantee that the United States remains an innovative leader in the delivery of food assistance, we maintain our commitments of food assistance to the world's most deserving. However, we do not just stop with minimum tonnages of food assistance. We reform outdated burdensome regulatory requirements which have prohibited private voluntary organizations from implementing food assistance programs in countries where the Agency for International Development does not have a mission. In developing countries where U.S. market development food assistance is available, we permit private entities, with real know-how and ingenuity, to implement programs where only Government bureaucrats have been before.

Today one-third of everything grown on the American farm is exported.

Our hard-working farmers and ranchers will send over 50 billion dollars' worth of agricultural commodities to China, Japan, Southeast Asia, Canada, Mexico, Europe, and the rest of the world.

That is why we must continue to reauthorize and, in fact, reform legislation.

Americans recognize the importance of these agricultural exports to the well-being of the agricultural industry and to the prosperity of rural America. In fact, an overwhelming majority—or nearly 75 percent of Americans—believe that the U.S. Government should help farmers and ranchers by providing necessary assistance to promote agriculture exports, counter subsidized foreign competition, and protect American jobs.

But, Mr. Chairman, in contrast to this horn of plenty here in the United States, millions of children and people in the world's poorest countries do not have the necessary resources to purchase our agriculture commodities. According to the Food and Agriculture Organization, 800 million people do not have access to sufficient food to meet their needs for a healthy and productive life. Last year, UNICEF estimates that between 10 and 12 million preschool children died from hunger and disease related to malnutrition.

Just as Americans recognize the importance of supporting agricultural exports, they also embrace U.S. food assistance programs. In fact, many Americans are greatly surprised when they discover that only 1 percent of the entire U.S. Federal budget is foreign aid. Many of them indicate that they would be willing to devote more if it was used wisely for things like U.S. food assistance.

Today, the distinguished gentleman from Wisconsin [Mr. ROTH], the distinguished gentleman from Indiana [Mr. HAMILTON], the distinguished gentleman from Ohio [Mr. HALL], and this Member offer an amendment that specifically targets foreign agricultural trade competition and world hunger. More importantly, our amendment shapes the fundamental policies of the Federal Government which are designed to combat them. The trade and foreign aid recommendations in this amendment reflect the fact that Americans support reasonable and effective agricultural export promotion programs and targeted food assistance. To attest to that, we have over 25 agricultural commodity groups and food assistance providers supporting our legislation. Organizations like the American Farm Bureau Federation and the National Council of Farmer Cooperatives have embraced our trade policy recommendations. Private voluntary organizations like CARE and Catholic Relief Services, which perform the in-country relief work for the world's most needy, have also publicly supported our efforts.

I would say in response to the gentleman from Ohio [Mr. HOKE] if he had a chance to visit in my State he would find that in a 100-mile radius around Crete Mills—which provides much of the enriched grain products for the Food for Peace Program—he would know that they are paying those farmers in a 100-mile radius approximately 10 cents more a bushel just because of the AID Food for Peace Program. The benefits do not all go to large corporations, they go to farmers and other food recipients and their governments.

In closing, it is an extraordinary set of circumstances which forces us to offer the amendment today. In a typical farm bill year, our committee receives a sequential referral of the House Committee on Agriculture trade and food aid title of the farm bill. Then we act accordingly to prepare the farm bill conference. The arrangement has served both committees very well in the previous farm bills.

However, in this instance, while we understand the House Committee on Agriculture's original intent not to address trade and food aid provisions in the upcoming conference, we strongly believe that, for reasons beyond our control, such provisions certainly will be discussed in the conference because the Senate has those provisions therein.

Adoption of this amendment gives the House a voice in the upcoming conference on these two important issues. We have incorporated many of the recommendations for reform coming from members of the House Committee on Agriculture. This is a time to reform and improve our international programs for food assistance and exports. Nearly all of the major farm organizations and probably every one of the child survival and international food assistance nongovernmental organizations support this amendment.

I urge my colleagues to vote for the Roth-Bereuter-Hamilton-Hall amendment.

Mr. ROTH. Madam Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. HALL].

Mr. HALL of Ohio. Madam Chairman, it is a pleasure to join with the gentleman on this amendment, with the gentleman from Nebraska [Mr. BEREUTER] and the gentleman from Indiana [Mr. HAMILTON] and myself. This is an important amendment.

I am one of the few Congressmen who has had the chance to see our Public Law 480 food being distributed to many countries of the world, whether it be in Africa or South America or in Asia. And many times I have seen a lot of people, as you have seen, you know, people have asked me is our food really getting through, and I can tell you I have seen it on a number of cases make the difference between life and death in countries like Mozambique, Ethiopia. I have seen it as far back as the late 1960's, when I was in the U.S. Peace Corps. So this is a tremendous program.

I support the amendment. We need to be very consistent and committed to a number of areas rather than one, and this is not only good for American farmers but it is good for the responsibility, the moral responsibility for

our country, and what we have shown, the direction, the leadership that we have given for years.

The way the United States goes relative to feeding other nations, what we do on our appropriations, because we are a leader, a lot of countries kind of look to us as to what we do. If we are then only committed for 1 year and not for a number of years, I think a lot of other countries will follow suit, hold back, cut. This is a very flexible amendment. It is a minimum amount amendment for the next 7 years. It is very, very important for us to take the leadership on this.

I firmly support it. I hope all the Members of the Congress will support it.

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

Madam Chairman, I especially want to thank our previous speaker, the gentleman from Ohio [Mr. HALL] because not only does he know about these problems vicariously, he has been all over the world dedicating his life to this issue. I very much appreciate his remarks.

Madam Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. MANZULLO].

Mr. MANZULLO. Madam Chairman, agricultural exports are the unsung heroes of American trade. Yesterday the Census Bureau released the annual U.S. trade figures, revealing that $111 billion deficit for 1995. Many people are legitimately frustrated with the high trade deficit.

But most people are surprised to learn that the United States actually has a trade surplus, yes; surplus, in agricultural exports. America exports more corn than coal, more meat than cosmetics, and more fruits and vegetables than steel, iron, and aluminum combined. In fact, our trade surplus of foods, feeds, and beverages actually increased by over $6 billion from 1994 to 1995, reaching a record $50.5 billion in total exports.

The future of ag exports is in the area of high value products. These are products that have value added to them through processing and those which require special handling or shipping.

The 16th District of Illinois is fortunate to have many of these companies, including thousands of pounds of pork tenderloins that are shipped each week from Rochelle Foods in Rochelle, IL.

The programs authorized under the Roth amendment all contribute to the continued success of our ag exports. Our Food for Peace Programs help the poorest of the poor countries in dealing with fighting malnutrition. This is a program which provides surplus U.S. commodities directly to the people in need around the world.

The export credit guarantees contained in the Commodity Credit Corporation are also a win for all sides, the farmer, the exporter, and the taxpayer. The CCC is a loan program that helps boost ag exports, especially to those emerging markets where there has not been a large U.S. presence before.

Finally, all of these authorized programs fall within the budget resolution caps. This amendment does not create new spending.

If we want to maintain a positive surplus on our trade account ledger for ag exports and if we want to help fight starvation and malnutrition around the world, I urge support for the Roth amendment.

Mr. ROTH. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida [Mr. HASTINGS].

Mr. HASTINGS of Florida. Mr. Chairman, I thank the gentleman for yielding.

I am pleased to have this opportunity to support the Roth-Bereuter-Hamilton-Hall amendment. Different than the gentleman from Ohio [Mr. HALL], I have not seen as many areas of the world where programs have been in effect that have helped people to maintain their existence.

However, in the Sudan, in refugee camps in Nigeria, in Somalia, and in Ethiopia, I have seen the work of CARE, the Catholic Relief Services, AfriCare, and Save the Children. U.S. food aid and export programs do serve the U.S. national interest. U.S. food programs have saved tens of millions of people from starvation and improved the health and living standards of many more.

These programs have reinforced the political stability in dozens of friendly countries and created large markets for U.S. exports. I find it rather appalling that many of my colleagues do not want to help farmers, yet in their rhetorical flourishes in their districts they talk all the time about wanting to help farmers.

Let me tell you a few countries that used to be on food aid: Japan, Korea, Taiwan, Indonesia, and Turkey. And all of these now are not only big emerging markets but some are competitive with this great country. They are all huge customers of U.S. farm products, and they were once food aid recipients.

Food aid has also supported tens of thousands of jobs in the United States and continues to do that.

I urge the membership of this body to consider this legislation and to recognize that while it is stalled and while we await authority, Food for Peace and Food for Progress has expired. Needed changes in these programs have not been made.

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

Mr. Chairman, my colleagues, I rise in reluctant opposition to the amendment offered by the gentleman from Wisconsin [Mr. ROTH].

I do want to associate myself with the remarks of the gentleman from New York [Mr. GILMAN], the gentleman from Ohio [Mr. HALL], the gentleman from Nebraska [Mr. BEREUTER], the gentleman from Indiana [Mr. HAMILTON], all strong defenders of export programs, the Public Law 480 program.

The issue here is not so much about substance. The Roth amendment does contain some very good provisions in trade policy. There is no question about it. And the gentleman from Nebraska [Mr. BEREUTER] has worked very hard. The chairman of the full committee has worked very hard, the gentleman from New York [Mr. GILMAN].

But the Roth amendment also preempts what I consider to be a careful and reasoned formulation of agriculture trade policy and strategy for the next 7 years. Seven years, that is a long time. We are passing a 7-year farm bill for the first time in the history of the Congress.

We want the consistency and the predictability because this is a very important matter.

Now, what the Roth amendment does, it sets forth a 7-year plan for U.S. food assistance and a 7-year plan for an agriculture trade strategy and our export programs. This is being accomplished without the benefit of any discussion or consultation or consultation, talk, two-way street, with members of the committee of shared jurisdiction, not sole jurisdiction, shared jurisdiction. We are talking about the Committee on Agriculture.

In terms of practical effect, the Roth amendment rejects the ideas of members of the Committee on Agriculture. We do not have a chance. We have 30 members of the House Committee on Agriculture who have pending amendments that would like to offer either improving amendments or to work out some kind of compromise in regards to the entire trade and export picture.

Now, members of the Committee on Agriculture have introduced a comprehensive bill, called farm bill II. Actually it is called the Agriculture Trade and Regulatory Relief Act. It is to provide farmers with regulatory relief that will certainly enable them to compete in a very competitive global environment.

It is the intention of the chairman to consider this bill, have the final product reflect the views of the members of the Ag Committee. The Roth amendment does actually preclude this step for agriculture trade and other programs.

So the amendment effectively ends the discussions and reforms of important agriculture exports programs. I am talking about the market promotion program, something of intense and personal interest by many Members, the export enhancement program. It cuts off debate on this very important subject. This is wrong, especially in a time that our competitors are rearming and setting up programs to gain control of the global market share.

I am concerned that the Roth amendment, by setting a goal of increasing ag exports up to $60 billion by 2002, it effectively holds our current trade levels in place. That is not the intent. But I am concerned about it if you do not

have any discussion about it now. According to the Department of Agriculture, agriculture exports will reach the $60 billion level this year. This year. The Roth amendment could maintain the status quo for agriculture trade. That would be a disaster.

□ 1045

The Roth amendment also terminates, listen to this one, it terminates all agriculture export programs if the unilateral goals of the amendments trade strategy are not met.

Hello? A trade strategy in which not one member of the Committee on Agriculture and only a few in the Committee on International Relations actually participated should not dictate the future of American agriculture.

Members of the Committee on Agriculture want to participate in the formulation of an agriculture and trade policy. We want to work with you. We will dance with you. We will dance with you until closing time. But closing time is already here. We did not even get to dance.

All Members will be precluded from participating in this debate under the Roth amendment. Amendments Members want to include in the farm bill title included, and these are amendments we already had pending that we were going to consider in farm bill II on both sides of the aisle, protection from trade embargoes that have a detrimental effect on agriculture producers.

We have five embargo protection bills pending in the Committee on Agriculture. What is going to happen if you go to the Senate and you want embargo protection, and the Senators sit there and stare you in the face and say ''Outside the scope. Can't do that.''

Everybody knows the shattered glass effect of embargoes. We need that protection. We have a tight stocks situation right now, rumors of embargoes. We needed this amendment in this bill.

We should require the secretary to monitor the compliance of the World Trade Organization. My goodness, we have heard about that and all the trade problems in the recent presidential debate.

The chairman of the Senate Committee on Agriculture, Mr. LUGAR, and myself, sent a letter to the President, we have to maintain strong oversight in regards to our NAFTA and GATT trade treaties. We have not done that. We need to give the Secretary strong authority to monitor those and take the appropriate action. Not in this bill.

The reform of the credit worthiness standards for the Credit Guarantee Program, so that financing requirements can better match the credit guarantee, we need to update these credit programs. We have pending amendments on that in the Committee on Agriculture.

Finally, significant reform of the Market Promotion Program. We have many amendments that want to improve and reform the Market Promotion Program. A very critical program, very controversial. We need to fix it. It is not contained in this amendment.

The Export Enhancement Program, we are already hearing commentary that with the tight stocks situation, we do not need the Export Enhancement Program anymore.

That is not right. We need to better tailor that program. These are essential programs needed to counteract the trade practices of our competitors. We want to ensure they are responsible and flexible and respond to the current trade situation.

Now, I do not mean to get obstreperous or very parochial in regards to my dear friends who have worked so hard on the Committee on International Relations in behalf of a very fine trade amendment. Members of the Senate have done the same thing.

But, folks, you just ran an end run around the committee of jurisdiction, shared jurisdiction, and we have no opportunity to offer amendments on the very key items that we are having here today.

What a way to run a railroad. Now we have already heard complaints in this body, and I share the frustration of those who say they are being denied the process.

I really think had we been able to consider this in farm bill II, and we had a commitment by the leadership to bring that bill to the floor as soon as possible, we would have had hearings in the next several weeks and we would have done this, that would have been the appropriate way.

That is why I oppose this amendment. We have an opening on the Committee on Agriculture, on the other side, but maybe we could work that out. If the gentleman from Wisconsin wants to run the committee, we might consider that. I oppose the bill. I am considering the vote. I am unhappy. And the process has been very untoward.

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

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

Mr. Chairman, I appreciate the fact that the Committee on Agriculture has worked very hard on this bill, and I tip my hat to them, and the chairman has done a great job. But the truth of the matter is there are some glaring deficiencies in the bill.

This is a wonderful amendment that we have before us. If it would not be, we would not have all the farm groups in America for it, all the humanitarian groups for it, and the people, millions of people from all over our country, in favor of this amendment, because they realize that in order to have a good international climate for agriculture, we need this amendment.

Now, someone had mentioned, the problem is it is 5 years. Well, our agriculture bills here are 7 years, but agriculture bills are 5 years.

When it comes down to it, I listened carefully, attentively to all the debate. No one talked against the merits of the amendment, they talked about jurisdiction. ''The Committee on Agriculture does not have jurisdiction; another committee has too much jurisdiction.''

We had countless hearings on this, but not one asked us particularly about jurisdiction. I would like to forget all about the jurisdiction issue and just look at the merits of the bill and amendment. If it is a good amendment, let us pass it. I am always willing to work with the Committee on Agriculture on any particular issue.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. ROTH. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, the export programs are terminated, yes, but it is in 2002. This is a train that is leaving the House. The House Members ought to have an opportunity to vote on it, not the conferees that are going to be facing the Senate version.

Mr. ROTH. Mr. Chairman, reclaiming my time, I thank the gentleman.

Mr. Chairman, for the good of the American people and the good of our American farmers, vote for this amendment.

Mr. POMEROY. Mr. Chairman, I wish to speak in favor of the Roth amendment that would reauthorize the Public Law 480 Food for Peace Program and set an agenda for the Secretary of Agriculture to increase our agricultural exports over the next 7 years.

One of the most important aspects of this amendment to North Dakota producers in the reauthorization of the Public Law 480 program. The committee bill would only reauthorize the program for 1 year while the amendment would extend the program until 2002 is essential that this program continue.

The Food for Peace Program delivers humanitarian aid to nations in need and at the same time develops future markets for United States agricultural products. North Dakota bean growers rely heavily on Public Law 480 to encourage the export of their commodity. Last year U.S. producers exported more than $75 million of dry edible beans through the Public Law 480 program.

The amendment also will set export goals of $60 billion for agricultural commodities. To achieve that goal, the Secretary is required to implement our GATT-legal export programs to the maximum extent allowable. We must take advantage of every opportunity the GATT agreement allows us in the global marketplace.

In addition, the Secretary is required to increase high-value and value-added agricultural exports over the next 7 years. North Dakota producers have begun to reap the benefits of value-added agricultural products through the development of cooperative enterprises such as the Pasta Growers and Bison Cooperatives. We must do everything we can to encourage these innovative farmers and assists them in their efforts to develop agricultural products for the global market.

Agriculture already represents one of the few trade sectors in which our exports exceed our imports. We are now, however, entering a new era for agriculture, one in which the world market is every bit as important as the domestic market. The GATT trade agreement was

designed to reduce global trade barriers and increase our total agricultural exports. Under this agreement our exports have increased to more than $50 billion per year. GATT legal export programs such as Public Law 480, the Foreign Market Development Program, EEP and others are critical to the future of American agriculture. We must take every advantage of our international agreements to continue that trend. This amendment requires the Secretary of Agriculture to do just that and I encourage its adoption.

Mr. ROBERTS. Mr. Chairman, I yield back the balance of my time.

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

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 11 printed in House Report 104–463.

AMENDMENT OFFERED BY MR. LIVINGSTON

Mr. LIVINGSTON. 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. LIVINGSTON: On page 119, strike lines 2 through 21, and insert the following:

"SEC. 1241. FUNDING.

''(a) MANDATORY EXPENSES.—For each of fiscal years 1996 through 2002, the Secretary shall use the funds of the Commodity Credit Corporation to carry out the programs authorized by—

''(1) subchapter B of chapter 1 of subtitle D (including contracts extended by the Secretary pursuant to section 1437 of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 16 U.S.C. 3831 note)); and

''(2) subchapter C of chapter 1 of subtitle D.

''(B) AUTHORIZATION OF APPROPRIATIONS FOR LIVESTOCK ENVIRONMENTAL ASSISTANCE PROGRAM.—There are authorized to be appropriated to the Secretary for each of the fiscal years 1996 through 2002, $100,000,000 for providing technical assistance, cost-sharing payments, and incentive payments for practices relating to livestock production under the livestock environmental assistance program under chapter 4 of subtitle D.''.

The CHAIRMAN. Pursuant to the rule, the gentleman from Louisiana [Mr. LIVINGSTON] and a Member opposed will each control 20 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Chairman, I may have misheard in the rush to change. Did we call up amendment No. 11?

The CHAIRMAN. Amendment No. 11.

Mr. LIVINGSTON. Mr. Chairman, I ask unanimous consent to withdraw amendment No. 11 and go on to amendment No. 12.

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

There was no objection.

AMENDMENT OFFERED BY MR. LIVINGSTON

Mr. LIVINGSTON. Mr. Chairman, I offer an amendment, No. 12.

The CHAIRMAN. The clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. LIVINGSTON: On page 131, strike line 21 and all that follows through line 11 on page 135 and insert the following new section:

SEC. 502. COLLECTION AND USE OF AGRICULTURAL QUARANTINE AND INSPECTION FEES.

Subsection (a) of section 2509 of the Food, Agriculture, Conservation, and Trade Act of 1990 (21 U.S.C. 136a) is amended to read as follows:

''(a) QUARANTINE AND INSPECTION FEES.—

''(1) FEES AUTHORIZED.—The Secretary of Agriculture may prescribe fees sufficient—

''(A) to cover the cost of providing agricultural quarantine and inspection services in connection with the arrival at a port in the customs territory of the United States, or the preclearance or preinspection at a site outside the customs territory of the United States, of an international passenger, commercial vessel, commercial aircraft, commercial truck, or railroad car;

''(B) to cover the cost of administering this subsection; and

''(C) through fiscal year 2002, to maintain a reasonable balance in the Agricultural Quarantine Inspection User Fee Account established under paragraph (6).

''(2) LIMITATION.—In setting the fees under paragraph (1), the Secretary shall ensure that the amount of the fees are commensurate with the costs of agricultural quarantine and inspection services with respect to the class of persons or entities paying the fees. The costs of such services with respect to passengers as a class includes the costs of related inspections of the aircraft or other vehicle.

''(3) STATUS OF FEES.—Fees collected under this subsection by any person on behalf of the Secretary are held in trust for the United States and shall be remitted to the Secretary in such manner and at such times as the Secretary may prescribe.

''(4) LATE PAYMENT PENALTIES.—If a person subject to a fee under this subsection fails to pay the fee when due, the Secretary shall assess a late payment penalty, and the overdue fees shall accrue interest, as required by section 3717 of title 31, United States Code.

''(5) COLLECTION OF FEES.—Fees collected under this subsection shall be collected only to amounts as provided in advance in appropriations Acts.

''(6) AGRICULTURAL QUARANTINE INSPECTION USER FEE ACCOUNT.—

''(A) ESTABLISHMENT.—There is established in the Treasury of the United States a no-year fund, to be known as the 'Agricultural Quarantine Inspection User Fee Account', which shall contain all of the fees collected under this subsection and late payment penalties and interest charges collected under paragraph (4).

''(B) USE OF ACCOUNT.—For each of the fiscal years 1996 and thereafter, funds in the Agricultural Quarantine Inspection User Fee Account shall be available, in such amounts as are provided in advance in appropriations Acts, to cover the costs associated with the provision of agricultural quarantine and inspection services and the administration of this subsection. Amounts made available under this subparagraph shall be available until expended.

''(7) STAFF YEARS.—The number of full-time equivalent positions in the Department of Agriculture attributable to the provision of agricultural quarantine and inspection services and the administration of this subsection shall not be counted toward the limitation on the total number of full-time equivalent positions in all agencies specified in section 5(b) of the Federal Workforce Restructuring Act of 1994 (Public Law 103–226; U.S.C. 3101 note) or other limitation on the total number of full-time equivalent positions.''.

The CHAIRMAN. Pursuant to the rule, the gentleman from Louisiana [Mr. LIVINGSTON], and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

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

Mr. Chairman, I thank the distinguished chairman and ask for the indulgence of my colleagues. I would like to explain my amendment and then discuss the future of the amendment at the end of my statement.

Mr. Chairman, the agriculture quarantine inspection user fee amendment that is included in my amendment No. 12 is a clarifying amendment. Passengers in commercial vehicles coming into the country pay an agriculture quarantine inspection fee.

The funds collected go into an account and are used to cover the cost of providing inspections of cargo and international air and sea passengers at ports of entry within the United States, inspections of cargo and people at the Mexican and Canadian borders, and the preclearance and preinspection services at sites overseas. These inspections are absolutely essential to protect American agriculture from the introduction of pests and diseases of foreign origin and to facilitate the entry of our agriculture products into international markets.

For example, if the Medfly were to establish itself in this country, the loss to the fruit and vegetable industry in California alone would be in the billions of dollars. If foot and mouth disease, which has been eradicated in the United States, were to be re-introduced into this country, losses to the cattle industry would be estimated at more than $20 billion.

The AQI user fee program was first authorized in the 1990 farm bill. But what the Committee on Agriculture did was authorize the collections and make the spending subject to appropriations. What this means is that the Committee on Agriculture gets credit for the collection of the AQI user fees which are paid into the Treasury, but the Committee on Appropriations is charged with spending the fees.

Over the years, because the spending of the fees has had to compete with other discretionary funds, much like we were talking about earlier this morning, this approach has prevented the program from using all the money that was collected. That means that the Committee on Appropriations is charged with the responsibility of spending roughly $100 million on this program, and they get no credit from the money that was collected, because that goes to the authorizating committee, the Committee on Agriculture.

So without credit, it means that this program, which is a superb and essential program, competes with every other program that falls within the jurisdiction of the Committee on Appropriations, which is tantamount to all discretionary spending programs.

Everyone is in agreement that this approach must be fixed. The bill of the gentleman from Kansas [Mr. ROBERTS] does not fix it. It only guarantees that the amount collected in excess of $100 million will go to the program; $100 million is still scored against discretionary spending. Because the collection of this $100 million is separate from the appropriation, the user fees in effect are totally separate and unrelated to the appropriation for this program, there is no, and I repeat, there is no reason to assume that it will be appropriated.

As we squeeze all of the other discretionary programs under our jurisdiction, so too might this program be squeezed.

Proponents of this program, and we are all proponents of the program, but many proponents of this program would say ''well, this simply guarantees that at least $100 million, and perhaps another $20 million, will be spent.'' That is not true, because if the Committee on Appropriations is not collecting any credit from the user fees, and if we in fact say cut 5 or 10 percent across the board in all discretionary programs, then this program will be cut like every other program within the jurisdiction of the Committee on Appropriations.

What my amendment does is simply make both the collection and the spending of the fees subject to appropriations. Some would say that is another turf war between appropriations and authorization committees. I would say that this guarantees, this is more of a guarantee that the program will get the full amount of money it needs to operate. I would suggest it is a win-win situation for everyone.

I can assure the chairman and all our colleagues that under this scenario, the scoring of the AQI program, the Agriculture Quarantine Inspection Program, that the scoring is neutral. Since the importance of this program is so critical, we in effect would provide every dollar back for the Department to use that is given to us in credits from the user fee collected.

In fact, there would be no reason not to appropriate every dollar of credit, because we would be getting reimbursed for every dollar we spend.

So we have offered this amendment, but I acknowledge that it is opposed by the distinguished chairman of the Committee on Agriculture. I think the gentleman believes that his amendment fixes the problem. I think that the proponents of the gentleman's provision believe that his amendment fixes the problem. But I am here to suggest that it does not. If anyting, it will almost guarantee that as other discretionary programs are cut with across-the-board cuts in the appropriations process, so, too, will this program.

If we really want to fix it, my amendment should be adopted. But I do not think it will be, based on the earlier vote.

I have no illusions about the outcome. I do not want to put our colleagues in a quandary about whether they are voting for the right thing or whether it is properly perceived by their agriculture constituents around America. So I would only suggest that we could fix this problem once and for all with my amendment. We could stop the delays and we could get all the funds paid into the account out to the proper recipients so that the passengers and cargo could be inspected quickly and so that the program could be performed. But because it is obvious to me that my amendment is not going to pass over the objections of the committee chairman, I respectfully ask unanimous consent that the amendment be withdrawn.

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

Mr. ROBERTS. Mr. Chairman, reserving the right to object and I shall certainly not object, under my reservation I want to thank the distinguished chairman of the Committee on Appropriations and again thank him for the splendid work he is doing.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

□ 1100

Mr. CHAIRMAN. It is now in order to consider amendment No. 13 printed in House Report 104–463.

AMENDMENT OFFERED BY MR. DOOLEY

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

Mr. CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DOOLEY:

At the end of title V (page 139, after line 17), add the following new section:

SEC. 507. COMPETITIVE RESEARCH GRANTS TO PROMOTE AGRICULTURAL COMPETITIVENESS INITIATIVES.

(A) PURPOSES.—The competitive research grant program established by this section has the following purposes:

(1) Enhancement of the competitiveness of the United States agriculture industry in an increasingly competitive world environment.

(2) Increasing the long-term productivity of the United States agriculture and food industry while protecting the natural resource base on which rural America and the United States agricultural economy depend.

(3) Development of new uses and new products for agricultural commodities, such as alternative fuels, and development of new crops.

(4) Supporting agricultural research and extension to promote economic opportunity in rural communities and to meet the increasing demand for information and technology transfer throughout the United States agriculture industry.

(5) Improvement of risk management in the United States agriculture industry.

(6) Improvement in the safe production and processing of, and adding of value to, United States food and fiber resources using methods that are environmentally sound.

(7) Supporting higher education in agriculture to give the next generation of Americans the knowledge, technology, and applications necessary to enhance the competitiveness of United States agriculture.

(8) Maintaining an adequate, nutritious, and safe supply of food to meet human nutritional needs and requirements.

(b) AGRICULUTURAL COMPETITIVENESS GRANTS.—The Secretary of Agriculture shall award grants to eligible grantees to promote one or more of the purposes of the program.

(c) ELIGIBLE GRANTEE.—The Secretary may make a grant under subsection (b) to—

(1) a college or university;

(2) a State agricultural experiment station;

(3) a State Cooperative Extension Service;

(4) a research institution or organization;

(5) a private organization or person; or

(6) a Federal agency.

(d) USE OF GRANT.—A grant made under subsection (b) may be used by a grantee for one or more of the following uses:

(1) Research ranging from discovery to principles for application.

(2) Extension and related private-sector activities.

(3) Education.

(e) PRIORITY.—

(1) IN GENERAL.—In administering this program, the Secretary shall—

(A) establish priorities for allocating grants, based on needs and opportunities of the food and agriculture system in the United States;

(B) seek and accept proposals for grants;

(C) determine the relevance and merit of proposals through a system of peer review; and

(D) award grants on the basis of merit and quality.

(2) PARTICIPATION BY SCIENTIFIC COMMUNITY.—In carrying out subparagraphs (B) and (C) of paragraph (1), the Secretary shall seek wide participation by qualified scientists and extension and education specialists from colleges and universities, State agricultural experiment stations and State Cooperative Extension Services, the private sector, and the Federal Government.

(f) ADMINISTRATION.—

(1) COMPETITIVE GRANT.—A grant under subsection (b) shall be awarded on a competitive basis.

(2) TERM.—A grant under subsection (b) shall have a term that does not exceed 5 years.

(3) ADVISORY COMMITTEES.—The Secretary may use an advisory committee established independently of this program to assist the Secretary in determining funding priorities under this program.

(4) MATCHING FUNDS.—

(A) IN GENERAL.—The Secretary shall encourage the funding of a grant under subsection (b) with equal matching funds from a non-Federal source.

(B) MANDATORY.—The Secretary shall require the funding of a grant under subsection (b) with equal matching funds from a non-Federal source if the grant is—

(i) for applied research that is commodity-specific; and

(ii) not of national scope.

(5) ADMINISTRATIVE COSTS.—The Secretary may use not more than 4 percent of the funds made available under subsection (h) for administrative costs incurred by the Secretary in carrying out this program.

(6) CONSTRUCTION COSTS.—None of the funds made available under subsection (h) may be used for the construction of a new building or the acquisition, expansion, remodeling, or alteration of an existing building (including site grading and improvement and architect fees).

(g) REGULATIONS.—The Secretary shall issue such regulations as are necessary to carry out this program.

(h) AVAILABILITY OF FUNDS FOR GRANTS.—

(1) SOURCE OF FUNDS.—Of the amount made available under section 102 of the Agricultural Act of 1949, as added by section 1102 of

this Act, for payments under market transition contracts for the fiscal year 1996 through 2002, $1,920,000,000 shall be used by the Secretary to make grants under this section. The amounts specified in subsection (e) of such section 102 shall be reduced by the Secretary by the amount made available in this subsection.

(20 FISCAL YEAR AMOUNTS.—Of the total amount specified in subsection (a) for grants under this section, the Secretary shall use $200,000,000 for fiscal year 1996, $220,000,000 for fiscal year 1997, $250,000,000 for fiscal year 1998, $250,000,000 for fiscal year 1999, $300,000,000 for fiscal year 2000, $300,000,000 for fiscal year 2001, and $400,000,000 for fiscal year 2002.

(3) LIMITATIONS.—The Secretary may use less than the amount provided under subsection (b) for a fiscal year if the Secretary determines that the full funding level is not necessary to fund all qualifying applications for agricultural competitiveness grants that satisfy the priority criteria established under subsection (e).

Mr. CHAIRMAN. Pursuant to the rule, the gentleman from California [Mr. DOOLEY] and a Member opposed, each will be recognized for 5 minutes.

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

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

The amendment I offer today is an amendment that I think is in the best interest of the taxpayers of this country and also is in the best interest of farmers. We are embarking upon enacting a new farm policy, a farm policy that has been identified as being freedom to farm.

The premise behind this policy is that over the next 7 years we will obligate the taxpayers of this country to spend $36.5 billion to farmers regardless of what the prices of the commodities will be. I think it has become very clear that we are currently in a situation where you can forward contract on almost all the commodities that are under the program for December of this year as well as December 1997, enabling farmers today in the private sector to lock in a profit.

Under the current program that we have, our current farm program, there would be minimal government outlays, but under freedom to farm we are going to be requiring the taxpayers of this country to make $36 billion in payments to farmers, $36 billion which I believe cannot be characterized as much more than welfare payments.

What my amendment does is, it makes a minimal change. It says that we would be far better served, the taxpayers would be far better served, farmers would be far better served if we could just take $2 billion of that $36 billion over the next 7 years and invest it in agricultural research.

It has been demonstrated that agriculture research will pay great dividends not only to farmers but also to our society as a whole. A recent study by the Economic Research Service has determined that there has been a return of 35 percent of all moneys that have been invested in agriculture research. That is the central issue that we are talking about today. That is what my amendment is all about.

Are we going to get a greater return on the taxpayers' investment in farm programs by the $36 billion going in direct payments, or will the taxpayers of this country get a greater return on the investment of $2 billion in research? I think clearly it is very clear that everyone will be far better served. Our society will be far better served if we make this modest contribution in allocating these funds to ensure that we will have a more viable, a more productive agriculture research program in this country.

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

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

Mr. CHAIRMAN. The gentleman from Kansas [Mr. ROBERTS] is recognized for 5 minutes.

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

Mr. Chairman, I am one of the strongest supporters of agriculture research in the Congress. Since early last year, I, along with the subcommittee chairman, the gentleman from Colorado, Mr. ALLARD, the distinguished chairman emeritus of the Committee on Agriculture, the gentleman from Texas, Mr. DE LA GARZA, and Mr. JOHNSON have been conducting a comprehensive review of research programs which aim to improve the efficiency and effectiveness of the more than $1.7 billion that we now spend on research.

During a time when we are trying to balance the Federal budget and ensure what money we do have is spent wisely, basically what the gentleman from California is proposing is that we spend an additional $2 billion on a new entitlement program without the benefit of a single hearing to discuss how well we are using the $1.7 billion we were already spending.

We are going to continue this review of ag research with our very strong support. After all, our farmers and ranchers must be provided the competitive advantage through research to compete in the global marketplace. We will have a series of hearings, which we have scheduled to begin in 2 weeks. Immediately after these hearings, the committee will proceed with marking up comprehensive reform legislation. We are going to focus on priority setting, revitalizing our research programs and underscoring the strong support, bipartisan support in regards to research.

Now, let me get to the gentleman's comments in regards to freedom to farm. As we have said before, this bill establishes hopefully a market transition from the command and control style of government support to the free market through a series of fixed and declining payments. We have come from $56 billion in regards to the agriculture baseline for farm program payments to $43 billion, to $38 billion, to $36 billion. That is a tremendous decline. We are meeting our budget responsibilities, 50 percent less in terms of market transition payments as compared to the last 5 years. But the gentleman wants to take another $2 billion from farm income, direct farm income to producers, to agriculture research prior to the comprehensive review of the research programs that we have on the books.

The passage of the Dooley amendment, quite frankly, is a killer amendment to freedom to farm. It upsets the process. These payments are declining most rapidly. The income outlook is most uncertain. The gentleman calls it a welfare payment. Again, I think anybody that describes any farm program as a welfare payment does a disservice to agriculture and his constituency. These are not welfare payments. These are declining market transition payments. The farmer has to observe a conservation compliance plan that is most costly, and the gentleman is just dead wrong in his description of what has happened.

So this is a killer amendment. I urge opposition to it. And I would say to the gentleman that I have tried my very best to be of help to the gentleman when he has wanted more investment in the market promotion program. I have tried to be of the greatest amount of help possible in regards to the research capability of the wine industry in California. I was just out there. And we have tried to be of help to the gentleman in regards to the cotton program, and we had very damaging amendments. On the whole total subject of research we have tried to be of help. We worked with the gentleman in regards to USDA reorganization.

I must say to the gentleman, without any consultation, without any conversation in regards to the Committee on Agriculture chair, this amendment sprung out of nowhere, was made in order and is a killer amendment to the total package of the farm program.

I would appreciate it in the future if the gentleman has an amendment of this nature, he would visit with the chair and, as he can indicate, I have a little personal interest in this particular situation, I will continue to help the gentleman on these other matters.

I urge opposition to the amendment.

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

Mr. DOOLEY. Mr. Chairman, I yield myself such time as I may consume to respond to the chairman.

If we would have had one hearing on freedom to farm, we might have been able to have a discussion on these proposed amendments, but we did not have a hearing on freedom to farm.

The bottom line is, the issue here, this is not new money going out. This is not additional money. The bottom line is, if we want to fund agriculture research, there is only one pot of money out there. It is the $36 billion that is going to direct payments to farmers, however, Members should want to characterize those payments.

The bottom line is, if we want to fund research, if we want to make an investment for the future, the investment for the future of farmers and the

investment for the future well-being of our society and improving nutrition, we need to support additional investment into research.

Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. VOLKMER].

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

Mr. VOLKMER. Mr. Chairman, I rise in strong support of the amendment of the gentleman from California to provide the additional money for research that we are going to need during the transition period so that when the year 2002 comes that our farmers are going to be able to compete without any subsidy whatsoever.

That is what the gentleman from Kansas wants, yet he is not willing to make sure that our farmers are prepared to meet that world competition. What he wants to do is give them a lot of money this year and next year, when they really do not need it because they are going to get it from the marketplace. If he wants to fund this research, he can do it in the next 2 years because there is not going to be any need to send farmers money. We are going to see farmers with the prices that we have, am I not correct, with the prices we have in all commodities, the major commodities covered by the freedom to farm, that there is not a farmer out there who has a good crop who is not going to make money. Yet under the freedom to farm we are going to send them a whole bunch of money.

Would it not be better to take that money and do the research when we need it so that our farmers, when the time comes, when they are not going to get any Government payment at all, they are able to meet that competition, world competition out there?

So I rise in strong support of the gentleman's amendment.

What the gentleman from Kansas wants to do is send money out to people when they do not need it and what the gentleman from California wants to do is take that money and make sure that when the time comes that they do not get any money that they are going to be able to compete.

I do not understand this. It does not kill this bill. He still has his freedom not to farm. He still has his bill that says, you do not have to turn one blade, plant one seed or turn any soil. You do not drill, no nothing. You are still going to get a payment. He has still got his bill. What this does is say, we want our farmers to be prepared.

Mr. FAZIO of California. Mr. Chairman, in all the talk about freedom to farm, little attention has been given to agriculture programs to assist States like California which depend less heavily on program crops.

A truly broad-based agriculture program needs market promotion, conservation, nutrition, and rural development.

The Dooley amendment focuses on the other leg of a true agriculture program—research.

Support for research often done at our land-grant colleges put the United States in the forefront of agricultural productivity long before commodity programs.

Budget cuts to agriculture over the last few years have exacted a toll on vital research and our land-grant colleges.

The Dooley amendment makes an important statement: in a market-oriented economy, we need a renewed commitment to competitive research.

Research breakthroughs are the key to agricultural productivity—to higher yields—to fewer pesticides—to better water quality—to better farm practices.

Research has been at the heart of American agricultural success and it must continue to be a mainstay of our agriculture in the future.

Not an approach some of my Appropriations Committee brethren might take.

This approach—using competition not simply formula grants to all institutions demonstrates we are smart enough to focus on all the components that will comprise the agriculture program of tomorrow.

Vote for the future—vote for research—vote for the best approach—the Dooley amendment.

The CHAIRMAN. All time has expired.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 163, noes 260, not voting 8, as follows:

[Roll No. 38]

AYES—163

Abercrombie
Ackerman
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bishop
Bonior
Borski
Boucher
Brown (CA)
Brown (OH)
Bryant (TX)
Bunn
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Condit
Conyers
Costello
Coyne
DeFazio
DeLauro
Dellums
Deutsch
Dixon
Doggett
Dooley
Doyle
Duncan
Durbin
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Hefner
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Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson, E. B.
Johnston
Kanjorski
Kennedy (MA)
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NOES—260

Allard
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Ros-Lehtinen
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Tiahrt
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Torricelli
Upton
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Vucanovich
Waldholtz
Walker
Walsh
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker

Wilson	Young (AK)	Zeliff
Wolf	Young (FL)	Zimmer

NOT VOTING—8

Collins (IL)	Furse	Moorhead
Cox	Gutierrez	Stokes
de la Garza	McKinney	

□ 1130

The Clerk announced the following pair:

On this vote:

Ms. Furse for, with Mr. Cox of California against.

Messrs. ALLARD, POMBO, and SHADEGG changed their vote from ''aye'' to ''no.''

Mr. WAMP, Mr. SAWYER, and Mr. RAHALL changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. ROBERTS. Mr. Chairman, I move to strike the last word, in order to enter into a colloquy with the gentleman from Idaho [Mr. CRAPO] as it relates to the amendment just voted on.

Mr. Chairman, I yield to my distinguished colleague and my friend, the gentleman from Idaho [Mr. CRAPO].

Mr. CRAPO. Mr. Chairman, I appreciate the chairman of the committee yielding to me for this colloquy.

Mr. Chairman, I appreciate the opportunity to discuss with you the future of agriculture research. Agriculture research extension and education programs have played a critical role in achieving the current productivity and competitiveness of U.S. agriculture. Taxpayers receive a rate of return on research and extension of 30 to 50 percent per year.

While a research title is not included in the bill before the House today, I look forward to working with you and the rest of the Committee on Agriculture and conferees to promote changes to the research component of the fund for rural America in the Senate version of the farm bill. Changes need to be made which will bring better into balance the total research and extension portfolio, addressing those areas in which current funding relative to user-driven national priorities is inadequate.

I have been working with Chairman ROBERTS for several months to promote a strong research extension and education program that reaches out to traditional and nontraditional researchers with an interest in basic and applied research. I would say to the chairman of the committee, I want to continue to work with him, Mr. Chairman, on this issue to address the challenges facing agriculture.

We need an infusion of resources that will provide problem- and opportunity-oriented research, extension, and education. This will assist the entire system, including plant and animal sciences, processing, marketing, and natural resources, while also developing the next generation of knowledge and technology needed to maintain international competitiveness over the long term.

For several months I have been advocating increased funding for agriculture research through a program which would provide a basic excessive grant program, balancing investments in basic and applied research, extension, and education. This program should incorporate a priority-setting mechanism that takes into account the views of producers and processors early in the process, as well as allowing for smaller research institutions to compete for grants. It is designed as an aggressive, coordinated program to be administered by the cooperative State Research Education and Extension Service, with the agriculture industry playing a lead role in priority-setting. It is a worthwhile program.

Again, I appreciate the chairman's willingness to review and consider this proposal and look forward to working with him on this critical issue.

Mr. ROBERTS. Mr. Chairman, I thank the gentleman from Idaho for his remarks and his leadership. Let me simply respond by saying last summer, as I indicated during the debate on the last amendment, along with the gentleman from Colorado, Mr. ALLARD, the gentlemen from Texas, Mr. DE LA GARZA, and Mr. JOHNSON, we sent out a comprehensive questionnaire in regards to research. We asked the researchers and the users what can be done better, how we can spend the $1.7 billion annual commitment to agriculture research and extension to make sure that our producers and consumers will have a competitive and safe food supply in the 21st century?

Now, in addition to the survey, I would tell the gentleman, the House Committee on Agriculture has had the GAO, the General Accounting Office, conduct the first accounting of our Federal agriculture research investment since 1981. The GAO will deliver this report to the committee by the end of next month.

Finally, we have scheduled a series of hearings this March, and plan on producing a comprehensive rewrite of our Federal research program. Unfortunately, I must say the other body has chosen simply to clean around the edges, leaving in place some of our research policies that fail to meet the needs of the agriculture sector as we transition into a free market. That is unacceptable.

Mr. Chairman, I urge my colleagues to support the Committee on Agriculture in our efforts to modernize the current research program. So, pending our comprehensive legislation on agriculture research when we get to the conference on this bill, I am going to look forward to working with the gentleman in addressing how we can secure the additional funds that we need.

The Senate has something called the Fund for Rural America. The gentleman has talked to me about his suggestions, for suggesting that within the Fund for Rural America, to make sure that some of that money does go to research and the needs of farmers. I look forward to the gentleman's suggestions for change and to working with him to make sure the Fund for Rural America serves farmers and consumer research needs.

I thank the gentleman for his commentary and his leadership.

The CHAIRMAN. It is now in order to consider amendment No. 14 printed in House Report 104–463.

AMENDMENT OFFERED BY MR. FOLEY

Mr. FOLEY. 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. FOLEY: At the end of title V (page 139, after line 17), add the following new section:

SEC. 507. EVERGLADES AGRICULTURAL AREA.

(a) IN GENERAL.—On July 1, 1996, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall provide $210,000,000 to the Secretary of the Interior to carry out this section.

(b) ENTITLEMENT.—The Secretary of the Interior—

(1) shall accept the funds made available under subsection (a);

(2) shall be entitled to receive the funds; and

(3) shall use the funds to conduct restoration activities in the Everglades ecosystem, which may include acquiring private acreage in the Everglades Agricultural Area including approximately 52,000 acres that is commonly known as the ''Talisman tract''.

(c) TRANSFERRING FUNDS.—The Secretary of the Interior may transfer funds to the Army Corps of Engineers, the State of Florida, or the South Florida Water Management District to carry out subsection (b)(3).

(d) DEADLINE.—Not later than December 31, 1999, the Secretary of the Interior shall utilize the funds for restoration activities referred to in subsection (b)(3).

The CHAIRMAN. Pursuant to the rule, the gentleman from Florida [Mr. FOLEY] and a Member opposed will each control 10 minutes.

Mr. OBEY. Mr. Chairman, I would like to inquire of the Chair whether there is any Member on the committee who is opposed to the amendment, because if not, in its present form, I am, and I would like to claim the time.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] is opposed to the amendment and will control the time in opposition.

The Chair recognizes the gentleman from Florida [Mr. FOLEY].

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

Mr. Chairman, today I rise in support of a logical solution to aid in the environmental restoration of one of our true national treasures, the Florida Everglades. I would like to first point out there was similar language passed in the Senate earlier this month in the farm bill, and this language enjoys wide bipartisan support from both Senators of our State, the Governor, and the entire south Florida Congressional delegation.

When I was chairman of the Senate Agriculture Committee, the Florida State Legislature passed the Everglades Forever Act. The Secretary of

the Interior, environmental groups, and the sugar industry worked towards a comprehensive plan to help restore the Everglades. Under this agreement, the sugar growers will pay up to $320 million over 7 years as part of a State agricultural privilege tax toward Everglades restoration.

Let me just review. In 1850 Congress gave the Everglades to Florida with one proviso, that it be drained. We have certainly come a long way since then. Back in those days, in the 1930's and 1940's, people running for office used to campaign that they would drain the Everglades. By the 1930's, 400 miles of drainage canals had been built. In south Florida this meant the infusion of agriculture in the region, as well as expanded development opportunities in south Florida.

After disastrous hurricanes in 1926 and 1928, thousands of people were killed, and a levee was built around Lake Okeechobee. That levee took out of the Everglades ecosystem large blocks of land. Today's population has grown from 26,000 in 1900 to over 5 million today. This development and the resulting pollution has also put an incredible strain on the environment. Thus, all of these factors combined have disrupted the natural flow of water in south Florida. Now we are searching for solutions on how best to save our national treasure, the Everglades, from environmental and biological collapse.

The bottom line is there is no single scapegoat in this issue. Instead of pointing fingers, we need to point to solutions. Through the combined leadership of the State's Senators, the Governor, and the Florida delegation, we have reached an agreement under which 52,000 acres, known as Talisman, would be purchased for water storage. This land is currently for sale voluntarily. The acquisition will give us long-term solutions for the Everglades water quality and quantity issues. Because of its strategic location in the Everglades ecosystem, a large water storage area can be constructed on the land.

I ask my colleagues to support the environment and support this amendment.

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

Mr. OBEY. Mr. Chairman, I yield myself 3 minutes.

Let me simply say, Mr. Chairman, I am really of mixed feelings here today. I think what the gentleman is trying to do is absolutely, perfectly legitimate. I think the Everglades are a great national treasure, and I have consistently in the past supported every effort that has been before us to try to help preserve the Everglades.

But I think this amendment is, frankly, walking around under false pretenses today. It is advertised, for instance, in the CQ House Action Report as being an amendment to authorize $200 million to acquire land in the Florida Everglades. In fact, what it does is appropriate $200 million for that purpose.

I do not mind the passage of this amendment as long as it would be subject to appropriation. But I do not see why we ought to have a special arrangement under which the Everglades, as precious as they are, will wind up receiving favorable treatment over any other natural resource in any other part of the country because they happen to wind up getting in this bill as an entitlement, as a direct appropriation, I should say, whereas other areas of the country that have environmental problems have to get in line in the regular appropriation process and compete for funds. There is absolutely no reason on the merits to do that, and I regret the fact that this amendment has not been made subject to appropriation.

If it had been, I would support it, because I certainly think what the gentleman is trying to do is correct, but the way he is trying to do it puts this project ahead of virtually every other environmental preservation project in the country. That is not a legitimate way to do business, in my judgment.

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

Mr. FOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. DEUTSCH].

Mr. DEUTSCH. Mr. Chairman, the Everglades is a national treasure. In fact, it is an international treasure. This funding is really a small down payment on the Federal Government's share of Everglades restoration. It will help purchase critical land in the Everglades agricultural area. However, it is insufficient for the total restoration, and does not relieve Florida or the industry in Florida of its responsibility. The President has announced the fair share balanced plan to save the Everglades.

Mr. Chairman, I include for the RECORD the President's proposal for Everglades restoration.

The material referred to is as follows:

THE CLINTON/GORE ADMINISTRATION'S EVERGLADES RESTORATION PLAN PRINCIPLES AND ELEMENTS—FEBRUARY 19, 1996

SUMMARY

The Clinton/Gore Administration will pursue a comprehensive plan to restore the Everglades and South Florida ecosystem. This plan will build on the substantial progress already achieved by the Administration working in concert with the Chiles/MacKay Administration, Senator Bob Graham and other parties. The Administration's Everglades restoration plan integrates literally dozens of individual activities, resulting in an ambitious and comprehensive restoration effort. The plan provides for:

Strategic land acquisitions sufficient to ensure successful restoration, including at least 100,000 acres in the Everglades Agricultural Area (EAA);

Acceleration of restoration projects and research activities already underway;

Broad restoration and protection efforts complements and support the health of Florida's economy and its citizens, now and in the future.

The Administration's plan recognizes that the costs of restoration should be borne by a balanced cost-share between the federal and state governments and those who have substantially benefited from federal programs and alterations to the ecosystem and who will potentially benefit from its restoration, including sugar-producing companies. The plan has three major funding components:

The creation of an ''Everglades Restoration Fund'' for land acquisition funded through appropriations of $100 million per year for 4 years, for a total of $400 million.

A 1 cent per pound increase in the marketing assessment on Florida sugar produced in the EAA, which will generate approximately $35 million per year. This will total $245 million over 7 years, and will constitute an ongoing source of revenues into the Everglades Restoration Fund.

A 25 percent increase in funding for federal agency programs, including, science, land management, water management projects, and other programs, from $104 million in 1996 to $131 million for 1997.

Overall, this approach will double the total federal funding for Everglades restoration to about $1.5 billion over the next 7 years. The Administration will use existing authorities and resources where available, and where necessary will seek new authorities from Congress.

GUIDING PRINCIPLES

A Shared Vision of Restoration: The restoration of the Everglades, a unique national treasure, requires a shared vision of the desired condition of the entire South Florida ecosystem—from the Kissimmee River to the Florida Keys—that will restore and maintain the biological diversity and sustainability of the ecosystem and support actions that incorporate economic, sociocultural, and community goals.

Expanded Partnerships: The federal government will continue to support and work with ongoing partnerships in South Florida with State, Tribal, and local governments, the private sector and individual citizens to accomplish ecosystem restoration and protection objectives, recognizing that the responsibility for issues of water and land use in the ecosystem are largely the responsibility of the State of Florida.

Non-Regulatory Programs: Non-regulatory programs, such as advance planning, research, and public-private cooperative efforts will be encouraged.

Shared Restoration Expenditures: The restoration expenditures should meet clearly defined objectives for the overall long-term effort to restore the ecosystem and should be borne jointly through a balanced cost-share between the federal and state governments and those who have substantially benefited from federal programs and alterations to the ecosystem and who will potentially benefit from its restoration, including sugar-producing companies.

Reliance on Sound Science: Restoration efforts must be scientifically sound, ecologically credible, and legally responsible. Research must be coordinated and focus on critical ecosystem needs, and together with careful monitoring, should support adaptive management.

ADMINISTRATION COMMITMENTS

Beginning with the FY97 budget request to Congress, the Administration will call for a total of about $1.5 billion in funding over seven years for Everglades restoration activities—double the current level. The funding will consist of $100 million in each of the next four years for land acquisition, plus $35 million in revenues each year from the assessment on Florida sugar, both to the Everglades Restoration Fund, as well as $130 million annually for research and ecosystem management.

The Administration will request authority to establish an ''Everglades Restoration

Fund'' to receive discretionary funds and sugar marketing assessment receipts. The Fund's resources will be available without fiscal year limitation. The federal resources will be managed jointly by a cabinet-level group.

The proposed funding, combined with existing and new legislative authorities, will lay the foundation to implement these commitments:

Commitment 1.—The Clinton Administration will increase its already substantial support for restoration and protection of the Everglades ecosystem. Specifically, we will:

Acquire in partnership with the State enough land to make restoration work, concentrating on the following areas: At least 100,000 acres of land in Everglades Agricultural Area for water storage, including acquisition of the Talisman Tract; water preserve/aquifer recharge areas in the eastern edge buffer area for water quality and storage along with drinking water protection, the size of which will be determined after further study and analysis; eastern Edge Buffer-Southern Transition Lands, for improved water delivery; and expansion of Everglades National Park and other parks and refuges.

Accelerate and ensure completion of water supply and control projects, including: Complete the Modified Water Deliveries Project; complete modifications to the C–111 Project, and revise the state/federal cost-share; complete the C–51 Project, including acquisitions of STA 1E; and complete the Kissimmee River Restoration Project.

Undertake necessary ecosystem management and planning, including: Accelerate completion of the Corps of Engineers Central & South Florida Project Restudy; develop a coordinated water quality improvement and protection plan for the south Florida ecosystem; strengthen water quality standards to protect the Everglades and Florida Bay; undertake with State and local officials a cooperation urban interface planning process; expand exotic species control programs; expand the Coral Reef Initiative; and accelerate the Florida Keys Water Quality Protection Program.

Commitment 2.—The Clinton Administration will work to ensure that Florida's sugarcane industry contributes its fair share of the costs of the restoration effort, in view of the industry's impact upon the environment and the benefits to industry from federal water projects and programs. Our policy will support collection of funding, seek to retire acreage where appropriate, improve management practices on those lands that remain in use, and engage the agricultural sector, both owners and workers, in the restoration effort. The President's budget request and other legislation will provide for: An assessment of 1 cent per pound of sugar produced in the Everglades Agricultural Area; cooperative programs with the agricultural community to employ workers in ecosystem restoration activities; and programs for transitional management of depleted and acquired lands, including using transferable development rights, sale lease-back arrangements or other tools.

Commitment 3.—The Clinton Administration will maintain and expand its partnership with the people of Florida in virtually every aspect of the Everglades restoration effort. The Administration's plan would rely upon and enhance the role of key intergovernmental and stakeholder forums. The President's budget and associated legislation will provide for: Continued operation of the South Florida Ecosystem Task Force; acceptance of the Governor's Commission on Sustainable South Florida as a permanent advisory committee to the Task Force; and continued close coordination with the South Florida Water Management District.

Commitment 4.—The Administration will extend its Reinventing Government policy to the Everglades restoration effort, applying innovative and flexible approaches to restoration. In the next year, the Administration will complete development and begin implementation of: A coordinated wetlands protection and permitting plan; and a multi-species recovery plan.

Commitment 5.—The Clinton Administration will reaffirm its support for changed sharing of the public costs of infrastructure projects, including associated land acquisition, related to restoration projects underway. It will explore the cost-sharing of future projects, following the completion of the Corps of Engineers' Restudy. The President's budget and associated legislation will provide for: Revised cost-sharing between the state and federal governments for public costs associated with the C–111 and C–51 restoration infrastructure projects.

Commitment 6.—The Clinton Administration will work to ensure that restoration efforts are guided by the best science available. The President's budget will provide funds to support: Increasing research activities related to monitoring water quality, mercury, Florida Bay and the Keys, and improved agricultural practices; continuation of the scientific review panel; and completion of the ecosystem scientific baseline.

Mr. Chairman, I commend the efforts of my colleagues on the other side of the aisle. I believe this is a real testament to the bipartisan nature and the national nature of Everglades restoration.

□ 1145

It is a crisis, however. It is a crisis in terms of Florida Bay and the Everglades that are degrading at every second that we wait, and this money to purchase land in the upstream area of the Everglades is a necessary condition based on the best science. It does not end the requirements of others to continue to pay, but it is a down payment that is definitely an essential ingredient.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Chairman, this is the final decision. The Senate has already put in this kind of language. The Senate, in their ag bill, sort of wanted to satisfy everybody to get the bill out of the Senate quickly, so the Senate has 500 pages and $5 billion more than what we came out with from the House. It is up to $6 billion now in the analysis.

Here is my problem with this amendment. If we say that all of the other taxpayers of the United States should contribute to help solve this problem, then it seems reasonable that all of the needs that are going to be considered for environmental cleanup be considered with the available money and it be decided how much goes to each one of those needed projects.

For this body now to bypass the Committee on Appropriations, to bypass the analysis of how do we best spend our environmental money is not consistent with the way Congress should operate. It should go through the scrutiny of appropriations. It should go through the scrutiny of the hearings process. It should not be passed as an amendment on this floor to obligate the taxpayers across the whole country to pay for this particular cleanup of the Everglades in Florida.

Mr. FOLEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida [Mr. GOSS].

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

Mr. GOSS. Mr. Chairman, I will not use the full time. I appreciate my colleague, the gentleman from Florida [Mr. FOLEY], taking the initiative on this. The fact of the matter is that we have long tried in Florida. I have been standing on this floor for 7 years trying to get attention and others before me, and certainly a great grouping of our colleagues here today, bringing attention to this. It is a national problem. There is a Federal interest. There is farming going on. This is an appropriate connection, and we are doing the right thing.

Mr. Chairman, I would point out for those who have said, particularly my distinguished colleague who has spoken on this subject, are we paying our fair share in Florida, indeed we are. We are paying almost all the share in Florida. This is a national problem. We are trying to bring in now a small Federal participation in what is going to be a gigantic reward for all the citizens of America and the visitors who come here, and I urge strong support for this amendment.

Mr. Chairman, I thank my friend from Florida for yielding me this time. Mr. Chairman, I have stood here many times to argue that the Everglades is a national treasure that needs and deserves our help and we have taken steps in the past to address the degradation of the Everglades and Florida Bay, for which I am grateful but the time has come to make a full-fledged commitment. The alternative is to simply walk away and allow these two unique, priceless areas to die. That's unacceptable. We can do better, and the Foley amendment—and the similar provisions in the Senate bill—does better.

There is a legitimate Federal responsibility here—it was the Corps of Engineers—in conjunction with the State of Florida—that began altering and diverting the flow of fresh water to the Everglades and Florida Bay. The State of Florida, and the residents of its southwest coast have now made a major commitment to Everglades restoration, and it is time for the Federal Government to do the same

There is also a logical tie-in to the legislation before us, because the Everglades land that was drained south of Lake Okeechobee was turned into farmland, and farmers have benefited from the network of canals and drainable channels for years.

Two hundred and ten million dollars is a sizable commitment, and if this amendment passes I will continue to work with my colleagues to find ways to pay for this necessary expense. Right now, the key is for this House to take a bold step toward good environmental stewardship; to take up the challenge of restoring our ''River of Grass,'' and commit the Federal Government to its share of this worthy

endeavor. I urge my colleagues to support the Foley amendment.

Mr. OBEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, let me repeat, I think that the need for what the Florida delegation is talking about is clear. I think it is environmentally criminal to see what has been allowed to happen to the Everglades over the past three decades or more. But the fact is, if you take a look around the country, you have to get in line for regular appropriations.

We have national parks which are being impacted by pollution all around, and we have great need. All you have to do is talk to the Park Service and they will tell you we have a very serious need to expand some of those national parks to preserve their core environmental values, and yet they have to get in line for regular appropriations. But there is no such getting in line with respect to this problem, and that is what is wrong with this approach. I would assure the entire Florida delegation, I will be the first to support this provision if it is subject to appropriations. But I cannot in good conscience support it, even though I agree with the goal, when it is being set aside, being put ahead of virtually every other urgent environmental problem in the country. That is just not the way to do business in a country with as many problems as we have.

Mr. FOLEY. Mr. Chairman, I yield 30 seconds to the gentleman from Florida [Mr. CANADY].

Mr. CANADY of Florida. Mr. Chairman, I am pleased to rise today in support of the Foley amendment to give priority funding for responsible restoration activities in the Florida Everglades. The Florida Everglades are truly an environmental treasure. The healthy Everglades and a prosperous Florida economy are not only compatible but also mutually dependent.

We have established an historic partnership between the Federal Government and the State of Florida and the agricultural industry to fund these cleanup efforts. I am very pleased that this Congress is standing with the people of Florida is support of this responsible effort. I am pleased to support the amendment of my colleague from Florida, and I want to commend my colleague from Florida [Mr. FOLEY] for his leadership on this outstanding issue.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the gentleman from Louisiana [Mr. LIVINGSTON], the distinguished chairman of the Committee on Appropriations.

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

Mr. LIVINGSTON. Mr. Chairman, I thank the distinguished ranking member on the Appropriations Committee and my good friend, the gentleman from Wisconsin [Mr. OBEY], for yielding time to me.

Mr. Chairman, I did not expect to be back here making this argument again, certainly not before noon today, but it appears that I have to. I think that this is a matter that ought to come before the Members for another vote. Because quite possibly notwithstanding my tirades of the first half of business today, Members did not really understand that despite all of the good intentions that they have today, helping the environmental community clean up our wetlands and so forth, what this amendment does and what we did with the Boelhert amendment, and the provision which was the LEAP Program, which was incorporated and doubled by the Boelhert amendment earlier, is to create entitlements out of what have been discretionary programs.

Now, we might say they are for good intentions, and agree. We might say the substance is fine and good and decent. It purifies the air and the land and the fish and the wildlife, and I say fine. But I say this is not an environmental issue. This is a budgetary issue.

For the last 14 months, the American Congress, on both sides of this Capitol, has told the American people it is mandatory, it is absolutely essential that we balance the budget of the United States. And, as we know, mandatory spending is two-thirds of the equation, two-thirds of the $1.6 trillion that this Government spends every single year. Discretionary, spending which we have had great success in deterring and slowing down and cutting in recent months, has been going down, but we cannot balance the budget with discretionary spending alone.

We have got to get a handle on entitlements, and that means reducing the number of entitlements, not increasing them. We have already created a $2.1 billion entitlement earlier this morning out of what was a $75 million discretionary spending program, and this will create another entitlement. I urge my budgetary-conscious Members to vote against the amendment. Do not create any more entitlements and let us stop this foolishness or admit to the American people that we are not interested in balancing the budget.

Mr. FOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Chairman, as the distinguished and very impressive chairman of the Appropriations Committee has pointed out, the road to bankruptcy is paved with good intentions. And as the gentleman from Wisconsin [Mr. OBEY] has pointed out in opposition to the bill, there are other environmental programs that certainly are very meritorious.

I think in my discussions with the gentleman from Florida, he has indicated that Federal land exchange is a better way to address this issue or certainly would be helpful, no cost to the taxpayer, wise use of surplus government lands. It would protect the Everglades and protect the other environmental programs that the gentleman from Wisconsin [Mr. OBEY] wants to fund. It would also address the budget issues that the gentleman from Louisiana [Mr. LIVINGSTON] has.

MODIFICATION OF AMENDMENT OFFERED BY MR. ROBERTS TO THE AMENDMENT OFFERED BY MR. FOLEY

Mr. ROBERTS. Mr. Chairman, I notice on line 11 of the amendment, it says, ''Shall use the funds to conduct restoration activities in the Everglades ecosystem, which may include acquiring private acreage in the Everglades.''

Mr. Chairman, I ask unanimous consent that the amendment be modified to change ''may'' to ''shall.'' We can answer the problems with the budget in part and the problems by the gentleman from Wisconsin [Mr. OBEY] in terms of other very fine environmental programs.

Mr. FOLEY. Mr. Chairman, I would agree to the inclusion of ''shall'' in line 11.

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

Mr. DEUTSCH. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. FOLEY. Mr. Chairman, I yield 30 seconds to the gentleman from Florida [Mr. HASTINGS].

Mr. HASTINGS of Florida. Mr. Chairman, I support the gentleman, and I would like to refer some of my remarks to the gentleman from Louisiana [Mr. LIVINGSTON], chairman, and to the gentleman from Wisconsin [Mr. OBEY], ranking member, both of whom I have immense respect for, and I genuinely mean that.

The fact of the matter is that the Florida Everglades are the second largest national park in the United States of America, and while I agree that everybody ought get in line, this is a pay me now or pay me later situation. What is going to happen, if we do not do this soon, and I mean sooner than later, is we are going to find ourselves in the position of having to pay a great deal more.

Mr. Chairman, I rise to express my support for the Foley amendment. Mr. Speaker, the Florida Everglades is the largest subtropical wetland in the United States and this country's second largest national park.

Spanning south Florida from the coral reefs off the Keys to the headwaters of the Kissimmee River near Orlando, the size of the Everglades is only surpassed by the number of diverse ecosystems and habitats it supports. Nurturing the existence of humans and literally hundreds of wildlife species, the Everglades houses the most complex ecosystem in the United States. It is in urgent need of restoration and this amendment is another step in the long process of restoring the Glades to its proper majesty.

Mr. Chairman, this amendment enjoys bipartisan and bicameral support. Vote for the Foley amendment and help keep the Everglades part of America the Beautiful.

Mr. FOLEY. Mr. Chairman, I yield 30 seconds to the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Chairman, I urge my colleagues to adopt this amendment.

The Everglades are not just a Florida treasure but they are a national treasure. While agriculture practices have

contributed to the degradation of the Everglades, overdevelopment and also Federal projects and paving and growth have contributed just as much to the pollution of the Everglades. Now we all have an obligation to roll up our sleeves and begin the Everglades clean-up and restoration. Only through a combined effort of State, Federal, and local and private efforts can we make that happen, and we can make it happen here today.

Mr. FOLEY. Mr. Chairman, am I correct to assume I will have the right to close on this amendment?

The CHAIRMAN. The gentleman from Florida will have the right to close.

Mr. FOLEY. Mr. Chairman, I yield 30 seconds to the gentlewoman from Florida [Mrs. MEEK].

Mr. OBEY. Mr. Chairman, I yield 30 seconds to the distinguished gentlewoman from Florida even though we are on different sides of this issue.

The CHAIRMAN. The gentlewoman from Florida [Mrs. MEEK] is recognized for 1 minute.

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

□ 1200

Mrs. MEEK of Florida. Mr. Chairman, I am in strong support of the Foley amendment, and I understand our appropriations chairman, the gentleman from Louisiana [Mr. LIVINGSTON], who has so capably tried to do the mandate that he had. I also respect the ranking member, the gentleman from Wisconsin [Mr. OBEY].

But there is something that we must take into consideration because of the very strength of what we are trying to do. This provides $200 million to help restore one of America's truly unique and natural resources, the Florida Everglades. It is so important to us because every drop of drinking water in south Florida comes from the ground.

If you keep that in consideration and in mind, we are, the Everglades is the sole source, because all of the aquifers are there, and they are the sole-source aquifer State. Without water, water quality and quantity, we will lose some of our very best resources, you know, in the Florida bay. I do not think I need to update the Congress on the importance of the Florida Everglades. But the amendment offered by my colleague from Florida is very good, and I want the Congress to pass it.

Mr. Chairman, I rise in strong support of the Foley amendment, which provides $200 million to help restore one of America's truly unique natural resources, the Florida Everglades. My district in south Florida is adjacent to the Everglades, and I know from experience that the welfare of all of south Florida depends on the Everglades.

You see, Mr. Chairman, every drop of drinking water in south Florida comes from the ground. We are a sole-source aquifer State, and we need to maintain our water quality and quantity in these aquifers—there is no choice.

Mr. Chairman, only a healthy Everglades can protect the water supply of millions of people. Commercial and sports fishing and tourism are key industries in my State. Our coastal waters must be kept clean for wildlife and fish, for our own health and enjoyment, and for commercial use and tourism. The Everglades empty into Florida Bay, an important marine nursery. A healthy Everglades is indeed the linchpin of our south Florida economy, and a key to fisheries in the entire Gulf of Mexico.

The funds in this amendment will buy land to protect the Everglades ecosystem, including land to protect the Everglades ecosystem, including land that otherwise would be developed. Mr. Chairman, this will help all of us. What we need in south Florida is redevelopment of our urban areas, focusing our growth in areas where it makes environmental and economic sense. I believe that this $200 million for the restoration of the Everglades is an important down payment on a more ecologically sound future, and I urge my colleagues to support this amendment.

Mr. FOLEY. Mr. Chairman, I yield 30 seconds to the gentleman from Florida [Mr. SHAW].

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

Mr. SHAW. Mr. Chairman, I think the points have been made here today, but there is one thing that I want the Members to leave here really impressed upon their mind, and that is, why are we in Florida waiting in line.

Several reasons. One, there is a national park at stake, the life of a national park. There is the water supply for south Florida. There is the health of the Florida Bay, which is the nursery for all of the fisheries around the coast of Florida.

This is irreparable damage occurring in south Florida. It is not a question, We do not have the luxury of being able to wait 2 or 3 years. The damage would be complete, and it would be final.

Mr. Chairman, I rise today to voice my support for Representative FOLEY's amendment which provides for a $210 million appropriation that will be used to conduct restoration activities in the Everglades National Park and to purchase lands within the Everglades Agricultural Area. The Everglades' unique, fragile ecosystem has been strained, and it is now estimated that 130,000 acres of land need to be taken out of production in the Everglades Agricultural Area [EAA] to regain a reasonable flow of clean water through the Everglades and into Florida Bay.

Immediate action is needed to halt the rapid deterioration of the Everglades, which are dying at the incredible rate of 3 acres everyday. If we fail to act, Florida residential and recreational areas and businesses will suffer increasing water supply problems, and the south Florida fishing, diving, and tourism industries will be endangered.

I believe that the farmers who grow their crops in the Everglades Agricultural Area need to be financially responsible for the damage that their farming does to the Everglades. However, this bill is the first step in the preservation and restoration of Florida Bay and the Everglades, both of which are of tremendous value to our Florida economy in addition to being two of the most beautiful and priceless areas on earth.

I urge my colleagues to vote for this pro-environment vote and take the first step in saving the Everglades.

Mr. OBEY. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, I greatly respect the gentleman who just spoke.

But let me point something out. This Congress has voted to reduce EPA enforcement by one-third. They have voted to gut an entire string of environmental protection programs. And then, having done that, on the appropriations bill, now they come in and say, ''Oh, by the way, I have got a special, urgent problem in my State, and so forget all of the need to cut the budgets.''

For every last one of you who voted to cut the EPA's budget, who voted to cut the Interior appropriation bill the two budgets for strengthening our environmental protection, every last one of you who voted for it will be putting yourselves in an absolutely hypocritical position if you now vote for this amendment today because you will say that in spite of everything that you did to all other regions of the country, you are going to give this problem a special deal. The American public is tried of special deals.

I want to see the Everglades protected. I want to see the Everglades protected. But I want to see the Great Lakes protected, I want to see our ocean shores protected, I want to see the Mississippi River cleaned up, I want to see all of our national parks protected.

When you are willing to do that, come and see me. But do not ask for a special deal for one State for one group. That is not fair. It is not right. You ought to vote this down.

Mr. FOLEY. Mr. Chairman, I yield the balance of my time to the gentleman from Georgia [Mr. GINGRICH], the Speaker of the House.

Mr. GINGRICH. Mr. Chairman, I thank my friend, the gentleman from Florida, for yielding me this time.

Let me say that on procedural grounds, the chairman and ranking member of the Committee on Appropriations make a good case. But they also know that this legislative process often has unique provisions and often has things which are handled in ways that do not necessarily directly involve the Committee on Appropriations. There are other committees. There is a broader body, called the House, and the other side. There are other committees in the Senate, and there is a broader body, called the Senate.

The question here is very straightforward. We have an opportunity in this bill today to vote to continue a process which was begun at the State level and which is, in fact, moving in the right direction; that is, to save the Everglades, but, equally important, to save the water supply of south Florida.

I think this amendment can be improved, and I hope in conference it is going to be improved. I hope in conference it is going to be improved in a way which both the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Wisconsin [Mr. OBEY] will appreciate.

The truth is we have a limit of money. The truth is we are never going to have enough money to do everything we would like to do around the country.

One of the things that I actively, working with a number of Members, including Chairman POMBO of the Natural Resources Subcommittee that deals with this, am working on is the Sterling Forest Preserve, which is also a water supply problem. The Sterling Forest provides water for New York City and for one-third of New Jersey, and there we have talked about finding a land swap.

Let me suggest, when we get to conference we are going to do all we can to replace the cash requirements with an ability of the Federal Government to take quantities of land all over this country, HUD-owned land in Washington and New York and in Atlanta and Miami and Orlando, land owned by various Federal bureaus in the West, land that is not environmentally necessary, and to the degree we can package land swaps and enable this to occur without drawing upon appropriated funds, I think that is a better way to go.

I am very sympathetic to the chairman of the Committee on Appropriations, who has done heroic work in moving us toward a balanced budget. But on this occasion, in getting this amendment to conference, in setting the stage for negotiating with the Senate and for developing, frankly, a proposal which will both save the Everglades, provide water supply for south Florida and, I think, establish a precedent for this country of using the Federal lands in an intelligent way to take care of the environmentally needy areas, to take care of the urban areas and to do so in a rational way, I think this is a positive step.

I commend the gentleman from Florida [Mr. FOLEY] for bringing it to the floor. I think it is very important. I commend the gentleman from Florida [Mr. SHAW] for the leadership he has shown on the Committee on Ways and Means for dealing with the same issue.

I think we have to take steps on behalf of the Everglades. We have to take steps on behalf of fresh water in south Florida. I think this is the right amendment to do it with. This starts us down that process.

I do assure my colleagues we will be working in conference to maximize the opportunity to use land swaps instead of appropriated funds. I know you are very sympathetic with the concerns that the appropriators have raised today.

I simply urge a ''yes'' vote for a very good amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. FOLEY].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 299, noes 124, note voting 9, as follows:

[Roll No. 39]

AYES—299

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baldacci
Ballenger
Barcia
Bartlett
Barton
Bass
Beilenson
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TX)
Bunning
Burr
Burton
Buyer
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Coleman
Collins (MI)
Conyers
Coyne
Cramer
Cremeans
Cunningham
Davis
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Dornan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fazio
Fields (LA)
Fields (TX)
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frisa
Frost
Ganske
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hefley
Hefner
Heineman
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
King
Kingston
Kleczka
Klug
LaFalce
LaHood
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCollum
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Miller (CA)
Miller (FL)
Mink
Molinari
Mollohan
Moran
Morella
Murtha
Myrick
Nadler
Neal
Ney
Norwood
Nussle
Olver
Orton
Owens
Pallone
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Rahall
Ramstad
Rangel
Reed
Richardson
Riggs
Rivers
Roberts
Roemer
Ros-Lehtinen
Rose
Roth
Roukema
Rush
Salmon
Sanders
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Shadegg
Shaw
Shays
Shuster
Sisisky
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Studds
Stupak
Talent
Tate
Thomas
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Upton
Vento
Volkmer
Waldholtz
Walsh
Wamp
Ward
Waters
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)
Zimmer

NOES—124

Baker (LA)
Barr
Barrett (NE)
Barrett (WI)
Bateman
Bentsen
Bereuter
Brewster
Bryant (TN)
Bunn
Callahan
Calvert
Chambliss
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Crane
Crapo
Cubin
Danner
DeLay
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Emerson
Fawell
Filner
Ford
Frank (MA)
Franks (CT)
Funderburk
Gallegly
Gekas
Gunderson
Hall (TX)
Hancock
Hastings (WA)
Hayes
Hayworth
Herger
Hilleary
Hostettler
Hunter
Istook
Jacobs
Jefferson
Johnson, Sam
Jones
Kanjorski
Kaptur
Kennedy (RI)
Kim
Klink
Knollenberg
Kolbe
Largent
Laughlin
Lewis (CA)
Lincoln
Livingston
Lucas
Luther
McCarthy
McCrery
McKeon
Minge
Montgomery
Moorhead
Myers
Nethercutt
Neumann
Oberstar
Obey
Ortiz
Oxley
Packard
Parker
Pastor
Petri
Pickett
Pombo
Poshard
Radanovich
Rogers
Rohrabacher
Roybal-Allard
Royce
Sabo
Sanford
Schroeder
Sensenbrenner
Serrano
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Stenholm
Stockman
Stump
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thornberry
Tiahrt
Traficant
Velazquez
Visclosky
Vucanovich
Walker
Watt (NC)
Watts (OK)
Young (AK)
Zeliff

NOT VOTING—9

Becerra
Clyburn
Collins (IL)
de la Garza
Furse
McKinney
Moakley
Regula
Stokes

☐ 1225

Ms. VELÁZQUEZ, Ms. DANNER, and Ms. ROYBAL-ALLARD changed their vote from ''aye'' to ''no.''

Messrs. OWENS, MATSUI, BRYANT of Texas, and SALMON changed their vote form ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MOAKLEY. Mr. Chairman, I was detained in a meeting during the roll-call vote numbered 39 on the Everglades amendment had I been present, I would have voted ''yes.''

Mr. ROBERTS. Mr. Chairman, I ask unanimous consent at this point to enter into a colloquy with the gentleman from Georgia, [Mr. CHAMBLISS] as it relates to the production flexibility contract that is contained in this bill.

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

There was no objection.

The CHAIRMAN. The gentleman from Kansas [Mr. ROBERTS] is recognized for 5 minutes.

Mr. ROBERTS. Mr. Chairman, I yield to the gentleman from Georgia [Mr. CHAMBLISS].

Mr. CHAMBLISS. Mr. Chairman, this bill authorizes the use of binding production flexibility contracts between the United States and owners and operators of farmland to ensure farming certainty and flexibility while ensuring continued compliance with farm conservation compliance plans and wetland protection requirements. Is this guarantee of payment?

Mr. ROBERTS. Mr. Chairman, I thank the gentleman for asking that important question. Let me first say that it is clearly the intent of Congress that the market transition payment provided by the 7-year production flexibility contract is an express and unmistakable contract between the United States and the owner and operator of farmland. Because the market transition payment is based on the 7-year contract it is the intent of the legislation that the payment is guaranteed.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, February 28, 1996, it is now in order to consider the amendment offered by the gentleman from Ohio [Mr. TRAFICANT] in lieu of amendment No. 15 printed in House Report 104–463.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. 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. TRAFICANT: At the end of title V (page 139, after line 17), add the following:

SEC. SENSE OF CONGRESS REGARDING PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS; REQUIREMENTS REGARDING NOTICE

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act or amendments made by this Act, it is the sense of the Congress that persons receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act or amendments made by this Act, the Secretary of Agriculture shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

The CHAIRMAN. Pursuant to the rule, the gentleman from Ohio [Mr. TRAFICANT] and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Ohio [Mr. TRAFICANT].

□ 1230

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

Mr. Chairman, this is a standard buy American amendment that I have offered to many bills. As Members know, I substituted this amendment last night under unanimous consent for the weatherization amendment I was to offer.

I would just like to state this: I seem to have an acceptance by both parties on this. In 1990, the Congress of the United States legislated there would be 10 regions that would implement a national agricultural weather service, specifically geared to farmers and their needs. The Agriculture Department threw it in the can like many of these executive branch agencies have. So the Traficant amendment would have, in fact, brought that into being and, in fact, extended it to all 50 States.

Before I close out my time, let me say this to the Congress: I think in agriculture, we should have a program with our technology where a farmer in your State and in your county can call an 800 number and find out if it is going to rain in the next couple days, a little basic common sense.

So I have withdrawn that amendment. I am working with the committee. I want help for it. And if I do not get the help, I will not withdraw it next time. But this buy American amendment makes a lot of sense. It does not tie anybody's hands.

I would like to compliment the Committee on Agriculture here. One of our good, positive balance of payments is in agriculture. My amendment here, the buy American amendment, certainly would be a benefit in that regard.

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

The CHAIRMAN. Does any Member rise in opposition to the amendment?

Mr. ROBERTS. Mr. Chairman, I am not in opposition to the amendment.

Mr. TRAFICANT. Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Chairman, we will try very hard to address the gentleman's concerns in regards to the previous amendment that he described that he has withdrawn. It is my understanding that the gentleman has or is going to offer his traditional buy American amendment. We have no opposition to that, and we wish to thank the gentleman.

Mr. TRAFICANT. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Chairman, I would associate myself with the remarks of the chairman. And we have no objections also, and we also assure him that we will work with the gentleman regarding the previous amendment that he dropped.

Mr. TRAFICANT. Mr. Chairman, I ask for an affirmative vote, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 16 printed in House Report 104–463.

AMENDMENTS EN BLOC OFFERED BY MR. STENHOLM

Mr. STENHOLM. Mr. Chairman, I offer amendments en bloc.

The CHAIRMAN. Is the gentleman the designee of the gentleman from Texas [Mr. DE LA GARZA]?

Mr. STENHOLM. Yes, Mr. Chairman.

The CHAIRMAN. The Clerk will designate the amendments en bloc.

The text of the amendments en bloc is as follows:

Amendments en bloc offered by Mr. STENHOLM:

AMENDMENT NO. 3: Page 30, strike lines 1 through 9 and insert the following new subparagraphs:

(A) SOYBEANS.—The loan rate for a marketing assistance loan for soybeans shall be not less than 85 percent of the simple average price received by producers of soybeans, as determined by the Secretary, during 3 years of the 5 previous marketing years, excluding the years in which the average price was the highest and the year in which the average price was the lowest in the period.

(B) SUNFLOWER SEED, CANOLA, RAPESEED, SAFFLOWER, MUSTARD SEED, AND FLAXSEED.—The loan rates for a marketing assistance loan for sunflower seed, canola, rapeseed, safflower, mustard seed, or flaxseed shall be not less than 85 percent of the simple average price received by producers of such oilseed, as determined by the Secretary, during 3 years of the 5 previous marketing years, excluding the years in which the average price was the highest and the year in which the average price was the lowest in the period.

H.R. 2854

OFFERED BY: MR. DE LA GARZA

AMENDMENT NO. 4: Strike section 109 (page 78, line 8, through page 80, line 15), relating to elimination of permanent price support authority, and insert the following new section:

SEC. 109. SUSPENSION AND REPEAL OF PERMANENT AUTHORITIES.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—

(1) IN GENERAL.—The following provisions of the Agricultural Adjustment Act of 1938 shall not be applicable to the 1996 through 2002 crops of any commodity:

(A) Parts II through V of subtitle B of title III (7 U.S.C. 1326–1351).

(B) Subsections (a) through (j) of section 358 (7 U.S.C. 1358).

(C) Subsections (a) through (h) of section 358a (7 U.S.C. 1358a).

(D) Subsections (a), (b), (d), and (e) of section 358d (7 U.S.C. 1359).

(E) Part VII of subtitle B of title III (7 U.S.C. 1359aa–1359jj).

(F) In the case of peanuts, part I of subtitle C of title III (7 U.S.C. 1361–1368).

(G) In the case of upland cotton, section 377 (7 U.S.C. 1377).

(H) Subtitle D of title III (7 U.S.C. 1379a–1379j).

(I) Title IV (7 U.S.C. 1401–1407).

(2) REPORTS AND RECORDS.—Effective only for the 1996 through 2002 crops of peanuts, the first sentence of section 373(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1373(a)) is amended by inserting before ''all brokers and dealers in peanuts'' the following: ''all producers engaged in the production of peanuts,''.

(b) AGRICULTURAL ACT OF 1949.—

(1) SUSPENSIONS.—The following provisions of the Agricultural Act of 1949 shall not be applicable to the 1996 through 2002 crops of any commodity:

(A) Section 101 (7 U.S.C. 1441).

(B) Section 103(a) (7 U.S.C. 1444(a)).

(C) Section 105 (7 U.S.C. 1444b).

(D) Section 107 (7 U.S.C. 1445a).

(E) Section 110 (7 U.S.C. 1445e).

(F) Section 112 (7 U.S.C. 1445g).

(G) Section 115 (7 U.S.C. 1445k).

(H) Title III (7 U.S.C. 1447–1449).

(I) Title IV (7 U.S.C. 1421–1433d), other than sections 404, 406, 412, 416, and 427 (7 U.S.C. 1424, 1426, 1429, 1431, and 1433f).

(J) Title V (7 U.S.C. 1461–1469).

(K) Title VI (7 U.S.C. 1471–1471j).

(2) REPEALS.—The following provisions of the Agricultural Act of 1949 are repealed:

(A) Section 103B (7 U.S.C. 1444–2).

(B) Section 108B (7 U.S.C. 1445c–3).

(C) Section 113 (7 U.S.C. 1445h).

(D) Section 114(b) (7 U.S.C. 1445j(b)).

(E) Sections 202, 204, 205, 206, and 207 (7 U.S.C. 1446a, 1446e, 1446f, 1446g, and 1446h).

(F) Section 406 (7 U.S.C. 1426).

(C) SUSPENSION OF CERTAIN QUOTA PROVISIONS.—The joint resolution entitled ''A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended'', approved May 26, 1941 (7 U.S.C. 1330 and 1340), shall not be applicable to the crops of what planted for harvest in the calendar years 1996 through 2002.

(d) SUSPENSION OF PARITY PRICE PROGRAM FOR MILK.—Section 201(c) of the Agricultural Act of 1949 (7 U.S.C. 1446(c)) is amended by striking ''section 204'' and inserting ''section 201 of the Agricultural Market Transition Act''.

H.R. 2854

OFFERED BY: MR. DE LA GARZA

AMENDMENT NO. 5: At the end of title V (page 139, after line 17), add the following new section:

SEC. 507. INVESTMENT FOR AGRICULTURE AND RURAL AMERICA.

Section 5 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) Make available $3,500,000,000 for the following purposes:

''(1) Conducting rural development activities pursuant to existing rural development authorities.

''(2) Conducting conservation activities pursuant to existing conservation authorities.

''(3) Conducting research, education, and extension activities pursuant to existing research, education, and extension authorities.''.

The CHAIRMAN. Pursuant to the rule, the gentleman from Texas [Mr. STENHOLM] and a Member opposed each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, a brief explanation of the amendment before us today. We propose in this amendment to fund the fund for rural America to the degree of $3.5 billion, to meet the rural development conservation research and extension priorities and needs of rural America that we believe are not and have not and will not be met in the funding as before us in H.R. 2854.

I would hasten to point out, for budget reasons, the $3.5 billion additional spending conforms to the coalition budget that was offered last year that balances our budget in 7 years, Congressional Budget Office scoring. We believe and have consistently said that the current farm bill and the cuts as proposed in agriculture are too severe, particularly in the area of rural development. And we have suggested that additional funding must be made available, and that is what this amendment does.

It also includes a provision for the oilseeds. In the transition market program that is in the base bill, the oilseeds are shortchanged. For too long, the oilseeds have been shortchanged and, as we had a discussion yesterday regarding the market loan for cotton, we believe that a similar oilseed marketing loan is also very applicable and very much needed.

The CBO score on the oilseed cost is $103 million over 7 years, but I hasten to point out that soybeans represent the third largest United States crop with the second largest value. I think some additional investment to see that that industry remains a strong and viable industry is warranted, and that is why we offer that as a second part of our amendment.

The third part to the amendment deals with continuation of permanent law. On this side we have been very, very nervous about the ending of farm programs under any shape, form or fashion. We understand that there is a commission that will be studying what we replace, if we replace, agricultural legislation. We think, though, that we should delete the base bill provision which repeals permanent law to give us a little extra added incentive just in case the commission or the Congress should be as hopelessly deadlocked in 2002, as we were in 1995. And, therefore, the three parts of our amendment: the fund for rural America, the oilseed marketing loan and the continuation of permanent law.

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

The CHAIRMAN. The gentleman from Kansas [Mr. ROBERTS], is recognized for 30 minutes.

Mr. ROBERTS. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana, [Mr. LIVINGSTON], chairman of the House Committee on Appropriations, who, in the words of our Speaker, has made heroic efforts in order to bring our spending under control.

Mr. LIVINGSTON. Mr. Chairman, I thank the distinguished chairman of the Committee on Agriculture for yielding time to me. I hope I can say that this time we are on the same side.

Mr. Chairman, this will be the third time I have come before the House today with this argument. This time we are talking about a $3.5 billion program. It would be meritorious, all good intent, maybe the money should be spent, but you are taking it out of the discretionary arena for Congress to raise or lower at the discretion and writing it into law, into mandatory law, as I understand it.

I would be happy to yield to the gentleman. If I am wrong, I would like to know it. But as I understand this program, it becomes a mandatory, locked-into-law program that spends $3.5 billion for purpose which may well be meritorious. I am not quarreling with the gentleman on substance, but if, in fact, I am correct on that, I would only make this point: We have already taken two programs that were discretionary and made them mandatory. Today we have done that.

One was a $2.1 billion program and the other will be at least $2 billion. I have 13 appropriation bills here. These represent one-third of the Federal budget, $1.6 trillion that we spend every year. The two-thirds of the money we spend every year is locked into law. We cannot do anything. Congress does not do anything. We do not have to do anything. It is just going to be spent. Gradually what we have done today is take some of the two programs and move them over from the discretionary side to the mandatory side.

Why do we not just take all 13 bills, just throw them out. Just start with the agricultural bill, put all the appropriations bills right here. Make one amendment and take them from discretionary to mandatory. We can all go home. We can do what Lamar Alexander says, we can go home to our districts. We can cut our pay by 90 percent or maybe 100 percent because we are not going to be doing a darned thing. Bill Clinton will be President and the executive branch will run the Government and the U.S. Congress will cease to function. That is what the gentleman is seeking, if I understand it. I may be wrong. I know the gentleman has his own time.

But if he is seeking to make a mandatory program, $3.5 billion out of what was formerly discretionary, we might as well take all 13 appropriations bills, abolish the discretionary side of the equation and make it all mandatory and forget about legislating. We will be abdicating our responsibility to the American people so we might as well all quit at the same time.

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

I wish that the chairman would listen for just a moment, because it is not the intention of this amendment to do any of what the gentleman was describing.

The intention of this amendment is to recognize the tremendous pressures and the frustration that has occurred this year between the appropriators and the authorizers regarding the adequacy of funding for many of the programs in the agricultural function.

I am perfectly willing to let the appropriators make that decision, if that were possible, but the gentleman and I both would agree that if we put this

money into the discretionary pot, then it would be up to the appropriators as to whether the $3.5 billion would end up in the agriculture function or would end up somewhere else, meeting more appropriate needs. I do not argue with that process which we have to go through, the appropriators, and I am very sympathetic to that.

But what we are trying to do in the same spirit of the transition market program, in which we are capping entitlements, this is one entitlement that is being capped. I believe the gentleman would agree with that. That is the strength of the Freedom To Farm Act. It is capping the expenditures at a fixed limit. It is reducing it by 46 percent as compared to the last 5 years.

The gentleman and I would both agree that if every other entitlement was making that kind of a reduction, our budget would be balanced. But in doing that, in the debate, in the tremendous pressure that the Committee on Appropriations is undergoing, agriculture and rural America is getting squeezed, squeezed and squeezed, through no fault of the chairman. So all we can think of how we might help work the gentleman's problem and our problem in a cooperative way is to suggest that we increase the CCC funding and make it available specifically for the purpose of agriculture. If the gentleman could show me another way to do it, we would be glad to amend our budget to do it.

As I said in my opening remarks, balancing the budget, there is no one that is more interested and more dedicated to doing that. We do it under our budget, not under the gentleman's budget. My difficulty with the majority in this is I believe that they are asking too much from agriculture and rural America, so we suggest putting some back and we try to control it. I am perfectly willing to let the gentleman have the partnership that we all would share in how we spend it.

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

As I have indicated, I rise in opposition to the amendment, basically for three reasons. One is in reference to the oilseed or the proposed oilseed loan program.

The Senate version of this added $132 million to the cost of their farm bill proposal. I do not know what the CBO estimate is of the gentleman's amendment. But I will move on to two other considerations.

This amendment strikes provisions that repeal a multitude of what I think are outdated statutes, as they refer to agriculture. We are talking about something here called permanent law or permanent agriculture law of either the 1938 or the 1949 farm bills. They have not been used for all practical purposes for decades. With a few exceptions, which our bill does recognize, these statutes really represent farm policy that is woefully outdated.

□ 1245

It simply does not apply to the modern-day world of agriculture.

I think we need to clean up the agriculture statute and get rid of these policies and provisions out of date, out of sync with today's markets and farm management systems. So for that reason we oppose the amendment.

I want to make it clear since Secretary Glickman, a good friend and a colleague, a former member of the House Committee on Agriculture, has pointed out that we in no way, we have to pass a farm bill, we in no way could go back to the 1949 act, and we all know that, and so I asked the Secretary, and I have asked the gentleman from Texas [Mr. STENHOLM] and I have asked the chairman emeritus of the House Committee on Agriculture, the gentleman from Texas [Mr. DE LA GARZA] if they could propose a different kind of permanent farm law.

It is the 1949 act that I strongly object to, and it is just completely outdated. Those proposals have not been forthcoming. We have talked about it, and the gentleman from Texas has at least mentioned the possibility of the 1990 act in terms of permanent law. But since their substitute does contain the very awkward and very expensive permanent law for 1949, I think that is a very poor choice.

Then again this amendment also creates something called the Investment for Agriculture and Rural America Fund, similar to the Fund for Rural America that has passed in the other body, and this amendment would make $3.5 billion in CCC moneys, as the chairman of the Committee on Appropriations has pointed out, available for rural development and conservation extension and research, purposes.

I support these initiatives. They are very fine initiatives. And the gentleman from Texas is right. We have been sorely pressed in agriculture, and these, as my colleagues know, these kinds of initiatives and these programs would be of tremendous help to our small communities all throughout the country.

But I do think, with all due respect and some reluctance in opposing this bill, that this amendment goes too far by giving these programs access to mandatory spending out of the CCC authority; the chairman of the Committee on Appropriations has certainly mentioned that. The CCC has traditionally been reserved for use on farm and commodity and other related activities as opposed to this kind of spending.

We oppose this amendment, and I want all of my colleagues to understand this, we oppose this amendment because of its high cost. It virtually wipes out any budget savings achieved by the current bill, and its lack of details relative to how the Secretary would be allowed to spend these funds is very unclear and because it funds again wide discretionary programs out of mandatory spending accounts.

Now, I would like to say that in trying to work with the gentleman from Texas [Mr. DE LA GARZA] and the gentleman from Texas [Mr. STENHOLM] and also the gentlewoman from North Carolina [Mrs. CLAYTON], who has been an eloquent champion in behalf of rural development on the committee, that we considered a very similar bill in committee. I indicated at that time that I would do my very best to try to work for additional funding for rural development, and I have tried, and when we go to conference I will try again, and in the other body there is $300 billion made available to the Fund for Rural America, but $3.5 billion, as I indicated in the committee, is simply too much. We really abrogate what we do in terms of our budget savings, and the structure of this really troubles me. We do not want to get into an even-numbered year debate where we are saying that the money is being used for a secretary slush fund or something like that, and so consequently we are in opposition to the amendment for those reasons.

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

Mr. STENHOLM. Mr. Chairman, I yield 3 minutes to the gentlewoman from North Carolina [Mrs. CLAYTON], the leading advocate and worker in favor of the Rural Development Fund as it pertains to our rural communities, dealing particularly with the water, sewer, and housing needs.

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman for yielding the time.

We are considering a farm bill; a farm bill is considered every 5 years. It gives us an opportunity not only to look at our production policies in our rural area, but also our developmental policies in our rural areas, and I would remind our colleagues, those of us who live in rural areas, there are activities that are beyond the farm gate, and we live in a community, we live where we either have water or no water, we live where we have poor houses or good houses, we live in a community that has very low economic opportunity.

I further would remind my colleagues that one-fourth of this Nation's population live in rural areas, but yet we have more than 80 percent of the land mass. So there is a lot of land going between individual homes. So the sparsity of our population causes even greater need for our development funds.

My colleagues also know because they are aware that a higher degree of poverty and disadvantaged opportunities are there, but more than that the trend in agriculture means there are less farmers, there are less farmers doing well, and economic development dependent only on our farmers is not going to happen in our rural areas.

So as we consider the farm bill, this is an opportunity to say to rural America we understand that development goes beyond the farm gate: Housing; safe housing; clean water; having infrastructure for sewage. All of these are intimately part of our development in our area.

So I would urge us to consider this is an opportunity, and I would just remind my colleagues twice now on this floor this day we have indeed gone beyond what the appropriation had advocated for us, so this is our opportunity to do the right thing. It is within budget, and the gentleman from Texas has assured us that this is within the coalition budget, so it is not a matter of breaking the budget. This is a matter of priorities, not a matter of breaking the budget.

Do we want to give this amount of money for water, for sewage, for housing? Do we want to make this opportunity to one-fourth of the Nation to have economic development? It goes beyond housing and water. It also goes to our Extension Service to teach our farmers as they move into a more global economy, a competitive world.

So if we want to enable them to be more competitive, we should be providing education, technology, and those things that would enhance our rural development.

Mr. ROBERTS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Idaho [Mr. CRAPO] a valued member of the committee.

Mr. CRAPO. Mr. Chairman, I rise in opposition to the amendment for several reasons.

First, as has already been well stated by the chairman of our Committee on Appropriations, this amendment moves in a very difficult direction by taking spending that has been in discretionary accounts into mandatory accounts. There is not a lot of disagreement, as we have already heard, about the objectives of this amendment, but to make that step from discretionary spending into mandatory spending is to continue a spending practice that has seen far too much in this Congress and has left us now to the point where many of our budget problems are driven by the fact that there are mandatory spending accounts in place that Congress does not have the ability to address each year in the appropriations process, and I do not think we understand we have been moving in that direction.

There are some further reasons, though, that I think we need to address these issues in a different forum. This bill would seek to spend nearly $3.5 billion, which again is much more than our budget allocations allow, but it would take that out of the CCC authority. The CCC has traditionally been used for farm commodity and related activities that are very helpful in the U.S. agricultural commodity sector.

One of the problems that we face is that I do not see enough specificity in legislation in this proposed bill to let us know whether we are going to be spending the money in a better and a more effective way. Let me give one example.

Earlier today I had a colloquy with the chairman of the Committee on Agriculture about research. It is very critical that we have effective and well funded research in the ag sector. It repays itself time and time again to the American taxpayer. We have a follow-on bill, farm bill II, where we are going to do very specific, and well evaluated work on the research sector of our ag programs, and we are going to have a good research provision in that bill. That is the forum in which we should be addressing these issues.

Again, it is not that we do not agree on the direction that this amendment seeks to move us, it is the method and the timing and whether we should be working with the second ag bill that is following along here or whether we should be doing it in this way that does not give the specificity needed.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Chairman, as my colleagues know, in the farm bill debate there is a character to this debate different than other farm bill debates. In the past, rural Representatives, Republicans and Democrats, stood together fighting for rural America. That has not been the case. I am astounded to come to the well following a colleague on the Committee on Agriculture, a gentleman for whom I respect, and he is talking about farm spending creating a budget problem for this country.

My colleagues, farm spending has been reduced more than any other function of Government, bar none. If further functions of Government had the cuts agriculture had had, we would not even have a budget deficit today. And they tout a farm bill that over the next 7 years spends 46 percent less on rural America than was spent over the last 5, and they say what they are doing for rural America.

I will tell my colleagues what they are doing for rural America. They are sticking it right in the neck with a very ill-advised bill that we are trying to make a little better with this amendment.

Take, for example, oilseeds. There is nothing in the so-called freedom to farm bill that addresses oilseeds. They are not going to get the payments that are the most widely touted feature of this bill. They have not been getting deficiency payments in the past; they will not get payments in the future. Yet we know that under the GATT agreement support for the export of U.S. oilseeds has been reduced 79 percent, more than any other agriculture commodity. So you have got a feature where the world export situation looks dramatically worse, and right on the heels of a farm bill that does nothing for oilseeds.

Why is this important? It is important because we have got oilseed production at 63 million acres right now in this country, and if we cannot grow oilseeds and make a dollar anymore, people will not grow oilseeds. They will grow wheat, they will grow corn. As we kill oilseed commodities, we will be shifting production into other commodities, resulting in overproduction and price collapse.

Now that is an event we all ought to avoid especially in light of the fact, especially in light of the fact, that this bill eliminates the safety net providing farmers assistance when market prices collapse.

Two other features of this amendment deserve note; the rural development feature: Rural development funding is down $1.5 billion over the last 2 years. Rural housing loans are at their lowest level in 20 years. Water, wastewater, and economic development funding, down 25 to 50 percent below earlier levels.

Now, the ag economists tell us that the net farm income under this farm bill, if it would be enacted, would drop 50 percent in North Dakota, 50 percent. We have got to use whatever we can to try and grow economic alternatives for our farmers, value-added opportunities. We cannot do that if we are reducing the funding for rural development. So part and parcel of a reforming of our farm program ought to be making a commitment to rural development.

The final point involves permanent law. We need a permanent law. We need permanent status to the farm program. The bill eliminates it. The amendment puts it back in, and it is another reason for its enactment.

Mr. ROBERTS. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. ALLARD], a distinguished subcommittee chairman of the sometimes powerful House Committee on Agriculture.

□ 1300

Mr. ALLARD. Mr. Chairman, I want to thank my chairman for yielding time to me. I would like to congratulate him on his hard work and success in trying to create a better future for our farmers.

I came into this Congress with the demand that is being made on agriculture, and that is that the American people wanted to drop off subsidies. American farmers were sick and tired of rules and regulations that kept them from being able to produce the crops that they wanted, and they were getting bogged down in paperwork. They wanted to have some tax relief.

This farm bill, we need to keep in mind, had the goal of beginning to reduce subsidies, giving farmers regulatory relief and tax relief. This is the most market-oriented, the most pro-environment, and most fiscally responsible farm bill in recent history that has been reported out of the House of Representatives. I believe it will pass today off the floor of the House of Representatives, because there has been so much hard work. We all realize we have to get legislation passed so farmers can move ahead, get their own lives in order, and get their farms prepared to get ready for production. We cannot continue to hold this up.

Mr. Chairman, on rural economic development, right now we are spending $5.1 billion for rural economic development. We are calling for another $3.5

billion. There are a lot of things that need to be done to improve rural economic development. For example, we are spending a lot of dollars on recreation facilities. We need to be focusing those dollars on what is going to help rural America be more productive.

There is a lack of specification, specifics, in this particular amendment. Obviously, we have some real needs on rural economic development, but they are not laid out for us on this particular amendment; so I am urging a no vote on this amendment because of the lack of specifics.

Mr. Chairman, I would urge the Members of the House to join me in defeating this amendment.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. OLVER].

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

Mr. Chairman, I rise in support of the de la Garza amendment. It is really, in this bill, our first chance to include rural economic and community development in this farm bill. The things which are public safety facilities, that provide grants and loans for public safety facilities, that provide grants and loans for safe drinking water and wastewater disposal, and grants and loans for small business development, all of those programs are in the thousands of rural communities with under 10,000 people that exist in so many of our congressional districts, and in Massachusetts particularly, in my congressional district; all of it money that is critical to low-income rural areas which have sagging infrastructure and little capital for new business.

Mr. Chairman, this amendment is also one of the last opportunities that we have to address the desperate need for housing in rural areas. Last year low-interest loans through the self-help housing program allowed 89 families in my district in rural Massachusetts, who otherwise could not have afforded it, to buy or build their own home. These families earn an average of about $22,000 a year. That is only half of the average family income in Massachusetts, where the property values are very high and owning your own home is very difficult because of those high property values.

Infrastructure and housing are critical investments in the future of rural America, and should not be ignored in this farm bill. I urge my colleagues to support the de la Garza amendment.

Mr. ROBERTS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. EWING], the chairman of the Subcommittee on Risk Management and Specialty Crops of the Committee on Agriculture.

Mr. EWING. Mr. Chairman, I thank the gentleman, the chairman of the Committee on Agriculture, for a great job in shepherding this bill through some pretty rough waters over the last 2 days. It is my pleasure to rise to talk about the de la Garza amendment.

Unfortunately, Mr. Chairman, I feel that I have to rise in opposition to this amendment. When the gentleman says that he is going to put $3.5 billion at the discretion of the Secretary of Agriculture, I think we certainly should put a lot more thought and have a lot more ideas exactly how that money is going to be spent; because the bottom line is what we take out of the farm program with an amendment such as this is money that is not going to be there for the transition payments for farmers; it is not going to be there for crop insurance, which is the bottom of the safety net, the base of the safety net for American agriculture; it is not going to be there for legitimate agricultural research, which is always needed.

We cannot tell at this time what our demands are going to be. Certainly, to come along with that kind of a fund, without the controls and the oversight of this Congress, would be a very, very serious mistake, and very crippling to the ability to make this bill, the transition act, the agricultural transition act, be as important as it is to American agriculture.

With great reluctance, Mr. Chairman, I rise in opposition to my colleague's amendment, and would hope that the Members of the House will vote no on this amendment.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. BISHOP].

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

Mr. Chairman, let me come down to support the de la Garza amendment, especially because of the need we have for more rural development. Many of us who represent farm communities, communities that are filled with production agriculture, find that in order for our family farms to survive and for our communities to be strong economically, that there have to be some other value-added facilities there, some other employers and some other infrastructure to broaden that tax base.

We have found that it has worked very well. We have had in the past some very good rural development projects to support some new industry that helps us to diversify. We have had poultry facilities that have come into our area, but they were helped by rural development grants to help the infrastructure, the water, the sewers, the electrification, road widenings, traffic signals. These kinds of things are very, very important in rural areas. To create, to have an industry come in that creates 1,500 jobs at one time is a real boost to a rural community and to its economy.

Certainly, we are very, very concerned about the water provisions. Having clean water is important to our district. My district has some of the poorest counties anywhere in the country, and because of that it means a great deal for a county like Whitman County, GA, that had no running water, to be able to get a grant to help them serve their citizens with running water. These are the kinds of basic necessities that allow for an improved quality of life in rural Georgia and in rural America.

For that reason, Mr. Chairman, I believe that it is imperative that if we are going to strengthen America, if we are going to strengthen America's rural communities, that we have to do it through rural community development. I think this amendment does it. I would urge my colleagues in the House to please support this amendment. It enhances the bill in a very, very positive way. I hope that it will become law and improve the quality of life for all Americans, especially in our rural areas.

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

Mr. Chairman, I would like for my friends on the other side to pay particular attention, because there have been a couple of speakers that have, I know, spoken not intentionally erroneously, but have made some erroneous claims about this amendment.

First off, there is no intention, and you will not find anywhere in this amendment that we are designing this to have a slush fund for the Secretary of Agriculture. I fully expect that we will be dealing with these issues in the Committee on Agriculture under farm bill No. 2. If we can come to a resolution thereon, and we can expect then to decide and direct how these moneys shall be spent, we shall do so in the proper legislative process. Only if we fail to bring a bill out will it come to the discretion of the Secretary of Agriculture, and I cannot imagine us failing to do our job.

As I said to the chairman of the Committee on Appropriations a moment ago, it would be my firm hope that we could work in cooperation with the appropriators in resolving these issues. The question before us today is whether we are going to provide the resources for rural America.

Let me remind ourselves that last year in the agriculture appropriation bill we had the Castle amendment and the Olver amendments. The Olver amendment, and we heard from the gentleman from Massachusetts [Mr. OLVER], a moment ago, got 169 votes. The reason we could not do more last year, there was not enough money in the discretionary spending. There will be less money this year in discretionary spending. Therefore, if we are going to provide the resources for this, now, today, and on this amendment is the only way we are going to get it done.

Interesting, Mr. Chairman, is the opposition to the oil seeds amendment. I have in my hand a Dear Colleague from one of our colleagues on the Committee on Agriculture, the gentleman from Iowa [Mr. LATHAM], saying, ''Please join me in sending this letter expressing support for the market loan provisions for soybean and other oil seeds included in the Senate version of the farm bill.'' This is it. We are not doing

anything more than what the Senate has already done and what our soybean growers all over the United States are asking us to do.

I do not understand why all this year, every single amendment that comes from this side of the aisle has been zeroed; no support, no bipartisan support if it comes from this side of the aisle. This is the first time in history, at least as long as I have been here, in which we have had that kind of attitude towards amendments, even amendments that are supported by the other side. I do not understand this, how anyone can say, ''Sign this Dear Colleague in support of,'' and then turn around and vote against this amendment.

We hear and listen, and everybody reluctantly opposes this. Why do we reluctantly oppose it if we are for it? Everyone in agriculture in rural America understands that rural America needs water and sewer, and we had an amendment earlier on research. We know we are shortchanging. This is an opportunity to do it, and do it within the full respect of balancing our budget fairly, and having agriculture share fairly in those reductions.

Mr. Chairman, I will summarize again, so everyone understands the de la Garza amendment. Mr. Chairman, it provides $3.5 billion for rural development. It provides the money that all of us, by our votes, and I have those recorded votes in which we said last year we need to provide some additional resources for rural America.

In industries like the wool and mohair industry, for example, that are now going it on their own, market-oriented, and others as we move in this market-oriented direction, every one of us in our agricultural speeches say we have to have some additional resources and seed money if we are going to make it out there. This provides the opportunity for the Committee on Agriculture, in our full deliberations, in a bipartisan way, to act and to make the decisions as to how this money shall be expended, not the Secretary of Agriculture, but to have this committee, and then hopefully, in full consultation with the Committee on Appropriations, because I have become very alarmed when I see, day after day, bill after bill, a constant confrontation between appropriators and authorizers.

I submit to my chairman, whom I deeply love and respect, this is not the best atmosphere for anyone to continue. I wish the gentleman from Louisiana [Mr. LIVINGSTON], as chairman of the Committee on Appropriations, would also have fully understood and appreciated what I was trying to say. We need to build cooperation. We need in our budget deliberations to make sure, as best we can, that we treat all categories of the budget in a fair and equitable manner.

It goes without saying, the facts speak for themselves; if every function of the budget had been cut as much as agriculture since 1986, our budget today would be balanced, and we could be honestly talking about a tax cut, capital gains, inheritance tax relief, all of the things that we are all for.

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But we know it has not happened in other areas. And then immediately my critics will say, ''Well, Charlie, you are just using 1986 because that is a convenient number. That was the highest level of spending in history.''

So I say, fine, let us forget 1986, let us go back to 1955. Let us take a comparison of spending category by category since 1955. Interestingly, the only function of the budget that has been cut since 1955 is agriculture, 27.9 percent.

Agriculture in rural America has done more than its share. The next dearest to us is defense, 11.9 percent increase. Two areas of near and dear importance to all of us.

So the Fund for Rural America provides the funding, again not as much as we would like to see but we have got budget restraints. The oilseed marketing loan, everybody is for it. It makes good sense. This is an opportunity for us to do it. And it is fair and equitable because the oilseeds, the soybean industry in particular, but all of the oilseeds have traditionally gone it alone.

Here we are in this bill saying continue to go it alone, instead of offering a little bit of help through the marketing loan that they have asked for that we have a Dear Colleague from a member of the Committee on Agriculture saying, please, join me in a Dear Colleague. Join me in a vote. If we want to do it, let us vote.

Continuation of permanent law, I agree with the chairman, this, you know, 1949 act, it is not very workable today, but it works, and that is all we are looking for here. We are just trying to put something in that forces us to act and in a timely fashion.

So that is a summation of the de la Garza amendment, and I ask for the support in a bipartisan way from all of our colleagues who in their heart know this is the right vote for America.

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

Mr. ROBERTS. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. HOSTETTLER].

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

Mr. HOSTETTLER. Mr. Chairman, there is truly historic reform in this bill. The chairman of the committee, Mr. ROBERTS, has succeeded in forming a system that will let the American farmer make his planting decisions based on the market and not on some convoluted formula hatched in a USDA basement office. This bill also recognizes the danger of making this transition too drastically and thus is patterned to let the producer make the switch in a responsible manner. So as a reformer, I support the bill and oppose this amendment.

This amendment is about the status quo—and the status quo has done nothing but handcuff the American farmer in terms of the world market and in terms of running a sound business. I urge a no vote on the amendment and a yes vote on the Agricultural Market Transition Act.

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

Mr. MINGE. Mr. Chairman, we have a bill here today that is very awkward to explain to farmers because we have promised far more in rhetoric than we are delivering in legislation. At the same time, we have a tragic situation that farmers in the southern part of the United States have already begun planting. In the Midwest they are making plans, and they do not know what the program will be.

Tragically, we have not worked together in developing a farm bill. We have not advanced the agenda on a timetable that makes sense for the planting season.

I support the substitute, and I oppose the basic underlying legislation. My deepest wish is that we would have a program that we could return to our areas and proudly explain as providing the tools that farmers need to manage their risks.

When we do not have that, the best we can do is to say that we hope there is a better day for American agriculture, and I sincerely hope that that day will come in time for the 1997 planting season.

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

Mr. Chairman, I will conclude in whatever time I have remaining, and I shall be very brief in just saying again, the last speaker that spoke on the majority side was speaking not to the amendment before us. We are not quarreling with the change, the historic change. That is not part of our amendment. The debate on the transition market program is over. It is done. Those that oppose it, oppose it. Those that support it, support it.

Nothing in our amendment did anything to that. We did not intend to. What we are suggesting is the same spirit of transition and help go to the oil seeds that are going to the other crops. That is all we are suggesting.

Then the Fund for Rural America, that is additional spending for the rural community needs, not for farmers, and we do not take any money away from farmers. We recognize the spirit of a capped entitlement, something I have worked for for years. I want to see it in every entitlement. But in capping the entitlement, we think a 46 percent cut when we are talking about rates of increase of 6 and 7 percent in every other entitlement, we think that is too severe.

I think that any Member from a rural community that does not see that has been looking with some blinders. That is my opinion.

Mr. Chairman, I urge the support of the de la Garza amendment.

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

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

I would simply point out to the gentleman from Minnesota [Mr. MINGE], who is a very valued member of the House Committee on Agriculture, that had the President not really vetoed the balanced budget, we would have a farm bill months ago.

I understand that there are some concerns about structure of the farm bill. But in terms of the timeliness, and we all know it is time-sensitive, that that has been a problem.

To my good friend from Texas, I understand the concern in regard to oil seeds. That is one of the few diversified crops that we have on the Great Plains. It is a burgeoning crop. It is one we want to move toward. In the Senate bill there is $132 million dedicated to that purpose, but there is a cap on that loan to prevent any further budget hemorrhaging. Perhaps when this bill goes to the Senate, we can accommodate that in some respect

Let me say again that I think everybody on the committee, if not everybody in the Congress, is supportive of the very valuable rural development programs that have been described, and the chairman, the former chairman of the committee, the gentleman from Texas [Mr. DE LA GARZA], has been a champion in this respect, as has the gentleman from Texas [Mr. STENHOLM] and the gentlewoman from North Carolina [Mrs. CLAYTON], who has just done an outstanding job in that regard in the past.

But this is $3.5 billion, again. If this substitute passes, why, we are, you know, we are looking at a bill that will be over the December baseline for agriculture. I do not know how you bring a bill to the floor of the House and if it is over budget and over the baseline. I do not know how you pass it.

These are many fine programs. I would say that in the Senate, again, the Senate has committed $300 million for a fund for rural America for 3 years. You know that that is going to be extended for the next 4. So that is $700 million.

I think it would be appropriate when we get to conference to take a look at that.

So, from the standpoint of cost in terms of the $3.5 billion, and once again using CCC moneys that historically go to farm programs as opposed to rural development programs, we must oppose the bill.

Mr. STENHOLM. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman from Texas.

Mr. STENHOLM. I thank the chairman for yielding this time to me.

I do not believe the chairman intended to misspeak about our amendment. It is not outside the baseline. It is within the baseline. It is outside your suggested baseline on spending.

But I would point out you have already broken your baseline today with the Boehlert amendment, with the Everglades. You have already busted your own. So our argument is we are within the baseline, as I have described it. I do not believe you intended to misspeak upon that.

Mr. ROBERTS. Well, we can probably discuss the baseline, which, to all listening and watching this debate, is not what Cal Ripken runs around, and we can run around our own baselines in regards to the budget, if we so choose.

But let me simply say that when the gentleman brings that up, I am always interested in the gentleman from North Dakota [Mr. POMEROY] and others on that side who have indicated that we are really cutting all of these funds for agriculture and we are making a significant contribution to the deficit. Of course, you are also complaining that we are spending too much and also at the wrong time and with the wrong folks. So you are trying to have it, I guess, both ways.

But we are losing $8 billion, already did, in the first baseline, and we would lose another 6, and that is the money available to agriculture in March if we do not move and pass a bill.

Somewhere we are going to save about $5.6 billion in this ag budget, which is our contribution to a balanced budget. That adds up, if we do not move and pass the Freedom to Farm Act to guarantee these market transition payments, to about $20 billion.

Now, you know, my colleagues across the aisle have given many, many speeches, as I have, on how much we have given in agriculture. But then when we find out that we end up with policy rubble on our hands with the continuation of the current policies, they are strangely silent.

This bill locks up more farm-income farmers and still meets our budget responsibilities than any other bill.

We are simply redebating the issue. We do not need to do that. I know Members want us to bring this to a conclusion.

So I rise in opposition to the bill. I urge a ''no'' vote.

Mr. RICHARDSON. Mr. Chairman, one out of five rural Americans live in poverty.

Three-fourths of the cities in my district have a population under 10,000. They do not have the tax base of urban and suburban areas, yet they still have to provide clean water and adequate sewer systems.

It is almost the 21st century and millions of Americans do not have clean drinking water.

There is currently a backlog of 50,000 applicants for lower-income rural housing and a shortage of funding to provide them with safe, affordable housing.

The needs of rural America are dire.

This amendment gives those small towns in rural America the tools through research, conservation, education and extension activities to provide their citizens with safe water and sewer systems and the basic infrastructure to survive.

When we talk about reforming agriculture policies we must also talk about the needs of rural communities whose economies rely heavily on agriculture production.

Money for economic development can put these communities on sound financial footing and diversify their economies so they can have some stability and survive as the whole agriculture economy changes.

This amendment empowers local communities and their leaders to diversify their economies.

Mr. Chairman, this amendment is critical to bring economic prosperity to every part of the country.

Mr. FARR of California. Mr. Chairman, I said at the opening of debate on this bill that I would vote against it if it was not changed to address California agriculture's needs for conservation, research, and rural development. Nothing that has happened in the past 2 days has changed my mind. The bill is still broken.

The California farmers in my district are the most productive specialty crop growers in the world. They produce over $2.5 billion worth of fresh fruits, vegetables, and horticultural crops without any Federal price supports or other direct Federal support—lettuce, artichokes, strawberries, flowers, and over 100 other crops.

They have succeeded by embracing the full benefits, and potential risks, of the market. They are the models for American agriculture. And I believe American agriculture must move in their direction to remain viable into the next century. But even market-driven agriculture needs a national farm policy with a vision toward the future. Conservation, research, rural development, and market promotion are all crucial to future success and sustainability of market driven agriculture.

H.R. 2854 is a broken bill because it ignores these crucial goals of American farm policy. While I do not like this bill's transition program—its too expensive and makes payments regardless of a farmer's production or the market prices, it still moves agriculture toward the market. And I can support that. But I can not support this bill if it does not also address the conservation, research and rural development.

I am particularly concerned that it does not address the loss of farmland to urban sprawl. I have coauthored legislation to help the States address the troubling loss of farmland to urbanization—over 1,000,000 acres a year at current rates.

Unfortunately, there is nothing in this bill or this morning's conservation amendment for farmland protection—not to mention research or rural development. The de la Garza-Stenholm-Clayton amendment is the best option that we can vote on to fix this broken bill and give the conference some tools to add the kind of vision that the 1996 farm bill needs. Vote ''yes'' on the amendment.

Mr. ROBERTS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendments en bloc offered by the gentleman from Texas [Mr. STENHOLM].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 163, noes 258, not voting 10, as follows:

[Roll No. 40]

AYES—163

Abercrombie
Ackerman
Baesler
Baldacci
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Evans
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frost
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kildee
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McNulty
Meek
Minge
Mink
Moakley
Mollohan
Montgomery
Murtha
Nadler
Neal
Oberstar
Olver
Ortiz
Orton
Owens
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pomeroy
Poshard
Rahall
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Towns
Traficant
Velazquez
Vento
Volkmer
Ward
Waxman
Whitfield
Williams
Wilson
Wise
Woolsey
Wynn

NOES—258

Allard
Andrews
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kennedy (RI)
Kim
King
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (CA)
Miller (FL)
Molinari
Moorhead
Moran
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Oxley
Packard
Pallone
Parker
Paxon
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Reed
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Torricelli
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Wicker
Wolf
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—10

Collins (IL)
de la Garza
Farr
Fox
Furse
Hastings (FL)
Kennelly
McKinney
Rangel
Stokes

☐ 1347

The Clerk announced the following pair:

On this vote:

Ms. Furse for, with Mr. Rangel against.

Messrs. PALLONE, SCHUMER, MEEHAN, MORAN, LUTHER, FRANK of Massachusetts, DORNAN, and WATT of North Carolina changed their vote from ''aye'' to ''no.''

Mr. WHITFIELD changed his vote from ''no'' to ''aye.''

So the amendments en bloc were rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. FOX of Pennsylvania. Mr. Chairman, on rollcall No. 40 I was inadvertently detained in a legislative meeting. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Mr. FARR of California. Mr. Chairman, I was unable to be here during rollcall vote No. 40. Had I been here, I would have voted ''aye.''

Mr. POSHARD. Mr. Chairman, I rise today in support of the Agriculture Market Transition Act, because this bill provides our farmers with greater flexibility and insurance that they will be able to provide our Nation's families with quality and affordable agricultural commodities.

As farmers begin to make decisions about spring planting, it is critical to support this important reform legislation which gives farmers the opportunity to better meet the needs of our growing domestic and international food markets. I see the Agriculture Market Transition Act as a partnership between the Federal Government and farmers that promotes stable and fair farm prices, trade, and environmental responsibility.

I am pleased we were able to amend the legislation to include reauthorization of the Conservation Reserve Program and the Wetlands Reserve Program, two programs that have successfully worked in providing farmers incentives to be even better stewards of our lands. The bill also establishes important programs that assist in protecting our soil, water supply, and other natural resources from degradation associated with agriculture production.

In addition, the bill provides for increased funding for rural development programs which are critical to the growth and development of infrastructure in rural communities like those in my own congressional district.

For these reasons I support this bill, and I encourage my colleagues in conference to ensure this legislation continues to move in a direction that will benefit our Nation's farmers, consumers, and rural communities.

Mr. GILCHREST. Mr. Chairman, I rise in support of the amendment from the gentleman from New York to reauthorize conservation programs. I believe it is a first good step toward having a comprehensive and incentive-oriented agricultural conservation policy. And as we work with the other body in conference, it is my hope to strengthen this section even more, as the conservation title amendment approved by the other body has strong bipartisan support among farmers, rural communities, sportsmen, and conservationists across the country, and a wide array of organizations such as the Farm Bureau, Sierra Club, and National Rifle Association. The amendment before us today has similar support.

In particular, reauthorizing the Wetlands Reserve Program and the Conservation Reserve Program is important to assure that voluntary, incentive-based options are available to farmers. These programs have been highly effective in controlling erosion, improving water quality, and enhancing wildlife habitat. More farmers apply to these programs than can be now accommodated.

This amendment begins to address this demand of farmers for voluntary options. For example, under the amendment, the Conservation Reserve Program would preserve new acres on land that should not be in internsive crop production because of poor soil conditions, proximity to water bodies, or importance as priority wildlife habitat.

The Wetlands Reserve Program is a win for farmers and a win for fish and wildlife resources. Currently, landowners may voluntarily agree to sell conservation easements permanently or for 30 years. When a farmer decides to no longer crop a previously farmed wetland, WRP helps the farmer restore the wetland. These restored wetlands have proved critical for migration, wintering, and nesting habitat for waterfowl in the Midwest and West. In Maryland, WRP contributes to our efforts to clean up and restore the Chesapeake Bay. Maryland farmers have enthusiastically embraced the WRP and want the program expanded beyond the 975,000 acres allowed in this amendment.

Under the amendment, the Wetlands Reserve Program [WRP] is reformed to give

farmers more options. The amendment improves the Wetlands Reserve Program by allowing farmers to obtains cost share payments to restore wetlands, as well as enter a voluntary 30 years contracts with the Government to preserve wetlands, or obtain permanent easements on their land. These options are a clear improvement over the original bill, and I look forward to continuing to work with the gentleman from New York and the chairman of the Agriculture Committee to further improve this section to assure that those farmers who now have contracts in place can continue to participate and to apply for cost share funds.

Furthermore, the amendment includes a consolidation of current conservation programs into an environmental quality incentive program [EQUIP], which would provide flexibility and new options to poultry, livestock, and dairy farmers. Under EQUIP, small and medium-sized producers would obtain cost-share payments to put in animal waste management structures, grass waterways, and other practices. EQUIP would prevent manure and contaminants from entering water bodies.

I also look forward to working with the gentleman from New York and the chairman of the Agriculture Committee—and the gentleman from California [Mr. FARR] and the gentlelady from Maryland [Mrs. MORELLA]—to reform and strengthen the farms for the future program. Maryland is the Nation's leader in preserving agricultural land through a voluntary easement program, with more than 100,000 acres preserved. Many farmers nationwide with the best soil for agricultural production face intense pressure from urbanization. The other body's conservation title includes this needed reform, recognizing that many States and localities actually pay farmers who voluntarily wish to remain in farming. The farms for the future provision updates Federal conservation policy, and I hope it will be included when the conference report comes before the House.

In closing, Mr. Chairman, the conservation title is profarmer and proenvironment and will benefit taxpayers, farmers, and rural communities. It includes meaningful solutions to the problem of agricultural runoff pollution, and will aid farmers in addressing water quality problems. I urge my colleagues to support the amendment.

Mrs. LINCOLN. Mr. Chairman, I rise in reluctant opposition to the bill before the House today. I am reluctant because I have spent my career in this Congress defending the American farmer. I have stood beside Chairman ROBERTS and fought the battles to educate our colleagues about the benefits of American agriculture. I have great respect for the Chairman and I do not believe that he has harmful intentions in proposing this bill. But while I am reluctant to oppose him personally, it is with firm conviction that I oppose the policy he brings before the House today.

My district is one of the most productive in the Nation: We are the No. 1 producer of rice in the United States, No. 3 in soybeans, No. 6 in cotton, and No. 17 in wheat. I myself come from a seventh generation farm family and I know the situation facing our farmers and know their values.

I have spent the last 3½ years trying to educate my urban colleagues about farm programs. I remind my friends that first, farm commodity programs are less than 1 percent of the budget; second, they are tied to the market and only pay farmers when prices are low and do not pay a dime when prices are high; third, no one gets a free ride and anyone participating in the programs must be ''actively engaged in farming''; fourth, they have dramatically increased our exports to other nations and created hundreds of thousands of jobs in the United States; and fifth, for the small investment that we made in agriculture we are blessed with the most affordable, safest, and most abundant food supply in the world.

I haven't always been successful—this Congress and the last one has continued to cut agriculture spending far above what I believe was necessary but at least I knew that the agriculture policy of the United States was a sound one. Was it perfect? Far from it. I have supported changes in the program that would give farmers much needed flexibility to respond to market conditions and remove the bureaucratic hassles that are inherent in Government programs. I am not averse to change but I believe in this basic premise: the farmer must have assurance that the Government will be there when prices are too low and the taxpayer must have assurance that they receive the benefits for the programs they pay for. That's it—I'm not picky about how we get there, but that's the bottom line.

Unfortunately, this bill doesn't meet that criteria. This bill promises farmers something for nothing—the worst kind of welfare. I've been working on welfare reform for the last 3 years also. Telling our welfare recipients that the days of something for nothing were gone, that they had to work if they expected the Government to help. How can I turn around and tell my farmers that standard doesn't apply to them?

I think it's insulting to put our farmers in this situation. This Congress has known from day one that we had to pass a farm bill before December 31, 1995. We have never failed to deliver by that deadline. Yet the leadership of this House decided to put a farm bill in a budget that they knew the President would veto. A farm bill, I might add, that did not have the benefit of one public hearing.

Unfortunately, the larger political strategies of the Republican leadership of this House has ignored the agrarian calendar. While the farm bill has been tossed around like a political football, some farmers are now well into planting season and still do not know what role the Government will play in the 1996 crop year.

This House has in effect put a gun to the head of the farmers and demanded that they accept this untested theory or else. And with a gun to their head, some farmers are willing to say they'll accept this ill-advised plan. That's no way to govern and I won't be a part of it because other farmers have told me that this is not the bill to take American agriculture into the 21st century and I agree.

Mr. COSTELLO. Mr. Chairman, I rise today in support of the Agriculture Marketing Transition Act. Agriculture is a vital industry in our Nation and in my southern Illinois district. This legislation is sensitive to the budgetary goal of balancing the Federal budget in 7 years. The Congressional Budget Office [CBO] estimates that the bill would result in reductions of direct spending of $5.4 billion between fiscal year 1996 and fiscal year 2002.

I am pleased that today's bill reauthorizes such important programs as the Conservation Reserve Program, the Export Enhancement Program, and Market Promotion Program. These programs help preserve our lands and assure that there are markets abroad for American crops. Expanding our opportunities internationally is of vital importance to me. In fact, I supported an amendment which states directly that if USDA does not meet the goal of $60 billion in exports and increased world-market share by 2002, the authorization for USDA export programs would automatically expire.

Despite my support for the package, I have some concern over the production flexibility contracts section of the bill. These payments, set at specified decreasing amounts each year for the next 7 years, will replace our current system of deficiency payments, which pay farmers based on market conditions.

Producers who have been enrolled in the Federal farm program in at least one of the past 5 years are automatically eligible to sign up for a 7-year contract. I am concerned that this criteria may allow those not actively farming over the 7-year period to receive Government funds for which they would be ineligible.

Also, the bill states that those wishing to sign up for the 7-year program must do so before April 15 of this year. This precludes participation by younger farmers. Current USDA data shows that younger people, even in rural areas, are not choosing agriculture as a primary occupation. By making it more difficult for them to enroll in a Federal support program, even more younger people will become disinterested in this industry.

Mr. Chairman, I commend my colleagues for their efforts to put together such an omnibus piece of legislation. Despite my opposition to the production flexibility contracts, I feel the bill is in line with our Federal budgetary goals and will work to increase agriculture's role in the world market.

Mr. GANSKE. Mr. Chairman, today, we move forward to approve new farm bill legislation which, for the first time ever, will begin to remove the inside-the-beltway, Washington bureaucrat from the backs of the American farmer. We have had to wait until 1996 to come to the realization that farmers, out in the fields, actually know more about farming than the bureaucrats in Washington do. However, I am pleased that we have finally found enlightenment in this body.

Thank you, Chairman ROBERTS.

The Iowa Farm Bureau Federation, the Iowa Corn Growers Association, the Iowa Soybean Association, the Iowa Pork Producers, the Iowa Cattlemen Association, and the Iowa Agri-business Association are also pleased that we have developed a bill that allows farmers to farm.

This is a good bill. It saves taxpayers nearly $5 billion over the next 7 years. It provides farmers the freedom and flexibility to tailor their farm plans to their individual needs.

Not only does this make good free market sense, it is also proenvironment. Farmers will no longer be tied to antiquated farm plans that lock the same crops year after year on the same plot of land. Environmentally friendly crop rotation in combination with advanced farming techniques like no-till will mean less pesticides, less fertilizer, and greater harvests.

This legislation also finally stops paying farmers to set aside good quality land not to plant.

Those in opposition to this legislation will say that it either ends the safety net for our

farmers or it is a free handout just like welfare. This is simply not true. This bill is a transition to freer agricultural markets.

Ladies and gentlemen, low harvests trigger higher commodity prices. Under current law, support payments do not kick in when we have low harvests. There is no safety net! If anyone has any doubts about this fact they can ask any of the corn and soybean farmers in my district who suffered record low harvests in 1995—a high price year.

In years when crops are plentiful prices move lower. The Government then forgives deficiency payments and provides increased support payments. Farmers end up receiving help when they do not really need it and no help when they do. Does this make sense?

This is simple economics. Under the freedom-to-farm approach in this bill, we develop a true safety net for our farmers and lower Federal outlays.

Opponents of this bill have a vested interest in maintaining the status quo. They want to continue to force the agricultural community to come to Washington, hat in hand. They want to continue the micromanagement of the farm. They want to continue to hamper development of robust export markets with top down we know best policies.

A vote for this bill is a rejection of the those failed policies of the past. A vote for this bill is a vote for reform. A vote for this bill shows the farmers of this country that this Congress truly cares about bringing agriculture policy into the 21st century. I commend Chairman ROBERTS for his efforts and I strongly urge my colleagues in supporting this bill.

Mr. BUYER. Mr. Chairman, seizing a historic opportunity, the Agriculture Market Transition Act seeks reforms to the Federal agriculture programs that begin to wean farmers off Government subsidies and move them toward more market oriented principles. This legislation moves agri-business from the Depression era policies of the past toward strong incremental steps that move the farmer into the next century. The Agriculture Market Transition Act allows Hoosier farmers to finally be able to plant for the market.

In passing this legislation, the Congress is keeping its word to allow the American farmer the freedom to farm while making substantial reductions in Federal expenditures. Moreover, this legislation helps America move toward our goal of a balanced budget.

Mr. Chairman, retaining present policy is not an option if Indiana farmers are to successfully move into the next century and compete in the world marketplace. This legislation will aid in the transition into the market-oriented farm policy of the future. It does so while providing farmers with fixed, declining payments over 7 years that will help in the economic distortions as a result of these changes. It seeks reform of commodity programs such as sugar, peanut, cotton, and the dairy program. These reforms are a win-win situation as it provides flexibility to farmers and the American consumer benefits as well.

Finally, this legislation reduces the regulatory burden on the agriculture community. Farmers in the Fifth District of Indiana tell me time after time that they spend more time fulfilling bureaucratic requirements than farming their land. Allowing farmers the freedom to farm gives them the resources to get the most out of their land, reduces the regulatory burden, and provides farmers the opportunity to plant what will produce the highest profit on their land.

Mr. Chairman, I support the Agriculture Market Transition Act, because it is good for farmers, good for consumers, and good for agribusiness.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Washington) having assumed the chair, Mr. YOUNG of Florida, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 2854) to modify the operation of certain agricultural programs, pursuant to House Resolution 366, he reported the bill back to the House with an amendment 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 to the Committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the 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. STENHOLM

Mr. STENHOLM. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. STENHOLM. I am, in its current form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

MOTION TO RECOMMIT WITH INSTRUCTIONS

Mr. STENHOLM moves to recommit the bill H.R. 2854 to the Committee on Agriculture with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Agricultural Reform and Improvement Act of 1996''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AGRICULTURAL MARKET TRANSITION PROGRAM

Sec. 101. Short title.
Sec. 102. Definitions.
Sec. 103. Production flexibility contracts.
Sec. 104. Nonrecourse marketing assistance loans and loan deficiency payments.
Sec. 105. Payment limitations.
Sec. 106. Peanut program.
Sec. 107. Sugar program.
Sec. 108. Administration.
Sec. 109. Suspension and repeal of permanent authorities.
Sec. 110. Effect of amendments.
Sec. 111. Dairy.

TITLE II—AGRICULTURAL TRADE

Subtitle A—Market Promotion Program and Export Enhancement Program

Sec. 201. Market promotion program.
Sec. 202. Export enhancement program.

Subtitle B—Amendments to Agricultural Trade Development and Assistance Act of 1954 and Related Statutes

Sec. 211. Food aid to developing countries.
Sec. 212. Trade and development assistance.
Sec. 213. Agreements regarding eligible countries and private entities.
Sec. 214. Terms and conditions of sales.
Sec. 215. Use of local currency payment.
Sec. 216. Eligible organizations.
Sec. 217. Generation and use of foreign currencies.
Sec. 218. General levels of assistance under Public Law 480.
Sec. 219. Food aid consultative group.
Sec. 220. Support of nongovernmental organizations.
Sec. 221. Commodity determinations.
Sec. 222. General provisions.
Sec. 223. Agreements.
Sec. 224. Administrative provisions.
Sec. 225. Expiration date.
Sec. 226. Regulations.
Sec. 227. Independent evaluation of programs.
Sec. 228. Authorization of appropriations.
Sec. 229. Coordination of foreign assistance programs.
Sec. 230. Use of certain local currency.
Sec. 231. Level of assistance to farmer to farmer program.
Sec. 232. Food security commodity reserve.
Sec. 233. Food for progress program.

Subtitle C—Amendments to Agricultural Trade Act of 1978

Sec. 251. Agricultural export promotion strategy.
Sec. 252. Export credits.
Sec. 253. Export program and food assistance transfer authority.
Sec. 254. Arrival certification.
Sec. 255. Regulations.
Sec. 256. Foreign agricultural service.
Sec. 257. Reports.

Subtitle D—Miscellaneous

Sec. 271. Reporting requirements relating to tobacco.
Sec. 272. Triggered export enhancement.
Sec. 273. Disposition of commodities to prevent waste.
Sec. 274. Debt-for-health-and-protection swap.
Sec. 275. Policy on expansion of international markets.
Sec. 276. Policy on maintenance and development of export markets.
Sec. 277. Policy on trade liberalization.
Sec. 278. Agricultural trade negotiations.
Sec. 279. Policy on unfair trade practices.
Sec. 280. Agricultural aid and trade missions.
Sec. 281. Annual reports by agricultural attaches.
Sec. 282. World livestock market price information.
Sec. 283. Orderly liquidation of stocks.
Sec. 284. Sales of extra long staple cotton.
Sec. 285. Regulations.
Sec. 286. Emerging markets.
Sec. 287. Implementation of commitments under Uruguay Round agreements.

Sec. 288. Sense of Congress concerning multilateral disciplines on credit guarantees.
Sec. 289. Foreign market development cooperator program.

Subtitle E—Dairy Exports

Sec. 291. Dairy export incentive program.
Sec. 292. Authority to assist in establishment and maintenance of export trading company.
Sec. 293. Standby authority to indicate entity best suited to provide international market development and export services.
Sec. 294. Study and report regarding potential impact of Uruguay Round on prices, income and government purchases.
Sec. 295. Promotion of American dairy products in international markets through dairy promotion program.

TITLE III—CONSERVATION

Subtitle A—Environmental Conservation Acreage Reserve Program

Sec. 311. Environmental conservation acreage reserve program.
Sec. 312. Conservation reserve program.
Sec. 313. Wetlands reserve program.
Sec. 314. Environmental quality incentives program.

Subtitle B—Conservation Funding

Sec. 321. Conservation funding.

Subtitle C—Miscellaneous

Sec. 351. Forestry.
Sec. 352. State technical committees.
Sec. 353. Conservation of private grazing land.
Sec. 354. Conforming amendments.
Sec. 355. Water bank program.
Sec. 356. Flood water retention pilot projects.
Sec. 357. Wetland conservation exemption.
Sec. 358. Resource conservation and development program reauthorization.
Sec. 359. Conservation reserve new acreage.
Sec. 360. Repeal of report requirement.
Sec. 361. Watershed Protection and Flood Prevention Act Amendments.

TITLE IV—NUTRITION ASSISTANCE

Sec. 401. Food stamp program.
Sec. 402. Commodity distribution program; commodity supplemental food program.
Sec. 403. Emergency food assistance program.
Sec. 404. Soup kitchens program.
Sec. 405. National commodity processing.

TITLE V—MISCELLANEOUS

Sec. 501. Investment for agriculture and rural America.
Sec. 502. Collection and use of agricultural quarantine and inspection fees.
Sec. 503. Everglades agricultural area.

TITLE I—AGRICULTURAL MARKET TRANSITION PROGRAM

SEC. 101. SHORT TITLE.

This title may be cited as the ''Agricultural Market Transition Act''.

SEC. 102. DEFINITIONS.

In this title:

(1) CONSIDERED PLANTED.—The term ''considered planted'' means acreage that is considered planted under title V of the Agricultural Act of 1949 (7 U.S.C. 1461 et seq.) (as in effect prior to the suspension under section 110(b)(1)(J)).

(2) CONTRACT.—The term ''contract'' means a production flexibility contract entered into under section 103.

(3) CONTRACT ACREAGE.—The term ''contract acreage'' means 1 or more crop acreage bases established for contract commodities under title V of the Agricultural Act of 1949 (as in effect prior to the suspension under section 110(b)(1)(J)) that would have been in effect for the 1996 crop (but for the suspension under section 110(b)(1)(J)).

(4) CONTRACT COMMODITY.—The term ''contract commodity'' means wheat, corn, grain sorghum, barley, oats, upland cotton, and rice.

(5) CONTRACT PAYMENT.—The term ''contract payment'' means a payment made under section 103 pursuant to a contract.

(6) CORN.—The term ''corn'' means field corn.

(7) DEPARTMENT.—The term ''Department'' means the United States Department of Agriculture.

(8) FARM PROGRAM PAYMENT YIELD.—The term ''farm program payment yield'' means the farm program payment yield established for the 1995 crop of a contract commodity under title V of the Agricultural Act of 1949 (as in effect prior to the suspension under section 110(b)(1)(J)).

(9) LOAN COMMODITY.—The term ''loan commodity'' means each contract commodity, extra long staple cotton, and oilseeds.

(10) OILSEED.—The term ''oilseed'' means a crop of soybeans, sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, or, if designated by the Secretary, other oilseeds.

(11) PERSON.—The term ''person'' means an individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or State agency.

(12) PRODUCER.—

(A) IN GENERAL.—The term ''producer'' means a person who, as owner, landlord, tenant, or sharecropper, shares in the risk of producing a crop, and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(B) HYBRID SEED.—The term ''producer'' includes a person growing hybrid seed under contract. In determining the interest of a grower of hybrid seed in a crop, the Secretary shall not take into consideration the existence of a hybrid seed contract.

(13) PROGRAM.—The term ''program'' means the agricultural market transition program established under this title.

(14) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(15) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

(16) UNITED STATES.—The term ''United States'', when used in a geographical sense, means all of the States.

SEC. 103. PRODUCTION FLEXIBILITY CONTRACTS.

(a) CONTRACTS AUTHORIZED.—

(1) OFFER AND TERMS.—Beginning as soon as practicable after the date of the enactment of this title, the Secretary shall offer to enter into a contract with an eligible owner or operator described in paragraph (4) on a farm containing eligible farmland. Under the terms of a contract, the owner or operator shall agree, in exchange for annual contract payments, to comply with—

(A) the highly erodible land conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3812 et. seq) applicable to each farm on which the owner or operator has an interest;

(B) wetland protection requirements under subtitle C of title XII of the Act 16 U.S.C. 3821 et seq.) applicable to each farm on which the owner or operator has an interest;

(C) the planting flexibility requirements of subsection (j); and

(D) regulations issued by the Secretary with respect to contract acreage intended to assure that—

(i) contract acreage devoted to conservation uses is protected from weeds and wind and water erosion; and

(ii) contract acreage is not devoted to nonagricultural uses.

(2) HIGHLY ERODIBLE LAND CONSERVATION.—For contracts subject to the terms of paragraph (1)(A), violations of the contract will be subject to the terms of subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3812 et seq.).;

(3) WETLANDS CONSERVATION.—For contracts subject to the terms of paragraph (1)(B), violations of the contract will be subject to the terms of subtitle C of title XII of the Food Security Act of 1985 (16 U.S.C. 3821 et seq.).

(4) ELIGIBLE OWNERS AND OPERATORS DESCRIBED.—The following persons shall be considered to be an owner or operator eligible to enter into a contract:

(A) An owner of eligible farmland who assumes all of the risk of producing a crop.

(B) An owner of eligible farmland who shares in the risk of producing a crop.

(C) An operator of eligible farmland with a share-rent lease of the eligible farmland, regardless of the length of the lease, if the owner enters into the same contract.

(D) An operator of eligible farmland who cash rents the eligible farmland under a lease expiring on or after September 30, 2002, in which case the consent of the owner is not required.

(E) An operator of eligible farmland who cash rents the eligible farmland under a lease expiring before September 30, 2002, if the owner consents to the contract.

(F) An owner of eligible farmland who cash rents the eligible farmland and the lease term expires before September 30, 2002, but only if the actual operator of the farm declines to enter into a contract. In the case of an owner covered by this subparagraph, contract payments shall not begin under a contract until the fiscal year following the fiscal year in which the lease held by the nonparticipating operator expires.

(G) An owner or operator described in a preceding subparagraph regardless of whether the owner or operator purchased catastrophic risk protection for a fall-planted 1996 crop under section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)).

(5) TENANTS AND SHARECROPPERS.—In carrying out this section, the Secretary shall provide adequate safeguards to protect the interests of operators who are tenants and sharecroppers.

(b) ELEMENTS.—

(1) TIME FOR CONTRACTING.—

(A) DEADLINE.—Except as provided in subparagraph (B), the Secretary may not enter into a contract after April 15, 1996.

(B) CONSERVATION RESERVE LANDS.—

(i) IN GENERAL.—At the beginning of each fiscal year, the Secretary shall allow an eligible owner or operator on a farm covered by a conservation reserve contract entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) that terminates after the date specified in subparagraph (A) to enter into or expand a production flexibility contract to cover the contract acreage of the farm that was subject to the former conservation reserve contract.

(ii) AMOUNT.—Contract payments made for contract acreage under this subparagraph shall be made at the rate and amount applicable to the annual contract payment level for the applicable crop.

(2) DURATION OF CONTRACT.—

(A) BEGINNING DATE.—A contract shall begin with—

(i) the 1996 crop of a contract commodity; or

(ii) in the case of acreage that was subject to a conservation reserve contract described

in paragraph (1)(B), the date the production flexibility contract was entered into or expanded to cover the acreage.

(B) ENDING DATE.—A contract shall extend through the 2002 crop.

(3) ESTIMATION OF CONTRACT PAYMENTS.—At the time the Secretary enters into a contract, the Secretary shall provide an estimate of the minimum contract payments anticipated to be made during at least the first fiscal year for which contract payments will be made.

(c) ELIGIBLE FARMLAND DESCRIBED.—Land shall be considered to be farmland eligible for coverage under a contract only if the land has contract acreage attributable to the land and—

(1) for at least 1 of the 1991 through 1995 crops, at least a portion of the land was enrolled in the acreage reduction program authorized for a crop of a contract commodity under section 101B, 103B, 105B, or 107B of the Agricultural Act of 1949 (as in effect prior to the amendment made by section 110(b)(2)) or was considered planted, including land on a farm that is owned or leased by a beginning farmer (as determined by the Secretary) that the Secretary determines is necessary to establish a fair and equitable crop acreage base;

(2) was subject to a conservation reserve contract under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) whose term expired, or was voluntarily terminated, on or after January 1, 1995; or

(3) is released from coverage under a conservation reserve contract by the Secretary during the period beginning on January 1, 1995, and ending on the date specified in subsection (b)(1)(A).

(d) TIME FOR PAYMENT.—

(1) IN GENERAL.—An annual contract payment shall be made not later than September 30 of each of fiscal years 1996 through 2002.

(2) ADVANCE PAYMENTS.—

(A) FISCAL YEAR 1996.—At the option of the owner or operator, 50 percent of the contract payment for fiscal year 1996 shall be made not later than June 15, 1996.

(B) SUBSEQUENT FISCAL YEARS.—At the option of the owner or operator for fiscal year 1997 and each subsequent fiscal year, 50 percent of the annual contract payment shall be made on December 15.

(e) AMOUNTS AVAILABLE FOR CONTRACT PAYMENTS FOR EACH FISCAL YEAR.—

(1) IN GENERAL.—The Secretary shall, to the maximum extent practicable, expend on a fiscal year basis the following amounts to satisfy the obligations of the Secretary under all contracts:

(A) For fiscal year 1996, $5,570,000,000.

(B) For fiscal year 1997, $5,385,000,000.

(C) For fiscal year 1998, $5,800,000,000.

(D) For fiscal year 1999, $5,603,000,000.

(E) For fiscal year 2000, $5,130,000,000.

(F) For fiscal year 2001, $4,130,000,000.

(G) For fiscal year 2002, $4,008,000,000.

(2) ALLOCATION.—The amount made available for a fiscal year under paragraph (1) shall be allocated as follows:

(A) For wheat, 26.26 percent.

(B) For corn, 46.22 percent.

(C) For grain sorghum, 5.11 percent.

(D) For barley, 2.16 percent.

(E) For oats, 0.15 percent.

(F) For upland cotton, 11.63 percent.

(G) For rice, 8.47 percent.

(3) ADJUSTMENT.—The Secretary shall adjust the amounts allocated for each contract commodity under paragraph (2) for a particular fiscal year by—

(A) subtracting an amount equal to the amount, if any, necessary to satisfy payment requirements under sections 103B, 105B, and 107B of the Agricultural Act of 1949 (as in effect prior to the amendment made by section 110(b)(2)) for the 1994 and 1995 crops of the commodity;

(B) adding an amount equal to the sum of all repayments of deficiency payments received under section 114(a)(2) of the Agricultural Act of 1949 for the commodity;

(C) to the maximum extent practicable, adding an amount equal to the sum of all contract payments withheld by the Secretary, at the request of an owner or operator subject to a contract, as an offset against repayments of deficiency payments otherwise required under section 114(a)(2) of the Act (as so in effect) for the commodity; and

(D) adding an amount equal to the sum of all refunds of contract payments received during the preceding fiscal year under subsection (h) for the commodity.

(4) ADDITIONAL RICE ALLOCATION.—In addition to the allocations provided under paragraphs (1), (2), and (3), the amounts made available for rice contract payments shall be increased by $17,000,000 for each of fiscal years 1997 through 2002.

(f) DETERMINATION OF CONTRACT PAYMENTS.—

(1) INDIVIDUAL PAYMENT QUANTITY OF CONTRACT COMMODITIES.—For each contract, the payment quantity of a contract commodity for each fiscal year shall be equal to the product of—

(A) 85 percent of the contract acreage; and

(B) the farm program payment yield.

(2) ANNUAL PAYMENT QUANTITY OF CONTRACT COMMODITIES.—The payment quantity of each contract commodity covered by all contracts for each fiscal year shall equal the sum of the amounts calculated under paragraph (1) for each individual contract.

(3) ANNUAL PAYMENT RATE.—The payment rate for a contract commodity for each fiscal year shall be equal to—

(A) the amount made available under subsection (e) for the contract commodity for the fiscal year; divided by

(B) the amount determined under paragraph (2) for the fiscal year.

(4) ANNUAL PAYMENT AMOUNT.—The amount to be paid under a contract in effect for each fiscal year with respect to a contract commodity shall be equal to the product of—

(A) the payment quantity determined under paragraph (1) with respect to the contract; and

(B) the payment rate in effect under paragraph (3).

(5) ASSIGNMENT OF CONTRACT PAYMENTS.—The provisions of section 8(g) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(g)) (relating to assignment of payments) shall apply to contract payments under this subsection. The owner or operator making the assignment, or the assignee, shall provide the Secretary with notice, in such manner as the Secretary may require in the contract, of any assignment made under this paragraph.

(6) SHARING OF CONTRACT PAYMENTS.—The Secretary shall provide for the sharing of contract payments among the owners and operators subject to the contract on a fair and equitable basis.

(g) PAYMENT LIMITATION.—The total amount of contract payments made to a person under a contract during any fiscal year may not exceed the payment limitations established under sections 1001 through 1001C of the Food Security Act of 1985 (7 U.S.C. 1308 through 1308–3).

(h) EFFECT OF VIOLATION.—

(1) TERMINATION OF CONTRACT.—Except as provided in paragraph (2), if an owner or operator subject to a contract violates a term of the contract required under subsection (a)(1), the Secretary shall terminate the contract with respect to the owner or operator on each farm in which the owner or operator has an interest. On the termination, the owner or operator shall forfeit all rights to receive future contract payments on each farm in which the owner or operator has an interest and shall refund to the Secretary all contract payments received by the owner or operator during the period of the violation, together with interest on the contract payments as determined by the Secretary.

(2) REFUND OR ADJUSTMENT.—If the Secretary determines that a violation does not warrant termination of the contract under paragraph (1), the Secretary may require the owner or operator subject to the contract—

(A) to refund to the Secretary that part of the contract payments received by the owner or operator during the period of the violation, together with interest on the contract payments as determined by the Secretary; or

(B) to accept a reduction in the amount of future contract payments that is proportionate to the severity of the violation, as determined by the Secretary.

(3) FORECLOSURE.—An owner or operator subject to a contract may not be required to make repayments to the Secretary of amounts received under the contract if the contract acreage has been foreclosed on and the Secretary determines that forgiving the repayments is appropriate in order to provide fair and equitable treatment. This paragraph shall not void the responsibilities of such an owner or operator under the contract if the owner or operator continues or resumes operation, or control, of the contract acreage. On the resumption of operation or control over the contract acreage by the owner or operator, the provisions of the contract in effect on the date of the foreclosure shall apply.

(4) REVIEW.—A determination of the Secretary under this subsection shall be considered to be an adverse decision for purposes of the availability of administrative review of the determination.

(i) TRANSFER OF INTEREST IN LANDS SUBJECT TO CONTRACT.—

(1) EFFECT OF TRANSFER.—Except as provided in paragraph (2), the transfer by an owner or operator subject to a contract of the right and interest of the owner or operator in the contract acreage shall result in the termination of the contract with respect to the acreage, effective on the date of the transfer, unless the transferee of the acreage agrees with the Secretary to assume all obligations of the contract. At the request of the transferee, the Secretary may modify the contract if the modifications are consistent with the objectives of this section as determined by the Secretary.

(2) EXCEPTION.—If an owner or operator who is entitled to a contract payment dies, becomes incompetent, or is otherwise unable to receive the contract payment, the Secretary shall make the payment, in accordance with regulations prescribed by the Secretary.

(j) PLANTING FLEXIBILITY.—

(1) PERMITTED CROPS.—Subject to paragraph (2), any commodity or crop may be planted on contract acreage on a farm.

(2) LIMITATIONS.—

(A) HAYING AND GRAZING.—

(i) TIME LIMITATIONS.—Haying and grazing on land exceeding 15 percent of the contract acreage on a farm as provided in clause (iii) shall be permitted, except during any consecutive 5-month period between April 1 and October 31 that is determined by the State committee established under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) for a State. In the case of a natural disaster, the Secretary may permit unlimited haying and grazing on the contract acreage of a farm.

(ii) CONTRACT COMMODITIES.—Contract acreage planted to a contract commodity

during the crop year may be hayed or grazed without limitation.

(iii) HAYING AND GRAZING LIMITATION ON PORTION OF CONTRACT ACREAGE.—Unlimited haying and grazing shall be permitted on not more than 15 percent of the contract acreage on a farm.

(B) ALFALFA.—Alfalfa may be planted for harvest without limitation on the contract acreage on a farm, except that each contract acre that is planted for harvest to alfalfa in excess of 15 percent of the total contract acreage on a farm shall be ineligible for contract payments.

(C) FRUITS AND VEGETABLES.—

(i) IN GENERAL.—The planting for harvest of fruits and vegetables shall be prohibited on contract acreage, unless there is a history of double cropping of a contract commodity and fruits and vegetables.

(ii) UNRESTRICTED VEGETABLES.—Lentils, mung beans, and dry peas may be planted without limitation on contract acreage.

(k) CONSERVATION FARM OPTION.—

(1) ESTABLISHMENT.—The Secretary shall establish a voluntary conservation farm option to encourage producers to implement and maintain resource stewardship practices and systems.

(2) TERMS.—Notwithstanding any other provision of law, in the case of a producer who enters into an agreement under paragraph (3), the Secretary shall—

(A) not reduce any marketing assistance loans, contract payments, or other farm program benefits of the producer as a result of the planting of a resource-conserving crop, the establishment of a special conservation practice, the requirements of any integrated crop management practice, or the haying or grazing of contract acres enrolled in the voluntary conservation farm option that is consistent with an approved haying and grazing management plan; and

(B) provide payments to the producer equal to the sum of—

(i) the contract payments for which the producer is eligible;

(ii) any environmental quality incentives program payments for which the producer is eligible; and

(iii) any conservation reserve program payments for which the producer is eligible.

(3) AGREEMENTS.—To be eligible to participate in the voluntary conservation farm option, a producer must prepare and submit to the Secretary for approval a farm plan. Upon the approval of the farm plan, the Secretary shall enter into an agreement with the producer that specifies the contract acres being enrolled in the voluntary conservation farm option. The agreement shall be for a period of not less than three years, nor more than ten years, as determined by the producer. The agreement may be renewed upon the mutual agreement of the Secretary and the producer.

(4) PRODUCER RESPONSIBILITIES UNDER AGREEMENT.—Under the terms of an agreement entered into under paragraph (3), a producer shall agree—

(A) to actively comply with the terms and conditions of the applicable farm plan, as approved by the Secretary; and

(B) to keep such records as the Secretary may reasonably require for purposes of evaluation of the voluntary conservation farm option.

(5) REQUIREMENTS OF FARM PLAN.—To be approved by the Secretary, a farm plan submitted by a producer must—

(A) specify the contract acres the producer wishes to enroll in the voluntary conservation farm option;

(B) briefly describe the resource-conserving crop rotation, special conservation practices, biomass production, or integrated crop management practices to be implemented and maintained on such acreage during the agreement period which fulfill the purposes for which the voluntary conservation farm option is established;

(C) contain a schedule for the implementation, improvement and maintenance of the resource-conserving crop rotation, special conservation, biomass production, or integrated crop management operations and practices described in the farm plan; and

(D) contain such other terms as the Secretary may require.

(6) ADMINISTRATION.—

(A) TECHNICAL ASSISTANCE.—In administering the voluntary conservation farm option, the Secretary, in consultation with the State Technical Committee and local conservation districts, shall provide technical assistance to a producer in developing and implementing a farm plan, evaluating the effectiveness of a farm plan, and assessing the costs and benefits of farming operation and practices. If requested by a producer, the Secretary shall provide technical assistance to help the producer comply with Federal, State, and local conservation or environmental requirements.

(B) STATE PLAN.—In consultation with the State Technical Committee established under section 1261 of the Food Security Act of 1985 (16 U.S.C. 3801), the Secretary may establish conservation farm option plan guidance for a State that is designed to address particular priority needs and opportunities related to soil and water conservation and quality, wildlife habitat, or other natural resource issues.

(C) FLEXIBILITY.—In administering the voluntary conservation farm option, the Secretary shall provide sufficient flexibility for a producer to revise the producer's farm plan to respond to changes in market conditions, weather, or technology or to adjust and modify the farming operation, except that such revisions must be consistent with the purposes for which the voluntary conservation farm option is established and by approved by the Secretary.

(D) TERMINATION.—The Secretary may terminate an agreement entered into with a producer under this section if the producer agrees to such termination or the producer violates the terms and conditions of such agreement.

(7) DEFINITIONS.—In this subsection:

(A) The term ''farm plan'' means a site-specific farm management plan prepared by the producer and approved by the Secretary, incorporating, where applicable, a conservation plan prepared in accordance with subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3812 et seq.) or a haying and grazing management plan that protects the land from erosion and minimizes sediment and nutrient run-off.

(B) The term ''resource-conserving crop rotation'' means a crop rotation which includes at least one resource-conserving crop and that reduces erosion, maintains or improves soil fertility, tilt and structure, interrupts pest cycles, or conserves water.

(C) The term ''special conservation practices'' means field borders, contour buffer strips, grass waterways, filter strips, grass windbreaks, buffer areas, wildlife habitat plantings, farm ponds, habitat plantings for beneficial organisms that aid in the control of pests, adding soil building crops to rotations, grass plantings on highly erodible land managed to provide erosion control and wildlife cover, and such other practices as the Secretary may designate.

(D) The term ''integrated crop management practices'' means crop, water, nutrient, and pest management measures designed to reduce and minimize the use of pesticides and nutrients and irrigation water on the farm, including the use of reduced yield goals in areas particularly vulnerable to groundwater leaching, run-off to surface water, compaction from excess water withdrawals, or salinization of soils.

(E) The term ''resource-conserving crop'' means legumes, grasses, brassica cover crops and forages, alternative crops, any interseeded or rely-planted combination of such crops, any interseeded or relay-planted combination of such crops and small grains, and such other crops as the Secretary may designate.

(F) The term ''legumes'' means any legume, including alfalfa, clover, lentils, lupine, medic, peas, soybeans, and vetch, grown for use as a forage, green manure, or biomass feedstock, but not including any pulse crop from which the seeds are harvested and sold for purposes other than use as seed for planting.

(G) The term ''alternative crops'' means experimental, industrial, and oilseed crops which conserve soil and water.

(H) The term ''small grains'' means any small grain, including barley, buckwheat, oats, rye, spelt, triticale, and wheat.

(8) CONFORMING REPEAL.—Section 1451 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5822) is repealed.

(l) CONFORMING AMENDMENTS TO FOOD SECURITY ACT OF 1985.—

(1) HIGHLY ERODIBLE LAND CONSERVATION.—Section 1211(3) of the Food Security Act of 1985 (16 U.S.C. 3811(3)) is amended—

(A) in subparagraph (E), by striking ''or'' at the end;

(B) in subparagraph (F), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(G) a payment under a production flexibility contract under section 103 of the Agricultural Market Transition Act.''.

(2) WETLAND CONSERVATION.—Section 1221(a)(3) of the Food Security Act of 1985 (16 U.S.C. 3821(a)(3)) is amended—

(A) in subparagraph (E), by striking ''or'' at the end;

(B) in subparagraph (F), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(G) a payment under a production flexibility contract under section 103 of the Agricultural Market Transition Act.''.

SEC. 104. NONRECOURSE MARKETING ASSISTANCE LOANS AND LOAN DEFICIENCY PAYMENTS.

(a) AVAILABILITY OF NONRECOURSE LOANS.—

(1) AVAILABILITY.—For each of the 1996 through 2002 crops of each loan commodity, the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for loan commodities produced on the farm. The loans shall be made under terms and conditions that are prescribed by the Secretary and at the loan rate established under subsection (b) for the loan commodity.

(2) ELIGIBLE PRODUCTION.—The following production shall be eligible for a marketing assistance loan under this section:

(A) In the case of a marketing assistance loan for a contract commodity, any production by a producer who has entered into a production flexibility contract.

(B) In the case of a marketing assistance loan for extra long staple cotton and oilseeds, any production.

(b) LOAN RATES.—

(1) WHEAT.—

(A) LOAN RATE.—Subject to subparagraph (B), the loan rate for a marketing assistance loan for wheat shall be—

(i) not less than 85 percent of the simple average price received by producers of wheat, as determined by the Secretary, during the marketing years for the immediately preceding 5 crops of wheat, excluding the year in which the average price was the

highest and the year in which the average price was the lowest in the period; but

(ii) not more than $2.58 per bushel.

(B) STOCKS TO USE RATIO ADJUSTMENT.—If the Secretary estimates for any marketing year that the ratio of ending stocks of wheat to total use for the marketing year will be—

(i) equal to or greater than 30 percent, the Secretary may reduce the loan rate for wheat for the corresponding crop by an amount not to exceed 10 percent in any year;

(ii) less than 30 percent but not less than 15 percent, the Secretary may reduce the loan rate for wheat for the corresponding crop by an amount not to exceed 5 percent in any year; or

(iii) less than 15 percent, the Secretary may not reduce the loan rate for wheat for the corresponding crop.

(C) NO EFFECT ON FUTURE YEARS.—Any reduction in the loan rate for wheat under subparagraph (B) shall not be considered in determining the loan rate for wheat for subsequent years.

(2) FEED GRAINS.—

(A) LOAN RATE FOR CORN.—Subject to subparagraph (B), the loan rate for a marketing assistance loan for corn shall be—

(i) not less than 85 percent of the simple average price received by producers of corn, as determined by the Secretary, during the marketing years for the immediately preceding 5 crops of corn, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; but

(ii) not more than $1.89 per bushel.

(B) STOCKS TO USE RATIO ADJUSTMENT.—If the Secretary estimates for any marketing year that the ratio of ending stocks of corn to total use for the marketing year will be—

(i) equal to or greater than 25 percent, the Secretary may reduce the loan rate for corn for the corresponding crop by an amount not to exceed 10 percent in any year;

(ii) less than 25 percent but not less than 12.5 percent, the Secretary may reduce the loan rate for corn for the corresponding crop by an amount not to exceed 5 percent in any year; or

(iii) less than 12.5 percent the Secretary may not reduce the loan rate for corn for the corresponding crop.

(C) NO EFFECT ON FUTURE YEARS.—Any reduction in the loan rate for corn under subparagraph (B) shall not be considered in determining the loan rate for corn for subsequent years.

(D) OTHER FEED GRAINS.—The loan rate for a marketing assistance loan for grain sorghum, barley, and oats, respectively, shall be established at such level as the Secretary determines is fair and reasonable in relation to the rate that loans are made available for corn, taking into consideration the feeding value of the commodity in relation to corn.

(3) UPLAND COTTON.—

(A) LOAN RATE.—Subject to subparagraph (B), the loan rate for a marketing assistance loan for upland cotton shall be established by the Secretary at such loan rate, per pound, as will reflect for the base quality of upland cotton, as determined by the Secretary, at average locations in the United States a rate that is not less than the smaller of—

(i) 85 percent of the average price (weighted by market and month) of the base quality of cotton as quoted in the designated United States spot markets during 3 years of the 5-year period ending July 31 in the year in which the loan rate is announced, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; or

(ii) 90 percent of the average, for the 15-week period beginning July 1 of the year in which the loan rate is announced, of the 5 lowest-priced growths of the growths quoted for Middling 1 3/32-inch cotton C.I.F. Northern Europe (adjusted downward by the average difference during the period April 15 through October 15 of the year in which the loan is announced between the average Northern European price quotation of such quality of cotton and the market quotations in the designated United States spot markets for the base quality of upland cotton), as determined by the Secretary.

(B) LIMITATIONS.—The loan rate for a marketing assistance loan for upland cotton shall not be less than $0.50 per pound or more than $0.5192 per pound.

(4) EXTRA LONG STAPLE COTTON.—The loan rate for a marketing assistance loan for extra long staple cotton shall be—

(A) not less than 85 percent of the simple average price received by producers of extra long staple cotton, as determined by the Secretary, during 3 years of the 5 previous marketing years, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; but

(B) not more than $0.7965 per pound.

(5) RICE.—The loan rate for a marketing assistance loan for rice shall be $6.50 per hundredweight.

(6) OILSEEDS.—

(A) SOYBEANS.—The loan rate for a marketing assistance loan for soybeans shall be—

(i) not less than 85 percent of the simple average price received by producers of soybeans, as determined by the Secretary, during the marketing years for the immediately preceding 5 crops of soybeans, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; but

(ii) not less than $4.92 or more than $5.26 per bushel.

(B) SUNFLOWER SEED, CANOLA, RAPESEED, SAFFLOWER, MUSTARD SEED, AND FLAXSEED.—The loan rate for a marketing assistance loan for sunflower seed, canola, rapeseed, safflower, mustard seed, and flaxseed, individually, shall be—

(i) not less than 85 percent of the simple average price received by producers of sunflower seed, individually, as determined by the Secretary, during the marketing years for the immediately preceding 5 crops of sunflower seed, individually, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; but

(ii) not less than $0.087 or more than $0.093 per pound.

(C) OTHER OILSEEDS.—The loan rates for a marketing assistance loan for other oilseeds shall be established at such level as the Secretary determines is fair and reasonable in relation to the loan rate available for soybeans, except in no event shall the rate for the oilseeds (other than cottonseed) be less than the rate established for soybeans on a per-pound basis for the same crop.

(c) TERM OF LOAN.—In the case of each loan commodity (other than upland cotton or extra long staple cotton), a marketing assistance loan under subsection (a) shall have a term of 9 months beginning on the first day of the first month after the month in which the loan is made. A marketing assistance loan for upland cotton or extra long staple cotton shall have a term of 10 months beginning on the first day of the first month after the month in which the loan is made. The Secretary may not extend the term of a marketing assistance loan for any loan commodity.

(d) REPAYMENT.—

(1) REPAYMENT RATES FOR WHEAT AND FEED GRAINS.—The Secretary shall permit a producer to repay a marketing assistance loan under subsection (a) for wheat, corn, grain sorghum, barley, and oats at a level that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of the commodities by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing the commodities; and

(D) allow the commodities produced in the United States to be marketed freely and competitively, both domestically and internationally.

(2) REPAYMENT RATES FOR UPLAND COTTON, OILSEEDS, AND RICE.—The Secretary shall permit producers to repay a marketing assistance loan under subsection (a) for upland cotton, oilseeds, and rice at a level that is the lesser of—

(A) the loan rate established for upland cotton, oilseeds, and rice, respectively, under subsection (b); or

(B) the prevailing world market price for upland cotton, oilseeds, and rice, respectively (adjusted to United States quality and location), as determined by the Secretary.

(3) REPAYMENT RATES FOR EXTRA LONG STAPLE COTTON.—Repayment of a marketing assistance loan for extra long staple cotton shall be at the loan rate established for the commodity under subsection (b), plus interest (as determined by the Secretary).

(4) PREVAILING WORLD MARKET PRICE.—For purposes of paragraph (2)(B) and subsection (f), the Secretary shall prescribe by regulation—

(A) a formula to determine the prevailing world market price for each loan commodity, adjusted to United States quality and location; and

(B) a mechanism by which the Secretary shall announce periodically the prevailing world market price for each loan commodity.

(5) ADJUSTMENT OF PREVAILING WORLD MARKET PRICE FOR UPLAND COTTON.—

(A) IN GENERAL.—During the period ending July 31, 2003, the prevailing world market price for upland cotton (adjusted to United States quality and location) established under paragraph (4) shall be further adjusted if—

(i) the adjusted prevailing world market price is less than 115 percent of the loan rate for upland cotton established under subsection (b), as determined by the Secretary; and

(ii) the Friday through Thursday average price quotation for the lowest-priced United States growth as quoted for Middling (M) 1 3/32-inch cotton delivered C.I.F. Northern Europe is greater than the Friday through Thursday average price of the 5 lowest-priced growths of upland cotton, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe (referred to in this subsection as the ''Northern Europe price'').

(B) FURTHER ADJUSTMENT.—Except as provided in subparagraph (C), the adjusted prevailing world market price for upland cotton shall be further adjusted on the basis of some or all of the following data, as available:

(i) The United States share of world exports.

(ii) The current level of cotton export sales and cotton export shipments.

(iii) Other data determined by the Secretary to be relevant in establishing an accurate prevailing world market price for upland cotton (adjusted to United States quality and location).

(C) LIMITATION ON FURTHER ADJUSTMENT.—The adjustment under subparagraph (B) may not exceed the difference between—

(i) the Friday through Thursday average price for the lowest-priced United States

growth as quoted for Middling 1 3/32-inch cotton delivered C.I.F. Northern Europe; and

(ii) the Northern Europe price.

(e) LOAN DEFICIENCY PAYMENTS.—

(1) AVAILABILITY.—Except as provided in paragraph (4), the Secretary may make loan deficiency payments available to producers who, although eligible to obtain a marketing assistance loan under subsection (a) with respect to a loan commodity, agree to forgo obtaining the loan for the commodity in return for payments under this subsection.

(2) COMPUTATION.—A loan deficiency payment under this subsection shall be computed by multiplying—

(A) the loan payment rate determined under paragraph (3) for the loan commodity; by

(B) the quantity of the loan commodity that the producers on a farm are eligible to place under loan but for which the producers forgo obtaining the loan in return for payments under this subsection.

(3) LOAN PAYMENT RATE.—For purposes of this subsection, the loan payment rate shall be the amount by which—

(A) the loan rate established under subsection (b) for the loan commodity; exceeds

(B) the rate at which a loan for the commodity may be repaid under subsection (d).

(4) EXCEPTION FOR EXTRA LONG STAPLE COTTON.—This subsection shall not apply with respect to extra long staple cotton.

(f) SPECIAL MARKETING LOAN PROVISIONS FOR UPLAND COTTON.—

(1) COTTON USER MARKETING CERTIFICATES.—

(A) ISSUANCE.—Subject to subparagraph (D), during the period ending July 31, 2003, the Secretary shall issue marketing certificates or cash payments to domestic users and exporters for documented purchases by domestic users and sales for export by exporters made in the week following a consecutive 4-week period in which—

(i) the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe exceeds the Northern Europe price by more than 1.25 cents per pound; and

(ii) the prevailing world market price for upland cotton (adjusted to United States quality and location) does not exceed 130 percent of the loan rate for upland cotton established under subsection (b).

(B) VALUE OF CERTIFICATES OR PAYMENTS.—The value of the marketing certificates or cash payments shall be based on the amount of the difference (reduced by 1.25 cents per pound) in the prices during the 4th week of the consecutive 4-week period multiplied by the quantity of upland cotton included in the documented sales.

(C) ADMINISTRATION OF MARKETING CERTIFICATES.—

(i) REDEMPTION, MARKETING, OR EXCHANGE.—The Secretary shall establish procedures for redeeming marketing certificates for cash or marketing or exchange of the certificates for agricultural commodities owned by the Commodity Credit Corporation in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates. Any price restrictions that would otherwise apply to the disposition of agricultural commodities by the Commodity Credit Corporation shall not apply to the redemption of certificates under this paragraph.

(ii) DESIGNATION OF COMMODITIES AND PRODUCTS.—To the extent practicable, the Secretary shall permit owners of certificates to designate the commodities and products, including storage sites, the owners would prefer to receive in exchange for certificates. If any certificate is not presented for redemption, marketing, or exchange within a reasonable number of days after the issuance of the certificate (as determined by the Secretary), reasonable costs of storage and other carrying charges, as determined by the Secretary, shall be deducted from the value of the certificate for the period beginning after the reasonable number of days and ending with the date of the presentation of the certificate to the Commodity Credit Corporation.

(iii) TRANSFERS.—Marketing certificates issued to domestic users and exporters of upland cotton may be transferred to other persons in accordance with regulations issued by the Secretary.

(D) EXCEPTION.—The Secretary shall not issue marketing certificates or cash payments under subparagraph (A) if, for the immediately preceding consecutive 10-week period, the Friday through Thursday average price quotation for the lowest priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificate issued under this paragraph, exceeds the Northern Europe price by more than 1.25 cents per pound.

(E) LIMITATION ON EXPENDITURES.—Total expenditures under this paragraph shall not exceed $701,000,000 during fiscal years 1996 through 2002.

(2) SPECIAL IMPORT QUOTA.—

(A) ESTABLISHMENT.—The President shall carry out an import quota program that provides that, during the period ending July 31, 2003, whenever the Secretary determines and announces that for any consecutive 10-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificates issued under paragraph (1), exceeds the Northern Europe price by more than 1.25 cents per pound, there shall immediately be in effect a special import quota.

(B) QUANTITY.—The quota shall be equal to 1 week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the most recent 3 months for which data are available.

(C) APPLICATION.—The quota shall apply to upland cotton purchased not later than 90 days after the date of the Secretary's announcement under subparagraph (A) and entered into the United States not later than 180 days after the date.

(D) OVERLAP.—A special quota period may be established that overlaps any existing quota period if required by subparagraph (A), except that a special quota period may not be established under this paragraph if a quota period has been established under subsection (g).

(E) PREFERENTIAL TARIFF TREATMENT.—The quantity under a special import quota shall be considered to be an in-quota quantity for purposes of—

(i) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(ii) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(iii) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(iv) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(F) DEFINITION.—In this paragraph, the term ''special import quota'' means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(g) LIMITED GLOBAL IMPORT QUOTA FOR UPLAND COTTON.—

(1) IN GENERAL.—The President shall carry out an import quota program that provides that whenever the Secretary determines and announces that the average price of the base quality of upland cotton, as determined by the Secretary, in the designated spot markets for a month exceeded 130 percent of the average price of such quality of cotton in the markets for the preceding 36 months, notwithstanding any other provision of law, there shall immediately be in effect a limited global import quota subject to the following conditions:

(A) QUANTITY.—The quantity of the quota shall be equal to 21 days of domestic mill consumption of upland cotton at the seasonally adjusted average rate of the most recent 3 months for which data are available.

(B) QUANTITY IF PRIOR QUOTA.—If a quota has been established under this subsection during the preceding 12 months, the quantity of the quota next established under this subsection shall be the smaller of 21 days of domestic mill consumption calculated under subparagraph (A) or the quantity required to increase the supply to 130 percent of the demand.

(C) PREFERENTIAL TARIFF TREATMENT.—The quantity under a limited global import quota shall be considered to be an in-quota quantity for purposes of—

(i) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(ii) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(iii) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(iv) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(D) DEFINITIONS.—In this subsection:

(i) SUPPLY.—The term ''supply'' means, using the latest official data of the Bureau of the Census, the Department of Agriculture, and the Department of the Treasury—

(I) the carry-over of upland cotton at the beginning of the marketing year (adjusted to 480-pound bales) in which the quota is established;

(II) production of the current crop; and

(III) imports to the latest date available during the marketing year.

(ii) DEMAND.—The term ''demand'' means—

(I) the average seasonally adjusted annual rate of domestic mill consumption in the most recent 3 months for which data are available; and

(II) the larger of—

(aa) average exports of upland cotton during the preceding 6 marketing years; or

(bb) cumulative exports of upland cotton plus outstanding export sales for the marketing year in which the quota is established.

(iii) LIMITED GLOBAL IMPORT QUOTA.—The term ''limited global import quota'' means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(E) QUOTA ENTRY PERIOD.—When a quota is established under this subsection, cotton may be entered under the quota during the 90-day period beginning on the date the quota is established by the Secretary.

(2) NO OVERLAP.—Notwithstanding paragraph (1), a quota period may not be established that overlaps an existing quota period or a special quota period established under subsection (f)(2).

(h) SOURCE OF LOANS.—

(1) IN GENERAL.—The Secretary shall provide the loans authorized by this section through the Commodity Credit Corporation and other means available to the Secretary.

(2) PROCESSORS.—Whenever any loan or surplus removal operation for any agricultural commodity is carried out through purchases from or loans or payments to processors, the Secretary shall, to the extent practicable, obtain from the processors such assurances as the Secretary considers adequate that the producers of the commodity have received or will receive maximum benefits from the loan or surplus removal operation.

(i) ADJUSTMENTS OF LOANS.—

(1) IN GENERAL.—The Secretary may make appropriate adjustments in the loan levels for any commodity for differences in grade, type, quality, location, and other factors.

(2) LOAN LEVEL.—The adjustments shall, to the maximum extent practicable, be made in such manner that the average loan level for the commodity will, on the basis of the anticipated incidence of the factors, be equal to the level of support determined as provided in this section.

(j) PERSONAL LIABILITY OF PRODUCERS FOR DEFICIENCIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), no producer shall be personally liable for any deficiency arising from the sale of the collateral securing any nonrecourse loan made under this section unless the loan was obtained through a fraudulent representation by the producer.

(2) LIMITATIONS.—Paragraph (1) shall not prevent the Commodity Credit Corporation or the Secretary from requiring a producer to assume liability for—

(A) a deficiency in the grade, quality, or quantity of a commodity stored on a farm or delivered by the producer;

(B) a failure to properly care for and preserve a commodity; or

(C) a failure or refusal to deliver a commodity in accordance with a program established under this section.

(3) ACQUISITION OF COLLATERAL.—The Secretary may include in a contract for a nonrecourse loan made under this section a provision that permits the Commodity Credit Corporation, on and after the maturity of the loan or any extension of the loan, to acquire title to the unredeemed collateral without obligation to pay for any market value that the collateral may have in excess of the loan indebtedness.

(4) SUGARCANE AND SUGAR BEETS.—A security interest obtained by the Commodity Credit Corporation as a result of the execution of a security agreement by the processor of sugarcane or sugar beets shall be superior to all statutory and common law liens on raw cane sugar and refined beet sugar in favor of the producers of sugarcane and sugar beets and all prior recorded and unrecorded liens on the crops of sugarcane and sugar beets from which the sugar was derived.

(k) COMMODITY CREDIT CORPORATION SALES PRICE RESTRICTIONS.—

(1) IN GENERAL.—The Commodity Credit Corporation may sell any commodity owned or controlled by the Corporation at any price that the Secretary determines will maximize returns to the Corporation.

(2) NONAPPLICATION OF SALES PRICE RESTRICTIONS.—Paragraph (1) shall not apply to—

(A) a sale for a new or byproduct use;

(B) a sale of peanuts or oilseeds for the extraction of oil;

(C) a sale for seed or feed if the sale will not substantially impair any loan program;

(D) a sale of a commodity that has substantially deteriorated in quality or as to which there is a danger of loss or waste through deterioration or spoilage;

(E) a sale for the purpose of establishing a claim arising out of a contract or against a person who has committed fraud, misrepresentation, or other wrongful act with respect to the commodity;

(F) a sale for export, as determined by the Corporation; and

(G) a sale for other than a primary use.

(3) PRESIDENTIAL DISASTER AREAS.—

(A) IN GENERAL.—Notwithstanding paragraph (1), on such terms and conditions as the Secretary may consider in the public interest, the Corporation may make available any commodity or product owned or controlled by the Corporation for use in relieving distress—

(i) in any area in the United States (including the Virgin Islands) declared by the President to be an acute distress area because of unemployment or other economic cause, if the President finds that the use will not displace or interfere with normal marketing of agricultural commodities; and

(ii) in connection with any major disaster determined by the President to warrant assistance by the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(B) COSTS.—Except on a reimbursable basis, the Corporation shall not bear any costs in connection with making a commodity available under subparagraph (A) beyond the cost of the commodity to the Corporation incurred in—

(i) the storage of the commodity; and

(ii) the handling and transportation costs in making delivery of the commodity to designated agencies at 1 or more central locations in each State or other area.

(4) EFFICIENT OPERATIONS.—Paragraph (1) shall not apply to the sale of a commodity the disposition of which is desirable in the interest of the effective and efficient conduct of the operations of the Corporation because of the small quantity of the commodity involved, or because of the age, location, or questionable continued storability of the commodity.

SEC. 105. PAYMENT LIMITATIONS.

(a) IN GENERAL.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by striking paragraphs (1) through (4) and inserting the following:

''(1) LIMITATION ON PAYMENTS UNDER PRODUCTION FLEXIBILITY CONTRACTS.—The total amount of contract payments made under section 103 of the Agricultural Market Transition Act to a person under 1 or more production flexibility contracts during any fiscal year may not exceed $40,000.

''(2) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS.—

''(A) LIMITATION.—The total amount of payments specified in subparagraph (B) that a person shall be entitled to receive under section 104 of the Agricultural Market Transition Act for contract commodities and oilseeds during any crop year may not exceed $75,000.

''(B) DESCRIPTION OF PAYMENTS.—The payments referred to in subparagraph (A) are the following:

''(i) Any gain realized by a producer from repaying a marketing assistance loan for a crop of any loan commodity at a lower level than the original loan rate established for the commodity under section 104(b) of the Act.

''(ii) Any loan deficiency payment received for a loan commodity under section 104(e) of the Act.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) (as amended by subsection (a)) is amended—

(A) by redesignating paragraphs (5), (6), and (7) as paragraphs (3), (4), and (5), respectively; and

(B) in the second sentence of paragraph (3)(A) (as so redesignated), by striking ''paragraphs (6) and (7)'' and inserting ''paragraphs (4) and (5)''.

(2) Section 1305(d) of the Agricultural Reconciliation Act of 1987 (Public Law 100–203; 7 U.S.C. 1308 note) is amended by striking ''paragraphs (5) through (7) of section 1001, as amended by this subtitle,'' and inserting ''paragraphs (3) through (5) of section 1001,''.

(3) Section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308–1(a)(1)) is amended—

(A) in the first sentence of subsection (a)(1)—

(i) by striking ''section 1001(5)(B)(i)'' and inserting ''section 1001(3)(B)(i)'';

(ii) by striking ''under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.)''; and

(iii) by striking ''section 1001(5)(B)(i)(II)'' and inserting ''section 1001(3)(B)(i)(II)''; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by striking ''under the Agricultural Act of 1949''; and

(II) by striking ''section 1001(5)(B)(i)'' and inserting ''section 1001(3)(B)(i)''; and

(ii) in paragraph (2)(B), by striking ''section 1001(5)(B)(i)(II)'' and inserting ''section 1001(3)(B)(i)(II)''.

(4) Section 1001C(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3(a)) is amended—

(A) by striking ''For each of the 1991 through 1997 crops, any'' and inserting ''Any'';

(B) by striking ''price support program loans, payments, or benefits made available under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.),'' and inserting ''loans or payments made available under the Agricultural Market Transition Act''; and

(C) by striking ''during the 1989 through 1997 crop years''.

SEC. 106. PEANUT PROGRAM.

(a) QUOTA PEANUTS.—

(1) AVAILABILITY OF LOANS.—The Secretary shall make nonrecourse loans available to producers of quota peanuts.

(2) LOAN RATE.—The national average quota loan rate for quota peanuts shall be $610 per ton.

(3) INSPECTION, HANDLING, OR STORAGE.—The loan amount may not be reduced by the Secretary by any deductions for inspection, handling, or storage.

(4) LOCATION AND OTHER FACTORS.—The Secretary may make adjustments in the loan rate for quota peanuts for location of peanuts and such other factors as are authorized by section 104(i)(1).

(b) ADDITIONAL PEANUTS.—

(1) IN GENERAL.—The Secretary shall make nonrecourse loans available to producers of additional peanuts at such rates as the Secretary finds appropriate, taking into consideration the demand for peanut oil and peanut meal, expected prices of other vegetable oils and protein meals, and the demand for peanuts in foreign markets.

(2) ANNOUNCEMENT.—The Secretary shall announce the loan rate for additional peanuts of each crop not later than February 15 preceding the marketing year for the crop for which the loan rate is being determined.

(c) AREA MARKETING ASSOCIATIONS.—

(1) WAREHOUSE STORAGE LOANS.—

(A) IN GENERAL.—In carrying out subsections (a) and (b), the Secretary shall make warehouse storage loans available in each of the producing areas (described in section 1446.95 of title 7 of the Code of Federal Regulations (January 1, 1989)) to a designated area marketing association of peanut producers that is selected and approved by the Secretary and that is operated primarily for the purpose of conducting the loan activities. The Secretary may not make warehouse storage loans available to any cooperative that is engaged in operations or activities concerning peanuts other than those operations and activities specified in this section and section 358e of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359a).

(B) ADMINISTRATIVE AND SUPERVISORY ACTIVITIES.—An area marketing association shall be used in administrative and supervisory activities relating to loans and marketing activities under this section and section 358e of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359a).

(C) ASSOCIATION COSTS.—Loans made to the association under this paragraph shall include such costs as the area marketing association reasonably may incur in carrying out the responsibilities, operations, and activities of the association under this section and section 358e of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359a).

(2) POOLS FOR QUOTA AND ADDITIONAL PEANUTS.—

(A) IN GENERAL.—The Secretary shall require that each area marketing association establish pools and maintain complete and accurate records by area and segregation for quota peanuts handled under loan and for additional peanuts placed under loan, except that separate pools shall be established for Valencia peanuts produced in New Mexico.

(B) ELIGIBILITY TO PARTICIPATE.—

(i) IN GENERAL.—Except as provided in clause (ii), in the case of the 1996 and subsequent crops, Valencia peanuts not physically produced in the State of New Mexico shall not be eligible to participate in the pools of the State.

(ii) EXCEPTION.—A resident of the State of New Mexico may enter Valencia peanuts that are produced outside of the State into the pools of the State in a quantity that is not greater than the 1995 crop of the resident that was produced outside the State.

(C) TYPES OF PEANUTS.—Bright hull and dark hull Valencia peanuts shall be considered as separate types for the purpose of establishing the pools.

(D) NET GAINS.—Net gains on peanuts in each pool, unless otherwise approved by the Secretary, shall be distributed only to producers who placed peanuts in the pool and shall be distributed in proportion to the value of the peanuts placed in the pool by each producer. Net gains for peanuts in each pool shall consist of the following:

(i) QUOTA PEANUTS.—For quota peanuts, the net gains over and above the loan indebtedness and other costs or losses incurred on peanuts placed in the pool.

(ii) ADDITIONAL PEANUTS.—For additional peanuts, the net gains over and above the loan indebtedness and other costs or losses incurred on peanuts placed in the pool for additional peanuts.

(d) LOSSES.—Losses in quota area pools shall be covered using the following sources in the following order of priority:

(1) TRANSFERS FROM ADDITIONAL LOAN POOLS.—The proceeds due any producer from any pool shall be reduced by the amount of any loss that is incurred with respect to peanuts transferred from an additional loan pool to a quota loan pool by the producer under section 358–1(b)(8) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1358–1(b)(8)).

(2) OTHER PRODUCERS IN SAME POOL.—Further losses in an area quota pool shall be offset by reducing the gain of any producer in the pool by the amount of pool gains attributed to the same producer from the sale of additional peanuts for domestic and export edible use.

(3) OFFSET WITHIN AREA.—Further losses in an area quota pool shall be offset by any gains or profits from additional peanuts (other than separate type pools established under subsection (c)(2)(A) for Valencia peanuts produced in New Mexico) owned or controlled by the Commodity Credit Corporation in that area and sold for domestic edible use, in accordance with regulations issued by the Secretary.

(4) USE OF MARKETING ASSESSMENTS.—The Secretary shall use funds collected under subsection (g) (except funds attributable to handlers) to offset further losses in area quota pools. The Secretary shall transfer to the Treasury those funds collected under subsection (g) and available for use under this subsection that the Secretary determines are not required to cover losses in area quota pools.

(5) CROSS COMPLIANCE.—Further losses in area quota pools, other than losses incurred as a result of transfers from additional loan pools to quota loan pools under section 358–1(b)(8) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1358–1(b)(8)), shall be offset by any gains or profits from quota pools in other production areas (other than separate type pools established under subsection (c)(2)(A) for Valencia peanuts produced in New Mexico) in such manner as the Secretary shall by regulation prescribe.

(6) OFFSET GENERALLY.—If losses in an area quota pool have not been entirely offset under paragraph (3), further losses shall be offset by any gains or profits from additional peanuts (other than separate type pools established under subsection (c)(2)(A) for Valencia peanuts produced in New Mexico) owned or controlled by the Commodity Credit Corporation and sold for domestic edible use, in accordance with regulations issued by the Secretary.

(7) INCREASED ASSESSMENTS.—If use of the authorities provided in the preceding paragraphs is not sufficient to cover losses in an area quota pool, the Secretary shall increase the marketing assessment established under subsection (g) by such an amount as the Secretary considers necessary to cover the losses. The increased assessment shall apply only to quota peanuts in the production area covered by the pool. Amounts collected under subsection (g) as a result of the increased assessment shall be retained by the Secretary to cover losses in that pool.

(e) DISAPPROVAL OF QUOTAS.—Notwithstanding any other provision of law, no loan for quota peanuts may be made available by the Secretary for any crop of peanuts with respect to which poundage quotas have been disapproved by producers, as provided for in section 358–1(d) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1358–1(d)).

(f) QUALITY IMPROVEMENT.—

(1) IN GENERAL.—With respect to peanuts under loan, the Secretary shall—

(A) promote the crushing of peanuts at a greater risk of deterioration before peanuts of a lesser risk of deterioration;

(B) ensure that all Commodity Credit Corporation inventories of peanuts sold for domestic edible use must be shown to have been officially inspected by licensed Department inspectors both as farmer stock and shelled or cleaned in-shell peanuts;

(C) continue to endeavor to operate the peanut program so as to improve the quality of domestic peanuts and ensure the coordination of activities under the Peanut Administrative Committee established under Marketing Agreement No. 146, regulating the quality of domestically produced peanuts (under the Agricultural Adjustment Act (7 U.S.C. 601 et seq.), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937); and

(D) ensure that any changes made in the peanut program as a result of this subsection requiring additional production or handling at the farm level shall be reflected as an upward adjustment in the Department loan schedule.

(2) EXPORTS AND OTHER PEANUTS.—The Secretary shall require that all peanuts in the domestic and export markets fully comply with all quality standards under Marketing Agreement No. 146.

(g) MARKETING ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall provide for a nonrefundable marketing assessment. The assessment shall be made on a per pound basis in an amount equal to 1.1 percent for each of the 1994 and 1995 crops, 1.15 percent for the 1996 crop, and 1.2 percent for each of the 1997 through 2002 crops, of the national average quota or additional peanut loan rate for the applicable crop.

(2) FIRST PURCHASERS.—

(A) IN GENERAL.—Except as provided under paragraphs (3) and (4), the first purchaser of peanuts shall—

(i) collect from the producer a marketing assessment equal to the quantity of peanuts acquired multiplied by—

(I) in the case of each of the 1994 and 1995 crops, .55 percent of the applicable national average loan rate;

(II) in the case of the 1996 crop, .6 percent of the applicable national average loan rate; and

(III) in the case of each of the 1997 through 2002 crops, .65 percent of the applicable national average loan rate;

(ii) pay, in addition to the amount collected under clause (i), a marketing assessment in an amount equal to the quantity of peanuts acquired multiplied by .55 percent of the applicable national average loan rate; and

(iii) remit the amounts required under clauses (i) and (ii) to the Commodity Credit Corporation in a manner specified by the Secretary.

(B) DEFINITION OF FIRST PURCHASER.—In this subsection, the term ''first purchaser'' means a person acquiring peanuts from a producer except that in the case of peanuts forfeited by a producer to the Commodity Credit Corporation, the term means the person acquiring the peanuts from the Commodity Credit Corporation.

(3) OTHER PRIVATE MARKETINGS.—In the case of a private marketing by a producer directly to a consumer through a retail or wholesale outlet or in the case of a marketing by the producer outside of the continental United States, the producer shall be responsible for the full amount of the assessment and shall remit the assessment by such time as is specified by the Secretary.

(4) LOAN PEANUTS.—In the case of peanuts that are pledged as collateral for a loan made under this section, ½ of the assessment shall be deducted from the proceeds of the loan. The remainder of the assessment shall be paid by the first purchaser of the peanuts. For purposes of computing net gains on peanuts under this section, the reduction in loan proceeds shall be treated as having been paid to the producer.

(5) PENALTIES.—If any person fails to collect or remit the reduction required by this subsection or fails to comply with the requirements for recordkeeping or otherwise as are required by the Secretary to carry out this subsection, the person shall be liable to the Secretary for a civil penalty up to an amount determined by multiplying—

(A) the quantity of peanuts involved in the violation; by

(B) the national average quota peanut rate for the applicable crop year.

(6) ENFORCEMENT.—The Secretary may enforce this subsection in the courts of the United States.

(h) CROPS.—Subsections (a) through (f) shall be effective only for the 1996 through 2002 crops of peanuts.

(i) MARKETING QUOTAS.—

(1) IN GENERAL.—Part VI of subtitle B of title III of the Agricultural Adjustment Act of 1938 is amended—

(A) in section 358–1 (7 U.S.C. 1358–1)—

(i) in the section heading, by striking ''**1991 THROUGH 1997 CROPS OF**'';

(ii) in subsections (a)(1), (b)(1)(B), (b)(2)(A), (b)(2)(C), and (b)(3)(A), by striking ''of the 1991 through 1997 marketing years'' each place it appears and inserting ''marketing year'';

(iii) in subsection (a)(3), by striking ''1990'' and inserting ''1990, for the 1991 through 1995

marketing years, and 1995, for the 1996 through 2002 marketing years'';

(iv) in subsection (b)(1)(A)—

(I) by striking ''each of the 1991 through 1997 marketing years'' and inserting ''each marketing year''; and

(II) in clause (i), by inserting before the semicolon the following: '', in the case of the 1991 through 1995 marketing years, and the 1995 marketing year, in the case of the 1996 through 2002 marketing years'';

(v) in subsection (b)(1), by adding at the end the following:

''(D) CERTAIN FARMS INELIGIBLE FOR QUOTA.—Effective beginning with the 1997 marketing year, the Secretary shall not establish a farm poundage quota under subparagraph (A) for a farm owned or controlled by—

''(i) a municipality, airport authority, school, college, refuge, or other public entity (other than a university used for research purposes); or

''(ii) a person who is not a producer and resides in another State.'';

(vi) in subsection (b)(2), by adding at the end the following:

''(E) TRANSFER OF QUOTA FROM INELIGIBLE FARMS.—Any farm poundage quota held at the end of the 1996 marketing year by a farm described in paragraph (1)(D) shall be allocated to other farms in the same State on such basis as the Secretary may by regulation prescribe.''; and

(vii) in subsection (f), by striking ''1997'' and inserting ''2002'';

(B) in section 358b (7 U.S.C. 1358b)—

(i) in the section heading, by striking ''**1991 THROUGH 1995 CROPS OF**''; and

(ii) in subsection (c), by striking ''1995'' and inserting ''2002'';

(C) in section 358c(d) (7 U.S.C. 1358c(d)), by striking ''1995'' and inserting ''2002''; and

(D) in section 358e (7 U.S.C. 1359a)—

(i) in the section heading, by striking ''**FOR 1991 THROUGH 1997 CROPS OF PEANUTS**''; and

(ii) in subsection (i), by striking ''1997'' and inserting ''2002''.

(2) ELIMINATION OF QUOTA FLOOR.—Section 358–1(a)(1) of the Act (7 U.S.C. 1358–1(a)(1)) is amended by striking the second sentence.

(3) TEMPORARY QUOTA ALLOCATION.—Section 358–1 of the Act (7 U.S.C. 1358–1) is amended—

(A) in subsection (a)(1), by striking ''domestic edible, seed,'' and inserting ''domestic edible use'';

(B) in subsection (b)(2)—

(i) in subparagraph (A), by striking ''subparagraph (B) and subject to''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) TEMPORARY QUOTA ALLOCATION.—

''(i) ALLOCATION RELATED TO SEED PEANUTS.—Temporary allocation of quota pounds for the marketing year only in which the crop is planted shall be made to producers for each of the 1996 through 2002 marketing years as provided in this subparagraph.

''(ii) QUANTITY.—The temporary quota allocation shall be equal to the pounds of seed peanuts planted on the farm, as may be adjusted under regulations prescribed by the Secretary.

''(iii) ADDITIONAL QUOTA.—The temporary allocation of quota pounds under this paragraph shall be in addition to the farm poundage quota otherwise established under this subsection and shall be credited, for the applicable marketing year only, in total to the producer of the peanuts on the farm in a manner prescribed by the Secretary.

''(iv) EFFECT OF OTHER REQUIREMENTS.—Nothing in this section alters or changes the requirements regarding the use of quota and additional peanuts established by section 358e(b).''; and

(C) in subsection (e)(3), strike ''and seed and use on a farm''.

(4) UNDERMARKETINGS.—Part VI of subtitle B of title III of the Act is amended—

(A) in section 358–1(b) (7 U.S.C. 1358–1(b))—

(i) in paragraph (1)(B), by striking ''including—'' and clauses (i) and (ii) and inserting ''including any increases resulting from the allocation of quotas voluntarily released for 1 year under paragraph (7).'';

(ii) in paragraph (3)(B), by striking ''include—'' and clauses (i) and (ii) and inserting ''include any increase resulting from the allocation of quotas voluntarily released for 1 year under paragraph (7).''; and

(iii) by striking paragraphs (8) and (9); and

(B) in section 358b(a) (7 U.S.C. 1358b(a))—

(i) in paragraph (1), by striking ''(including any applicable under marketings)'' both places it appears;

(ii) in paragraph (1)(A), by striking ''of undermarketings and'';

(iii) in paragraph (2), by striking ''(including any applicable under marketings)''; and

(iv) in paragraph (3), by striking ''(including any applicable undermarketings)''.

(5) DISASTER TRANSFERS.—Section 358–1(b) of the Act (7 U.S.C. 1358–1(b)), as amended by paragraph (4)(A)(iii), is further amended by adding at the end the following:

''(8) DISASTER TRANSFERS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), additional peanuts produced on a farm from which the quota poundage was not harvested and marketed because of drought, flood, or any other natural disaster, or any other condition beyond the control of the producer, may be transferred to the quota loan pool for pricing purposes on such basis as the Secretary shall by regulation provide.

''(B) LIMITATION.—The poundage of peanuts transferred under subparagraph (A) shall not exceed the difference between—

''(i) the total quantity of peanuts meeting quality requirements for domestic edible use, as determined by the Secretary, marketed from the farm; and

''(ii) the total farm poundage quota, excluding quota pounds transferred to the farm in the fall.

''(C) SUPPORT RATE.—Peanuts transferred under this paragraph shall be supported at not more than 70 percent of the quota support rate for the marketing years in which the transfers occur. The transfers for a farm shall not exceed 25 percent of the total farm quota pounds, excluding pounds transferred in the fall.''.

SEC. 107. SUGAR PROGRAM.

(a) SUGARCANE.—The Secretary shall make loans available to processors of domestically grown sugarcane at a rate equal to 18 cents per pound for raw cane sugar.

(b) SUGAR BEETS.—The Secretary shall make loans available to processors of domestically grown sugar beets at a rate equal to 22.9 cents per pound for refined beet sugar.

(c) TERM OF LOANS.—

(1) IN GENERAL.—Loans under this section during any fiscal year shall be made available not earlier than the beginning of the fiscal year and shall mature at the earlier of—

(A) the end of 9 months; or

(B) the end of the fiscal year.

(2) SUPPLEMENTAL LOANS.—In the case of loans made under this section in the last 3 months of a fiscal year, the processor may repledge the sugar as collateral for a second loan in the subsequent fiscal year, except that the second loan shall—

(A) be made at the loan rate in effect at the time the second loan is made; and

(B) mature in 9 months less the quantity of time that the first loan was in effect.

(d) LOAN TYPE; PROCESSOR ASSURANCES.—

(1) RECOURSE LOANS.—Subject to paragraph (2), the Secretary shall carry out this section through the use of recourse loans.

(2) NONRECOURSE LOANS.—During any fiscal year in which the tariff rate quota for imports of sugar into the United States is established at, or is increased to, a level in excess of 1,500,000 short tons raw value, the Secretary shall carry out this section by making available nonrecourse loans. Any recourse loan previously made available by the Secretary under this section during the fiscal year shall be changed by the Secretary into a nonrecourse loan.

(3) PROCESSOR ASSURANCES.—If the Secretary is required under paragraph (2) to make nonrecourse loans available during a fiscal year or to change recourse loans into nonrecourse loans, the Secretary shall obtain from each processor that receives a loan under this section such assurances as the Secretary considers adequate to ensure that the processor will provide payments to producers that are proportional to the value of the loan received by the processor for sugar beets and sugarcane delivered by producers served by the processor. The Secretary may establish appropriate minimum payments for purposes of this paragraph.

(e) MARKETING ASSESSMENT.—

(1) SUGARCANE.—Effective for marketings of raw cane sugar during the 1996 through 2003 fiscal years, the first processor of sugarcane shall remit to the Commodity Credit Corporation a nonrefundable marketing assessment in an amount equal to—

(A) in the case of marketings during fiscal year 1996, 1.1 percent of the loan rate established under subsection (a) per pound of raw cane sugar, processed by the processor from domestically produced sugarcane or sugarcane molasses, that has been marketed (including the transfer or delivery of the sugar to a refinery for further processing or marketing); and

(B) in the case of marketings during each of fiscal years 1997 through 2003, 1.375 percent of the loan rate established under subsection (a) per pound of raw cane sugar, processed by the processor from domestically produced sugarcane or sugarcane molasses, that has been marketed (including the transfer or delivery of the sugar to a refinery for further processing or marketing).

(2) SUGAR BEETS.—Effective for marketings of beet sugar during the 1996 through 2003 fiscal years, the first processor of sugar beets shall remit to the Commodity Credit Corporation a nonrefundable marketing assessment in an amount equal to—

(A) in the case of marketings during fiscal year 1996, 1.1794 percent of the loan rate established under subsection (a) per pound of beet sugar, processed by the processor from domestically produced sugar beets or sugar beet molasses, that has been marketed; and

(B) in the case of marketings during each of fiscal years 1997 through 2003, 1.47425 percent of the loan rate established under subsection (a) per pound of beet sugar, processed by the processor from domestically produced sugar beets or sugar beet molasses, that has been marketed.

(3) COLLECTION.—

(A) TIMING.—A marketing assessment required under this subsection shall be collected on a monthly basis and shall be remitted to the Commodity Credit Corporation not later than 30 days after the end of each month. Any cane sugar or beet sugar processed during a fiscal year that has not been marketed by September 30 of the year shall be subject to assessment on that date. The sugar shall not be subject to a second assessment at the time that it is marketed.

(B) MANNER.—Subject to subparagraph (A), marketing assessments shall be collected

under this subsection in the manner prescribed by the Secretary and shall be nonrefundable.

(4) PENALTIES.—If any person fails to remit the assessment required by this subsection or fails to comply with such requirements for recordkeeping or otherwise as are required by the Secretary to carry out this subsection, the person shall be liable to the Secretary for a civil penalty up to an amount determined by multiplying—

(A) the quantity of cane sugar or beet sugar involved in the violation; by

(B) the loan rate for the applicable crop of sugarcane or sugar beets.

(5) ENFORCEMENT.—The Secretary may enforce this subsection in a court of the United States.

(f) FORFEITURE PENALTY.—

(1) IN GENERAL.—A penalty shall be assessed on the forfeiture of any sugar pledged as collateral for a nonrecourse loan under this section.

(2) CANE SUGAR.—The penalty for cane sugar shall be 1 cent per pound.

(3) BEET SUGAR.—The penalty for beet sugar shall bear the same relation to the penalty for cane sugar as the marketing assessment for sugar beets bears to the marketing assessment for sugarcane.

(4) EFFECT OF FORFEITURE.—Any payments owed producers by a processor that forfeits of any sugar pledged as collateral for a nonrecourse loan shall be reduced in proportion to the loan forfeiture penalty incurred by the processor.

(g) INFORMATION REPORTING.—

(1) DUTY OF PROCESSORS AND REFINERS TO REPORT.—A sugarcane processor, cane sugar refiner, and sugar beet processor shall furnish the Secretary, on a monthly basis, such information as the Secretary may require to administer sugar programs, including the quantity of purchases of sugarcane, sugar beets, and sugar, and production, importation, distribution, and stock levels of sugar.

(2) PENALTY.—Any person willfully failing or refusing to furnish the information, or furnishing willfully any false information, shall be subject to a civil penalty of not more than $10,000 for each such violation.

(3) MONTHLY REPORTS.—Taking into consideration the information received under paragraph (1), the Secretary shall publish on a monthly basis composite data on production, imports, distribution, and stock levels of sugar.

(h) CROPS.—This section shall be effective only for the 1996 through 2002 crops of sugar beets and sugarcane.

SEC. 108. ADMINISTRATION.

(a) COMMODITY CREDIT CORPORATION.—

(1) USE OF CORPORATION.—The Secretary shall carry out this title through the Commodity Credit Corporation.

(2) SALARIES AND EXPENSES.—No funds of the Corporation shall be used for any salary or expense of any officer or employee of the Department of Agriculture.

(b) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this title or the Agricultural Adjustment Act of 1938 (7 U.S.C. 1281 et seq.) shall be final and conclusive.

(c) REGULATIONS.—The Secretary may issue such regulations as the Secretary determines necessary to carry out this title.

SEC. 109. SUSPENSION AND REPEAL OF PERMANENT AUTHORITIES.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—

(1) IN GENERAL.—The following provisions of the Agricultural Adjustment Act of 1938 shall not be applicable to the 1996 through 2002 crops:

(A) Parts II through V of subtitle B of title III (7 U.S.C. 1326–1351).

(B) Subsections (a) through (j) of section 358 (7 U.S.C. 1358).

(C) Subsections (a) through (h) of section 358a (7 U.S.C. 1358a).

(D) Subsections (a), (b), (d), and (e) of section 358d (7 U.S.C. 1359).

(E) Part VII of subtitle B of title III (7 U.S.C. 1359aa–1359jj).

(F) In the case of peanuts, part I of subtitle C of title III (7 U.S.C. 1361–1368).

(G) In the case of upland cotton, section 377 (7 U.S.C. 1377).

(H) Subtitle D of title III (7 U.S.C. 1379a–1379j).

(I) Title IV (7 U.S.C. 1401–1407).

(2) REPORTS AND RECORDS.—Effective only for the 1996 through 2002 crops of peanuts, the first sentence of section 373(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1373(a)) is amended by inserting before ''all brokers and dealers in peanuts'' the following: ''all producers engaged in the production of peanuts,''.

(b) AGRICULTURAL ACT OF 1949.—

(1) SUSPENSIONS.—The following provisions of the Agricultural Act of 1949 shall not be applicable to the 1996 through 2002 crops:

(A) Section 101 (7 U.S.C. 1441).

(B) Section 103(a) (7 U.S.C. 1444(a)).

(C) Section 105 (7 U.S.C. 1444b).

(D) Section 107 (7 U.S.C. 1445a).

(E) Section 110 (7 U.S.C. 1445e).

(F) Section 112 (7 U.S.C. 1445g).

(G) Section 115 (7 U.S.C. 1445k).

(H) Title III (7 U.S.C. 1447–1449).

(I) Title IV (7 U.S.C. 1421–1433d), other than sections 404, 406, 412, 416, and 427 (7 U.S.C. 1424, 1426, 1429, 1431, and 1433f).

(J) Title V (7 U.S.C. 1461–1469).

(K) Title VI (7 U.S.C. 1471–1471j).

(2) REPEALS.—The following provisions of the Agricultural Act of 1949 are repealed:

(A) Section 103B (7 U.S.C. 1444–2).

(B) Section 108B (7 U.S.C. 1445c–3).

(C) Section 113 (7 U.S.C. 1445h).

(D) Section 114(b) (7 U.S.C. 1445j(b)).

(E) Sections 205, 206, and 207 (7 U.S.C. 1446f, 1446g, and 1446h).

(F) Section 406 (7 U.S.C. 1426).

(c) SUSPENSION OF CERTAIN QUOTA PROVISIONS.—The joint resolution entitled ''A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended'', approved May 26, 1941 (7 U.S.C. 1330 and 1340), shall not be applicable to the crops of wheat planted for harvest in the calendar years 1996 through 2002.

SEC. 110. EFFECT OF AMENDMENTS.

(a) EFFECT ON PRIOR CROPS.—Except as otherwise specifically provided and notwithstanding any other provision of law, this title and the amendments made by this title shall not affect the authority of the Secretary to carry out a price support or production adjustment program for any of the 1991 through 1995 crops of an agricultural commodity established under a provision of law in effect immediately before the date of the enactment of this Act.

(b) LIABILITY.—A provision of this title or an amendment made by this title shall not affect the liability of any person under any provision of law as in effect before the date of the enactment of this Act.

SEC. 111. DAIRY.

Subsection (h) of section 204 of the Agricultural Act of 1949 (7 U.S.C. 1446e) is amended to read as follows:

''(h) RESIDUAL AUTHORITY FOR REFUND OF BUDGET DEFICIT ASSESSMENTS.—

''(1) APPLICATION OF SUBSECTION.—This subsection shall apply with respect to the reductions made under this subsection, as in effect on the day before the date of the enactment of the Agricultural Market Transition Act, in the price of milk received by producers during the period beginning on January 1, 1996, and ending on the date of the enactment of such Act.

''(2) REFUND REQUIRED.—The Secretary shall provide a refund of the entire reduction made under this subsection, as in effect on the day before the date of the enactment of the Agricultural Market Transition Act, in the price of milk received by a producer during the period referred to in paragraph (1) if the producer provides evidence that the producer did not increase marketings in calendar year 1996 when compared to calendar year 1995.

''(3) TREATMENT OF REFUNDS.—A refund under this subsection shall not be considered as any type of price support or payment for purposes of sections 1211 and 1221 of the Food Security Act of 1985 (16 U.S.C. 3811, 3821).''.

TITLE II—AGRICULTURAL TRADE

Subtitle A—Market Promotion Program and Export Enhancement Program

SEC. 201. MARKET PROMOTION PROGRAM.

Effective as of October 1, 1995, section 211(c)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)(1)) is amended—

(1) by striking ''and'' after ''1991 through 1993,''; and

(2) by striking ''through 1997,'' and inserting ''through 1995, and not more than $100,000,000 for each of fiscal years 1996 through 2002,''.

SEC. 202. EXPORT ENHANCEMENT PROGRAM.

Effective as of October 1, 1995, section 301(e)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5651(e)(1)) is amended to read as follows:

''(1) IN GENERAL.—The Commodity Credit Corporation shall make available to carry out the program established under this section not more than—

''(A) $350,000,000 for fiscal year 1996;

''(B) $350,000,000 for fiscal year 1997;

''(C) $500,000,000 for fiscal year 1998;

''(D) $550,000,000 for fiscal year 1999;

''(E) $579,000,000 for fiscal year 2000;

''(F) $478,000,000 for fiscal year 2001; and

''(G) $478,000,000 for fiscal year 2002.''.

Subtitle B—Amendments to Agricultural Trade Development and Assistance Act of 1954 and Related Statutes

SEC. 211. FOOD AID TO DEVELOPING COUNTRIES.

(a) IN GENERAL.—Section 3 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691a) is amended to read as follows:

''SEC. 3. FOOD AID TO DEVELOPING COUNTRIES.

''(a) POLICY.—In light of the Uruguay Round Agreement on Agriculture and the Ministerial Decision on Measures Concerning the Possible Negative Effects of the Reform Program on Least-Developed and Net-Food Importing Developing Countries, the United States reaffirms the commitment of the United States to providing food aid to developing countries.

''(b) SENSE OF CONGRESS.—It is the sense of Congress that—

''(1) the President should initiate consultations with other donor nations to consider appropriate levels of food aid commitments to meet the legitimate needs of developing countries;

''(2) the United States should increase its contribution of bona fide food assistance to developing countries consistent with the Agreement on Agriculture.''.

(b) CONFORMING AMENDMENT.—Section 411 of the Uruguay Round Agreements Act (19 U.S.C. 3611) is amended by striking subsection (e).

SEC. 212. TRADE AND DEVELOPMENT ASSISTANCE.

Section 101 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1701) is amended—

(1) by striking ''developing countries'' each place it appears and inserting ''developing countries and private entities''; and

(2) in subsection (b), by inserting ''and entities'' before the period at the end.

SEC. 213. AGREEMENTS REGARDING ELIGIBLE COUNTRIES AND PRIVATE ENTITIES.

Section 102 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1702) is amended to read as follows:

''SEC. 102. AGREEMENTS REGARDING ELIGIBLE COUNTRIES AND PRIVATE ENTITIES.

''(a) PRIORITY.—In selecting agreements to be entered into under this title, the Secretary shall give priority to agreements providing for the export of agricultural commodities to developing countries that—

''(1) have the demonstrated potential to become commercial markets for competitively priced United States agricultural commodities;

''(2) are undertaking measures for economic development purposes to improve food security and agricultural development, alleviate poverty, and promote broad-based equitable and sustainable development; and

''(3) demonstrate the greatest need for food.

''(b) PRIVATE ENTITIES.—An agreement entered into under this title with a private entity shall require such security, or such other provisions as the Secretary determines necessary, to provide reasonable and adequate assurance of repayment of the financing extended to the private entity.

''(c) AGRICULTURAL MARKET DEVELOPMENT PLAN.—

''(1) DEFINITION OF AGRICULTURAL TRADE ORGANIZATION.—In this subsection, the term 'agricultural trade organization' means a United States agricultural trade organization that promotes the export and sale of a United States agricultural commodity and that does not stand to profit directly from the specific sale of the commodity.

''(2) AN.—The Secretary shall consider a developing country for which an agricultural market development plan has been approved under this subsection to have the demonstrated potential to become a commercial market for competitively priced United States agricultural commodities for the purpose of granting a priority under subsection (a).

''(3) REQUIREMENTS.—

'(A) IN GENERAL.—To be approved by the Secretary, an agricultural market development plan shall—

''(i) be submitted by a developing country or private entity, in conjunction with an agricultural trade organization;

''(ii) describe a project or program for the development and expansion of a United States agricultural commodity market in a developing country, and the economic development of the country, using funds derived from the sale of agricultural commodities received under an agreement described in section 101;

''(iii) provide for any matching funds that are required by the Secretary for the project or program;

''(iv) provide for a results-oriented means of measuring the success of the project or program; and

''(v) provide for graduation to the use of non-Federal funds to carry out the project or program, consistent with requirements established by the Secretary.

''(B) AGRICULTURAL TRADE ORGANIZATION.—The project or program shall be designed and carried out by the agricultural trade organization.

''(C) ADDITIONAL REQUIREMENTS.—An agricultural market development plan shall contain such additional requirements as are determined necessary by the Secretary.

''(4) ADMINISTRATIVE COSTS.—

''(A) IN GENERAL.—The Secretary shall make funds made available to carry out this title available for the reimbursement of administrative expenses incurred by agricultural trade organizations in developing, implementing, and administering agricultural market development plans, subject to such requirements and in such amounts as the Secretary considers appropriate.

''(B) DURATION.—The funds shall be made available to agricultural trade organizations for the duration of the applicable agricultural market development plan.

''(C) TERMINATION.—The Secretary may terminate assistance made available under this subsection if the agricultural trade organization is not carrying out the approved agricultural market development plan.''.

SEC. 214. TERMS AND CONDITIONS OF SALES.

Section 103 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1703) is amended—

(1) in subsection (a)(2)(A)—

(A) by striking ''a recipient country to make''; and

(B) by striking ''such country'' and inserting ''the appropriate country'';

(2) in subsection (c), by striking ''less than 10 nor''; and

(3) in subsection (d)—

(A) by striking ''recipient country'' and inserting ''developing country or private entity''; and

(B) by striking ''7'' and inserting ''5''.

SEC. 215. USE OF LOCAL CURRENCY PAYMENT.

Section 104 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704) is amended—

(1) in subsection (a), by striking ''recipient country'' and inserting ''developing country or private entity''; and

(2) in subsection (c)—

(A) by striking ''recipient country'' each place it appears and inserting ''appropriate developing country''; and

(B) in paragraph (3), by striking ''recipient countries'' and inserting ''appropriate developing countries''.

SEC. 216. ELIGIBLE ORGANIZATIONS.

Section 202 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1722) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) NONEMERGENCY ASSISTANCE.—

''(1) IN GENERAL.—The Administrator may provide agricultural commodities for nonemergency assistance under this title through eligible organizations (as described in subsection (d)) that have entered into an agreement with the Administrator to use the commodities in accordance with this title.

''(2) LIMITATION.—The Administrator may not deny a request for funds or commodities submitted under this subsection because the program for which the funds or commodities are requested—

''(A) would be carried out by the eligible organization in a foreign country in which the Agency for International Development does not have a mission, office, or other presence; or

''(B) is not part of a development plan for the country prepared by the Agency.''; and

(2) in subsection (e)—

(A) in the subsection heading, by striking ''PRIVATE VOLUNTARY ORGANIZATIONS AND COOPERATIVES'' and inserting ''ELIGIBLE ORGANIZATIONS'';

(B) in paragraph (1)—

(i) by striking ''$13,500,000'' and inserting ''$28,000,000''; and

(ii) by striking ''private voluntary organizations and cooperatives to assist such organizations and cooperatives'' and inserting ''eligible organizations described in subsection (d), to assist the organizations'';

(C) in paragraph (3), by striking ''a private voluntary organization or cooperative, the Administrator may provide assistance to that organization or cooperative'' and inserting ''an eligible organization, the Administrator may provide assistance to the eligible organization''.

SEC. 217. GENERATION AND USE OF FOREIGN CURRENCIES.

Section 203 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1723) is amended—

(1) in subsection (a), by inserting '', or in a country in the same region,'' after ''in the recipient country'';

(2) in subsection (b)—

(A) by inserting ''or in countries in the same region,'' after ''in recipient countries,''; and

(B) by striking ''10 percent'' and inserting ''15 percent'';

(3) in subsection (c), by inserting ''or in a country in the same region,'' after ''in the recipient country,''; and

(4) in subsection (d)(2), by inserting ''or within a country in the same region'' after ''within the recipient country''.

SEC. 218. GENERAL LEVELS OF ASSISTANCE UNDER PUBLIC LAW 480.

Section 204(a) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724(a)) is amended—

(1) in paragraph (1), by striking ''amount that'' and all that follows through the period at the end and inserting ''amount that for each of fiscal years 1996 through 2002 is not less than 2,025,000 metric tons.'';

(2) in paragraph (2), by striking ''amount that'' and all that follows through the period at the end and inserting ''amount that for each of fiscal years 1996 through 2002 is not less than 1,550,000 metric tons.''; and

(3) in paragraph (3), by adding at the end the following: ''No waiver shall be made before the beginning of the applicable fiscal year.''.

SEC. 219. FOOD AID CONSULTATIVE GROUP.

Section 205 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1725) is amended—

(1) in subsection (a), by striking ''private voluntary organizations, cooperatives and indigenous non-governmental organizations'' and inserting ''eligible organizations described in section 202(d)(1)'';

(2) in subsection (b)—

(A) in paragraph (2), by striking ''for International Affairs and Commodity Programs'' and inserting ''of Agriculture for Farm and Foreign Agricultural Services'';

(B) in paragraph (4), by striking ''and'' at the end;

(C) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(6) representatives from agricultural producer groups in the United States.'';

(3) in the second sentence of subsection (d), by inserting ''(but at least twice per year)'' after ''when appropriate''; and

(4) in subsection (f), by striking ''1995'' and inserting ''2002''.

SEC. 220. SUPPORT OF NONGOVERNMENTAL ORGANIZATIONS.

(a) IN GENERAL.—Section 306(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1727e(b)) is amended—

(1) in the subsection heading, by striking ''INDIGENOUS NON-GOVERNMENTAL'' and inserting ''NONGOVERNMENTAL''; and

(2) by striking ''utilization of indigenous'' and inserting ''utilization of''.

(b) CONFORMING AMENDMENT.—Section 402 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1732) is amended by striking paragraph (6) and inserting the following:

''(6) NONGOVERNMENTAL ORGANIZATION.—The term 'nongovernmental organization' means an organization that works at the local level to solve development problems in a foreign country in which the organization is located, except that the term does not include an organization that is primarily an agency or instrumentality of the government of the foreign country.''.

SEC. 221. COMMODITY DETERMINATIONS.

Section 401 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1731) is amended—

(1) by striking subsections (a) through (d) and inserting the following:

''(a) AVAILABILITY OF COMMODITIES.—No agricultural commodity shall be available for disposition under this Act if the Secretary determines that the disposition would reduce the domestic supply of the commodity below the supply needed to meet domestic requirements and provide adequate carryover (as determined by the Secretary), unless the Secretary determines that some part of the supply should be used to carry out urgent humanitarian purposes under this Act.'';

(2) by redesignating subsections (e) and (f) as subsections (b) and (c), respectively; and

(3) in subsection (c) (as so redesignated), by striking ''(e)(1)'' and inserting ''(b)(1)''.

SEC. 222. GENERAL PROVISIONS.

Section 403 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1733) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking ''CONSULTATIONS'' and inserting ''IMPACT ON LOCAL FARMERS AND ECONOMY''; and

(B) by striking ''consult with'' and all that follows through ''other donor organizations to'';

(2) in subsection (c)—

(A) by striking ''from countries''; and

(B) by striking ''for use'' and inserting ''or use'';

(3) in subsection (f)—

(A) by inserting ''or private entities, as appropriate,'' after ''from countries''; and

(B) by inserting ''or private entities'' after ''such countries''; and

(4) in subsection (i)(2), by striking subparagraph (C).

SEC. 223. AGREEMENTS.

Section 404 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1734) is amended—

(1) in subsection (a), by inserting ''with foreign countries'' after ''Before entering into agreements'';

(2) in subsection (b)(2)—

(A) by inserting ''with foreign countries'' after ''with respect to agreements entered into''; and

(B) by inserting before the semicolon at the end the following: ''and broad-based economic growth''; and

(3) in subsection (c), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Agreements to provide assistance on a multi-year basis to recipient countries or to eligible organizations—

''(A) may be made available under titles I and III; and

''(B) shall be made available under title II.''.

SEC. 224. ADMINISTRATIVE PROVISIONS.

Section 407 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736a) is amended—

(1) in subsection (a)—

(A) in paragraph(1), by inserting ''or private entity that enters into an agreement under title I'' after ''importing country''; and

(B) in paragraph (2), by adding at the end the following: ''Resulting contracts may contain such terms and conditions as the Secretary determines are necessary and appropriate.'';

(2) in subsection (c)—

(A) in paragraph (1)(A), by inserting ''importer or'' before ''importing country''; and

(B) in paragraph (2)(A), by inserting ''importer or'' before ''importing country'';

(3) in subsection (d)—

(A) by striking paragraph (2) and inserting the following:

''(2) FREIGHT PROCUREMENT.—Notwithstanding the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) or other similar provisions of law relating to the making or performance of Federal Government contracts, ocean transportation under titles II and III may be procured on the basis of such full and open competitive procedures. Resulting contracts may contain such terms and conditions, as the Administrator determines are necessary and appropriate.''; and

(B) by striking paragraph (4);

(4) in subsection (g)(2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) an assessment of the progress towards achieving food security in each country receiving food assistance from the United States Government, with special emphasis on the nutritional status of the poorest populations in each country.''; and

(5) by striking subsection (h).

SEC. 225. EXPIRATION DATE.

Section 408 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736b) is amended by striking ''1995'' and inserting ''2002''.

SEC. 226. REGULATIONS.

Section 409 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736c) is repealed.

SEC. 227. INDEPENDENT EVALUATION OF PROGRAMS.

Section 410 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736d) is repealed.

SEC. 228. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 412 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736f) is amended—

(1) by striking subsections (b) and (c) and inserting the following:

''(b) TRANSFER OF FUNDS.—Notwithstanding any other provision of law, the President may direct that—

''(1) up to 15 percent of the funds available for any fiscal year for carrying out title I or III of this Act be used to carry out any other title of this Act; and

''(2) up to 100 percent of funds available for title III be used to carry out title II.''; and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(b) RELATION TO OTHER WAIVER.—Section 204(a)(3) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724(a)(3)) is amended by inserting ''all authority to transfer from title I under section 412 has been exercised with respect to that fiscal year and'' after ''any fiscal year if''.

SEC. 229. COORDINATION OF FOREIGN ASSISTANCE PROGRAMS.

Section 413 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736g) is amended by inserting ''title III of'' before ''this Act'' each place it appears.

SEC. 230. USE OF CERTAIN LOCAL CURRENCY.

Title IV of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1731 et seq.) (as amended by section 222) is further amended by adding at the end the following:

''SEC. 416. USE OF CERTAIN LOCAL CURRENCY.

''Local currency payments received by the United States pursuant to agreements entered into under title I (as in effect on November 27, 1990) may be utilized by the Secretary in accordance with section 108 (as in effect on November 27, 1990).''.

SEC. 231. LEVEL OF ASSISTANCE TO FARMER TO FARMER PROGRAM.

Section 501(c) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1737(c)) is amended—

(1) by striking ''0.2'' and inserting ''0.4'';

(2) by striking ''0.1'' and inserting ''0.2''; and

(3) by striking ''1991 through 1995'' and inserting ''1996 through 2002''.

SEC. 232. FOOD SECURITY COMMODITY RESERVE.

(a) FOOD SECURITY COMMODITY RESERVE ACT OF 1995.—The title heading of title III of the Agricultural Act of 1980 (7 U.S.C. 1736f–1 note) is amended by striking ''**FOOD SECURITY WHEAT RESERVE ACT OF 1980**'' and inserting ''**FOOD SECURITY COMMODITY RESERVE ACT OF 1995**''.

(b) SHORT TITLE.—Section 301 of the Act (7 U.S.C. 1736f–1 note) is amended by striking ''Food Security Wheat Reserve Act of 1980'' and inserting ''Food Security Commodity Reserve Act of 1995''.

(c) IN GENERAL.—Section 302 of the Act (7 U.S.C. 1736f–1) is amended—

(1) in the section heading, by striking ''**FOOD SECURITY WHEAT RESERVE**'' and inserting ''**FOOD SECURITY COMMODITY RESERVE**'';

(2) so that subsection (a) reads as follows:

''(a) IN GENERAL.—To provide for a reserve solely to meet emergency humanitarian food needs in developing countries, the Secretary shall establish a reserve stock of wheat, rice, corn, or sorghum, or any combination of the commodities, totaling not more than 4,000,000 metric tons for use as described in subsection (c).'';

(3) so that subsection (b)(1) reads as follows:

''(b) COMMODITIES IN RESERVE.—

''(1) IN GENERAL.—The reserve established under this section shall consist of—

''(A) wheat in the reserve established under the Food Security Commodity Reserve Act of 1980 as of the date of enactment of the Food For Peace Reauthorization Act of 1995;

''(B) wheat, rice, corn, and sorghum (referred to in this section as 'eligible commodities') acquired in accordance with paragraph (2) to replenish eligible commodities released from the reserve, including wheat to replenish wheat released from the reserve established under the Food Security Wheat Reserve Act of 1980 but not replenished as of the date of enactment of the Food For Peace Reauthorization Act of 1995; and

''(C) such rice, corn, and sorghum as the Secretary of Agriculture (referred to in this section as the 'Secretary') may, at such time and in such manner as the Secretary determines appropriate, acquire as a result of exchanging an equivalent value of wheat in the reserve established under this section.'';

(4) in subsection (b)(2)—

(A) by striking ''(2)(A) Subject to'' and inserting the following:

''(2) REPLENISHMENT OF RESERVE.—

''(A) IN GENERAL.—Subject to'';

(B) in subparagraph (A)—

(i) by striking ''(i) of this section stocks of wheat'' and inserting ''(i) stocks of eligible commodities'';

(ii) in clause (ii), by striking ''stocks of wheat'' and inserting ''stocks of eligible commodities''; and

(iii) in the second sentence, by striking ''wheat'' and inserting ''eligible commodities''; and

(C) in subparagraph (B)—

(i) by striking ''(B) Not later'' and inserting ''(B) TIME FOR REPLENISHMENT OF RESERVE.—Not later''; and

(ii) in clause (ii), by striking ''wheat'' and inserting ''eligible commodities'';

(5) so that subsections (c) through (f) read as follows:

''(c) RELEASE OF ELIGIBLE COMMODITIES.—

''(1) DETERMINATION.—If the Secretary determines that the amount of commodities allocated for minimum assistance under section 204(a)(1) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724(a)(1)) less the amount of commodities allocated for minimum non-emergency assistance under section 204(a)(2) of the Act (7 U.S.C. 1724(a)(2)) will be insufficient to meet the need for commodities for emergency assistance under section 202(a) of the Act (7 U.S.C. 1722(a)), the Secretary in any fiscal year may release from the reserve—

''(A) up to 500,000 metric tons of wheat or the equivalent value of eligible commodities other than wheat; and

''(B) any eligible commodities which under subparagraph (A) could have been released but were not released in prior fiscal years.

''(2) AVAILABILITY OF COMMODITIES.—Commodities released under paragraph (1) shall be made available under title II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721 et seq.) for emergency assistance.

''(3) EXCHANGE.—The Secretary may exchange an eligible commodity for another United States commodity of equal value, including powdered milk, pulses, and vegetable oil.

''(4) USE OF NORMAL COMMERCIAL PRACTICES.—To the maximum extend practicable consistent with the fulfillment of the purposes of this section and the effective and efficient administration of this section, the Secretary shall use the usual and customary channels, facilities, arrangements, and practices of the trade and commerce.

''(5) WAIVER OF MINIMUM TONNAGE REQUIREMENTS.—Nothing in this subsection shall require the exercise of the waiver under section 204(a)(3) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724(a)(3)) as a prerequisite for the release of eligible commodities under this subsection.

''(d) TRANSPORTATION AND HANDLING COSTS.—

''(1) IN GENERAL.—The cost of transportation and handling of eligible commodities released from the reserve established under this section shall be paid by the Commodity Credit Corporation in accordance with section 406 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736).

''(2) REIMBURSEMENT.—

''(A) IN GENERAL.—The Commodity Credit Corporation shall be reimbursed for the costs incurred under paragraph (1) from the funds made available to carry out the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.).

''(B) BASIS FOR REIMBURSEMENT.—The reimbursement shall be made on the basis of the lesser of the actual cost incurred by the Commodity Credit Corporation less any savings achieved as a result of decreased storage and handling costs for the reserve.

''(C) DECREASED STORAGE AND HANDLING COSTS.—For purposes of this subsection, 'decreased storage and handling costs' shall mean the total actual costs for storage and handling incurred by the Commodity Credit Corporation for the reserve established under title III of the Agricultural Act of 1980 in fiscal year 1995 less the total actual costs for storage and handling incurred by the Corporation for the reserve established under this Act in the fiscal year for which the savings are calculated.

''(e) MANAGEMENT OF RESERVE.—The Secretary shall provide for—

''(1) the management of eligible commodities in the reserve as to location and quality of commodities needed to meet emergency situations; and

''(2) the periodic rotation of eligible commodities in the reserve to avoid spoilage and deterioration of such stocks.

''(f) TREATMENT OF RESERVE UNDER OTHER LAW.—Eligible commodities in the reserve established under this section shall not be—

''(1) considered a part of the total domestic supply (including carryover) for the purpose of administering the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.); and

''(2) subject to any quantitative limitation on exports that may be imposed under section 7 of the Export Administration Act of 1979 (50 U.S.C. App. 2406).'';

(6) in subsection (g)—

(A) by striking ''(g)(1) The'' and inserting the following:

''(g) USE OF COMMODITY CREDIT CORPORATION.—The'';

(B) by striking ''wheat'' and inserting ''an eligible commodity''; and

(C) by striking paragraph (2);

(7) in subsection (h)—

(A) by striking ''(h) Any'' and inserting:

''(h) FINALITY OF DETERMINATION.—Any''; and

(B) by striking ''President or the Secretary of Agriculture'' and inserting ''Secretary''; and

(8) in subsection (i)—

(A) by striking ''(i) The'' and inserting:

''(i) TERMINATION OF AUTHORITY.—The'';

(B) by striking ''wheat'' each place it appears and inserting ''eligible commodities''; and

(C) by striking ''1995'' each place it appears and inserting ''2002''.

(d) EFFECTIVE DATE.—Section 303 of the Act (7 U.S.C. 1736–1 note) is amended by striking ''October 1, 1980'' and all that follows through the end of the section and inserting ''on the date of enactment of this Act.''.

(e) CONFORMING AMENDMENT.—Section 208(d)(2) of the Agriculture Trade Suspension Adjustment Act of 1980 (7 U.S.C. 4001(d)(2)) is amended to read as follows:

''(2) APPLICABILITY OF CERTAIN PROVISIONS.—Subsections (b)(2), (c), (e), and (f) of section 302 of the Food Security Commodity Reserve Act of 1995 shall apply to commodities in any reserve established under paragraph (1), except that the references to 'eligible commodities' in the subsections shall be deemed to be references to 'agricultural commodities'.''.

SEC. 233. FOOD FOR PROGRESS PROGRAM.

The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''(b)(1)'' and inserting ''(b)''; and

(ii) in the first sentence, by inserting ''intergovernmental organizations'' after ''cooperatives''; and

(B) by striking paragraph (2);

(2) in subsection (e)(4), by striking ''203'' and inserting ''406'';

(3) in subsection (f)—

(A) in paragraph (1), by striking ''in the case of the independent states of the former Soviet Union,'';

(B) by striking paragraph (2);

(C) in paragraph (4), by inserting ''in each of fiscal years 1996 through 2002'' after ''may be used''; and

(D) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively;

(4) in subsection (g), by striking ''1995'' and inserting ''2002'';

(5) in subsection (j), by striking ''shall'' and inserting ''may'';

(6) in subsection (k), by striking ''1995'' and inserting ''2002'';

(7) in subsection (l)(1)—

(A) by striking ''1991 through 1995'' and inserting ''1996 through 2002''; and

(B) by inserting '', and to provide technical assistance for monetization programs,'' after ''monitoring of food assistance programs''; and

(8) in subsection (m)—

(A) by striking ''with respect to the independent states of the former Soviet Union'';

(B) by striking ''private voluntary organizations and cooperatives'' each place it appears and inserting ''agricultural trade organizations, intergovernmental organizations, private voluntary organizations, and cooperatives''; and

(C) in paragraph (2), by striking ''in the independent states''.

Subtitle C—Amendments to Agricultural Trade Act of 1978

SEC. 251. AGRICULTURAL EXPORT PROMOTION STRATEGY.

(a) IN GENERAL.—Section 103 of the Agricultural Trade Act of 1978 (7 U.S.C. 5603) is amended to read as follows:

''SEC. 103. AGRICULTURAL EXPORT PROMOTION STRATEGY.

''(a) IN GENERAL.—The Secretary shall develop a strategy for implementing Federal agricultural export promotion programs that takes into account the new market opportunities for agricultural products, including opportunities that result from—

''(1) the North American Free Trade Agreement and the Uruguay Round Agreements;

''(2) any accession to membership in the World Trade Organization;

''(3) the continued economic growth in the Pacific Rim; and

''(4) other developments.

''(b) PURPOSE OF STRATEGY.—The strategy developed under subsection (a) shall encourage the maintenance, development, and expansion of export markets for United States agricultural commodities and related products, including high-value and value-added products.

''(c) GOALS OF STRATEGY.—The strategy developed under subsection (a) shall have the following goals:

''(1) By September 30, 2002, increasing the value of annual United States agricultural exports to $60,000,000,000.

''(2) By September 30, 2002, increasing the United States share of world export trade in agricultural products significantly above the average United States share from 1993 through 1995.

''(3) By September 30, 2002, increasing the United States share of world trade in high-value agricultural products to 20 percent.

''(4) Ensuring that the value of United States exports of agricultural products increases at a faster rate than the rate of increase in the value of overall world export trade in agricultural products.

''(5) Ensuring that the value of United States exports of high-value agricultural products increases at a faster rate than the rate of increase in overall world export trade in high-value agricultural products.

''(6) Ensuring to the extent practicable that—

''(A) substantially all obligations undertaken in the Uruguay Round Agreement on Agriculture that provide significantly increased access for United States agricultural commodities are implemented to the extent required by the Uruguay Round Agreements; or

''(B) applicable United States trade laws are used to secure United States rights under the Uruguay Round Agreement on Agriculture.

''(d) PRIORITY MARKETS.—

''(1) IDENTIFICATION OF MARKETS.—In developing the strategy required under subsection (a), the Secretary shall identify as priority markets—

''(A) those markets in which imports of agricultural products show the greatest potential for increase by September 30, 2002; and

''(B) those markets in which, with the assistance of Federal export promotion programs, exports of United States agricultural products show the greatest potential for increase by September 30, 2002.

''(2) IDENTIFICATION OF SUPPORTING OFFICES.—The President shall identify annually in the budget of the United States Government submitted under section 1105 of title 31, United States Code, each overseas office of the Foreign Agricultural Service that provides assistance to United States exporters in each of the priority markets identified under paragraph (1).

''(e) REPORT.—Not later than December 31, 2001, the Secretary shall prepare and submit a report to Congress assessing progress in meeting the goals established by subsection (c).

''(f) FAILURE TO MEET GOALS.—Notwithstanding any other law, if the Secretary determines that more than 2 of the goals established by subsection (c) are not met by September 30, 2002, the Secretary may not carry out agricultural trade programs under the Agricultural Trade Act of 1978 (7 U.S.C. 5601 et seq.) as of that date.

''(g) NO PRIVATE RIGHT OF ACTION.—This section shall not create any private right of action.''.

(b) CONTINUATION OF FUNDING.—

(1) IN GENERAL.—If the Secretary of Agriculture makes a determination under section 103(f) of the Agricultural Trade Act of 1978 (as amended by subsection (a)), the Secretary shall utilize funds of the Commodity Credit Corporation to promote United States agricultural exports in a manner consistent with the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.) and obligations pursuant to the Uruguay Round Agreements.

(2) FUNDING.—The amount of Commodity Credit Corporation funds used to carry out paragraph (1) during a fiscal year shall not exceed the total outlays for agricultural trade programs under the Agricultural Trade Act of 1978 (7 U.S.C. 5601 et seq.) during fiscal year 2002.

(c) ELIMINATION OF REPORT.—

(1) IN GENERAL.—Section 601 of the Agricultural Trade Act of 1978 (7 U.S.C. 5711) is repealed.

(2) CONFORMING AMENDMENT.—The last sentence of section 603 of the Agricultural Trade Act of 1978 (7 U.S.C. 5713) is amended by striking '', in a consolidated report,'' and all that follows through ''section 601'' and inserting ''or in a consolidated report''.

SEC. 252. EXPORT CREDITS.

(a) EXPORT CREDIT GUARANTEE PROGRAM.—Section 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5622) is amended—

(1) in subsection (a)—

(A) by striking ''GUARANTEES.—The'' and inserting the following: ''GUARANTEES.—

''(1) IN GENERAL.—The''; and

(B) by adding at the end the following:

''(2) SUPPLIER CREDITS.—In carrying out this section, the Commodity Credit Corporation may issue guarantees for the repayment of credit made available for a period of not more than 180 days by a United States exporter to a buyer in a foreign country.'';

(2) in subsection (f)—

(A) by striking ''(f) RESTRICTIONS.—The'' and inserting the following:

''(f) RESTRICTIONS.—

''(1) IN GENERAL.—The''; and

(B) by adding at the end the following:

''(2) CRITERIA FOR DETERMINATION.—In making the determination required under paragraph (1) with respect to credit guarantees under subsection (b) for a country, the Secretary may consider, in addition to financial, macroeconomic, and monetary indicators—

''(A) whether an International Monetary Fund standby agreement, Paris Club rescheduling plan, or other economic restructuring plan is in place with respect to the country;

''(B) the convertibility of the currency of the country;

''(C) whether the country provides adequate legal protection for foreign investments;

''(D) whether the country has viable financial markets;

''(E) whether the country provides adequate legal protection for the private property rights of citizens of the country; and

''(F) any other factors that are relevant to the ability of the country to service the debt of the country.'';

(3) by striking subsection (h) and inserting the following:

''(h) UNITED STATES AGRICULTURAL COMPONENTS.—The Commodity Credit Corporation shall finance or guarantee under this section only United States agricultural commodities.'';

(4) in subsection (i)—

(A) by striking ''INSTITUTIONS.—A financial'' and inserting the following: ''INSTITUTIONS.—

''(1) IN GENERAL.—A financial'';

(B) by striking paragraph (1);

(C) by striking ''(2) is'' and inserting the following:

''(A) is'';

(D) by striking ''(3) is'' and inserting the following:

''(B) is''; and

(E) by adding at the end the following:

''(2) THIRD COUNTRY BANKS.—The Commodity Credit Corporation may guarantee under subsections (a) and (b) the repayment of credit made available to finance an export sale irrespective of whether the obligor is located in the country to which the export sale is destined.''; and

(5) by striking subsection (k) and inserting the following:

''(k) PROCESSED AND HIGH-VALUE PRODUCTS.—

''(1) IN GENERAL.—In issuing export credit guarantees under this section, the Commodity Credit Corporation shall, subject to paragraph (2), ensure that not less than 25 percent for each of fiscal years 1996 and 1997, 30 percent for each of fiscal years 1998 and 1999, and 35 percent for each of fiscal years 2000, 2001, and 2002, of the total amount of credit guarantees issued for a fiscal year is issued to promote the export of processed or high-value agricultural products and that the balance is issued to promote the export of bulk or raw agricultural commodities.

''(2) LIMITATION.—The percentage requirement of paragraph (1) shall apply for a fiscal year to the extent that a reduction in the total amount of credit guarantees issued for the fiscal year is not required to meet the percentage requirement.''.

(b) FUNDING LEVELS.—Section 211(b) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(b)) is amended—

(1) by striking paragraph (2);

(2) by redesignating subparagraph (B) of paragraph (1) as paragraph (2) and indenting the margin of paragraph (2) (as so redesignated) so as to align with the margin of paragraph (1); and

(3) by striking paragraph (1) and inserting the following:

''(1) EXPORT CREDIT GUARANTEES.—The Commodity Credit Corporation shall make available for each of fiscal years 1996 through 2002 not less than $5,500,000,000 in credit guarantees under subsections (a) and (b) of section 202.''.

(c) DEFINITIONS.—Section 102(7) of the Agricultural Trade Act of 1978 (7 U.S.C. 5602(7)) is amended by striking subparagraphs (A) and (B) and inserting the following:

''(A) an agricultural commodity or product entirely produced in the United States; or

''(B) a product of an agricultural commodity—

''(i) 90 percent or more of the agricultural components of which by weight, excluding packaging and added water, is entirely produced in the United States; and

''(ii) that the Secretary determines to be a United States high value agricultural product.''.

(d) REGULATIONS.—Not later than 180 days after the effective date of this title, the Secretary of Agriculture shall issue regulations to carry out the amendments made by this section.

SEC. 253. EXPORT PROGRAM AND FOOD ASSISTANCE TRANSFER AUTHORITY.

The Secretary of Agriculture shall fully utilize and aggressively implement the full range of agricultural export programs authorized in this Act and any other Act, in any combination, to help United States agriculture maintain and expand export markets, promote United States agricultural commodity and product exports, counter subsidized foreign competition, and capitalize on potential new market opportunities. Consistent with United States obligations under GATT, if the Secretary determines that funds available under 1 or more export subsidy programs cannot be fully or effectively utilized for such programs, the Secretary may utilize such funds for other authorized agricultural export and food assistance programs to achieve the above objectives and to further enhance the overall global competitiveness of United States agriculture. Funds so utilized shall be in addition to funds which may otherwise be authorized or appropriated for such other agricultural export programs.

SEC. 254. ARRIVAL CERTIFICATION.

Section 401 of the Agricultural Trade Act of 1978 (7 U.S.C. 5662(a)) is amended by striking subsection (a) and inserting the following:

''(a) ARRIVAL CERTIFICATION.—With respect to a commodity provided, or for which financing or a credit guarantee or other assistance is made available, under a program authorized in section 201, 202, or 301, the Commodity Credit Corporation shall require the exporter of the commodity to maintain records of an official or customary commercial nature or other documents as the Secretary may require, and shall allow representatives of the Commodity Credit Corporation access to the records or documents as needed, to verify the arrival of the commodity in the country that was the intended destination of the commodity.''.

SEC. 255. REGULATIONS.

Section 404 of the Agricultural Trade Act of 1978 (7 U.S.C. 5664) is repealed.

SEC. 256. FOREIGN AGRICULTURAL SERVICE.

Section 503 of the Agricultural Trade Act of 1978 (7 U.S.C. 5693) is amended to read as follows:

''SEC. 503. ESTABLISHMENT OF THE FOREIGN AGRICULTURAL SERVICE.

''The Service shall assist the Secretary in carrying out the agricultural trade policy and international cooperation policy of the United States by—

''(1) acquiring information pertaining to agricultural trade;

''(2) carrying out market promotion and development activities;

''(3) providing agricultural technical assistance and training; and

''(4) carrying out the programs authorized under this Act, the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.), and other Acts.''.

SEC. 257. REPORTS.

The first sentence of section 603 of the Agricultural Trade Act of 1978 (7 U.S.C. 5713) is amended by striking ''The'' and inserting ''Subject to section 217 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6917), the''.

Subtitle D—Miscellaneous

SEC. 271. REPORTING REQUIREMENTS RELATING TO TOBACCO.

Section 214 of the Tobacco Adjustment Act of 1983 (7 U.S.C. 509) is repealed.

SEC. 272. TRIGGERED EXPORT ENHANCEMENT.

(a) READJUSTMENT OF SUPPORT LEVELS.—Section 1302 of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101–508; 7 U.S.C. 1421 note) is repealed.

(b) TRIGGERED MARKETING LOANS AND EXPORT ENHANCEMENT.—Section 4301 of the Omnibus Trade and Competitiveness Act of 1988 (Public Law 100–418; 7 U.S.C. 1446 note) is repealed.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective beginning with the 1996 crops of wheat, feed grains, upland cotton, and rice.

SEC. 273. DISPOSITION OF COMMODITIES TO PREVENT WASTE.

Section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting after the first sentence the following: ''The Secretary may use funds of the Commodity Credit Corporation to cover administrative expenses of the programs.'';

(B) in paragraph (7)(D)(iv), by striking ''one year of acquisition'' and all that follows and inserting the following: ''a reasonable length of time, as determined by the Secretary, except that the Secretary may permit the use of proceeds in a country other than the country of origin—

''(I) as necessary to expedite the transportation of commodities and products furnished under this subsection; or

''(II) if the proceeds are generated in a currency generally accepted in the other country.'';

(C) in paragraph (8), by striking subparagraph (C); and

(D) by striking paragraphs (10), (11), and (12); and

(2) by striking subsection (c).

SEC. 274. DEBT-FOR-HEALTH-AND-PROTECTION SWAP.

(a) IN GENERAL.—Section 1517 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1706) is repealed.

(b) CONFORMING AMENDMENT.—Subsection (e)(3) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(e)(3)) is amended by striking ''section 106'' and inserting ''section 103''.

SEC. 275. POLICY ON EXPANSION OF INTERNATIONAL MARKETS.

Section 1207 of the Agriculture and Food Act of 1981 (7 U.S.C. 1736m) is repealed.

SEC. 276. POLICY ON MAINTENANCE AND DEVELOPMENT OF EXPORT MARKETS.

Section 1121 of the Food Security Act of 1985 (7 U.S.C. 1736p) is amended—

(1) by striking subsection (a); and

(2) in subsection (b)—

(A) by striking ''(b)''; and

(B) by striking paragraphs (1) through (4) and inserting the following:

''(1) be the premier supplier of agricultural and food products to world markets and expand exports of high value products;

''(2) support the principle of free trade and the promotion of fair trade in agricultural commodities and products;

''(3) cooperate fully in all efforts to negotiate with foreign countries further reductions in tariff and nontariff barriers to trade, including sanitary and phytosanitary measures and trade-distorting subsidies;

''(4) aggressively counter unfair foreign trade practices as a means of encouraging fairer trade;''.

SEC. 277. POLICY ON TRADE LIBERALIZATION.

Section 1122 of the Food Security Act of 1985 (7 U.S.C. 1736q) is repealed.

SEC. 278. AGRICULTURAL TRADE NEGOTIATIONS.

Section 1123 of the Food Security Act of 1985 (7 U.S.C. 1736r) is amended to read as follows:

''SEC. 1123. TRADE NEGOTIATIONS POLICY.

''(a) FINDINGS.—Congress finds that—

''(1) on a level playing field, United States producers are the most competitive suppliers of agricultural products in the world;

''(2) exports of United States agricultural products will account for $54,000,000,000 in 1995, contributing a net $24,000,000,000 to the merchandise trade balance of the United States and supporting approximately 1,000,000 jobs;

''(3) increased agricultural exports are critical to the future of the farm, rural, and overall United States economy, but the opportunities for increased agricultural exports are limited by the unfair subsidies of the competitors of the United States, and a variety of tariff and nontariff barriers to highly competitive United States agricultural products;

''(4) international negotiations can play a key role in breaking down barriers to United States agricultural exports;

''(5) the Uruguay Round Agreement on Agriculture made significant progress in the attainment of increased market access opportunities for United States exports of agricultural products, for the first time—

''(A) restraining foreign trade-distorting domestic support and export subsidy programs; and

''(B) developing common rules for the application of sanitary and phytosanitary restrictions;

that should result in increased exports of United States agricultural products, jobs, and income growth in the United States;

''(6) the Uruguay Round Agreement on Agriculture did not succeed in completely eliminating trade distorting domestic support and export subsidies by—

''(A) allowing the European Union to continue unreasonable levels of spending on export subsidies; and

''(B) failing to discipline monopolistic state trading entities, such as the Canadian Wheat Board, that use nontransparent and discriminatory pricing as a hidden de facto export subsidy;

''(7) during the period 1996 through 2002, there will be several opportunities for the United States to negotiate fairer trade in agricultural products, including further negotiations under the World Trade Organization, and steps toward possible free trade agreements of the Americas and Asian-Pacific Economic Cooperation (APEC); and

''(8) the United States should aggressively use these opportunities to achieve more open and fair opportunities for trade in agricultural products.

''(b) GOALS OF THE UNITED STATES IN AGRICULTURAL TRADE NEGOTIATIONS.—The objectives of the United States with respect to future negotiations on agricultural trade include—

''(1) increasing opportunities for United States exports of agricultural products by eliminating tariff and nontariff barriers to trade;

''(2) leveling the playing field for United States producers of agricultural products by limiting per unit domestic production supports to levels that are no greater than those available in the United States;

''(3) ending the practice of export dumping by eliminating all trade distorting export subsidies and disciplining state trading entities so that they do not (except in cases of bona fide food aid) sell in foreign markets at below domestic market prices nor their full costs of acquiring and delivering agricultural products to the foreign markets; and

''(4) encouraging government policies that avoid price-depressing surpluses.''.

SEC. 279. POLICY ON UNFAIR TRADE PRACTICES.

Section 1164 of the Food Security Act of 1985 (Public Law 99–198; 99 Stat. 1499) is repealed.

SEC. 280. AGRICULTURAL AID AND TRADE MISSIONS.

(a) IN GENERAL.—The Agricultural Aid and Trade Missions Act (7 U.S.C. 1736bb et seq.) is repealed.

(b) CONFORMING AMENDMENT.—Section 7 of Public Law 100–277 (7 U.S.C. 1736bb note) is repealed.

SEC. 281. ANNUAL REPORTS BY AGRICULTURAL ATTACHES.

Section 108(b)(1)(B) of the Agricultural Act of 1954 (7 U.S.C. 1748(b)(1)(B)) is amended by striking ''including fruits, vegetables, legumes, popcorn, and ducks''.

SEC. 282. WORLD LIVESTOCK MARKET PRICE INFORMATION.

Section 1545 of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 7 U.S.C. 1761 note) is repealed.

SEC. 283. ORDERLY LIQUIDATION OF STOCKS.

Sections 201 and 207 of the Agricultural Act of 1956 (7 U.S.C. 1851 and 1857) are repealed.

SEC. 284. SALES OF EXTRA LONG STAPLE COTTON.

Section 202 of the Agricultural Act of 1956 (7 U.S.C. 1852) is repealed.

SEC. 285. REGULATIONS.

Section 707 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (Public Law 102–511; 7 U.S.C. 5621 note) is amended by striking subsection (d).

SEC. 286. EMERGING MARKETS.

(a) PROMOTION OF AGRICULTURAL EXPORTS TO EMERGING MARKETS.—

(1) EMERGING MARKETS.—Section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 7 U.S.C. 5622 note) is amended—

(A) in the section heading, by striking ''**emerging democracies**'' and inserting ''**emerging markets**'';

(B) by striking ''emerging democracies'' each place it appears in subsections (b), (d), and (e) and inserting ''emerging markets'';

(C) by striking ''emerging democracy'' each place it appears in subsection (c) and inserting ''emerging market''; and

(D) by striking subsection (f) and inserting the following:

''(f) EMERGING MARKET.—In this section and section 1543, the term 'emerging market' means any country that the Secretary determines—

''(1) is taking steps toward a market-oriented economy through the food, agriculture, or rural business sectors of the economy of the country; and

''(2) has the potential to provide a viable and significant market for United States agricultural commodities or products of United States agricultural commodities.''.

(2) FUNDING.—Section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 is amended by striking subsection (a) and inserting the following:

''(a) FUNDING.—The Commodity Credit Corporation shall make available for fiscal years 1996 through 2002 not less than $1,000,000,000 of direct credits or export credit guarantees for exports to emerging markets under section 201 or 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5621 and 5622), in addition to the amounts acquired or authorized under section 211 of the Act (7 U.S.C. 5641) for the program.''.

(3) AGRICULTURAL FELLOWSHIP PROGRAM.—Section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 is amended—

(A) in subsection (b), by striking the last sentence and inserting the following: ''The Commodity Credit Corporation shall give priority under this subsection to—

''(A) projects that encourage the privatization of the agricultural sector or that benefit private farms or cooperatives in emerging markets; and

''(B) projects for which nongovernmental persons agree to assume a relatively larger share of the costs.''; and

(B) in subsection (d)—

(i) in the matter preceding paragraph (1), by striking ''the Soviet Union'' and inserting ''emerging markets'';

(ii) in paragraph (1)—

(I) in subparagraph (A)(i)—

(aa) by striking ''1995'' and inserting ''2002''; and

(bb) by striking ''those systems, and identify'' and inserting ''the systems, including potential reductions in trade barriers, and identify and carry out'';

(II) in subparagraph (B), by striking ''shall'' and inserting ''may'';

(III) in subparagraph (D), by inserting ''(including the establishment of extension services)'' after ''technical assistance'';

(IV) by striking subparagraph (F);

(V) by redesignating subparagraphs (G), (H), and (I) as subparagraphs (F), (G), and (H), respectively; and

(VI) in subparagraph (H) (as redesignated by subclause (V)), by striking ''$10,000,000'' and inserting ''$20,000,000'';

(iii) in paragraph (2)—

(I) by striking ''the Soviet Union'' each place it appears and inserting ''emerging markets'';

(II) in subparagraph (A), by striking ''a free market food production and distribution system'' and inserting ''free market food production and distribution systems'';

(III) in subparagraph (B)—

(aa) in clause (i), by striking ''Government'' and inserting ''governments'';

(bb) in clause (iii)(II), by striking ''and'' at the end;

(cc) in clause (iii)(III), by striking the period at the end and inserting ''; and''; and

(dd) by adding at the end of clause (iii) the following:

''(IV) to provide for the exchange of administrators and faculty members from agricultural and other institutions to strengthen and revise educational programs in agricultural economics, agribusiness, and agrarian law, to support change towards a free market economy in emerging markets.'';

(IV) by striking subparagraph (D); and

by redesignating subparagraph (E) as subparagraph (D); and

(iv) by striking paragraph (3).

(4) UNITED STATES AGRICULTURAL COMMODITY.—Subsections (b) and (c) of section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 are amended by striking ''section 101(6)'' each place it appears and inserting ''section 102(7)''.

(5) REPORT.—The first sentence of section 1542(e)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 is amended by striking ''Not'' and inserting ''Subject to section 217 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6917), not''.

(b) AGRICULTURAL FELLOWSHIP PROGRAM FOR MIDDLE INCOME COUNTRIES, EMERGING DEMOCRACIES, AND EMERGING MARKETS.—Section 1543 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 3293) is amended—

(1) in the section heading, by striking ''**middle income countries and emerging democracies**'' and inserting ''**middle income countries, emerging democracies, and emerging markets**'';

(2) in subsection (b), by adding at the end the following:

''(5) EMERGING MARKET.—Any emerging market, as defined in section 1542(f).''; and

(3) in subsection (c)(1), by striking ''food needs'' and inserting ''food and fiber needs''.

(c) CONFORMING AMENDMENTS.—

(1) Section 501 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1737) is amended—

(A) in subsection (a), by striking ''emerging democracies'' and inserting ''emerging markets''; and

(B) in subsection (b), by striking paragraph (1) and inserting the following:

''(1) EMERGING MARKET.—The term 'emerging market' means any country that the Secretary determines—

''(A) is taking steps toward a market-oriented economy through the food, agriculture, or rural business sectors of the economy of the country; and

''(B) has the potential to provide a viable and significant market for United States agricultural commodities or products of United States agricultural commodities.''.

(2) Section 201(d)(1)(C)(ii) of the Agricultural Trade Act of 1978 (7 U.S.C. 5621(d)(1)(C)(ii)) is amended by striking ''emerging democracies'' and inserting ''emerging markets''.

(3) Section 202(d)(3)(B) of the Agricultural Trade Act of 1978 (7 U.S.C. 5622(d)(3)(B)) is amended by striking ''emerging democracies'' and inserting ''emerging markets''.

SEC. 287. IMPLEMENTATION OF COMMITMENTS UNDER URUGUAY ROUND AGREEMENTS.

Part III of subtitle A of title IV of the Uruguay Round Agreements Act (Public Law 103–465; 108 Stat. 4964) is amended by adding at the end the following:

''SEC. 427. IMPLEMENTATION OF COMMITMENTS UNDER URUGUAY ROUND AGREEMENTS.

''Not later than September 30 of each fiscal year, the Secretary of Agriculture shall determine whether the obligations undertaken by foreign countries under the Uruguay Round Agreement on Agriculture are being fully implemented. If the Secretary of Agriculture determines that any foreign country, by not implementing the obligations of the country, is significantly constraining an opportunity for United States agricultural exports, the Secretary shall—

''(1) submit to the United States Trade Representative a recommendation as to whether the President should take action under any provision of law; and

''(2) transmit a copy of the recommendation to the Committee on Agriculture, the Committee on International Relations, and the Committee on Ways and Means, of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry, and the Committee on Finance, of the Senate.''.

SEC. 288. SENSE OF CONGRESS CONCERNING MULTILATERAL DISCIPLINES ON CREDIT GUARANTEES.

It is the sense of Congress that—

(1) in negotiations to establish multilateral disciplines on agricultural export credits and credit guarantees, the United States should not agree to any arrangement that is incompatible with the provisions of United States law that authorize agricultural export credits and credit guarantees;

(2) in the negotiations (which are held under the auspices of the Organization for Economic Cooperation and Development), the United States should not reach any agreement that fails to impose disciplines on the practices of foreign government trading entities such as the Australian Wheat Board and Canadian Wheat Board; and

(3) the disciplines should include greater openness in the operations of the entities as long as the entities are subsidized by the foreign government or have monopolies for exports of a commodity that are sanctioned by the foreign government.

SEC. 289. FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.

The Agricultural Trade Act of 1978 (7 U.S.C. 5601 et seq.) is amended by adding at the end the following:

''TITLE VII—FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM

''SEC. 701. DEFINITION OF ELIGIBLE TRADE ORGANIZATION.

''In this title, the term 'eligible trade organization' means a United States trade organization that—

''(1) promotes the export of 1 or more United States agricultural commodities or products; and

''(2) does not have a business interest in or receive remuneration from specific sales of agricultural commodities or products.

''SEC. 702. FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.

''(a) IN GENERAL.—The Secretary shall establish and, in cooperation with eligible trade organizations, carry out a foreign market development cooperator program to maintain and develop foreign markets for United States agricultural commodities and products.

''(b) ADMINISTRATION.—Funds made available to carry out this title shall be used only to provide—

''(1) cost-share assistance to an eligible trade organization under a contract or agreement with the organization; and

''(2) assistance for other costs that are necessary or appropriate to carry out the foreign market development cooperator program, including contingent liabilities that are not otherwise funded.

''SEC. 703. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title such sums as may be necessary for each of fiscal years 1996 through 2002.''.

Subtitle E—Dairy Exports

SEC. 291. DAIRY EXPORT INCENTIVE PROGRAM.

(a) IN GENERAL.—Section 153(c) of the Food Security Act of 1985 (15 U.S.C. 713a–14(c)) is amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; and''; and

(3) by adding at the end the following new paragraphs:

''(3) the maximum volume of dairy product exports allowable consistent with the obligations of the United States as a member of the World Trade Organization are exported under the program each year (minus the volume sold under section 1163 of the Food Security Act of 1985 (7 U.S.C. 1731 note) during that year), except to the extent that the export of such a volume under the program would, in the judgment of the Secretary, exceed the limitations on the value set forth in subsection (f); and

''(4) payments may be made under the program for exports to any destination in the world for the purpose of market development, except a destination in a country with

respect to which shipments from the United States are otherwise restricted by law.''.

(b) SOLE DISCRETION.—Section 153(b) of the Food Security Act of 1985 (15 U.S.C. 713a–14(b)) is amended by inserting ''sole'' before ''discretion''.

(c) MARKET DEVELOPMENT.—Section 153(e)(1) of the Food Security Act of 1985 (15 U.S.C. 713a–14(e)(1)) is amended—

(1) by striking ''and'' and inserting ''the''; and

(2) by inserting before the period the following: '', and any additional amount that may be required to assist in the development of world markets for United States dairy products''.

(d) MAXIMUM ALLOWABLE AMOUNTS.—Section 153 of the Food Security Act of 1985 (15 U.S.C. 713a–14) is amended by adding at the end the following:

''(f) REQUIRED FUNDING.—The Commodity Credit Corporation shall in each year use money and commodities for the program under this section in the maximum amount consistent with the obligations of the United States as a member of the World Trade Organization, minus the amount expended under section 1163 of the Food Security Act of 1985 (7 U.S.C. 1731 note) during that year. However, the Commodity Credit Corporation may not exceed the limitations specified in subsection (c)(3) on the volume of allowable dairy product exports.''.

(e) CONFORMING AMENDMENT.—Section 153(a) of the Food Security Act of 1985 (15 U.S.C. 713a–14(a)) is amended by striking ''2001'' and inserting ''2002''.

SEC. 292. AUTHORITY TO ASSIST IN ESTABLISHMENT AND MAINTENANCE OF EXPORT TRADING COMPANY.

The Secretary of Agriculture shall, consistent with the obligations of the United States as a member of the World Trade Organization, provide such advice and assistance to the United States dairy industry as may be necessary to enable that industry to establish and maintain an export trading company under the Export Trading Company Act of 1982 (15 U.S.C. 4001 et seq.) for the purpose of facilitating the international market development for and exportation of dairy products produced in the United States.

SEC. 293. STANDBY AUTHORITY TO INDICATE ENTITY BEST SUITED TO PROVIDE INTERNATIONAL MARKET DEVELOPMENT AND EXPORT SERVICES.

(a) INDICATION OF ENTITY BEST SUITED TO ASSIST INTERNATIONAL MARKET DEVELOPMENT FOR AND EXPORT OF UNITED STATES DAIRY PRODUCTS.—If—

(1) the United States dairy industry has not established an export trading company under the Export Trading Company Act of 1982 (15 U.S.C. 4001 et seq.) for the purpose of facilitating the international market development for and exportation of dairy products produced in the United States on or before June 30, 1996; or

(2) the quantity of exports of United States dairy products during the 12-month period preceding July 1, 1997 does not exceed the quantity of exports of United States dairy products during the 12-month period preceding July 1, 1996 by 1.5 billion pounds (milk equivalent, total solids basis);

the Secretary of Agriculture is directed to indicate which entity autonomous of the Government of the United States is best suited to facilitate the international market development for and exportation of United States dairy products.

(b) FUNDING OF EXPORT ACTIVITIES.—The Secretary shall assist the entity in identifying sources of funding for the activities specified in subsection (a) from within the dairy industry and elsewhere.

(c) APPLICATION OF SECTION.—This section shall apply only during the period beginning on July 1, 1997 and ending on September 30, 2000.

SEC. 294. STUDY AND REPORT REGARDING POTENTIAL IMPACT OF URUGUAY ROUND ON PRICES, INCOME AND GOVERNMENT PURCHASES.

(a) STUDY.—The Secretary of Agriculture shall conduct a study, on a variety by variety of cheese basis, to determine the potential impact on milk prices in the United States, dairy producer income, and Federal dairy program costs, of the allocation of additional cheese granted access to the United States as a result of the obligations of the United States as a member of the World Trade Organization.

(b) REPORT.—Not later than June 30, 1997, the Secretary shall report to the Committees on Agriculture of the Senate and the House of Representatives the results of the study conducted under this section.

(c) RULE OF CONSTRUCTION.—Any limitation imposed by Act of Congress on the conduct or completion of studies or reports to Congress shall not apply to the study and report required under this section unless such limitation explicitly references this section in doing so.

SEC. 295. PROMOTION OF AMERICAN DAIRY PRODUCTS IN INTERNATIONAL MARKETS THROUGH DAIRY PROMOTION PROGRAM.

Section 113(e) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(e)) is amended by adding at the end the following new sentence: ''For each of the fiscal years 1996 through 2000, the Board's budget shall provide for the expenditure of not less than 10 percent of the anticipated revenues available to the Board to develop international markets for, and to promote within such markets, the consumption of dairy products produced in the United States from milk produced in the United States.''.

TITLE III—CONSERVATION

Subtitle A—Environmental Conservation Acreage Reserve Program

SEC. 311. ENVIRONMENTAL CONSERVATION ACREAGE RESERVE PROGRAM.

Section 1230 of the Food Security Act of 1985 (16 U.S.C. 3830) is amended to read as follows:

''SEC. 1230. ENVIRONMENTAL CONSERVATION ACREAGE RESERVE PROGRAM.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—During the 1996 through 2002 calendar years, the Secretary shall establish an environmental conservation acreage reserve program (referred to in this section as 'ECARP') to be implemented through contracts and the acquisition of easements to assist owners and operators of farms and ranches to conserve and enhance soil, water, and related natural resources, including grazing land, wetland, and wildlife habitat.

''(2) MEANS.—The Secretary shall carry out the ECARP by—

''(A) providing for the long-term protection of environmentally sensitive land; and

''(B) providing technical and financial assistance to farmers and ranchers to—

''(i) improve the management and operation of the farms and ranches; and

''(ii) reconcile productivity and profitability with protection and enhancement of the environment.

''(3) PROGRAMS.—The ECARP shall consist of—

''(A) the conservation reserve program established under subchapter B;

''(B) the wetlands reserve program established under subchapter C;

''(C) the environmental quality incentives program established under chapter 4; and

''(D) a farmland protection program under which the Secretary shall use funds of the Commodity Credit Corporation for the purchase of conservation easements or other interests in not less than 170,000, nor more than 340,000, acres of land with prime, unique, or other productive soil that is subject to a pending offer from a State or local government for the purpose of protecting topsoil by limiting nonagricultural uses of the land, except that any highly erodible cropland shall be subject to the requirements of a conservation plan, including, if required by the Secretary, the conversion of the land to less intensive uses. In no case shall total expenditures of funding from the Commodity Credit Corporation exceed a total of $35,000,000 over the first 3 and subsequent fiscal years.

''(b) ADMINISTRATION.—

''(1) IN GENERAL.—In carrying out the ECARP, the Secretary shall enter into contracts with owners and operators and acquire interests in land through easements from owners, as provided in this chapter and chapter 4.

''(2) PRIOR ENROLLMENTS.—Acreage enrolled in the conservation reserve or wetlands reserve program prior to the effective date of this paragraph shall be considered to be placed into the ECARP.

''(c) CONSERVATION PRIORITY AREAS.—

''(1) DESIGNATION.—

''(A) IN GENERAL.—The Secretary shall designate watersheds or regions of special environmental sensitivity, including the Chesapeake Bay Region (consisting of Pennsylvania, Maryland, and Virginia), the Great Lakes Region, the Rainwater Basin Region, the Lake Champlain Basin, the Prairie Pothole Region, and the Long Island Sound Region, as conservation priority areas that are eligible for enhanced assistance through the programs established under this chapter and chapter 4.

''(B) APPLICATION.—A designation shall be made under this paragraph if agricultural practices on land within the watershed or region pose a significant threat to soil, water, and related natural resources, as determined by the Secretary, and an application is made by—

''(i) a State agency in consultation with the State technical committee established under section 1261; or

''(ii) State agencies from several States that agree to form an interstate conservation priority area.

''(C) ASSISTANCE.—The Secretary shall designate a watershed or region of special environmental sensitivity as a conservation priority area to assist, to the maximum extent practicable, agricultural producers within the watershed or region to comply with nonpoint source pollution requirements under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and other Federal and State environmental laws.

''(2) APPLICABILITY.—The Secretary shall designate a watershed or region of special environmental sensitivity as a conservation priority area in a manner that conforms, to the maximum extent practicable, to the functions and purposes of the conservation reserve, wetlands reserve, and environmental quality incentives programs, as applicable, if participation in the program or programs is likely to result in the resolution or amelioration of significant soil, water, and related natural resource problems related to agricultural production activities within the watershed or region.

''(3) TERMINATION.—A conservation priority area designation shall terminate on the date that is 5 years after the date of the designation, except that the Secretary may—

''(A) redesignate the area as a conservation priority area; or

''(B) withdraw the designation of a watershed or region if the Secretary determines the area is no longer affected by significant

soil,water, and related natural resource impacts related to agricultural production activities.''.

SEC. 312. CONSERVATION RESERVE PROGRAM.

(a) PROGRAM EXTENSIONS.—

(1) CONSERVATION RESERVE PROGRAM.—Section 1231 of the Act (16 U.S.C. 3831) is amended in subsections (a) and (b)(3), by striking ''1995'' each place it appears and inserting ''2002''.

(3) DUTIES OF OWNERS AND OPERATORS.—Section 1232(c) of the Act (16 U.S.C. 3832(c)) is amended by striking ''1995'' and inserting ''2002''.

(b) MAXIMUM ENROLLMENT.—Section 1231(d) of the Food Security Act of 1985 (16 U.S.C. 3831(d)) is amended striking ''total of'' and all that follows through the period at the end of the subsection and inserting ''total of 36,400,000 acres during the 1986 through 2002 calendar years (including contracts extended by the Secretary pursuant to section 1437(c) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 16 U.S.C. 3831 note).''.

(c) OPTIONAL CONTRACT TERMINATION BY PRODUCERS.—Section 1235 of the Food Security Act of 1985 (16 U.S.C. 3835) is amended by adding at the end the following new subsection:

''(e) TERMINATION BY OWNER OR OPERATOR.—

''(1) EARLY TERMINATION AUTHORIZED.—The Secretary shall allow an owner or operator of land that, on the date of the enactment of the Agricultural Market Transition Act, is covered by a contract that was entered into under this subchapter at least five years before that date to terminate the contract with respect to all or a portion of the covered land. The owner or operator shall provide the Secretary with reasonable notice of the termination request.

''(2) CERTAIN LANDS EXCEPTED.—Notwithstanding paragraph (1), the following lands shall not be subject to an early termination of a contract under this subsection:

''(A) Filterstrips, waterways, strips adjacent to riparian areas, windbreaks, and shelterbelts.

''(B) Land with an erodibility index of more than 15.

''(C) Other lands of high environmental value, as determined by the Secretary.

''(3) EFFECTIVE DATE.—The contract termination shall take effect 60 days after the date on which the owner or operator submits the notice under paragraph (1).

''(4) PRORATED RENTAL PAYMENT.—If a contract entered into under this subchapter is terminated under this subsection before the end of the fiscal year for which a rental payment is due, the Secretary shall provide a prorated rental payment covering the portion of the fiscal year during which the contract was in effect.

''(5) RENEWED ENROLLMENT.—The termination of a contract entered into under this subchapter shall not affect the ability of the owner or operator who requested the termination to submit a subsequent bid to enroll the land that was subject to the contract into the conservation reserve.

''(6) CONSERVATION REQUIREMENTS.—If land that was subject to a contract is returned to production of an agricultural commodity, the conservation requirements under subtitles B and C shall apply to the use of the land to the extent that the requirements are similar to those requirements imposed on other similar lands in the area, except that the requirements may not be more onerous that the requirements imposed on other lands.''.

(d) USE OF UNEXPENDED FUNDS.—Section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended by adding at the end the following:

''(h) USE OF UNEXPENDED FUNDS FROM CONTRACT TERMINATIONS.—If a contract entered into under this section is terminated, voluntarily or otherwise, before the expiration date specified in the contract, the Secretary may use funds, already available to the Secretary to cover payments under the contract, but unexpended as a result of the contract termination, to enroll other eligible lands in the conservation reserve established under this subchapter.''.

(e) FAIR MARKET VALUE RENTAL RATES.—

(1) IN GENERAL.—Section 1234(c) of the Food Security Act of 1985 (16 U.S.C. 3834(c)) is amended by adding at the end the following new paragraph:

''(5) In the case of a contract covering land which has not been previously enrolled in the conservation reserve, annual rental payments under the contract may not exceed the average fair market rental rate for comparable lands in the county in which the lands are located. This paragraph shall not apply to the extension of an existing contract.''.

(2) APPLICATION OF AMENDMENT.—The amendment made by paragraph (1) shall apply with respect to contracts for the enrollment of lands in the conservation reserve program under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831)) entered into after the date of the enactment of this Act.

(f) ENROLLMENTS IN 1997.—Section 725 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 (Public Law 104–37; 109 Stat. 332), is amended by striking the proviso relating to enrollment of new acres in 1997.

SEC. 313. WETLANDS RESERVE PROGRAM.

(a) PURPOSES.—Section 1237(a) of the Food Security Act of 1985 (16 U.S.C. 3837(a)) is amended by striking ''to assist owners of eligible lands in restoring and protecting wetlands'' and inserting ''to protect wetlands for purposes of enhancing water quality and providing wildlife benefits while recognizing landowner rights''.

(b) ENROLLMENT.—Section 1237 of the Food Security Act of 1985 (16 U.S.C. 3837) is amended by striking subsection (b) and inserting the following:

''(b) MINIMUM ENROLLMENT.—The Secretary shall enroll into the wetlands reserve program—

''(1) during the 1996 through 2002 calendar years, a total of not more than 975,000 acres; and

''(2) beginning with offers accepted by the Secretary during calendar year 1997, to the maximum extent practicable, ⅓ of the acres in permanent easements, ⅓ of the acres in 30-year easements, and ⅓ of the acres in restoration cost-share agreements.''.

(c) ELIGIBILITY.—Section 1237(c) of the Food Security Act of 1985 (16 U.S.C. 3837(c)) is amended—

(1) by striking ''2000'' and inserting ''2002''; and

(2) by inserting ''the land maximizes wildlife benefits and wetland values and functions and'' after ''determines that''.

(d) OTHER ELIGIBLE LANDS.—Section 1237(d) (16 U.S.C. 3837(d)) is amended by inserting after ''subsection (c)'' the following '', land that maximizes wildlife benefits and that is''.

(e) EASEMENTS.—Section 1237A of the Food Security Act of 1985 (16 U.S.C. 3837a) is amended—

(1) in the section heading, by inserting before the period at the end the following: ''**and agreements**'';

(2) by striking subsection (c) and inserting the following:

''(c) RESTORATION PLANS.—The development of a restoration plan, including any compatible use, under this section shall be made through the local Natural Resources Conservation Service representative, in consultation with the State technical committee.'';

(3) in subsection (f), by striking the third sentence and inserting the following: ''Compensation may be provided in not less than 5, nor more than 30, annual payments of equal or unequal size, as agreed to by the owner and the Secretary.''; and

(4) by adding at the end the following:

''(h) COST SHARE AGREEMENTS.—The Secretary may enroll land into the wetland reserve through agreements that require the landowner to restore wetlands on the land, if the agreement does not provide the Secretary with an easement.''.

(f) COST SHARE AND TECHNICAL ASSISTANCE.—Section 1237C of the Food Security Act of 1985 (16 U.S.C. 3837c) is amended by striking subsection (b) and inserting the following:

''(b) COST SHARE AND TECHNICAL ASSISTANCE.—In the case of an easement entered into during the 1996 through 2002 calendar years, in making cost share payments under subsection (a)(1), the Secretary shall—

''(1) in the case of a permanent easement, pay the owner an amount that is not less than 75 percent, but not more than 100 percent, of the eligible costs;

''(2) in the case of a 30-year easement or a cost-share agreement, pay the owner an amount that is not less than 50 percent, but not more than 75 percent, of the eligible costs; and

''(3) provide owners technical assistance to assist landowners in complying with the terms of easements and agreements.''.

SEC. 314. ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.

Subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.) is amended by adding at the end the following:

''CHAPTER 4—ENVIRONMENTAL QUALITY INCENTIVES PROGRAM

''SEC. 1238. FINDINGS AND PURPOSES.

''(a) FINDINGS.—Congress finds that—

''(1) farmers and ranchers cumulatively manage more than ½ of the private lands in the continental United States;

''(2) because of the predominance of agriculture, the soil, water, and related natural resources of the United States cannot be protected without cooperative relationships between the Federal Government and farmers and ranchers;

''(3) farmers and ranchers have made tremendous progress in protecting the environment and the agricultural resource base of the United States over the past decade because of not only Federal Government programs but also their spirit of stewardship and the adoption of effective technologies;

''(4) it is in the interest of the entire United States that farmers and ranchers continue to strive to preserve soil resources and make more efforts to protect water quality and wildlife habitat, and address other broad environmental concerns;

''(5) environmental strategies that stress the prudent management of resources, as opposed to idling land, will permit the maximum economic opportunities for farmers and ranchers in the future;

''(6) unnecessary bureaucratic and paperwork barriers associated with existing agricultural conservation assistance programs decrease the potential effectiveness of the programs; and

''(7) the recent trend of Federal spending on agricultural conservation programs suggests that assistance to farmers and ranchers in future years will, absent changes in policy, dwindle to perilously low levels.

''(b) PURPOSES.—The purposes of the environmental quality incentives program established by this chapter are to—

''(1) combine into a single program the functions of—

''(A) the agricultural conservation program authorized by sections 7 and 8 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590g and 590h) (as in effect before the amendments made by section 355(a)(1) of the Agricultural Reform and Improvement Act of 1996);

''(B) the Great Plains conservation program established under section 16(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590p(b)) (as in effect before the amendment made by section 355(b)(1) of the Agricultural Reform and Improvement Act of 1996); and

''(C) the water quality incentives program established under chapter 2 (as in effect before the amendment made by section 355(k) of the Agricultural Reform and Improvement Act of 1996); and

''(D) the Colorado River Basin salinity control program established under section 202(c) of the Colorado River Basin Salinity Control Act (43 U.S.C. 1592(c)) (as in effect before the amendment made by section 355(c)(1) of the Agricultural Reform and Improvement Act of 1996); and

''(2) carry out the single program in a manner that maximizes environmental benefits per dollar expended, and that provides—

''(A) flexible technical and financial assistance to farmers and ranchers that face the most serious threats to soil, water, and related natural resources, including grazing lands, wetlands, and wildlife habitat;

''(B) assistance to farmers and ranchers in complying with this title and Federal and State environmental laws, and to encourage environmental enhancement;

''(C) assistance to farmers and ranchers in making beneficial, cost-effective changes to cropping systems, grazing management, manure, nutrient, pest, or irrigation management, land uses, or other measures needed to conserve and improve soil, water, and related natural resources; and

''(D) for the consolidation and simplification of the conservation planning process to reduce administrative burdens on the owners and operators of farms and ranches.

''SEC. 1238A. DEFINITIONS.

''In this chapter:

''(1) LAND MANAGEMENT PRACTICE.—The term 'land management practice' means nutrient or manure management, integrated pest management, irrigation management, tillage or residue management, grazing management, or another land management practice the Secretary determines is needed to protect soil, water, or related resources in the most cost effective manner.

''(2) LARGE CONFINED LIVESTOCK OPERATION.—The term 'large confined livestock operation' means a farm or ranch that—

''(A) is a confined animal feeding operation; and

''(B) has more than—

''(i) 700 mature dairy cattle;

''(ii) 1,000 beef cattle;

''(iii) 100,000 laying hens or broilers;

''(iv) 55,000 turkeys;

''(v) 2,500 swine; or

''(vi) 10,000 sheep or lambs.

''(3) LIVESTOCK.—The term 'livestock' means mature dairy cows, beef cattle, laying hens, broilers, turkeys, swine, sheep, or lambs.

''(4) OPERATOR.—The term 'operator' means a person who is engaged in crop or livestock production (as defined by the Secretary).

''(5) STRUCTURAL PRACTICE.—The term 'structural practice' means the establishment of an animal waste management facility, terrace, grassed waterway, contour grass strip, filterstrip, permanent wildlife habitat, or another structural practice that the Secretary determines is needed to protect soil, water, or related resources in the most cost effective manner.

''SEC. 1238B. ESTABLISHMENT AND ADMINISTRATION OF ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—During the 1996 through 2002 fiscal years, the Secretary shall provide technical assistance, cost-sharing payments, and incentive payments, education to operators, who enter into contracts with the Secretary, through an environmental quality incentives program in accordance with this chapter.

''(2) ELIGIBLE PRACTICES.—

''(A) STRUCTURAL PRACTICES.—An operator who implements a structural practice shall be eligible for technical assistance or cost-sharing payments, education or both.

''(B) LAND MANAGEMENT PRACTICES.—An operator who performs a land management practice shall be eligible for technical assistance or incentive payments, education or both.

''(b) APPLICATION AND TERM.—A contract between an operator and the Secretary under this chapter may—

''(1) apply to 1 or more structural practices or 1 or more land management practices, or both; and

''(2) have a term of not less than 5, nor more than 10, years, as determined appropriate by the Secretary, depending on the practice or practices that are the basis of the contract.

''(c) STRUCTURAL PRACTICES.—

''(1) COMPETITIVE OFFER.—The Secretary shall administer a competitive offer system for operators proposing to receive cost-sharing payments in exchange for the implementation of 1 or more structural practices by the operator. The competitive offer system shall consist of—

''(A) the submission of a competitive offer by the operator in such manner as the Secretary may prescribe; and

''(B) evaluation of the offer in light of the priorities established in section 1238C and the projected cost of the proposal, as determined by the Secretary.

''(2) CONCURRENCE OF OWNER.—If the operator making an offer to implement a structural practice is a tenant of the land involved in agricultural production, for the offer to be acceptable, the operator shall obtain the concurrence of the owner of the land with respect to the offer.

''(d) LAND MANAGEMENT PRACTICES.—The Secretary shall establish an application and evaluation process for awarding technical assistance or incentive payments, or both, to an operator in exchange for the performance of 1 or more land management practices by the operator.

''(e) COST-SHARING AND INCENTIVE PAYMENTS.—

''(1) COST-SHARING PAYMENTS.—

''(A) IN GENERAL.—The Federal share of cost-sharing payments to an operator proposing to implement 1 or more structural practices shall not be more than 75 percent of the projected cost of the practice, as determined by the Secretary, taking into consideration any payment received by the operator from a State or local government.

''(B) LIMITATION.—An operator of a large confined livestock operation shall not be eligible for cost-sharing payments to construct an animal waste management facility.

''(C) OTHER PAYMENTS.—An operator shall not be eligible for cost-sharing payments for structural practices on eligible land under this chapter if the operator receives cost-sharing payments or other benefits for the same land under chapter 1 or 3.

''(2) INCENTIVE PAYMENTS.—The Secretary shall make incentive payments in an amount and at a rate determined by the Secretary to be necessary to encourage an operator to perform 1 or more land management practices.

''(f) TECHNICAL ASSISTANCE.—

''(1) FUNDING.—The Secretary shall allocate funding under this chapter for the provision of technical assistance according to the purpose and projected cost for which the technical assistance is provided in a fiscal year. The allocated amount may vary according to the type of expertise required, quantity of time involved, and other factors as determined appropriate by the Secretary. Funding shall not exceed the projected cost to the Secretary of the technical assistance provided in a fiscal year.

''(2) OTHER AUTHORITIES.—The receipt of technical assistance under this chapter shall not affect the eligibility of the operator to receive technical assistance under other authorities of law available to the Secretary.

''(g) MODIFICATION OR TERMINATION OF CONTRACTS.—

''(1) VOLUNTARY MODIFICATION OR TERMINATION.—The Secretary may modify or terminate a contract entered into with an operator under this chapter if—

''(A) the operator agrees to the modification or termination; and

''(B) the Secretary determines that the modification or termination is in the public interest.

''(2) INVOLUNTARY TERMINATION.—The Secretary may terminate a contract under this chapter if the Secretary determines that the operator violated the contract.

''(h) NON-FEDERAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary may request the services of a State water quality agency, State fish and wildlife agency, State forestry agency, or any other governmental or private resource considered appropriate to assist in providing the technical assistance necessary for the development and implementation of a structural practice or land management practice.

''(2) LIMITATION ON LIABILITY.—No person shall be permitted to bring or pursue any claim or action against any official or entity based on or resulting from any technical assistance provided to an operator under this chapter to assist in complying with a Federal or State environmental law.

''SEC. 1238C. EVALUATION OF OFFERS AND PAYMENTS.

''(a) REGIONAL PRIORITIES.—The Secretary shall provide technical assistance, cost-sharing payments, and incentive payments to operators in a region, watershed, or conservation priority area under this chapter based on the significance of the soil, water, and related natural resource problems in the region, watershed, or area, and the structural practices or land management practices that best address the problems, as determined by the Secretary.

''(b) MAXIMIZATION OF ENVIRONMENTAL BENEFITS.—

''(1) IN GENERAL.—In providing technical assistance, cost-sharing payments, and incentive payments to operators in regions, watersheds, or conservation priority areas under this chapter, the Secretary shall accord a higher priority to assistance and payments that maximize environmental benefits per dollar expended.

''(2) NATIONAL AND REGIONAL PRIORITY.—The prioritization shall be done nationally as well as within the conservation priority area, region, or watershed in which an agricultural operation is located.

''(3) CRITERIA.—To carry out this subsection, the Secretary shall establish criteria for implementing structural practices and land management practices that best achieve conservation goals for a region, watershed, or conservation priority area, as determined by the Secretary.

''(c) STATE OR LOCAL CONTRIBUTIONS.—The Secretary shall accord a higher priority to operators whose agricultural operations are located within watersheds, regions, or conservation priority areas in which State or local governments have provided, or will provide, financial or technical assistance to the operators for the same conservation or environmental purposes.

''(d) PRIORITY LANDS.—The Secretary shall accord a higher priority to structural practices or land management practices on lands on which agricultural production has been determined to contribute to, or create, the potential for failure to meet applicable water quality standards or other environmental objectives of a Federal or State law.

''SEC. 1238D. DUTIES OF OPERATORS.

''To receive technical assistance, cost-sharing payments, or incentives payments under this chapter, an operator shall agree—

''(1) to implement an environmental quality incentives program plan that describes conservation and environmental goals to be achieved through a structural practice or land management practice, or both, that is approved by the Secretary;

''(2) not to conduct any practices on the farm or ranch that would tend to defeat the purposes of this chapter;

''(3) on the violation of a term or condition of the contract at any time the operator has control of the land, to refund any cost-sharing or incentive payment received with interest, and forfeit any future payments under this chapter, as determined by the Secretary;

''(4) on the transfer of the right and interest of the operator in land subject to the contract, unless the transferee of the right and interest agrees with the Secretary to assume all obligations of the contract, to refund all cost-sharing payments and incentive payments received under this chapter, as determined by the Secretary;

''(5) to supply information as required by the Secretary to determine compliance with the environmental quality incentives program plan and requirements of the program; and

''(6) to comply with such additional provisions as the Secretary determines are necessary to carry out the environmental quality incentives program plan.

''SEC. 1238E. ENVIRONMENTAL QUALITY INCENTIVES PROGRAM PLAN.

''An environmental quality incentives program plan shall include (as determined by the Secretary)—

''(1) a description of the prevailing farm or ranch enterprises, cropping patterns, grazing management, cultural practices, or other information that may be relevant to conserving and enhancing soil, water, and related natural resources;

''(2) a description of relevant farm or ranch resources, including soil characteristics, rangeland types and condition, proximity to water bodies, wildlife habitat, or other relevant characteristics of the farm or ranch related to the conservation and environmental objectives set forth in the plan;

''(3) a description of specific conservation and environmental objectives to be achieved;

''(4) to the extent practicable, specific, quantitative goals for achieving the conservation and environmental objectives;

''(5) a description of 1 or more structural practices or 1 or more land management practices, or both, to be implemented to achieve the conservation and environmental objectives;

''(6) a description of the timing and sequence for implementing the structural practices or land management practices, or both, that will assist the operator in complying with Federal and State environmental laws; and

''(7) information that will enable evaluation of the effectiveness of the plan in achieving the conservation and environmental objectives, and that will enable evaluation of the degree to which the plan has been implemented.

''(8) Not withstanding any provision of law, the Secretary shall ensure that the process of writing, developing, and assisting in the implementation of plans required in the programs established under this title be open to individuals in agribusiness including but not limited to agricultural producers, representatives from agricultural cooperatives, agricultural input retail dealers, and certified crop advisers. This process shall be included in but not limited to programs and plans established under this title and any other Department program using incentive, technical assistance, cost-share or pilot project programs that require plans.

''SEC. 1238F. DUTIES OF THE SECRETARY.

''To the extent appropriate, the Secretary shall assist an operator in achieving the conservation and environmental goals of an environmental quality incentives program plan by—

''(1) providing an eligibility assessment of the farming or ranching operation of the operator as a basis for developing the plan;

''(2) providing technical assistance in developing and implementing the plan;

''(3) providing technical assistance, cost-sharing payments, or incentive payments for developing and implementing 1 or more structural practices or 1 or more land management practices, as appropriate;

''(4) providing the operator with information, education, and training to aid in implementation of the plan; and

''(5) encouraging the operator to obtain technical assistance, cost-sharing payments, or grants from other Federal, State, local, or private sources.

''SEC. 1238G. ELIGIBLE LANDS.

''Agricultural land on which a structural practice or land management practice, or both, shall be eligible for technical assistance, cost-sharing payments, or incentive payments under this chapter include—

''(1) agricultural land (including cropland, rangeland, pasture, and other land on which crops or livestock are produced) that the Secretary determines poses a serious threat to soil, water, or related resources by reason of the soil types, terrain, climatic, soil, topographic, flood, or saline characteristics, or other factors or natural hazards;

''(2) an area that is considered to be critical agricultural land on which either crop or livestock production is carried out, as identified in a plan submitted by the State under section 319 of the Federal Water Pollution Control Act (33 U.S.C. 1329) as having priority problems that result from an agricultural nonpoint source of pollution;

''(3) an area recommended by a State lead agency for protection of soil, water, and related resources, as designated by a Governor of a State; and

''(4) land that is not located within a designated or approved area, but that if permitted to continue to be operated under existing management practices, would defeat the purpose of the environmental quality incentives program, as determined by the Secretary.

''SEC. 1238H. LIMITATIONS ON PAYMENTS.

''(a) PAYMENTS.—The total amount of cost-sharing and incentive payments paid to a person under this chapter may not exceed—

''(1) $10,000 for any fiscal year; or

''(2) $50,000 for any multiyear contract.

''(b) REGULATIONS.—The Secretary shall issue regulations that are consistent with section 1001 for the purpose of—

''(1) defining the term 'person' as used in subsection (a); and

''(2) prescribing such rules as the Secretary determines necessary to ensure a fair and reasonable application of the limitations contained in subsection (a).''.

Subtitle B—Conservation Funding

SEC. 321. CONSERVATION FUNDING.

(a) IN GENERAL.—Subtitle E of title XII of the Food Security Act of 1985 (16 U.S.C. 3841 et seq.) is amended to read as follows:

''Subtitle E—Funding

''SEC. 1241. FUNDING.

''(a) MANDATORY EXPENSES.—For each of fiscal years 1996 through 2002, the Secretary shall use the funds of the Commodity Credit Corporation to carry out the programs authorized by—

''(1) subchapter B of chapter 1 of subtitle D (including contracts extended by the Secretary pursuant to section 1437 of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 16 U.S.C. 3831 note));

''(2) subchapter C of chapter 1 of subtitle D; and

''(3) chapter 4 of subtitle D.

''(b) ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.—

''(1) IN GENERAL.—For each of fiscal years 1996 through 2002, $200,000,000 of the funds of the Commodity Credit Corporation shall be available for providing technical assistance, cost-sharing payments, and incentive payments under the environmental quality incentives program under chapter 4 of subtitle D.

''(2) LIVESTOCK PRODUCTION.—For each of fiscal years 1996 through 2002, 50 percent of the funding available for technical assistance, cost-sharing payments, and incentive payments under the environmental quality incentives program shall be targeted at practices relating to livestock production.

''(c) ADVANCE APPROPRIATIONS TO CCC.—The Secretary may use the funds of the Commodity Credit Corporation to carry out chapter 3 of subtitle D, except that the Secretary may not use the funds of the Corporation unless the Corporation has received funds to cover the expenditures from appropriations made available to carry out chapter 3 of subtitle D.

''SEC. 1242. ADMINISTRATION.

''(a) PLANS.—The Secretary shall, to the extent practicable, avoid duplication in—

''(1) the conservation plans required for—

''(A) highly erodible land conservation under subtitle B;

''(B) the conservation reserve program established under subchapter B of chapter 1 of subtitle D; and

''(C) the wetlands reserve program established under subchapter C of chapter 1 of subtitle D; and

''(2) the environmental quality incentives program established under chapter 4 of subtitle D.

''(b) ACREAGE LIMITATION.—

''(1) IN GENERAL.—The Secretary shall not enroll more than 25 percent of the cropland in any county in the programs administered under the conservation reserve and wetlands reserve programs established under subchapters B and C, respectively, of chapter 1 of subtitle D. Not more than 10 percent of the cropland in a county may be subject to an easement acquired under the subchapters.

''(2) EXCEPTION.—The Secretary may exceed the limitations in paragraph (1) if the Secretary determines that—

''(A) the action would not adversely affect the local economy of a county; and

''(B) operators in the county are having difficulties complying with conservation plans implemented under section 1212.

''(3) SHELTERBELTS AND WINDBREAKS.—The limitations established under this subsection shall not apply to cropland that is subject to an easement under chapter 1 or 3 of subtitle D that is used for the establishment of shelterbelts and windbreaks.

''(c) TENANT PROTECTION.—Except for a person who is a tenant on land that is subject to a conservation reserve contract that has been extended by the Secretary, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers, including provision for sharing, on a fair and equitable basis, in payments under the programs established under subtitles B through D.

''(d) REGULATIONS.—Not later than 90 days after the effective date of this subsection, the Secretary shall issue regulations to implement the conservation reserve and wetlands reserve programs established under chapter 1 of subtitle D.''.

Subtitle C—Miscellaneous

SEC. 351. FORESTRY.

(a) FORESTRY INCENTIVES PROGRAM.—Section 4 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103) is amended by striking subsection (k).

(b) OFFICE OF INTERNATIONAL FORESTRY.—Section 2405 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 6704) is amended by adding at the end the following:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized each fiscal year such sums as are necessary to carry out this section.''.

SEC. 352. STATE TECHNICAL COMMITTEES.

Section 1261(c) of the Food Security Act of 1985 (16 U.S.C. 3861(c)) is amended—

(1) in paragraph (7), by striking ''and'' at the end;

(2) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(9) agricultural producers;

''(10) other nonprofit organizations with demonstrable expertise;

''(11) persons knowledgeable about the economic and environmental impact of conservation techniques and programs; and

''(12) agribusiness.

SEC. 353. CONSERVATION OF PRIVATE GRAZING LAND.

(a) FINDINGS.—Congress finds that—

(1) privately owned grazing land constitutes nearly ½ of the non-Federal land of the United States and is basic to the environmental, social, and economic stability of rural communities;

(2) privately owned grazing land contains a complex set of interactions among soil, water, air, plants, and animals;

(3) grazing land constitutes the single largest watershed cover type in the United States and contributes significantly to the quality and quantity of water available for all of the many uses of the land;

(4) private grazing land constitutes the most extensive wildlife habitat in the United States;

(5) private grazing land can provide opportunities for improved nutrient management from land application of animal manures and other by-product nutrient resources;

(6) owners and managers of private grazing land need to continue to recognize conservation problems when the problems arise and receive sound technical assistance to improve or conserve grazing land resources to meet ecological and economic demands;

(7) new science and technology must continually be made available in a practical manner so owners and managers of private grazing land may make informed decisions concerning vital grazing land resources;

(8) agencies of the Department of Agriculture with private grazing land responsibilities are the agencies that have the expertise and experience to provide technical assistance, education, and research to owners and managers of private grazing land for the long-term productivity and ecological health of grazing land;

(9) although competing demands on private grazing land resources are greater than ever before, assistance to private owners and managers of private grazing land is currently limited and does not meet the demand and basic need for adequately sustaining or enhancing the private grazing lands resources; and

(10) privately owned grazing land can be enhanced to provide many benefits to all Americans through voluntary cooperation among owners and managers of the land, local conservation districts, and the agencies of the Department of Agriculture responsible for providing assistance to owners and managers of land and to conservation districts.

(b) PURPOSE.—It is the purpose of this section to authorize the Secretary of Agriculture to provide a coordinated technical, educational, and related assistance program to conserve and enhance private grazing land resources and provide related benefits to all citizens of the United States by—

(1) establishing a coordinated and cooperative Federal, State, and local grazing conservation program for management of private grazing land;

(2) strengthening technical, educational, and related assistance programs that provide assistance to owners and managers of private grazing land;

(3) conserving and improving wildlife habitat on private grazing land;

(4) conserving and improving fish habitat and aquatic systems through grazing land conservation treatment;

(5) protecting and improving water quality;

(6) improving the dependability and consistency of water supplies;

(7) identifying and managing weed, noxious weed, and brush encroachment problems on private grazing land; and

(8) integrating conservation planning and management decisions by owners and managers of private grazing land, on a voluntary basis.

(c) DEFINITIONS.—In this section:

(1) PRIVATE GRAZING LAND.—The term ''private grazing land'' means privately owned, State-owned, tribally-owned, and any other non-federally owned rangeland, pastureland, grazed forest land, and hay land.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture, acting through the Natural Resources Conservation Service.

(d) PRIVATE GRAZING LAND CONSERVATION ASSISTANCE.—

(1) ASSISTANCE TO GRAZING LANDOWNERS AND OTHERS.—Subject to the availability of appropriations, the Secretary shall establish a voluntary program to provide technical, educational, and related assistance to owners and managers of private grazing land and public agencies, through local conservation districts, to enable the landowners, managers, and public agencies to voluntarily carry out activities that are consistent with this section, including—

(A) maintaining and improving private grazing land and the multiple values and uses that depend on private grazing land;

(B) implementing grazing land management technologies;

(C) managing resources on private grazing land, including—

(i) planning, managing, and treating private grazing land resources;

(ii) ensuring the long-term sustainability of private grazing land resources;

(iii) harvesting, processing, and marketing private grazing land resources; and

(iv) identifying and managing weed, noxious weed, and brush encroachment problems;

(D) protecting and improving the quality and quantity of water yields from private grazing land;

(E) maintaining and improving wildlife and fish habitat on private grazing land;

(F) enhancing recreational opportunities on private grazing land;

(G) maintaining and improving the aesthetic character of private grazing lands; and

(H) identifying the opportunities and encouraging the diversification of private grazing land enterprises.

(2) PROGRAM ELEMENTS.—

(A) FUNDING.—The program under paragraph (1) shall be funded through a specific line-item in the annual appropriations for the Natural Resources Conservation Service.

(B) TECHNICAL ASSISTANCE AND EDUCATION.—Personnel of the Department of Agriculture trained in pasture and range management shall be made available under the program to deliver and coordinate technical assistance and education to owners and managers of private grazing land, at the request of the owners and managers.

(e) GRAZING TECHNICAL ASSISTANCE SELF-HELP.—

(1) FINDINGS.—Congress finds that—

(A) there is a severe lack of technical assistance for grazing producers;

(B) the Federal budget precludes any significant expansion, and may force a reduction of, current levels of technical support; and

(C) farmers and ranchers have a history of cooperatively working together to address common needs in the promotion of their products and in the drainage of wet areas through drainage districts.

(2) ESTABLISHMENT OF GRAZING DEMONSTRATION.—The Secretary may establish 2 grazing management demonstration districts at the recommendation of the Grazing Lands Conservation Initiative Steering Committee.

(3) PROCEDURE.—

(A) PROPOSAL.—Within a reasonable time after the submission of a request of an organization of farmers or ranchers engaged in grazing, the Secretary shall propose that a grazing management district be established.

(B) FUNDING.—The terms and conditions of the funding and operation of the grazing management district shall be proposed by the producers.

(C) APPROVAL.—The Secretary shall approve the proposal if the Secretary determines that the proposal—

(i) is reasonable;

(ii) will promote sound grazing practices; and

(iii) contains provisions similar to the provisions contained in the promotion orders in effect on the effective date of this section.

(D) AREA INCLUDED.—The area proposed to be included in a grazing management district shall be determined by the Secretary on the basis of a petition by farmers or ranchers.

(E) AUTHORIZATION.—The Secretary may use authority under the Agricultural Adjustment Act (7 U.S.C. 601 et seq.), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, to operate, on a demonstration basis, a grazing management district.

(F) ACTIVITIES.—The activities of a grazing management district shall be scientifically sound activities, as determined by the Secretary in consultation with a technical advisory committee composed of ranchers, farmers, and technical experts.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $20,000,000 for fiscal year 1996;

(2) $40,000,000 for fiscal year 1997; and

(3) $60,000,000 for fiscal year 1998 and each subsequent fiscal year.

SEC. 354. CONFORMING AMENDMENTS.

(a) AGRICULTURAL CONSERVATION PROGRAM.—

(1) ELIMINATION.—

(A) Section 8 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h) is amended—

(i) in subsection (b)—

(I) by striking paragraphs (1) through (4) and inserting the following:

''(1) ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.—The Secretary shall provide technical assistance, cost share payments, and incentive payments to operators through the environmental quality incentives program in accordance with chapter 2 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.).''; and

(II) by striking paragraphs (6) through (8); and

(ii) by striking subsections (d), (e), and (f).

(B) The first sentence of section 11 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590k) is amended by striking ''performance: *Provided further,*'' and all that follows through ''or other law'' and inserting ''performance''.

(C) Section 14 of the Act (16 U.S.C. 590n) is amended—

(i) in the first sentence, by striking ''or 8''; and

(ii) by striking the second sentence.

(D) Section 15 of the Act (16 U.S.C. 590o) is amended—

(i) in the first undesignated paragraph—

(I) in the first sentence, by striking ''sections 7 and 8'' and inserting ''section 7''; and

(II) by striking the third sentence; and

(ii) by striking the second undesignated paragraph.

(2) CONFORMING AMENDMENTS.—

(A) Paragraph (1) of the last proviso of the matter under the heading ''CONSERVATION RESERVE PROGRAM'' under the heading ''SOIL BANK PROGRAMS'' of title I of the Department of Agriculture and Farm Credit Administration Appropriation Act, 1959 (72 Stat. 195; 7 U.S.C. 1831a) is amended by striking ''Agricultural Conservation Program'' and inserting ''environmental quality incentives program established under chapter 2 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.)''.

(B) Section 4 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103) is amended by striking ''as added by the Agriculture and Consumer Protection Act of 1973'' each place it appears in subsections (d) and (i) and inserting ''as in effect before the amendment made by section 355(a)(1) of the Agricultural Reform and Improvement Act of 1996''.

(C) Section 226(b)(4) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6932(b)(4)) is amended by striking ''and the agricultural conservation program under the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590g et seq.)''.

(D) Section 246(b)(8) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6962(b)(8)) is amended by striking ''and the agricultural conservation program under the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590g et seq.)''.

(E) Section 1271(c)(3)(C) of the Food, Agriculture, Conservation, and Trade Act of 1990 (16 U.S.C. 2106a(c)(3)(C)) is amended by striking ''Agricultural Conservation Program established under section 16(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h, 590l, or 590p)'' and inserting ''environmental quality incentives program established under chapter 2 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.)''.

(F) Section 126(a)(5) of the Internal Revenue Code of 1986 is amended to read as follows:

''(5) The environmental quality incentives program established under chapter 2 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.).''.

(G) Section 304(a) of the Lake Champlain Special Designation Act of 1990 (Public Law 101–596; 33 U.S.C. 1270 note) is amended—

(i) in the subsection heading, by striking ''SPECIAL PROJECT AREA UNDER THE AGRICULTURAL CONSERVATION PROGRAM'' and inserting ''A PRIORITY AREA UNDER THE ENVIRONMENTAL QUALITY INCENTIVES PROGRAM''; and

(ii) in paragraph (1), by striking ''special project area under the Agricultural Conservation Program established under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b))'' and inserting ''priority area under the environmental quality incentives program established under chapter 2 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.)''.

(H) Section 6 of the Department of Agriculture Organic Act of 1956 (70 Stat. 1033) is amended by striking subsection (b).

(b) GREAT PLAINS CONSERVATION PROGRAM.—

(1) ELIMINATION.—Section 16 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590p) is repealed.

(2) CONFORMING AMENDMENTS.—

(A) The Agricultural Adjustment Act of 1938 is amended by striking ''Great Plains program'' each place it appears in sections 344(f)(8) and 377 (7 U.S.C. 1344(f)(8) and 1377) and inserting ''environmental quality incentives program established under chapter 2 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.)''.

(B) Section 246(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6962(b)) is amended by striking paragraph (2).

(C) Section 126(a) of the Internal Revenue Code of 1986 is amended—

(i) by striking paragraph (6); and

(ii) by redesignating paragraphs (7) through (10) as paragraphs (6) through (9), respectively.

(c) COLORADO RIVER BASIN SALINITY CONTROL PROGRAM.—

Section 202(c) of the Colorado River Basin Salinity Control Act (43 U.S.C. 1592(c)) is amended by striking paragraph (1) and inserting the following:

''(1) The Secretary of Agriculture shall implement salinity control measures, including watershed enhancement and cost-sharing efforts with livestock and crop producers, as part of the Agricultural Conservation Assistance Program established under section 312 of the Conservation Consolidation and Regulatory Reform Act of 1996.''.

(d) RURAL ENVIRONMENTAL CONSERVATION PROGRAM.—

(1) ELIMINATION.—Title X of the Agricultural Act of 1970 (16 U.S.C. 1501 et seq.) is repealed.

(2) CONFORMING AMENDMENTS.—Section 246(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6962(b)) is amended—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2) through (8) as paragraphs (1) through (7), respectively.

(e) OTHER CONSERVATION PROVISIONS.—Subtitle F of title XII of the Food Security Act of 1985 (16 U.S.C. 2005a and 2101 note) is repealed.

(f) COMMODITY CREDIT CORPORATION CHARTER ACT.—Section 5(g) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c(g)) is amended to read as follows:

''(g) Carry out conservation functions and programs.''.

(g) RESOURCE CONSERVATION.—

(1) ELIMINATION.—Subtitles A, B, D, E, F, G, and J of title XV of the Agriculture and Food Act of 1981 (95 Stat. 1328; 16 U.S.C. 3401 et seq.) are repealed.

(2) CONFORMING AMENDMENT.—Section 739 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1982 (7 U.S.C. 2272a), is repealed.

(h) ENVIRONMENTAL EASEMENT PROGRAM.—Section 1239(a) of the Food Security Act of 1985 (16 U.S.C. 3839(a)) is amended by striking ''1991 through 1995'' and inserting ''1996 through 2002''.

(i) RESOURCE CONSERVATION AND DEVELOPMENT PROGRAM.—Section 1538 of the Agriculture and Food Act of 1981 (16 U.S.C. 3461) is amended by striking ''1991 through 1995'' and inserting ''1996 through 2002''.

(j) TECHNICAL AMENDMENT.—The first sentence of the matter under the heading ''Commodity Credit Corporation'' of Public Law 99–263 (100 Stat. 59; 16 U.S.C. 3841 note) is amended by striking '': Provided further,'' and all that follows through ''Acts''.

(k) AGRICULTURAL WATER QUALITY INCENTIVES PROGRAM.—Chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.) is repealed.

SEC. 355. WATER BANK PROGRAM.

Section 1230 of the Food Security Act of 1985 (16 U.S.C. 3830) is amended by adding at the end the following:

''(d) WATER BANK PROGRAM.—For purposes of this Act, acreage enrolled, prior to the date of enactment of this subsection, in the water bank program authorized by the Water Bank Act (16 U.S.C. 1301 et seq.) shall be considered to have been enrolled in the conservation reserve program on the date the acreage was enrolled in the water bank program. Payments shall continue at the existing water bank rates.''.

SEC. 356. FLOOD WATER RETENTION PILOT PROJECTS.

Section 16 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590p) is amended by adding at the end the following:

''(l) FLOOD WATER RETENTION PILOT PROJECTS.—

''(1) IN GENERAL.—In cooperation with States, the Secretary shall carry out at least 1 but not more than 2 pilot projects to create and restore natural water retention areas to control storm water and snow melt runoff within closed drainage systems.

''(2) PRACTICES.—To carry out paragraph (1), the Secretary shall provide cost-sharing and technical assistance for the establishment of nonstructural landscape management practices, including agricultural tillage practices and restoration, enhancement, and creation of wetland characteristics.

''(3) FUNDING.—

''(A) LIMITATION.—The funding used by the Secretary to carry out this subsection shall not exceed $10,000,000 per project.

''(B) USE OF COMMODITY CREDIT CORPORATION.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this subsection.

''(4) ADDITIONAL PILOT PROJECTS.—

''(A) EVALUATION.—Not later than 2 years after a pilot project is implemented, the Secretary shall evaluate the extent to which the project has reduced or may reduce Federal outlays for emergency spending and unplanned infrastructure maintenance by an amount that exceeds the Federal cost of the project.

''(B) ADDITIONAL PROJECTS.—If the Secretary determines that pilot projects carried out under this subsection have reduced or may reduce Federal outlays as described in subparagraph (A), the Secretary may carry out, in accordance with this subsection, pilot projects in addition to the projects authorized under paragraph (1).''.

SEC. 357. WETLAND CONSERVATION EXEMPTION.

Section 1222(b)(1) of the Food Security Act of 1985 (16 U.S.C. 3822(b)(1)) is amended—

(1) in subparagraph (C), by striking ''or'' at the end; and

(2) by adding at the end the following:

''(E) converted wetland, if—

''(i) the extent of the conversion is limited to the reversion to conditions that will be at least equivalent to the wetland functions and values that existed prior to implementation of a voluntary wetland restoration, enhancement, or creation action;

''(ii) technical determinations of the prior site conditions and the restoration, enhancement, or creation action have been adequately documented in a plan approved by the Natural Resources Conservation Service prior to implementation; and

''(iii) the conversion action proposed by the private landowner is approved by the Natural Resources Conservation Service prior to implementation; or''.

SEC. 358. RESOURCE CONSERVATION AND DEVELOPMENT PROGRAM REAUTHORIZATION.

Section 1538 of the Agriculture and Food Act of 1981 (16 U.S.C. 3461) is amended by striking ''1991 through 1995'' and inserting ''1996 through 2001''.

SEC. 359. CONSERVATION RESERVE NEW ACREAGE.

Section 1231(a) of the Food Security Act of 1985 (16 U.S.C. 3831(a)) is amended by adding at the end the following: ''The Secretary may enter into 1 or more new contracts to enroll acreage in a quantity equal to the quantity of acreage covered by any contract that terminates after the date of enactment of the Agricultural Market Transition Act.''.

SEC. 360. REPEAL OF REPORT REQUIREMENT.

Section 1342 of title 44, United States Code, is repealed.

SEC. 361. WATERSHED PROTECTION AND FLOOD PREVENTION ACT AMENDMENTS.

(a) DECLARATION OF POLICY.—The first section of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001) is amended to read as follows:

''SECTION 1. DECLARATION OF POLICY.

''Erosion, flooding, sedimentation, and loss of natural habitats in the watersheds and waterways of the United States cause loss of life, damage to property, and a reduction in the quality of environment and life of citizens. It is therefore the sense of Congress that the Federal Government should join with States and their political subdivisions, public agencies, conservation districts, flood prevention or control districts, local citizens organizations, and Indian tribes for the purpose of conserving, protecting, restoring, and improving the land and water resources of the United States and the quality of the environment and life for watershed residents across the United States.''.

(b) DEFINITIONS.—

(1) WORKS OF IMPROVEMENT.—Section 2 of the Act (16 U.S.C. 1002) is amended, with respect to the term ''works of improvement''—

(A) in paragraph (1), by inserting '', nonstructural,'' after ''structural'';

(B) in paragraph (2), by striking ''or'' at the end;

(C) by redesignating paragraph (3) as paragraph (11);

(D) by inserting after paragraph (2) the following new paragraphs:

''(3) a land treatment or other nonstructural practice, including the acquisition of easements or real property rights, to meet multiple watershed needs,

''(4) the restoration and monitoring of the chemical, biological, and physical structure, diversity, and functions of waterways and their associated ecological systems,

''(5) the restoration or establishment of wetland and riparian environments as part of a multi-objective management system that provides floodwater or storm water storage, detention, and attenuation, nutrient filtering, fish and wildlife habitat, and enhanced biological diversity,

''(6) the restoration of steam channel forms, functions, and diversity using the principles of biotechnical slope stabilization to reestablish a meandering, bankfull flow channels, riparian vegetation, and floodplains,

''(7) the establishment and acquisition of multi-objective riparian and adjacent flood prone lands, including greenways, for sediment storage and floodwater storage,

''(8) the protection, restoration, enhancement and monitoring of surface and groundwater quality, including measures to improve the quality of water emanating from agricultural lands and facilities,

''(9) the provision of water supply and municipal and industrial water supply for rural communities having a population of less than 55,000, according to the most recent decennial census of the United States,

''(10) outreach to and organization of local citizen organizations to participate in project design and implementation, and the training of project volunteers and participants in restoration and monitoring techniques, or''; and

(E) in paragraph (11) (as so redesignated)—

(i) by inserting in the first sentence after ''proper utilization of land'' the following: '', water, and related resources''; and

(ii) by striking the sentence that mandates that 20 percent of total project benefits be directly related to agriculture.

(2) LOCAL ORGANIZATION.—Such section is further amended, with respect to the term ''local organization'', by adding at the end the following new sentence: ''The term includes any nonprofit organization (defined as having tax exempt status under section 501(c)(3) of the Internal Revenue Code of 1986) that has authority to carry out and maintain works of improvement or is developing and implementing a work of improvement in partnership with another local organization that has such authority.''.

(3) WATERWAY.—Such section is further amended by adding at the end the following new definition:

''WATERWAY.—The term 'waterway' means, on public or private land, any natural, degraded, seasonal, or created wetland on public or private land, including rivers, streams, riparian areas, marshes, ponds, bogs, mudflats, lakes, and estuaries. The term includes any natural or manmade watercourse which is culverted, channelized, or vegetatively cleared, including canals, irrigation ditches, drainage wages, and navigation, industrial, flood control and water supply channels.''.

(c) ASSISTANCE TO LOCAL ORGANIZATIONS.—Section 3 of the Act (16 U.S.C. 1003) is amended—

(1) in paragraph (1), by inserting after ''(1)'' the following ''to provide technical assistance to help local organizations'';

(2) in paragraph (2)—

(A) by inserting after ''(2)'' the following: ''to provide technical assistance to help local organizations''; and

(B) by striking ''engineering'' and inserting ''technical and scientific''; and

(3) by striking paragraph (3) and inserting the following new paragraph:

''(3) to make allocations of costs to the project or project components to determine whether the total of all environmental, social, and monetary benefits exceed costs;''.

(d) COST SHARE ASSISTANCE.—

(1) AMOUNT OF ASSISTANCE.—Section 3A of the Act (16 U.S.C. 1003a) is amended by striking subsection (b) and inserting the following:

''(b) NONSTRUCTURAL PRACTICES.—Notwithstanding any other provision of this Act, Federal cost share assistance to local organizations for the planning and implementation of nonstructural works of improvement may be provided using funds appropriated for the purposes of this Act for an amount not exceeding 75 percent of the total installation costs.

''(c) STRUCTURAL PRACTICES.—Notwithstanding any other provision of this Act, Federal cost share assistance to local organizations for the planning and implementation of structural works of improvement may be provided using funds appropriated for the purposes of this Act for 50 percent of the total cost, including the cost of mitigating damage to fish and wildlife habitat and the value of any land or interests in land acquired for the work of improvement.

''(d) SPECIAL RULE FOR LIMITED RESOURCE COMMUNITIES.—Notwithstanding any other provision of this Act, the Secretary may provide cost share assistance to a limited resource community for any works of improvement, using funds appropriated for the purposes of this Act, for an amount not to exceed 90 percent of the total cost.

''(e) TREATMENT OF OTHER FEDERAL FUNDS.—Not more than 50 percent of the non-Federal cost share may be satisfied using funds from other Federal agencies.''.

(2) CONDITIONS ON ASSISTANCE.—Section 4(1) of the Act (16 U.S.C. 1004(1)) is amended by striking '', without cost to the Federal Government from funds appropriated for the purposes of this Act,''.

(e) BENEFIT COST ANALYSIS.—Section 5(1) of the Act (16 U.S.C. 1005(1)) is amended by striking ''the benefits'' and inserting ''the total benefits, including environmental, social, and monetary benefits,''.

(f) PROJECT PRIORITIZATION.—The Watershed Protection and Flood Prevention Act is amended by inserting after section 5 (16 U.S.C. 1005) the following new section:

''SEC. 5A. FUNDING PRIORITIES.

''In making funding decisions under this Act, the Secretary shall give priority to projects with one or more of the following attributes:

''(1) Projects providing significant improvements in ecological values and functions in the project area.

''(2) Projects that enhance the long-term health of local economies or generate job or job training opportunities for local residents, including Youth Conservation and Service Corps participants and displaced resource harvesters.

''(3) Projects that provide protection to human health, safety, and property.

''(4) Projects that directly benefit economically disadvantaged communities and enhance participation by local residents of such communities.

''(5) Projects that restore or enhance fish and wildlife species of commercial, recreational, subsistence or scientific concern.

''(6) Projects or components of projects that can be planned, designed, and implemented within two years.''.

(g) TRANSFER OF FUNDS.—The Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1010) is amended by adding at the end the following new section:

"SEC. 14. TRANSFERS OF FUNDS.

''The Secretary may accept transfers of funds from other Federal departments and agencies in order to carry out projects under this Act.''.

TITLE IV—NUTRITION ASSISTANCE

SEC. 401. FOOD STAMP PROGRAM.

(a) DISQUALIFICATION OF A STORE OR CONCERN.—Section 12 of the Food Stamp Act of 1977 (7 U.S.C. 2021) is amended—

(1) by striking the section heading;

(2) by striking ''SEC. 12. (a) Any'' and inserting the following:

"SEC. 12. CIVIL MONEY PENALTIES AND DISQUALIFICATION OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.

''(a) DISQUALIFICATION.—

''(1) IN GENERAL.—An'';

(3) by adding at the end of subsection (a) the following:

''(2) EMPLOYING CERTAIN PERSONS.—A retail food store or wholesale food concern shall be disqualified from participation in the food stamp program if the store or concern knowingly employs a person who has been found by the Secretary, or a Federal, State, or local court, to have, within the preceding 3-year period—

''(A) engaged in the trading of a firearm, ammunition, an explosive, or a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) for a coupon; or

''(B) committed any act that constitutes a violation of this Act or a State law relating to using, presenting, transferring, acquiring, receiving, or possessing a coupon, authorization card, or access device.''; and

(4) in subsection (b)(3)(B), by striking ''neither the ownership nor management of the store or food concern was aware'' and inserting ''the ownership of the store or food concern was not aware''.

(b) EMPLOYMENT AND TRAINING.—Section 16(h)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2025(h)(1)) is amended by striking ''1995'' each place it appears and inserting ''2002''.

(c) AUTHORIZATION OF PILOT PROJECTS.—The last sentence of section 17(b)(1)(A) of the Food Stamp Act of 1977 (7 U.S.C. 2026(b)(1)(A)) is amended by striking ''1995'' and inserting ''2002''.

(d) OUTREACH DEMONSTRATION PROJECTS.—The first sentence of section 17(j)(1)(A) of the Food Stamp Act of 1977 (7 U.S.C. 2026(j)(1)(A)) is amended by striking ''1995'' and inserting ''2002''.

(e) AUTHORIZATION FOR APPROPRIATIONS.—The first sentence of section 18(a)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2027(a)(1)) is amended by striking ''1995'' and inserting ''2002''.

(f) REAUTHORIZATION OF PUERTO RICO NUTRITION ASSISTANCE PROGRAM.—The first sentence of section 19(a)(1)(A) of the Food Stamp Act of 1977 (7 U.S.C. 2028(a)(1)(A)) is amended by striking ''$974,000,000'' and all that follows through ''fiscal year 1995'' and inserting ''$1,143,000,000 for fiscal year 1996, $1,174,000,000 for fiscal year 1997, $1,204,000,000 for fiscal year 1998, $1,236,000,000 for fiscal year 1999, $1,268,000,000 for fiscal year 2000, $1,301,000,000 for fiscal year 2001, and $1,335,000,000 for fiscal year 2002''.

(g) AMERICAN SAMOA.—The Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.) is amended by adding at the end the following:

"SEC. 24. TERRITORY OF AMERICAN SAMOA.

''From amounts made available to carry out this Act, the Secretary may pay to the Territory of American Samoa not more than $5,300,000 for each of fiscal years 1996 through 2002 to finance 100 percent of the expenditures for the fiscal year for a nutrition assistance program extended under section 601(c) of Public Law 96–597 (48 U.S.C. 1469d(c)).''.

SEC. 402. COMMODITY DISTRIBUTION PROGRAM; COMMODITY SUPPLEMENTAL FOOD PROGRAM.

(a) REAUTHORIZATION.—The first sentence of section 4(a) of the Agriculture and Consumer Protection Act of 1973 (Public Law 93–86; 7 U.S.C. 612c note) is amended by striking ''1995'' and inserting ''2002''.

(b) FUNDING.—Section 5 of the Agriculture and Consumer Protection Act of 1973 (Public Law 93–86; 7 U.S.C. 612c note) is amended—

(1) in subsection (a)(2), by striking ''1995'' and inserting ''2002''; and

(2) in subsection (d)(2), by striking ''1995'' and inserting ''2002''.

(c) CARRIED-OVER FUNDS.—20 percent of any commodity supplemental food program funds carried over under section 5 of the Agriculture and Consumer Protection Act of 1973 (Public Law 93–86; 7 U.S.C. 612c note) shall be available for administrative expenses of the program.

SEC. 403. EMERGENCY FOOD ASSISTANCE PROGRAM.

(a) REAUTHORIZATION.—The first sentence of section 204(a)(1) of the Emergency Food Assistance Act of 1983 (Public Law 98–8; 7 U.S.C. 612c note) is amended by striking ''1995'' and inserting ''2002''.

(b) PROGRAM TERMINATION.—Section 212 of the Emergency Food Assistance Act of 1983 (Public Law 98–8; 7 U.S.C. 612c note) is amended by striking ''1995'' and inserting ''2002''.

(c) REQUIRED PURCHASES OF COMMODITIES.—Section 214 of the Emergency Food Assistance Act of 1983 (Public Law 98–8; 7 U.S.C. 612c note) is amended—

(1) in the first sentence of subsection (a), by striking ''1995'' and inserting ''2002''; and

(2) in subsection (e), by striking ''1995'' each place it appears and inserting ''2002''.

SEC. 404. SOUP KITCHENS PROGRAM.

Section 110 of the Hunger Prevention Act of 1988 (Public Law 100–435; 7 U.S.C. 612c note) is amended—

(1) in the first sentence of subsection (a), by striking ''1995'' and inserting ''2002''; and

(2) in subsection (c)(2)—

(A) in the paragraph heading, by striking ''1995'' and inserting ''2002''; and

(B) by striking ''1995'' each place it appears and inserting ''2002''.

SEC. 405. NATIONAL COMMODITY PROCESSING.

The first sentence of section 1114(a)(2)(A) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431e(2)(A)) is amended by striking ''1995'' and inserting ''2002''.

TITLE V—MISCELLANEOUS

SEC. 501. INVESTMENT FOR AGRICULTURE AND RURAL AMERICA.

Section 5 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) Make available $2,000,000,000 for the following purposes:

''(1) Conducting rural development activities pursuant to existing rural development authorities.

''(2) Conducting research, education, and extension activities pursuant to existing research, education, and extension authorities.''.

SEC. 502. COLLECTION AND USE OF AGRICULTURAL QUARANTINE AND INSPECTION FEES.

Subsection (a) of section 2509 of the Food, Agriculture, Conservation, and Trade Act of 1990 (21 U.S.C. 136a) is amended to read as follows:

''(a) QUARANTINE AND INSPECTION FEES.—

''(1) FEES AUTHORIZED.—The Secretary of Agriculture may prescribe and collect fees sufficient—

''(A) to cover the cost of providing agricultural quarantine and inspection services in connection with the arrival at a port in the customs territory of the United States, or the preclearance or preinspection at a site outside the customs territory of the United States, of an international passenger, commercial vessel, commercial aircraft, commercial truck, or railroad car;

''(B) to cover the cost of administering this subsection; and

''(C) through fiscal year 2002, to maintain a reasonable balance in the Agricultural Quarantine Inspection User Fee Account established under paragraph (5).

''(2) LIMITATION.—In setting the fees under paragraph (1), the Secretary shall ensure that the amount of the fees are commensurate with the costs of agricultural quarantine and inspection services with respect to the class of persons or entities paying the fees. The costs of the services with respect to passengers as a class includes the costs of related inspections of the aircraft or other vehicle.

''(3) STATUS OF FEES.—Fees collected under this subsection by any person on behalf of the Secretary are held in trust for the United States and shall be remitted to the Secretary in such manner and at such times as the Secretary may prescribe.

''(4) LATE PAYMENT PENALTIES.—If a person subject to a fee under this subsection fails to pay the fee when due, the Secretary shall assess a late payment penalty, and the overdue fees shall accrue interest, as required by section 3717 of title 31, United States Code.

''(5) AGRICULTURAL QUARANTINE INSPECTION USER FEE ACCOUNT.—

''(A) ESTABLISHMENT.—There is established in the Treasury of the United States a no-year fund, to be known as the 'Agricultural Quarantine Inspection User Fee Account', which shall contain all of the fees collected under this subsection and late payment penalties and interest charges collected under paragraph (4) through fiscal year 2002.

''(B) USE OF ACCOUNT.—For each of the fiscal years 1996 through 2002, funds in the Agricultural Quarantine Inspection User Fee Account shall be available, in such amounts as are provided in advance in appropriations Acts, to cover the costs associated with the provision of agricultural quarantine and inspection services and the administration of this subsection. Amounts made available under this subparagraph shall be available until expended.

''(C) EXCESS FEES.—Fees and other amounts collected under this subsection in any of the fiscal years 1996 through 2002 in excess of $100,000,000 shall be available for the purposes specified in subparagraph (B) until expended, without further appropriation.

''(6) USE OF AMOUNTS COLLECTED AFTER FISCAL YEAR 2002.—After September 30, 2002, the unobligated balance in the Agricultural Quarantine Inspection User Fee Account and fees and other amounts collected under this subsection shall be credited to the Department of Agriculture accounts that incur the costs associated with the provision of agricultural quarantine and inspection services and the administration of this subsection. The fees and other amounts shall remain available to the Secretary until expended without fiscal year limitation.

''(7) STAFF YEARS.—The number of full-time equivalent positions in the Department of Agriculture attributable to the provision of agricultural quarantine and inspection

services and the administration of this subsection shall not be counted toward the limitation on the total number of full-time equivalent positions in all agencies specified in section 5(b) of the Federal Workforce Restructuring Act of 1994 (Public Law 103–226; 5 U.S.C. 3101 note) or other limitation on the total number of full-time equivalent positions.''.

SEC. 503. EVERGLADES AGRICULTURAL AREA.

(a) IN GENERAL.—On July 1, 1996, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall provide $200,000,000 to the Secretary of the Interior to carry out this section.

(b) ENTITLEMENT.—The Secretary of the Interior—

(1) shall accept the funds made available under subsection (a);

(2) shall be entitled to receive the funds; and

(3) shall use the funds to conduct restoration activities in the Everglades ecosystem, which may include acquiring private acreage in the Everglades Agricultural Area including approximately 52,000 acres that is commonly known as the ''Talisman tract''.

(c) TRANSFERRING FUNDS.—The Secretary of the Interior may transfer funds to the Army Corps of Engineers, the State of Florida, or the South Florida Water Management District to carry out subsection (b)(3).

(d) DEADLINE.—Not later than December 31, 1999, the Secretary of the Interior shall utilize the funds for restoration activities referred to in subsection (b)(3).

Mr. STENHOLM (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. ROBERTS. Reserving the right to object, Mr. Speaker, I would like to inquire of the Chair, in terms of the requirement of reading what is contained in the motion to recommit, it is my understanding there are 229 pages of the proposal. We have not seen these 229 pages. Could the Chair inform me if, in fact, there are 229 pages and was the Clerk going to read all 229?

The SPEAKER pro tempore. Unless the reading is dispensed with, the Clerk will read the full 229 pages.

Mr. ROBERTS. Mr. Speaker, continuing my reservation of objection, I would like to inform the Members of the House that I am certainly not going to have the Clerk read the 229 pages. But we do not know what is in the motion to recommit. We have a summary here that has been handed to me about 30 seconds ago and, under my reservation, perhaps if the gentleman from Texas could answer several questions, we could expedite the process.

Mr. Speaker, further reserving the right to object, I yield to the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Speaker, I will be happy to briefly explain the amendment in careful, concise language so that everyone can understand it.

Mr. ROBERTS. Mr. Speaker, under the circumstances, since we will be allotted the appropriate time to do that, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas [Mr. STENHOLM].

Mr. ROBERTS. Mr. Speaker, I reserve a point of order against the motion to recommit in regards to the addition of a nutrition program which is not permitted in the rule.

The SPEAKER pro tempore. The gentleman reserves a point of order.

The Chair recognizes the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Speaker, title I includes the provisions from the Senate-passed farm bill: Restores the rice payment, eliminates the peanut loan rate penalty, provides oilseed market loans at 85 percent, retains current dairy law but prohibits the collection of assessments in calendar year 1996. A refund is provided for those already collected. Requires contract acres to be devoted to agricultural uses, allows operators to sign for contracts, CRP equipment, at the same time but only if already eligible for CRP.

Summary of the trade title: It includes the Roth amendment as approved by the House. It reauthorizes market promotion export enhancement, exports credit guarantees, food for progress, farmer to farmer and food aid programs, provides greater flexibility in the administration of export programs. Promotes export of dairy products to the maximum extent possible consistent with WTO commitments, increases the amount and variety of food that may be drawn each year from emergency reserves.

In the conservation title: It includes the CRP Program as authorized under the House-passed version today, exactly the CRP as was approved by the full House. It also includes a wetlands reserve program, an environmental quality incentive program better known as EQIP.

It also provides under subtitle B, Conservation Funding: CCC funding is authorized for CRP, WRP, and EQIP. In EQIP, 50 percent of the funding is targeted to livestock producers.

Under miscellaneous, we include the Senate miscellaneous provisions on forestry, State technical committees, conservation, and private grazing lands.

A summary of the nutrition title; this is very important to a large number of Members: It reauthorizes for 7 years the Food Stamp Program and the commodity distribution programs, including the Emergency Food Assistance Program, better known as TEFAP.

It also ensures funding for 7 years for the modified Food Stamp Program and in American Samoa that benefits the elderly, blind, and disabled.

Under miscellaneous, it includes the Fund for Rural America, what we just debated but was defeated. We also include the Everglades amendment, exactly providing the $200 million to the Secretary of the Interior to conduct restoration activities in the Florida Everglades for the purpose of private acreage within the Everglades agricultural area.

It is the language that was included in the Senate bill and also what we just approved earlier in the amending process.

There is also a technical amendment dealing with AQI.

I urge support of the motion to recommit. I might also say, if I have additional time, it is supported by numerous organizations from the producing side of the communities, the environmental community, and the food and nutrition community. It also answers many of the questions that the secretary has had about the legislation before us.

We believe that it will expedite, and this is the final point I would make of our recommittal, if there is one thing that I would hang my hat on, I believe that this recommittal would in fact expedite the consideration so that our farmers who have been waiting for months for a farm bill will be able to get it out of Congress to the President in a form he will sign and do it expeditiously. That is something that everyone wants.

POINT OF ORDER

The SPEAKER pro tempore. Does the gentleman from Kansas [Mr. ROBERTS] insist on his point of order?

Mr. ROBERTS. I do, Mr. Speaker, I insist on my point of order.

It is my understanding there is a nutrition program extension; that is, the Food Stamp Program included. This is not included in H.R. 2854. It is an entitlement program that amounts to about 50 percent of the ag appropriations each year. This is a 7-year extension, not germane to the rest of the bill. I insist on my point of order.

The SPEAKER pro tempore Does the gentleman from Texas [Mr. STENHOLM] wish to be heard on the point of order?

Mr. STENHOLM. I do, Mr. Speaker.

If the gentleman from Kansas insists that the nutrition programs dealing with the feeding of the people with the food that is produced by our farmers should be stricken from this farm bill, I will extract that from our recommittal so that no longer is an issue because I understand the point of order.

The SPEAKER pro tempore. The Chair is prepared to rule on the point of order.

The amendment proposed in the motion to recommit, among other things, amends the Food Stamp Act. The bill as amended does not amend that act, nor does it otherwise address nutrition assistance programs.

□ 1400

The bill, as perfected, addresses production and distribution of agricultural products and not the food programs.

Therefore, the point of order is sustained.

Does the gentleman from Texas [Mr. STENHOLM] have another motion?

MOTION TO RECOMMIT OFFERED BY MR. STENHOLM

Mr. STENHOLM. Mr. Speaker, I ask unanimous consent that the recommittal be resubmitted with the point of order that has just been sustained, that portion dealing with nutrition programs be extracted from the consideration, everything else shall remain as previously explained.

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

Mr. SOLOMON. Reserving the right to object, Mr. Speaker, and I would ask the gentleman a question. He knows that the Solomon amendment passed by a vote, an overwhelming vote, on this.

The gentleman from Texas [Mr. STENHOLM] knows that the Solomon amendment, which carried overwhelmingly, almost 2 to 1 on the gentleman's side of the aisle, same thing on our side of the aisle, would have made the corrections and we would have been able to go to conference with the Senate.

The gentleman is repealing the Solomon amendment in his motion to recommit; is that correct?

Mr. STENHOLM. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Texas.

Mr. STENHOLM. Mr. Speaker, the gentleman is correct.

Mr. SOLOMON. Mr. Speaker, reclaiming my time, let us hope everybody understands that because the gentleman is trying to again make the Gunderson proposal in the dairy bill right now, which is going to increase the cost of milk 20 to 40 cents per gallon, and the gentleman knows it, and that is what we want to be able to go and negotiate in conference.

Mr. STENHOLM. Mr. Speaker, if the gentleman would continue to yield, I thank the gentleman because his first question was correct; his restatement of the question was not correct. We are not putting the Gunderson amendment back in. The gentleman is correct; the House voted overwhelmingly against the Gunderson compromise amendment. We are not putting that back in, but we are in fact repealing the Solomon amendment because there is a general belief that many who voted for the gentleman last night did so because of concerns of the nutrition programs.

Mr. SOLOMON. On that point the nutrition program now is removed; right? The gentleman just removed the Food Stamp Program reauthorization; is that correct?

Mr. STENHOLM. That is correct.

Mr. SOLOMON. OK.

Mr. STENHOLM. Not at our request, I would say to the gentleman. We preferred to have the nutrition programs in this bill, but it was at the request of a point of order of those that choose not to have them included that they were extracted.

Mr. SOLOMON. Just briefly continuing my reservation, I am just going to tell the gentleman he knows very well what is going to happen when we get to conference. We all know that the existing dairy language is what the Committee on Agriculture Subcommittee on Dairy wants. They will be fighting for that. That is going to affect everybody's district in this House right now. We better vote down this motion to recommit.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. VOLKMER. Reserving the right to object, Mr. Speaker, it is my understanding that the dairy provision in the motion to recommit permits the dairy program that presently exists to expire at the end of this year. Is that correct or incorrect?

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. VOLKMER. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, the gentleman is correct.

Mr. VOLKMER. And there is no Gunderson proposal or anything else in this recommittal motion that can go to conference because there is not anything like that in here. The provision in here just lets it expire at the end of this year. Now it is going to be whether we do something or not before the end of the year if we want to do something, but the gentleman from New York [Mr. SOLOMON] is completely wrong in what he said about the dairy provision that is in here. All it does is permit the dairy provision to expire at the end of this year, what it does under present law.

Mr. STENHOLM. Mr. Speaker, will the gentleman yield?

Mr. VOLKMER. I yield to the gentleman from Texas.

Mr. STENHOLM. I thank the gentleman for yielding and would point out again that we do repeal the assessments on our dairy farmers which gives some equivalence to the dairy industry as compared to the market transition program, as compared what we tried to do for the soybean producers and oil seeds.

Mr. VOLKMER. That is correct.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Without objection, the second motion to recommit is considered read.

There was no objection.

(For text of motion to recommit see prior motion to recommit, minus title IV, and redesignate title V as title IV.)

The SPEAKER pro tempore. The gentleman from Texas [Mr. STENHOLM] is recognized for 5 minutes.

Mr. STENHOLM. Mr. Speaker, in the interest of time I believe that we have fully explained our original amendment. Nothing has changed other than we removed the onerous nutrition components to the bill. The rest of it is as was explained.

Mr. ROBERTS. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Kansas [Mr. ROBERTS] is recognized for 5 minutes.

Mr. ROBERTS. Mr. Speaker, may I ask the gentleman from Texas what is in his AQI technical amendment?

Mr. STENHOLM. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman from Texas.

Mr. STENHOLM. AQI technical amendment?

Mr. ROBERTS. That amendment was withdrawn by the gentleman from Louisiana [Mr. LIVINGSTON]. It is extremely important to Florida, California, whatever.

Mr. STENHOLM. That is in the bill, in the gentleman's bill, that has already been adopted. We added that as part of our bill because we agreed with the wisdom of the majority.

Mr. ROBERTS. It is a minor point.

Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, this motion to recommit has 229 pages. What he did not tell you that is in those 229 pages was that we just voted on a measure for $3.5 billion, almost 100 Members of the House said no, it is in there. There are a number of other items that are in there that have been defeated. What my colleagues have got to do is understand that interesting dialog about the fact that Gunderson is not in here for the milk provision. I will tell my colleagues where the gentleman from Wisconsin will be. He will be at the table during the conference. Our colleagues will not be. If my colleagues voted yes for Solomon, they have to vote no on the motion to recommit because he is going to be at the table and my colleagues are not.

Mr. ROBERTS. Mr. Speaker, I realize this farm bill debate has been like Lonesome Dove; we are almost home, and we have all of our body parts, and we will get there if we will just pay a little bit of attention.

This is a revote on some of the amendments that we have just considered. As has been indicated by the gentleman from California, the $3.5 billion in regard to rural development, we all know we would like to have rural development, but it is $3.5 billion. We just voted on that.

We have another situation in regard to conservation funding. The gentleman from Nebraska [Mr. BARRETT], the gentleman from New York [Mr. BOEHLERT], and the rest of us put together a package, and this package is another $300 million over that which we cannot afford.

Then again, as the gentleman from New York [Mr. SOLOMON] has pointed out in regard to dairy, there are significant reductions in regard to the dairy program.

So this is simply a repeat of past amendments we have had before, and I must say in terms of a motion to recommit with 229 pages that nobody has seen up there—well, somebody had to see it—that nobody has really perused to know what is in it, we at least know in terms of cost and policy these are amendments that we voted on before. We ought to get on with it.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to express my views on H.R. 2854, the Agricultural Market Transition Act, and the Democratic substitute to H.R. 2854, which is being offered by my distinguished colleague from Texas, Mr. DE LA GARZA. First, there are not a lot of farms in the 18th Congressional District, which I am privileged to represent, but these agricultural programs, through the cost of prices at the local grocery store, affect all Americans. This bill is important to the State of Texas because Texas is a large, agricultural producing State and Texas needs an efficient and effective agricultural system to keep our economy strong.

Most Members of Congress realize the great need for reform of our system of deficiency payments to farmers and the need for greater attention to issues relating to conservation and rural development. H.R. 2854, however, is not the answer to all of our dreams of agricultural reform. It goes too far by repealing the agricultural law of 1949. It is important to note that the Senate recently passed a farm bill that did not repeal this important law.

Second, H.R. 2854 does not contain sufficient funding for programs relating to conservation, rural development, research, education and cooperative extension. These programs are critical to improving the quality of life for millions of Americans.

Third, unlike the Senate bill, H.R. 2854 does not reauthorize nutrition programs, which have made a tremendous difference in the lives of children in the 18th Congressional District and around the country.

Congressman DE LA GARZA'S substitute is a noble attempt to improve upon H.R. 2854. It would restore funding for some very important agricultural and conservation programs. His substitute would also help preserve an endangered species, the small farmer. I also support the motion to recommit which reauthorized Federal nutrition programs, among other, important farm laws.

I understand that these issues are controversial and emotional, particularly as we make changes in the various commodity programs. I urge my colleagues to support the de la Garza substitute, and the motion to recommit. Both are a better approach than H.R. 2854 in resolving some of these contentious issues.

Mr. ORTIZ. Mr. Speaker, I rise in support of the de la Garza motion and ask unanimous consent to revise and extend my remarks.

This provision would provide the gravely needed allocation of funds to this farm bill for rural development activities.

H.R. 2854 does not adequately address critical rural development needs.

The motion to recommit would provide funding for rural housing, water and waste facilities and rural business development.

The district I represent has a number of colonias with substandard health and living conditions.

As you may know, colonias are unincorporated rural subdivisions situated along the border region.

Colonias are characterized by dense population, rundown housing, lack of sanitary sewerage, drainage, and potable water systems as well as unpaved roads.

Unemployment is high, and diseases are numerous.

Often such communities are ignored by our Federal Government.

This amendment would provide greatly needed Federal assistance in upgrading vital basic services in this area.

Without such funding we will be mandating local rural governments to respond to the increasing demand for water and waste disposal and other programs at a time when their tax base is shrinking, employment is declining and consumer spending is weakening.

Our Nation has a long history of assisting rural communities in the development of water and waste facilities.

Now is not the time to abandon this effort when basic sanitation is unavailable to our citizens in rural areas along the United States-Mexico border.

For these reasons, I urge my colleagues to vote in support of my good friend, Representative KIKA DE LA GARZA's motion to recommit.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. 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.

Mr. STENHOLM. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 156, nays 267, not voting 8, as follows:

[Roll No. 41]

YEAS—156

Abercrombie
Ackerman
Baesler
Baldacci
Barcia
Becerra
Beilenson
Bentsen
Bevill
Bishop
Bonior
Borski
Brewster
Browder
Brown (CA)
Brown (OH)
Bryant (TX)
Camp
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
DeFazio
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frost
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Harman
Hefner
Hilliard
Hinchey
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kaptur
Kennedy (MA)
Kennelly
Kildee
Klink
Klug
LaFalce
Lantos
Levin
Lewis (CA)
Lewis (GA)
Lincoln
Lipinski
Maloney
Manton
Markey
Martinez
Mascara
McCarthy
McDermott
McHale
Metcalf
Miller (CA)
Minge
Mink
Mollohan
Montgomery
Moran
Morella
Neumann
Oberstar
Obey
Olver
Ortiz
Orton
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pomeroy
Poshard
Rahall
Reed
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Schroeder
Sensenbrenner
Serrano
Skaggs
Skelton
Spratt
Stenholm
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wynn

NAYS—267

Allard
Andrews
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bereuter
Berman
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Boucher
Brown (FL)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLauro
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Hall (OH)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (RI)
Kim
King
Kingston
Kleczka
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Manzullo
Martini
Matsui
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Meek
Menendez
Meyers
Mica
Miller (FL)
Moakley
Molinari
Moorhead
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Ney
Norwood
Nussle
Owens
Oxley
Packard
Parker
Paxon
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Richardson
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stark
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton

Velazquez
Vento
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—8

Collins (IL)
de la Garza
Furse
Hastings (FL)
Laughlin
McKinney
Rangel
Stokes

□ 1426

Ms. VELÁZQUEZ, Mrs. MEEK of Florida, Ms. DELAURO, Ms. BROWN of Florida, and Mr. SMITH of Michigan changed their vote from ''yea'' to ''nay.''

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The question is on the passage of the bill.

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

Mr. STENHOLM. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 270, nays 155, not voting 6, as follows:

[Roll No. 42]

YEAS—270

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Boehlert
Boehner
Bonilla
Bono
Boucher
Brewster
Browder
Brown (FL)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dingell
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (LA)
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Johnson (CT)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kim
King
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Longley
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Meek
Menendez
Meyers
Mica
Mink
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Pickett
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Richardson
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roukema
Royce
Salmon
Sanford
Scarborough
Schaefer
Schiff
Scott
Seastrand
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Tiahrt
Torricelli
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff

NAYS—155

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Blute
Bonior
Borski
Brown (CA)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Collins (MI)
Conyers
Coyne
DeFazio
DeLauro
Dellums
Dicks
Dixon
Doggett
Dooley
Doyle
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Gejdenson
Gephardt
Geren
Gibbons
Goss
Green
Gutierrez
Hall (OH)
Harman
Hinchey
Hoke
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Klug
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Livingston
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McNulty
Meehan
Metcalf
Miller (CA)
Miller (FL)
Minge
Moakley
Moran
Nadler
Neal
Neumann
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (MN)
Petri
Pomeroy
Rahall
Rangel
Reed
Rivers
Roth
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Saxton
Schroeder
Schumer
Sensenbrenner
Serrano
Skaggs
Slaughter
Stark
Studds
Stupak
Taylor (MS)
Tejeda
Thornton
Thurman
Torkildsen
Torres
Towns
Traficant
Velazquez
Vento
Volkmer
Wamp
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Yates
Zimmer

NOT VOTING—6

Collins (IL)
de la Garza
Furse
Hastings (FL)
McKinney
Stokes

□ 1444

The Clerk announced the following pair:

On this vote:

Ms. Furse for, with Mr. Stokes against.

Messrs. DOGGETT, SCHUMER, and OLVER changed their vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXCHANGE OF LETTERS CONCERNING MARKUP OF H.R. 2854, AGRICULTURAL MARKET TRANSITION ACT

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to insert extraneous matter at this point in the RECORD.

Chairman ARCHER of the Committee on Ways and Means and I had an understanding that arose as a result of my request to him that his committee forgo markup of H.R. 2854 that had been referred to the Ways and Means Committee as an additional referral. Chairman ARCHER agreed to this letter in writing and I requested that our exchange of letters be printed in the RECORD. I wish to comply with that request at this time.

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

There was no objection.

The letters referred to are as follows:

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 31, 1996.

Hon. PAT ROBERTS,
Chairman, Committee on Agriculture,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This is to confirm my understanding of our agreement concerning further consideration of H.R. 2854, the Agricultural Market Transition Act, as amended, which was referred to the Committee on Agriculture, and in addition to the Committee on Ways and Means.

Section 104 (f)(2) and (g) of H.R. 2854, as reported by your Committee, would establish quotas to increase imports of upland cotton above the amounts allowed under the Uruguay Round tariff-rate quotas if domestic cotton prices exceed specified levels. The action taken by the Agriculture Committee is clearly contrary to clause 5(b) of Rule XXI of the Rules of the House, which provides that no bill carrying a tax or tariff measure shall be reported by any committee not having jurisdiction to report tax and tariff measures.

Section 204 requires importers of dairy products to pay assessments currently applied to domestic dairy producers to offset the costs of export and other sales promotion programs. As you recall, our exchange of letters on H.R. 2195 confirmed that this provision is also within the jurisdiction of the Ways and Means Committee. I note that you have included language to correct national treatment concerns.

Section 107(c) requires the Secretary of Agriculture to reduce loan rates for domestically grown sugar if negotiated reductions in subsidies in the European Union and other sugar producing countries exceed commitments made in the Uruguay Round Agreement on Agriculture. This authority is