United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, SECOND SESSION

Vol. 144 WASHINGTON, FRIDAY, OCTOBER 2, 1998 No. 136

House of Representatives

The House met at 9 a.m.

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

We recognize, gracious God, that it is easy to see what is wrong with our world, but we can see the good as well. It is simple to list the weaknesses, but we can also list the works of justice that stand the moments of time. We can quickly catalog the mistakes of those with whom we disagree, but it is apparent that others can do good works, the works of justice and mercy. We know there are times to despair, but we also know there are wonderful occasions to sing.

So teach us, O God, to open our eyes to all the glories of Your creation so we can celebrate all Your gifts, this day and every day we pray. Amen.

THE JOURNAL

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

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

Mr. GIBBONS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

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

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

The SPEAKER. Pursuant to clause 5, rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from North Carolina (Mrs. MYRICK) come forward and lead the House in the Pledge of Allegiance.

Mrs. MYRICK led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

H.R. 3007. An act to establish the Commission on the Advancement of Women and Minorities in Science, Engineering, and Technology Development.

H.R. 4068. An act to make certain technical corrections in laws relating to Native Americans, and for other purposes.

The message also announced that the Senate has passed bills and a joint resolution of the following titles in which the concurrence of the House is requested:

S. 1092. An act to provide for a transfer of land interests in order to facilitate surface transportation between the cities of Cold Bay, Alaska, and King Cove, Alaska, and for other purposes.

S. 2540. An act to extend the date by which an automated entry-exit control system must be developed.

S.J. Res. 58. Joint resolution recognizing the accomplishments of Inspectors General since their creation in 1978 in preventing and detecting waste, fraud, abuse, and mismanagement, and in promoting economy, efficiency, and effectiveness in the Federal Government.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 414) ''An Act to amend the Shipping Act of 1984 to encourage competition in international shipping and growth of United States exports, and for other purposes.''

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will recognize 20 one-minutes on each side.

TAX CUTS

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

Mr. GIBBONS. Mr. Speaker, on October 12 we will observe Columbus Day. For those of you who have forgotten, Columbus Day is the day that we celebrate the discovery of America. So let us talk about what the term ''discovery'' means to my liberal Democratic colleagues.

For decades liberal Democrats believed that you would literally fall off the edge of the world if you lowered taxes. After Republicans passed the Balanced Budget and Taxpayer Relief Acts, wow, the Democrats, the liberals discovered that tax cuts for hard-working men and women provide a healthy economy, giving low unemployment and investment incentives.

Liberals discovered that by allowing Americans to keep more of their hard-earned money, they should and could send their kids off to school, take that needed vacation or invest in their retirement. Republicans in the House have passed a plan that will not only help save Social Security but will also provide billions of dollars in tax cuts to America's hard-working men and women.

Mr. and Mrs. America, Columbus discovered a new world. Democrats discovered new taxes. I applaud my Republican colleagues for discovering a brave new America, full tax relief and hope for the future.

IN HONOR OF BILL DOLAN

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

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Printed on recycled paper.

Mr. PASCRELL. Mr. Speaker, just for a change of pace, today I wish to bring to your attention the end of an era in my hometown of Patterson, New Jersey. Today marks the last day of the tenure of public safety director Bill Dolan, who served in the capacity for 11 years and as a cop for 43 years in the Silk City.

As the former mayor of Patterson, I feel that this occasion should be recorded in the annals of the CONGRESSIONAL RECORD. In the day of sunshine friends, let me tell you about a true friend.

Bill Dolan served our Nation in the United States Marine Corps during the Korean conflict. In 1956 he joined the Patterson police department and in 1987 he was appointed public safety director by my predecessor in the mayor's office.

Mr. Speaker, being the top public safety official in a big city is like no other job in government. Director Dolan was responsible for the largest department in Patterson's municipal government and overseeing the police and the fire divisions. During his tenure, Bill Dolan not only modernized his department, but he was at the helm of public safety. It was a big job. He performed it with honor, courage, dignity, and class.

I ask that my colleagues join me, the 150,000 residents of Patterson, and Mayor Martin Barnes and city council members in honoring Bill Dolan and congratulating him on his exemplary service to the people of Patterson and the Garden State.

PARTISAN VERSUS BIPARTISAN

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

Mr. PITTS. Mr. Speaker, consider the charges of partisanship by the liberal spin doctors. Just what does bipartisanship mean to the other side? Does it mean whenever Republicans agree with the Democrats, that is bipartisanship?

Fact: The overwhelming majority of Democrats voted with the Republicans to release materials from the Starr report. Yet the majority of Democrats on the Committee on the Judiciary voted against what the majority of their own caucus, including their leadership, voted. So by this definition, it is the Republicans who are acting in a partisan manner.

Mr. Speaker, this is classic liberal rhetoric, typical of the double standards of liberalism.

Fact: Liberals who assailed Ronald Reagan for 8 years because they disagreed with his policies are the very same people who label anyone who criticizes the President as a Clinton hater. Anyone who disagrees with a liberal is met with shrill accusations of being partisan.

The next time you hear a liberal say ''partisan,'' just remember the Robert Bork or Clarence Thomas hearings. You will say, thank heavens for HENRY HYDE.

IN HONOR OF CAPTAIN ANTHONY STANCIL

(Mrs. MYRICK asked and was given permission to address the House for 1 minute.)

Mrs. MYRICK. Mr. Speaker, I rise today to honor Captain Anthony Stancil of the Mecklenburg County, North Carolina Sheriff's Office. Last Tuesday, shortly after 1 a.m., Captain Stancil was murdered in cold blood by a shoplifter at the Mallard Creek Harris Theater.

He leaves behind two children and a wife with a baby on the way. He was one of our Nation's best, risking his life day in and day out to preserve the peace and freedom that we so often take for granted.

Our prayers go out to his wife and children. They lost a strong husband and a father. In the last few days the citizens of Charlotte-Mecklenburg have come together to reach out to the family and take care of them in their time of greatest need, but they are going to need our help for longer than just a few weeks. We all need to reach out to Anthony Stancil's fellow law enforcement officers because it has been a tough week for all of them.

I hope we come away from this tragedy with a renewed sense of the debt we owe our local police and with a renewed intolerance for the cruelty of someone who would end the life of one of Charlotte's best citizens.

PROVIDING FOR CONSIDERATION OF H.R. 4274, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION APPROPRIATIONS ACT, 1999

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 564 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 564

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4274) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1999, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed 90 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: beginning with ''*Provided*'' on page 41, line 9, through line 19; page 95, line 18, through page 109, line 19. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. The amendments printed in the report of the Committee on Rules accompanying this resolution may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. CAMP). Pursuant to the rule, the gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentlewoman from Fairport, New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume.

(Mrs. MYRICK asked and was given permission to revise and extend her remarks and to include extraneous material.)

Mrs. MYRICK. All time yielded is for the purpose of debate only.

This rule provides for consideration of H.R. 4274, the fiscal year 1999 appropriations for the Departments of Labor, Health and Human Services under an open rule. There will be 90 minutes of general debate, divided equally between the chairman and ranking minority member of the Committee on Appropriations.

□ 0915

The rule waives clause 2 and clause 6 of rule XXI against provisions in the bill except as otherwise specified by the rule. The provisions in the bill which are subject to points of order, and they have been authored by both Republicans and Democrats, violate the protocol that legislative provisions included in appropriations bills be sanctioned by the appropriate authorizing committee chairmen.

Mr. Speaker, the rule makes in order and waives points of order against the amendments printed in the Committee on Rules report. The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD, allows for the chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce votes to 5 minutes on the postponed question if the vote follows a 5-minute vote. Finally, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, the Labor, Health and Human Services appropriations bill is the single largest appropriations bill that comes before Congress each year, exceeding even the level of spending in the defense bill. It includes most of the health care, medical research, education and job training programs that touch so many people's lives and, therefore, generate tremendous support in communities around the country. At the same time, many of those same programs, because they touch on areas of daily life which were outside the purview of government, especially the Federal Government in Washington, for so long in this country, raise deep and often emotional questions about values.

Between the highly charged social issues that this bill cannot help but be immersed in, and the funding difficulties that are inherent in any effort to set priorities within a balanced budget framework, this is always an extraordinarily difficult bill to craft and enact into law. The chairman of the subcommittee, my friend from Wilmette, Illinois, has tackled this incredible challenge in as commendable a fashion as possible. His bill deserves a fair hearing on the House floor.

Mr. Speaker, it is impossible to detail how the Labor-HHS appropriations bill allocates nearly $82 billion in discretionary funds. However, I must note that the bill is based on the principle that issues like health care, education, substance abuse and job training are best addressed by solutions crafted at the local level, not imposed top down by Washington bureaucrats. The Federal Government will help local communities meet these needs by providing vital resources, but we will give those communities flexibility to meet local needs. That is why the bill increases funding for key block grant programs by $879 million over the President's request. That is a trend that should continue in coming years.

The rule provides for a vigorous debate on Title X, family planning regulations. In addition, as an open rule, Members can attempt to change the spending priorities in the bill. However, at the end of this process, it is critical to remember that a bill which attempts to scale such lofty heights, but which can never enjoy unlimited resources, will leave some people unhappy.

I believe this rule will permit the House to engage in a spirited debate worth having. I urge Members on both sides of the aisle to recognize that fact and support this rule.

Mr. Speaker, I reserve the balance of my time

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume, and I thank my colleague, the gentlewoman from North Carolina, for yielding me the customary half-hour.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, both the rule and the underlying bill have provisions that I support, but they also include provisions that I must oppose.

In general the rule is an open rule that would allow the Members of the House to offer germane perfecting amendments. However, the rule is partisan and unfair in which provisions of the bill it protects from points of order. The rule protects provisions that will delay new worker safety provisions, particularly those designed to protect workers from repetitive motion injuries. But it subjects to a point of order by a single Member, important language guaranteeing a woman the option of choosing an obstetrician-gynecologist as her primary physician.

The rule makes in order a vital amendment offered by the gentleman from Pennsylvania (Mr. GREENWOOD) to modify ill-conceived restrictions that this bill would place on Title X family planning services. The current version of the bill would require all clinics that provide Title 10 family planning services to minors to notify his or her parents 5 days before doing so. I would suggest that this provision takes a hopelessly naive view of our world and our children. As much as we might wish we could, Congress cannot legislate healthy family relationships and good communication between parents and children.

The parental consent provision of this bill sets up a deceptively attractive choice for Congress. Its proponents claim that we are simply ensuring that minors involve parents in their decisions to become sexually active and to seek family planning. In reality, however, this legislation will not compel any young man or young woman to talk to their parents about decisions. Instead, it will simply drive minors away from family planning services and lead them to engage in risky sexual behavior without the benefit of contraceptives. A vote for the Greenwood amendment is a vote to reduce teen pregnancy and sexually transmitted diseases, and I urge all of my colleagues to support it and oppose the Istook substitute.

Like the rule, the underlying bill has some very positive provisions and others that I strongly oppose. As a former microbiologist and supporter of basic biomedical research, I applaud the committee's decision to increase funding for the National Institutes of Health, and I am pleased to see that the committee report addresses vital health issues like eating disorders, colorectal cancer, and female genital mutilation.

I am very pleased that the bill provides $30 million for the education of homeless children, Mr. Speaker. This small initiative has had a big effect on helping homeless children stay in school and giving them the tools to succeed.

I also commend the $834 million increase in Pell Grant funding. It will allow more economically disadvantaged students to participate and increases the maximum grant to $3,150.

However, I am extremely disappointed by the committee's decision to slash funding for the Low Income Home Energy Assistance Program by $1.1 billion. In my home district of Rochester, New York, the average winter temperature is 12 degrees below freezing. I am sure my colleagues would not deny my constituents access to literally life-saving home heating.

The bill will hurt American workers also. Workplace safety enforcement is cut. The riders in the bill delay all new worker safety safeguards and block the reform of Black Lung benefits.

But, Mr. Speaker, perhaps most egregiously, the majority has not taken advantage of an opportunity to raise the performance of our public schools. This bill does nothing to fund school modernization, nothing to reduce class size, nothing to help train teachers, and nothing to fulfill an agreement, made just last year, to provide opportunities for children unable to read.

Mr. Speaker, our children represent this Nation's most precious resource, and I hope that no one in this chamber would ever dispute that fact. If we fail in our solemn responsibility to prepare them for the future, we will be faced with a work force unable to compete in a global economy.

When I criticize the bill, I recognize that many of its problems stem from the fact that the subcommittee was not given a high enough appropriation allocation to meet all of the important needs in its jurisdiction. And the fact that we have never adopted a final budget resolution, as required by law, certainly contributed to that failing.

Mr. Speaker, I have been proud to support Labor-HHS appropriations bills in the past, but this bill will hurt the poor, who will have to choose between food and heat; it will hurt children, who will not receive the special assistance they need to fulfill their potential; it will hurt the American worker, who may be unnecessarily injured on the job.

Mr. Speaker, we can craft a better bill and we can craft a better rule. I ask my colleagues to defeat the rule and the bill so that we can do better.

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

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to simply congratulate my very dear friend from Charlotte, North Carolina, for her spectacular presentation of the

opening remarks on this rule, and to rise in strong support of this rule and urge my colleagues to vote in favor of it.

Ms. SLAUGHTER. Mr. Speaker, I yield back the balance of my time.

Mr. DREIER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. CAMP). The question is on the resolution.

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

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, further proceedings on this motion are postponed.

CONGRATULATIONS TO FUTURE FARMERS OF AMERICA ON 50TH ANNIVERSARY

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

Mr. SHIMKUS. Mr. Speaker, I would like to take this opportunity to congratulate the Pleasant Hill Chapter of the Future Farmers of America for the celebration of their 50th anniversary this past August 19th.

The goal of this organization is to train and develop future leaders in the agricultural community, a very valuable commodity in the 20th Congressional District of Illinois. The work of the FFA has not just turned high school kids into agricultural leaders but also into leaders of our communities.

One way that I am trying to assure that the FFA has a market is by encouraging the use of bio-diesel fuel, which is made with soybeans. Again, I congratulate the Pleasant Hill Chapter of the Future Farmers of America for reaching its 50th year anniversary and wish them all the success in their future endeavors.

DEMOCRATS NOT USING HONEST ARGUMENTS REGARDING SOCIAL SECURITY TRUST FUND

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

Mr. BALLENGER. Mr. Speaker, I often have discussions, serious discussions, with Democrats who have a point of view that I do not agree with. It is always a healthy thing to have an honest debate with another person, for there are usually two sides to every story and every issue. But it is also frustrating to debate someone who is not using honest arguments.

The other side has charged repeatedly that the tax cut package promoted by the Ways and Means chairman, the gentleman from Texas (Mr. ARCHER), is a raid on the Social Security Trust Fund.

If my colleagues believe that, look at this chart. The absurdity of the allegation becomes quite obvious. If the raid is so, then how can $9.6 trillion in spending over 5 years not be a threat to Social Security, while this little $80 billion right here in tax cuts are not a threat?

Then, to add insult to injury, the Democrats did not put one dime aside for Social Security during the 40 years they were in control. And now Republicans are putting aside $1.4 trillion for Social Security and we get blamed for attacking Social Security.

Mr. Speaker, this is what liberalism has become.

DEMOCRATS DEMAGOGUING SOCIAL SECURITY ISSUE DUE TO EMBARRASSMENT

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

Mr. DREIER. Mr. Speaker, how big is $80 billion? We have this chart right here that shows, over a 5-year period, $9.6 trillion of expenditures. It is obviously a little tiny sliver. When we compare it to the size of the Federal Government, $1.7 trillion in spending last time I checked, we realize that the Republican tax cut package, alas, is quite modest indeed.

A liberal could spend $80 billion by lunch, but $80 billion over 5 years is considered a threat to the Social Security Trust Fund. Why spending is not a threat to the Social Security Trust Fund but tax cuts are is anybody's guess, but that is what the liberals are trying to say.

Just take a look at this chart and try to put things in perspective. Republicans are putting aside $1.4 trillion to save the Social Security Trust Fund, but the Democrats are strangely silent about that. But that is not surprising, given how much money they put aside during the four long decades they were in the majority. Right here. A great big zero. Zero versus $1.4 trillion. That is pretty embarrassing, and maybe that is why they are trying to change the subject and demagogue on this issue.

First, it was Mediscare, now it is frightening nonsense about Social Security.

□ 0930

RECESS

The SPEAKER pro tempore (Mr. CAMP). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 30 minutes a.m.), the House stood in recess, subject to the call of the Chair.

□ 1250

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DICKEY) at 12 o'clock and 50 minutes p.m.

RULE ON LABOR-HHS APPROPRIATIONS BILL SHOULD NOT BE ADOPTED

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin (Mr. OBEY) is recognized for 40 minutes as the designee of the minority leader, without prejudice to the presumption of business.

Mr. OBEY. Mr. Speaker, I am taking this special order because earlier today, without notice to anyone on our side of the aisle, the House considered the rule under which the Labor, Health, Education appropriations bill would be brought to the floor. I believe that that issue should be discussed before the House votes, because I think it is ridiculous for any Member of this House to vote for a rule that makes this bill in order.

I want to make clear, first of all, that the bill this rule would make in order is going absolutely nowhere. The bill that comes to the floor makes huge reductions in education, in job training, in a number of health programs that both parties claim that they are for. And yet at the very time that we are supposed to be debating this bill, the conferees, the lead conferees, have already been meeting in Senator SPECTER's office yesterday, and I participated in those meetings for over 3 hours.

We are in the process of putting together a different bill, which will be at least $3 billion above the bill being brought to the floor and, in my judgment, considerably above that level before we are done. So this is a sham bill. If it is brought up it will be merely to take up time that would more usefully be used for other purposes.

Secondly, I would point out that if this rule is adopted, a vote for this rule will simply be an endorsement for a bill that fails our children and hurts workers to an extreme degree. This bill, for instance, eliminates the Low Income Heating Assistance Program, which is the key program that helps low-income seniors avoid having to choose between heating their houses and eating. This bill would eliminate the summer jobs program that gives some young people in this country their first experience at dealing with the world of work.

This bill slashes the President's request for new funding for after-school centers to try to give young people a useful place to go, recognizing that the vast majority of juvenile crime occurs in after-school hours, and many times before parents get home and can have a place for their kids to come home to. It cuts reading and math help for 520,000

Title I kids below the President's budget. It denies anti-drug coordinators for 6,500 middle schools with the worst drug and violence problems. It block grants, and then cuts by $300 million, Eisenhower teacher training programs and Goals 2000 programs. It cuts OSHA workplace safety enforcement and undermines worker protections. It does absolutely nothing to lower class size in the first three grades, one of the President's top initiatives.

So, in my view, there is absolutely no substantive reason to bring this bill to the floor, because this bill is so bad and guts so many national priorities that even the Republican allies of House Members on the other side of the Capitol, in the Senate, recognize that this bill is so extreme that they will not even bring it to the Senate floor for a vote.

So a vote for this rule today is a vote for extremism on these issues. It will be taken seriously by nobody because this bill is going nowhere. It is a simple waste of our time.

Mr. Speaker, I yield to the distinguished gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, last year I was proud to stand on the House floor and work hard with our distinguished chairman, the gentleman from Illinois (Mr. JOHN PORTER), to pass a bipartisan Labor, HHS, Education spending bill. I am disappointed and sad this year, however, that the bill has become a partisan vehicle to satisfy the right wing of the Republican Party. While the bill contains very necessary increases in certain health programs such as the NIH, I must reluctantly urge my colleagues to vote against the rule and final passage.

We must defeat the rule before us today because it protects anti-worker provisions while at the same time denies the House a clean, fair vote on family planning. The rule also fails to protect another key women's health provision which would have given women in HMOs direct access to their OB-GYN. This OB-GYN provision is in the bipartisan and Republican managed care bills which have stalled. By failing to protect it from a point of order, the leadership is sacrificing a valuable opportunity to enact this provision into law.

The rule reported out last night allows family planning opponents an opportunity to offer a second degree to the Greenwood-Castle substitute. Those of us who support family planning sought and were entitled to receive a clean up or down vote on the Greenwood-Castle substitute.

The bill contains the same language restricting teenagers' access to Title X family planning services which was defeated on the House floor last year. This parental consent restriction will deny vulnerable teens the contraceptive services they need to avoid pregnancy, HIV and STDs.

Last year's attack on the Title X program failed because a majority of Members understood that denying teens' access to family planning does not promote abstinence. I only wish it were that simple. Instead, it increases STDs and HIV infections, unintended pregnancies and abortions.

The bill also shortchanges students who are hoping to pursue the American dream. Everyone in this Chamber understands that a college education is as necessary today as a high school education was just a generation ago.

In April the House overwhelmingly passed a Higher Education Act bill that increases and expands Pell Grants, preserving the Perkins Loan, SSIG, TRIO and SEOG programs. Only four Members of Congress voted against this bill.

Fast forward, and we have before us a bill that provides additional funding to strengthen Pell and TRIO programs. At the same time, however, the bill eliminates SSIG and provides no capital contributions to Perkins.

Three-quarters of a million low-income students depend on the Perkins program, including 60,000 New Yorkers. Nearly all of them come from families with incomes of $50,000 or below. These families need more, not less, to send their kids to college and to reach for the dream.

I am equally concerned about the elimination of the SSIG program. This program serves needy students, not affluent ones. My colleagues, we have a strong economy but too many people are shut out.

This is the time to invest in education, not cut back.

The bill also cuts funding to senior programs by $10 million. Funds that are used to prevent elder abuse, help families locate long-term care, and provide pension counseling have been zeroed out. These cuts are unnecessary and destructive.

The bill also grossly underfunds the National Labor Relations Board which is already stretched to the breaking point. This independent law enforcement agency was created to carry out a vital law of this land. Without this law and the Board which oversees it, labor disputes between private employers and employees would grow out of control. Productivity in our nation's workplaces would plummet dramatically.

My colleagues, the NIH increases in this bill should be applauded. However, on balance the bill severely shortchanges education, our seniors and hard-working Americans. We can and must do better.

Let us vote down this rule and come back with a bill that reflects our values, our priorities.

□ 1300

Mr. OBEY. Mr. Speaker, I yield to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. OBEY) for arranging for us to have this opportunity to talk about the Labor-Health and Human Services-Education bill. I want to voice my strong opposition to this rule and to this bill.

The Labor-Health and Human Services-Education appropriations bill has always been known as the people's bill, the bill that reflects our priorities as a Nation. Unfortunately, this bill funds only a few important programs at the expense of education and job training for some of our neediest citizens. And while I am pleased that we are increasing our much-needed investment in biomedical research, we cannot do so at the expense of the most vulnerable members of our country.

There are so many problems in this bill, I do not think I can cover them in the short time that I have. Let me just give my colleagues a couple of examples.

It eliminates LIHEAP, the low-income heating energy assistance program that provides heating assistance to low-income seniors, including more than 75,000 families in my State of Connecticut. Across the Nation, millions of seniors and families with small children depend on this program to pay their heating bills in the coldest months of the winter. Without this kind of assistance, many will be forced to choose between heating their homes and buying the food and the medicine that they need to stay healthy.

This bill wipes out summer jobs which provide career opportunities for disadvantaged youth, including more than 4,000 young people in my State. I visited a summer jobs program in West Haven, Connecticut. The students there use the money they earn to help their parents pay the bills. It is an opportunity for them to learn skills that will help them in the future.

I understand that there will be a token amendment to put small amounts of money into LIHEAP and summer jobs. We need more than tokens. These are investments which in the long run pay off.

This bill also cuts $2 billion out of the President's education initiatives. It cuts Goals 2000, the Technology Literacy Challenge Fund, Title I grants, Eisenhower Professional Development State Grants, Safe and Drug Free Schools. Cutting these programs means fewer teachers will have access to training programs, fewer students will have access to computers in their schools, and fewer districts will receive grants to help their students achieve high standards.

I urge my colleagues to vote against this rule, vote against the bill. Let us go back and draft legislation that makes a strong investment in education and other programs that our families depend on.

Mr. OBEY. Mr. Speaker, could I ask how much time I have remaining?

The SPEAKER pro tempore (Mr. DICKEY). The gentleman from Wisconsin (Mr. OBEY) has 30 minutes remaining.

Mr. OBEY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois (Mr. PORTER) be allowed to allocate 15 minutes of the 30 minutes remaining.

The SPEAKER pro tempore. This is with the concurrence of the Minority

Leader, and the gentleman from Wisconsin must remain on the floor. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. OBEY. Mr. Speaker, I yield to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Speaker, this particular bill is an attack on our educational system in the country. At a time when we should be concentrating on making sure that we take care of our youngsters, at the present time this particular bill will cut $160 million from the administration's proposal on Head Start, at a time when we need those resources to assure that those youngsters have that Head Start in order to be able to start at school.

This particular piece of legislation cuts the funding for bilingual education by $25 million. This is not the time to be doing this kind of activity, and we should be moving forward.

This particular piece of legislation also denies $237 million sought by the administration for three higher education initiatives, including the High Hopes initiatives that would have provided new funds for mentoring, tutoring, college and various other programs.

One of the other things that this particular bill does is hit at the most important aspect in education, that is, after-school learning programs. It cuts $140 million below the administration's request in denying over 3,000 communities the opportunity to be able to provide after-school programs.

Again, Mr. Speaker, I ask that we look seriously and we reconsider what we are doing with this particular piece of legislation. I would ask that we vote against this particular rule.

Mr. OBEY. Mr. Speaker, I yield to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the Committee on Appropriations, for taking this special order to allow us to debate this most important bill, as it may be the only time, likely will be the only time we will have to debate this issue.

I rise in opposition to the rule and the bill because of its threat to the health and safety and welfare of our coal miners who are suffering from the crippling disease known as pneumonoconiosis or black lung.

Over the history of the Appalachian coal fields, we have seen many atrocities invoked among our coal miners. Even today, we are left with a legacy of abandoned coal mine lands and abandoned coal miners. Indeed, as it stands now, we are now experiencing less than a 10 percent approval rate on claims for black lung benefits, even after the appeals, and this figure does not attest to any unreasonable and unbiased comportment of the facts.

We have seen delays in the promulgation of new rules as proposed by the Department of Labor, for which I highly commend them. Yet there is a provision in this legislation that constitutes a vicious assault on black lung victims. This provision, while falling short of placing an outright moratorium on the promulgation of these rules by the Department of Labor, does seek to create further delays and place roadblocks in the way of the publication of the new rules.

I, therefore, urge defeat of this legislation.

Recognizing this, on January 22, 1997, the Labor Department proposed rules aimed at making the black lung program more receptive to the thousands of miners, their widows and families who are being victimized by the current procedures. Public comment opportunities were extensive, including two lengthy hearings during the summer of 1997. Yet, today, final rules have yet to be promulgated.

This delay is of concern. Even more troubling is a provision contained in H.R. 4274 which constitutes a vicious assault on black lung victims.

Specifically, instead of allowing the Labor Department to proceed with this rulemaking under those laws normally applicable to the promulgation of Federal regulations, the provision forbids the rule from being finalized until certain certifications are made by SBA and OMB. Under current law, SBA is to be consulted but has no ''certification'' role. Further, after these so-called certifications, the provision requires an additional 60-day comment period.

I would submit that these proposed rules have now been published for almost 1 year and 9 months. That is ample time for review and comment. There is simply no need for this provision except as a delaying tactic aimed at killing this rulemaking. And let us be perfectly clear. Further delay is the death knell for those coal miners seeking the benefits they so justly deserve under this program.

Coal miners have suffered enough without being subjected to this type of abuse. For my part, I will not stand idle during consideration of amendments to this bill and will seek to strike this onerous provision.

Mr. OBEY. Mr. Speaker, I yield to the distinguished gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. OBEY) for yielding.

In 2 minutes it is difficult to speak fully to this particular rule and to the bill that underlies it. But let me just say that I thought we all came here to Congress understanding what the needs and concerns were of our various constituents.

Fundamental among them was a good educational background for all of our students, the opportunity to rise no matter what their situation in life or their family situation; an ability to help people in the workplace, to make sure that if they were displaced or if they were just entering the market, that they would have the skills and the education they need to succeed.

All of these things are fundamental to this particular bill that underlies this rule. And yet, I think very unwisely, we are cutting program after program that are necessities.

The School to Work Program, important in my district, helps work-based learning experiences for high school students. Yet this bill will cut $250 million or up to 63 percent of that program. How are students supposed to understand the connection between what they learn in the classroom and what their opportunities in life are without programs like this?

We try to encourage college participation. Yet we are going to cut, through this bill, if the majority has its way, substantial funds, making sure 120,000 deserving postsecondary students do not get campus-based low interest loans.

At a time when all people believe that teachers have to have more development and more training for their skills and work in the classroom, this would not only block grant Eisenhower but do what most block grants do, eventually end up defunding that particular program. One hundred thousand teachers will be without the training they need to educate our children.

Literacy, an issue where there has been considerable time spent in my district developing so that this cycle of illiteracy does not continue, is attacked in this bill. The America Reads program is entirely eliminated.

After-school learning programs, as we talk about getting children off the streets to continue their learning during the day, to have supervision, is attacked in this bill.

Head Start, a tremendously successful program helping children get the nutrition and the learning skills and the societal skills they need to do well, to hold their grade level, to improve their IQ and to succeed in school, is being cut.

College work-study programs, students that are trying hard and desperately to work their way through school, to contribute in that way, is cut in this program; and technologies and so on.

I think we are making a serious mistake here. I urge Members to vote against the rule and against the bill in its current form.

Mr. PORTER. Mr. Speaker, while this technically is a special order that the gentleman from Wisconsin (Mr. OBEY) has called, it really amounts to general debate on the bill, and it has given an opportunity for many on the opposite side to demagogue the funding levels in the bill.

Let me respond to all of them at the same time. A year ago, the President and the Congress came to an agreement to work over a 5-year period to bring the budget into balance. As part of that agreement, the President insisted that the funding in areas that were of priorities to the White House be increased in the first year, and that was done.

The bill funding the Departments of Labor, Health and Human Services, and Education was increased by $5 billion last year, and many of the programs that have been mentioned today

and many others were increased very substantially, and I supported that. We passed that bill on the House floor overwhelmingly.

The second year and the outyears of the agreement called for fiscal restraint on discretionary spending. The spending levels were agreed to by the White House and by the Congress together, and the allocations that were given to our subcommittee and others this year reflected the caps on spending that were necessary to help bring the budget into balance.

So when we marked up this bill in subcommittee and in full committee, we operated under the budget caps that restrained spending very significantly. In fact, we had to work with $500 million less in outlays than we had in the past fiscal year. So our job was a tough job and we approached it, I think, responsibly.

The Senate, when they marked up their bill in subcommittee and full committee, were not held to the same restraints. They used $4 billion of forward funding so that their numbers appear higher. I am very proud that our subcommittee and our full committee approached their job differently and lived within the budget caps. We did what we are charged to do as appropriators: look at every single program and decide which ones are the best ones, those most deserving of funding, and provide for those. Conversely, those that are less effective and less needed are cut.

What did we do? Well, we increased biomedical research with a 9 percent increase, even with less money to work with. We gave a substantial increase to the Centers for Disease Control and Prevention, public health. We increased up the Job Corps, a very effective program for the very poorest and most at-risk youth in our society. We increased Pell grants for needy college students. We increased the TRIO Program that serves many minority students and others in need in our country. Trio is a very important college program that gives an opportunity to people who would not otherwise have it.

We plussed up community health centers who help needy Americans with health care. We gave more money to impact aid, a Federal obligation to assist communities and schools that are impacted by Federal facilities. We gave a very substantial increase to special education, IDEA, that helps local school districts cope with the problems of disabled students.

We gave more money for the health professions so that young people could be trained as health professionals and receive help in their education. We gave more money for Ryan White AIDS treatment because we know of the need in that area. We plussed up the substance abuse block grant so that we can work harder to solve our drug abuse problems in this country.

These may not be the priorities on the minority's side of the aisle, but these are some of the priorities on our side of the aisle, and we did them within the budget caps that we have to live under.

□ 1315

Now, the gentleman from Wisconsin asked, a moment ago, for what purpose do we take up this bill? Well, let me say that the purpose is democracy. The purpose is to give the House a chance to shape a bill that ultimately the House is going to be responsible for.

Sure, he and I and our Senate counterparts can sit down alone and we can work out the numbers and we do not have to listen to anyone else. But I did not come here to do that. I came here to work through a process where we could have the participation of everyone. We all have an equal chance to shape the bill and to make it a bill that guides us in our negotiations with the Senate and not simply by our own proclivities.

So for what purpose do we take up this bill? To try to get the House's guidance before we come to final closure with the Senate on any negotiations, because that is what is really important in the long term.

This bill must pass. It is an appropriations bill. We must pass them all. I believe very strongly that what we do in respect to this bill is incredibly important to how the final product comes out, and that is the purpose to which all of us ought to lend ourselves: to do the people's work and to allow the process to work to shape the legislation that we ultimately are going to be responsible for.

You may disagree with our priorities. You have a chance to change them on the House floor. You may disagree with legislative provisions that are placed in the bill, I disagree with some of them, but we will have a chance to address them on the House floor.

So I have pressed very hard for a long time that the impasse that we have had over parental notification under title X, family planning, might be resolved and this bill might be brought to the House floor. Yes, it is late. I regret that there has been a serious disagreement on that issue. It has prevented us from going forward. But if that has been resolved, it is our responsibility to go forward and to allow the House to do its will in respect to this legislation.

So I would say to the gentleman from Wisconsin, I think it is very important that this bill go forward. I am glad that these things have been resolved. If the gentleman and his side disagrees with the priorities in the bill, they should have a chance to shape them differently. Yes, it is going to come out different in the conference, conference bills always do, but all of this, it seems to me, is to be serving the very purposes for which we were sent here. That is for all of us to participate in shaping legislation for which we are responsible.

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

Mr. OBEY. Mr. Speaker, I yield three minutes to the distinguished gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I rise in opposition to the proposed rule. I did so last night as well. I indicated last night that the Treasury-Postal bill was a good bill in terms of the numbers, the dollars that were appropriated. I rise today in saying that I do not believe this bill is such a bill.

One of the aspects of serving on the Committee on Appropriations is the pride that I think all of us have in the ability and integrity of the chairman of this committee. I say that as a minority member. I cannot think of a chairman who I do not have great respect for.

The gentleman from Illinois (Mr. PORTER), the chairman of our committee, is one of those for whom I have unrestrained respect, admiration, and, yes, affection. He is a good Member of this Congress and he acts in the best interests of America as he sees it. His priorities that he articulated just recently I think we share.

However, when we talk about increasing, what we have done is we have zero-funded LIHEAP. I was at the home of Susan Smith in Prince George's County, 20 minutes from this floor. Susan Smith is 85 years of age. She and her husband built a home in 1937. Her husband died 24 years ago, and she still lives in that home.

Governor Glendening and I were there to say that we were not going to allow this LIHEAP to take the money away from her Social Security revenue, obviously as we all know, relatively small, and put her in the position of having to choose between her energy and heating her home or oil heat and her food and prescription drugs. That is a choice that we should not make her make.

So, yes, it is good to say we have increased NIH by 9 percent, but Susan Smith ought not to pay for that. And those youth, frankly, who are looking to have a summer job experience so they can partake of the opportunities America has to offer, are not funded, so there are no summer jobs for youth in this bill.

Mr. Speaker, this rule should be defeated. This rule should be defeated, that brings a $291 billion bill to the floor of the House after having been reported weeks ago, weeks ago, not only out of the subcommittee but full committee, with only eight days left to go, presumably, in this session, and say take it or leave it.

This bill took 40 hours of debate last time. I say to my Republican friends, you would have savaged Democratic leadership for doing this. You would have savaged us, and in fact did. Not the gentlemen that are on the floor. As a matter of fact, a member not even in the Congress any more, used to stand at that podium and give us the devil for not operating efficiently. We are not operating efficiently. We ought to reject this rule and we ought to forge a bill that speaks to America's needs.

Mr. Speaker, I rise to oppose H.R. 4274, the Departments of Labor, Health and Human Services, and Education appropriations bill for fiscal year 1999, and its rule.

This bill cuts $2 billion out of the President's education agenda to improve public schools. The former chairman of the Subcommittee on Labor, Health and Human Services, and Education Appropriations, William Natcher, used to say, ''If we continue to educate our children and take care of the health of our people, we will continue to live in the greatest Nation on the face of the Earth.'' Mr. Speaker, we fail to do so in this bill.

By eliminating the LIHEAP Program, we fail to help 4.4 million of the poorest households in the country pay their heating bills. Two-thirds of LIHEAP recipients earn less than $8,000 a year and many are elderly, disabled or are struggling to raise young children in poverty. Yesterday, I visited one of these courageous people, 85-year-old Susan Smith, whose husband built her house in Lanham, Maryland in 1937. If she did not receive LIHEAP funds, she would have to choose between heating her house, buying food, or purchasing her medication. We should not be eliminating funding that assists those most in need, those like Susan Smith.

We live in a great Nation because we give people the opportunity to make a better life for themselves and their children through public education. By not including the President's school construction initiative in this bill, we fail to respond to the urgent need for school renovation and additional classrooms in communities across the Nation. In fact, we fail to respond to research that shows that reducing class size to 15 to 18 students in the early grades improves student achievement, particularly among low-income and minority students in inner cities. And by eliminating funding for the America reads challenge, we will not only break last year's bipartisan budget agreement that protected this program, but we will fail to reach 450,000 at-risk first, second, and third graders who desperately need this assistance.

The American people believe that we should invest more, not less, money to improve public education. This bill goes against the very core of what this Nation believes. Mr. Speaker, when expectations are raised, students rise to meet them. This bill, however, has very low expectations and fails to provide the framework in which our Nation's youth can develop and flourish. I urge my colleagues to oppose this bill and vote against the rule.

Mr. PORTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would say to the gentleman from Maryland that he had ample opportunity in the subcommittee and ample opportunity in the full committee to offer amendments that would have made adjustments where adjustments may have been needed in his judgment. What he did not have an opportunity to do was to break the budget caps under which we are living. No amendments were offered in either of those venues. The opportunity will appear on the floor to do the same thing.

I will tell the gentleman right now that I think I have the LIHEAP problem solved to his satisfaction, and I made a lot of progress on summer youth as well. But let me say, again, if those were problems, if any of the cuts were problems and the priorities were not right, the gentleman has had, and his side has had, ample time to address that.

What the gentleman is really saying is there is not enough money in the bill. He wants more money in the bill. But the gentleman and his side and the president all agreed last year that we would live under these budget caps, and that is exactly what we are doing.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, if my friend would yield for another mild compliment, I want to say to my friend, frankly, I am absolutely confident if the chairman had the votes on your side in large numbers that we would forge a bill that was a bill that we would all be proud of. I understand the chairman's problems, and I understand what the chairman is saying about the constraints.

But I will tell my friend, both in subcommittee and committee we raised the same issues, and we really have not had an opportunity to address them. I am pleased that at this late moment, and I am pleased, I am not surprised, the chairman is trying to solve the LIHEAP problem which we raised in subcommittee, committee, and we have been raising ever since. We should not have done what we did, and I am pleased that the chairman perhaps is going to correct that in his manager's amendment.

But I say to my friend, there are still problems, of course, with things that are in the bill that should not be in the bill.

Mr. PORTER. Mr. Speaker, I yield three minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, one of the things we have done in this bill, which is very important to me as a cancer survivor, is since we took the majority in 1994 we have increased biomedical research by over 24 percent, and the Speaker is committed to doubling biomedical research. That is very important for us.

For example, for care of diabetes, diabetes takes up about 23 percent of the Medicare bill. Just by early detection we can save two-thirds of the amputations, two-thirds of blindness. That not only means quality of life, or life, but it means money that we can use in other fields.

Cancer research has more than doubled, but yet prostate cancer has mortality for men and among especially African Americans higher second only to AIDS, but yet it is one of the lowest funded.

Now, another area I would like to speak on, I am pro-life, and I am not here to convince people for pro-life or pro-choice, but I had a very interesting perception of family planning units. That perception was wrong, and I speak as a pro-life member.

I went to a family planning center in San Diego and I saw women's health care where we should at least come together on family planning. I saw women there that in some cases would not receive health care in any other areas. I saw them getting mammograms. I saw them getting pap smears. I saw them getting doctors' evaluations, x-rays for lung cancer, and many were indigent people coming across the border. It is going to save a lot of people's lives, and a lot of people from even becoming exposed to cancer.

I think another area we need to come together in the family planning issue as pro-life and pro-choice is to support family planning's methods which prevent unwanted pregnancies. Federal dollars are not used for abortions by family planning. It is all private. At least we ought to be able to come together on those issues that are for women's health care and those issues that stop and eliminate unwanted pregnancies. I say that again as a pro-life member.

Secondly, biomedical research to me is one of the most important things that this body can invest in. There are a lot of things. LIHEAP, I will be frank, was established when fuel costs were very, very high. You cannot get rid of a Federal program. Whether the fuel prices are low, whether they are high or whatever, as long as you have money going out to a certain group. I am convinced it is very difficult to stop it here in this body.

LIHEAP is one that I think should be totally eliminated, just like the National Endowment for the Arts. Some of the people on the other side disagree and think there are other cuts. But as the gentleman from Illinois (Mr. PORTER) said, we are operating under a budget, and the priorities I think that he listed, I believe that every single Member on your side of the aisle would support those priorities. But we cannot have the funds under a balanced budget to meet all the priorities.

Mr. OBEY. Mr. Speaker, I yield two minutes to the distinguished gentlewoman from California (Ms. PELOSI), a member of the subcommittee.

Ms. PELOSI. Mr. Speaker, I thank the distinguished ranking member of the committee for yielding me time and for his leadership on this bill.

As anyone knows who has ever served on this committee, it is indeed a privilege that we share with the distinguished Speaker, Mr. DICKEY, because this is a bill about the strength of our country. The health, the education and the well-being of the American people should certainly be a measure of the strength of our country. It is a privilege to serve with our distinguished chairman, the gentleman from Illinois (Mr. PORTER), and with our ranking member, Mr. OBEY.

I want to focus on our ranking member for a moment though, because tomorrow is his birthday, I want to thank him for being born because of his extraordinary leadership in this House

of Representatives. Of course, I am getting no credit for saying this about him right now because he is not paying attention to me, but I did want to wish him happy birthday, which is tomorrow. Again I thank him for being born and for his extraordinary leadership, especially in this committee.

□ 1330

I know this committee best because this is one of my primary committees of service in this Congress.

What I am afraid of about this bill, despite the valiant efforts of our distinguished chairman, the gentleman from Illinois (Mr. PORTER), I am afraid this is a bill about missed opportunities. It is about sending a mixed message to America's children. My colleagues have spoken to the specifics of this bill and what it is lacking. In addition the overall message of this bill is that we say to children that education is very, very important to them and that it is central to their success in life and our competitiveness as a country, and yet this bill misses opportunities to include the Clinton administration agenda for smaller classes with well prepared teachers where children can learn, teachers can teach and parents can participate.

This bill, instead of modernizing schools for the 21st century, helping local communities modernize and build 5,000 schools nationwide, enough though this bill can not do the interest-free bonds, it could help in modernizing schools. Instead, the Republican Labor-HHS bill chops $2 billion out of the administration request, cuts the safe school and drug-free schools by $50 million, slashes investments in education technology, and eliminates funding for America Reads. It sends a mixed message to American children that education is important, but that we do not value it in this bill.

Mr. OBEY. Mr. Speaker, I would like to respond to something my good friend from Illinois said a couple minutes earlier. He indicated that the reason that we are stuck with this miserable bill is because both parties agreed to the limitations that have produced this bill. That is not correct.

It is true that the leaders of both parties voted for a budget last year which imposed limits, of course. But then, under the process when the appropriation bills came to the floor this year, the Republican committee leadership chose, alone, without consulting us on this side of the aisle, how they would divide that money between the 13 subcommittees, and it is clear that the committee leadership on the Republican side of the aisle decided to take money out of this bill and give it to other subcommittees so that they would have an easier time passing bills favored by the majority leadership, leaving this bill holding the bag. That is why we are now stuck with a bill which even the Republican leadership in the Senate says is at least $3 billion below where it should be.

Now, we know that. We heard them say that just yesterday. So it is not just us saying that this bill is inadequate; your own party brethren in the Senate are saying the same thing.

So all I would say is that we need to recognize the fact that we did not agree on this side of the aisle to cut education $2 billion below the President's level. We did not agree that we should eliminate funding for low income heating assistance and summer jobs programs, the 2 programs that deal most directly with the least fortunate people in this society. Those decisions were made unilaterally on the other side of the aisle, and those are the decisions to which we object.

That is why, while I have great respect and affection for the gentleman from Illinois, I think he has done the very best job he can defending a very bad case. It seems to me that a vote for this rule is an endorsement of each and every one of the cuts in this bill which I predict will be repudiated on both sides of the aisle within the next 2 weeks. There is no reason to bring this charade to the floor, and I urge a ''no'' vote on the rule.

Mr. PORTER. Mr. Speaker, I would say to the gentleman from Wisconsin, he had a chance also in respect to the allocations to offer an amendment. I heard of no amendment being offered. The gentleman had a chance to shape within the budget allocations and the spending for each account and no amendments were forthcoming.

I would also say to the gentleman, I am not so sure how he knows what is the ''proper level of spending'' for any bill, but clearly the gentleman and the people on his side of the aisle see no place ever to make any cuts in any program, regardless of what it may be, because he has had the opportunity to do so and he has not done so during the entire process.

I would suggest to the gentleman that it is not enough simply to criticize. He must participate in the process and to shape the legislation and not simply to say, ''well, it is not the way I would do it.'' If we had more money, obviously we might do it differently. But thank God, for the first time in a long time, we are living within the allocations. We are bringing down the deficits. We have brought the budget into balance. And we have done it not only with a wonderful economy, we have done it with some good fiscal discipline here in the Congress and the majority party making some tough decisions that have been needed for a long, long time in our country that were never made on the other side of the aisle.

Mr. OBEY. Mr. Speaker, again, in the interest of fact, I am required to correct the gentleman's previous statements. He says that no one on this side of the aisle has tried to cut unneeded spending. It was not people on this side of the aisle who decided that we should arrange to have a new set of accounting procedures approved so that we could provide $637 million in ships that the Pentagon did not even ask for. This Member personally offered amendments in the defense appropriations bill to eliminate funding for additional C–130s, which were provided purely and simply so that the Congress could provide 7 additional aircraft again that the Pentagon did not even ask for. That decision was made by your committee leadership.

This Member certainly did not vote for the highway bill that went through here, which had 1,800 pork barrel projects. To put that in perspective, in the entire 42-year history of the highway program, up until this year, when our party was in control, in 42 years there were a total of 1,042 pork barrel projects. This bill had over 100 in one year alone, including roads to a brew pub and almost $80 million to be spent on a highway in a foreign country.

So if I were the gentleman, I would not brag too much about the discipline shown on that side of the aisle on legislation like that.

Mr. Speaker, I make no apology for saying that I believe that more funding in the Federal budget should have been put in this bill so that we did not have to cut education $2 billion below the President's level. I believe that we should have provided those after-school centers to keep juveniles out of trouble and under adult supervision. I believe we should be funding higher levels for children's mental health. When we see kids shooting each other in school yards around the country, I believe that we should not be eliminating the summer youth program that gives millions or hundreds of thousands of young people their first exposure to the world of work. And I certainly do not believe that we ought to continue to deny the President's top education priority, which is the reduction of class size by adding new teachers in the first 3 grades.

This bill does all of that, and that is why it seems to me that we should vote against the rule because a vote for this rule is a vote to endorse the bill which Senate Republicans have already indicated is at least $3 billion below where it ought to be in order to provide a balanced set of priorities for the people we are supposed to represent.

Mr. TORRES. Mr. Speaker, I want to thank the chairmen of the committee and subcommittee, the ranking member, and the committee staff for their work on this bill and for attempting to achieve a balance within the small budget allotted to the subcommittee. As you all can attest, work on this particular appropriations bill has always been a difficult task. I have been honored to contribute to these efforts. I am proud that my membership to this committee has had an influence in the human service and educational goals for which I came to Congress to fight.

I have been a longtime supporter of the High School Equivalency Program and the College Assistance Migrant Program. The HEP and CAMP programs are the only programs funded on the national level which recruit and serve the children of migrant and

seasonal farm workers. Some of you may know that I am the son of migrant workers. There were no such student programs when I was growing up. But these programs have successfully helped migrant youth complete high school or obtain their GED. This has opened the door to continuing education opportunities in institutions of higher education.

In the 104th Congress, HEP–CAMP faced the threat of large cuts in funding. I introduced an amendment to maintain funding for HEP–CAMP. I wrote letters to committee chairs in both Chambers, describing the importance of these programs and the cost-effectiveness of their success. With the support of the Congressional Hispanic Caucus, funding was maintained. Since then, the programs have received increased funding. I am proud to have assisted HEP–CAMP in advancing their efforts.

Hispanic-serving institutions are another example of a critical funding stream for underrepresented minorities. These institutions carry the burden of providing higher education for Latinos, the fastest growing segment of our nation's population. Still, they are subjected to educational, economic and political discrimination. The Congressional Hispanic Caucus has been working tirelessly to increase funding for Hispanic serving institutions to meet the growing educational needs of this target population. We have been successful in doing so for fiscal year 1998 and again in this year's bill. I thank the chairmen again for this necessary increase and Congressman LEWIS for spearheading such efforts. I am pleased to acknowledge Congressman LEWIS understands this important educational need for the growing segment of his district's, California's, and our Nation's population.

While I am pleased with these increases, I am gravely disappointed in the cuts and eliminations many other critical programs have received. We speak of engaging a new generation of Americans that are prepared to succeed in the global economy and technologically advanced society of the 21st century. Yet, we stand here, as a committee, ready to vote on a bill that falls far short of such a goal. I am deeply concerned that the funding levels in this mark will not meet the challenge of our future. We can all think of reasons to blame particular districts or the public education system for the seemingly poor education standards in this country, but we offer no solution.

The population of young people today far exceeds that of the so-called baby boom generation. Congress must rise to the challenge of providing greater opportunities for the growing mass of young people in this country. We must continue to fund programs that have proven successful in these efforts. This bill will not do this. We cut summer jobs and school-to-work programs which have also made notable efforts to advance and promote youth success. We have not given the necessary increases to after school programs and mentoring proposals.

Most disappointing is the subcommittee's decision to follow a misguided, poorly developed trend from my State, to cut funding for bilingual education. The administration is meeting the challenges of the growing Latino population with a Hispanic education action plan. This is a comprehensive plan based on high standards and research-based reform. The unacceptably high Hispanic dropout rate has signaled a need that must be addressed if we are to successfully prepare our nation for the next century. Instead of meeting that need, we have turned our back on these students who want to learn English, finish high school and prepare for college.

Instead of investing in the future of this country as a whole, Congress is specifying which Americans deserve education funding, grants, and assistance. The restrictive language in this bill would impair a school district's ability to provide successful programs for their limited-English speaking students and make critical decisions that impact the education of all children. The arbitrary deadline for the acquisition of the English language prevents teachers and school administrators from doing what is best for each individual child. By basing such grants on exiting limited-English proficient children to English-only classes, without considering individual needs or academic performance, we are encouraging a debasing of standards and expectations for students.

My colleagues, I implore you to use better foresight in determining the funding levels from which we prepare Americans to meet the demands of their future. I thank the leaders who saw potential in my future and gave me the support and encouragement to continue my education and become a productive citizen of this country. Without the wisdom and vision of those people, I may not be here today. I cannot support this bill and I urge you to reject it as well. I am hopeful that we can devise a plan for a more balanced bill that does more to encourage progress rather than stifle it.

Mr. FORD. Mr. Speaker, I rise today to express my opposition to the proposed rule for the Labor/HHS appropriations bill and voice my concerns over the myopia that appears to plague many of my colleagues on the other side of the aisle.

As you may recall, Mr. Speaker, yesterday we agreed to go to conference with the Senate on juvenile crime legislation. And during the brief floor debate on this matter, several of my Republican colleagues expressed their belief that reducing juvenile crime requires a two-prong approach: punishment and prevention.

Well, Mr. Speaker, I find it curious at best how Republicans honestly can contend that they believe prevention is a vital component in reducing juvenile crime, when they plan on bringing a Labor/HHS bill to the floor that drastically cuts funding for Summer Jobs, School-to-Work, and After School Learning Programs—all of which are designed to help young people on the front end, by providing them a chance to do the right thing.

I wonder, Mr. Speaker, what kind of prevention strategy could be more counterproductive than:

Summer Jobs—cutting funding by over $500 million, effectively denying 530,000 young people—over 1,500 in my district alone—the opportunity to work during the summer of 1999.

School-to-Work—cutting funding by $250 million, effectively undermining the ability to provide work-based learning experiences to more than 1 million students in over 3,000 high schools.

After-School Learning Programs—cutting funding to $140 million below the administration's request, effectively denying 3,000 communities the opportunity to provide after-school safe haven learning programs for nearly 400,000 school-age children.

How, I ask, do my colleagues on the other side of the aisle realistically expect young people in America to develop an appreciation of the value and importance of education and work, if all they see is Congress appropriating money to build more jail cells, but not to improve their schools or provide them summer jobs.

Mr. Speaker, I am also having a very difficult time understanding how the Republicans can reconcile their willingness to cut or eliminate funding for programs like Goals 2000, Star Schools, School-to-Work, and America Reads, with their professed commitment to education. In response to this criticism, I am sure many of my Republican colleagues will tout their Dollars-to-the-Classroom bill, which will block grant funding to states for education-related programs. Well, Mr. Speaker, if the funding levels in the Labor/HHS appropriations are any indication of what the Republicans plan on investing in, then America's young people and our Nation's public education system are in serious jeopardy.

So, Mr. Speaker, I say to every single Member of this body, if you believe in giving young people a chance at success, and truly want to see the juvenile crime rate go down in America—as opposed to just looking tough on crime—then you cannot in good conscience support the rule or underlying Labor/HHS appropriations bill.

CONFERENCE REPORT ON H.R. 4101, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

Mr. SKEEN (during the special order of Mr. OBEY) submitted the following conference report and statement on the bill (H.R. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes.

CONFERENCE REPORT (H. REPT. 105–763)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4101) ''making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed

$75,000 for employment under 5 U.S.C. 3109, $2,836,000: Provided, That not to exceed $11,000 of this amount, along with any unobligated balances of representation funds in the Foreign Agricultural Service, shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 793(c)(1)(C) of Public Law 104–127: Provided further, That none of the funds made available by this Act may be used to enforce section 793(d) of Public Law 104–127.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $5,620,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $25,000 is for employment under 5 U.S.C. 3109, $11,718,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $6,120,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $5,551,000.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $4,283,000: Provided, That the Chief Financial Officer shall actively market cross-servicing activities of the National Finance Center.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded by this Act, $613,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for the operation, maintenance, and repair of Agriculture buildings, $132,184,000: Provided, That in the event an agency within the Department should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account. In addition, for construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the programs of the Department, where not otherwise provided, $5,000,000, to remain available until expended; making a total appropriation of $137,184,000.

HAZARDOUS WASTE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961, $15,700,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Waste Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, $32,168,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109: Provided, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), $3,000,000, to remain available until expended.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, $3,668,000: Provided, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations: Provided further, That not less than $2,241,000 shall be transferred to agencies funded by this Act to maintain personnel at the agency level.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry on services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, $8,138,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed $2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, $65,128,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, including a sum not to exceed $50,000 for employment under 5 U.S.C. 3109; and including a sum not to exceed $100,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98: Provided, That for fiscal year 1999 and thereafter, funds transferred to the Office of the Inspector General through forfeiture proceedings or from the Department of Justice Assets Forfeiture Fund or the Department of the Treasury Forfeiture Fund, as a participating agency, as an equitable share from the forfeiture of property in investigations in which the Office of the Inspector General participates, or through the granting of a Petition for Remission or Mitigation, shall be deposited to the credit of this account for law enforcement activities authorized under the Inspector General Act of 1978, to remain available until expended.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $29,194,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, $540,000.

ECONOMIC RESEARCH SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $65,757,000: Provided, That $2,000,000 shall be transferred to and merged with the appropriation for ''Food and Nutrition Service, Food Program Administration'' for studies and evaluations: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627), the Census of Agriculture Act of 1997 (Public Law 105–113), and other laws, $103,964,000, of which up to $23,599,000 shall be available until expended for the Census of Agriculture: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109.

AGRICULTURAL RESEARCH SERVICE

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment

of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $781,950,000: Provided, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $115,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $250,000, except for headhouses or greenhouses which shall each be limited to $1,000,000, and except for ten buildings to be constructed or improved at a cost not to exceed $500,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $250,000, whichever is greater: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center, including an easement to the University of Maryland to construct the Transgenic Animal Facility which upon completion shall be accepted by the Secretary as a gift: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

In fiscal year 1999, the agency is authorized to charge fees, commensurate with the fair market value, for any permit, easement, lease, or other special use authorization for the occupancy or use of land and facilities (including land and facilities at the Beltsville Agricultural Research Center) issued by the agency, as authorized by law, and such fees shall be credited to this account and shall remain available until expended for authorized purposes.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $56,437,000, to remain available until expended (7 U.S.C. 2209b): Provided, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, including $180,545,000 to carry into effect the provisions of the Hatch Act (7 U.S.C. 361a–i); $21,932,000 for grants for cooperative forestry research (16 U.S.C. 582a–a7); $29,676,000 for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222); $63,116,000 for special grants for agricultural research (7 U.S.C. 450i(c)); $15,048,000 for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)); $119,300,000 for competitive research grants (7 U.S.C. 450i(b)); $5,109,000 for the support of animal health and disease programs (7 U.S.C. 3195); $750,000 for supplemental and alternative crops and products (7 U.S.C. 3319d); $600,000 for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977 (7 U.S.C. 3318), to remain available until expended; $3,000,000 for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), to remain available until expended (7 U.S.C. 2209b); $4,350,000 for higher education challenge grants (7 U.S.C. 3152(b)(1)); $1,000,000 for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), to remain available until expended (7 U.S.C. 2209b); $2,850,000 for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241); $500,000 for a secondary agriculture education program and two-year postsecondary education (7 U.S.C. 3152 (h)); $4,000,000 for aquaculture grants (7 U.S.C. 3322); $8,000,000 for sustainable agriculture research and education (7 U.S.C. 5811); $9,200,000 for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321–326 and 328), including Tuskegee University, to remain available until expended (7 U.S.C. 2209b); $1,552,000 for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103–382; and $10,688,000 for necessary expenses of Research and Education Activities, of which not to exceed $100,000 shall be for employment under 5 U.S.C. 3109; in all, $481,216,000.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For establishment of a Native American institutions endowment fund, as authorized by Public Law 103–382 (7 U.S.C. 301 note), $4,600,000.

EXTENSION ACTIVITIES

Payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa: For payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, $276,548,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $2,060,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $58,695,000; payments for the pest management program under section 3(d) of the Act, $10,783,000; payments for the farm safety program under section 3(d) of the Act, $3,000,000; payments for the pesticide impact assessment program under section 3(d) of the Act, $3,214,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University, as authorized by section 1447 of Public Law 95–113 (7 U.S.C. 3222b), $8,426,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, $908,000; payments for a groundwater quality program under section 3(d) of the Act, $9,561,000; payments for youth-at-risk programs under section 3(d) of the Act, $9,000,000; payments for a food safety program under section 3(d) of the Act, $3,500,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, $3,192,000; payments for Indian reservation agents under section 3(d) of the Act, $1,714,000; payments for sustainable agriculture programs under section 3(d) of the Act, $3,309,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101–624 (7 U.S.C. 2661 note, 2662), $2,628,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326 and 328) and Tuskegee University, $25,843,000; and for Federal administration and coordination including administration of the Smith-Lever Act, and the Act of September 29, 1977 (7 U.S.C. 341–349), and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301 note), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, $11,741,000; in all, $434,122,000: Provided, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

OFFICE OF THE ASSISTANT SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Assistant Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service, the Agricultural Marketing Service, and the Grain Inspection, Packers and Stockyards Administration, $618,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947 (21 U.S.C. 114b–c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426–426b); and to protect the environment, as authorized by law, $425,803,000, of which $4,105,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: Provided, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: Provided further, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, and section 102 of the Act of September 21, 1944, and any unexpended balances of funds transferred for such emergency purposes in the next preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 1999, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

Of the total amount available under this heading in fiscal year 1999, $88,000,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $7,700,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed $90,000 for employment under 5 U.S.C. 3109, $46,000,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $60,730,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Appropriations Committees.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $10,998,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,200,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $25,000 for employment under 5 U.S.C. 3109, $26,787,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $42,557,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: Provided, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Appropriations Committees.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $446,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, $609,250,000, and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102–237: Provided, That this appropriation shall not be available for shell egg surveillance under section 5(d) of the Egg Products Inspection Act (21 U.S.C. 1034(d)): Provided further, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, $572,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, $714,499,000: Provided, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $1,000,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5101–5106), $2,000,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of: (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer; or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968 (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, $450,000, to remain available until expended (7 U.S.C. 2209b): Provided, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of the farmer's willful failure to follow procedures prescribed by the Federal Government: Provided further, That this amount shall be transferred to the Commodity Credit Corporation: Provided further, That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928–1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $510,682,000, of which $425,031,000 shall be for guaranteed loans; operating loans, $1,648,276,000, of which $948,276,000 shall be for unsubsidized guaranteed loans and $200,000,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $1,000,000; for emergency insured loans, $25,000,000 to meet the needs resulting from natural disasters; and for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, $100,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, $19,580,000, of which $6,758,000 shall be for guaranteed loans; operating loans, $62,630,000, of which $11,000,000 shall be for unsubsidized guaranteed loans and $17,480,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $153,000; for emergency insured loans, $5,900,000 to meet the needs resulting from natural disasters; and for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, $1,440,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $219,861,000, of which $209,861,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), $64,000,000: Provided, That not to exceed $700

shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

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

FEDERAL CROP INSURANCE CORPORATION FUND

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

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 1999, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be $8,439,000,000 in the President's fiscal year 1999 Budget Request (H. Doc. 105–177)), but not to exceed $8,439,000,000, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11).

OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 1999, the Commodity Credit Corporation shall not expend more than $5,000,000 for expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961: Provided, That expenses shall be for operations and maintenance costs only and that other hazardous waste management costs shall be paid for by the USDA Hazardous Waste Management appropriation in this Act.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

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

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the programs administered by the Natural Resources Conservation Service, including the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $641,243,000, to remain available until expended (7 U.S.C. 2209b), of which not less than $5,990,000 is for snow survey and water forecasting and not less than $9,025,000 is for operation and establishment of the plant materials centers: Provided, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: Provided further, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): Provided further, That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 in demonstration projects: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $25,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e–2).

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1009), $10,368,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $110,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $99,443,000, to remain available until expended (7 U.S.C. 2209b) (of which up to $15,000,000 may be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701 and 16 U.S.C. 1006a)): Provided, That not to exceed $47,000,000 of this appropriation shall be available for technical assistance: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $200,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That not to exceed $1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607), the Act of April 27, 1935 (16 U.S.C. 590a–f), and the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $35,000,000, to remain available until expended (7 U.S.C. 2209b): Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 shall be available for employment under 5 U.S.C. 3109.

FORESTRY INCENTIVES PROGRAM

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

TITLE III

RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

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

RURAL COMMUNITY ADVANCEMENT PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, and 1932, except for sections 381E–H, 381N, and 381O of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f), $722,686,000, to remain available until expended, of which $29,786,000 shall be for rural community programs described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act; of which $645,007,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act; and of which $47,893,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: Provided, That of the amount appropriated for the rural business and cooperative development programs, not to exceed $500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That not to exceed $16,215,000 shall be for technical assistance grants for rural waste systems pursuant to section 306(a)(14) of such Act; and not to exceed $5,300,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That of the total amount appropriated, not to exceed $33,926,000 shall be available through June 30, 1999, for empowerment zones and enterprise communities, as authorized by Public Law 103–66, of which $1,844,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $23,948,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act; of which $8,134,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $3,965,313,000 for loans to section 502 borrowers, as determined by the Secretary, of which $3,000,000,000 shall be for unsubsidized guaranteed loans; $25,001,000 for section 504 housing repair loans; $100,000,000 for section 538 guaranteed multi-family housing loans; $20,000,000 for section 514 farm labor housing; $114,321,000 for section 515 rental housing; $5,152,000 for section 524 site loans; $16,930,000 for credit sales of acquired property, of which up to $5,001,000 may be for multi-family credit sales; and $5,000,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $116,800,000, of which $2,700,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $8,808,000; section 538 multifamily housing guaranteed loans, $2,320,000; section 514 farm labor housing, $10,406,000; section 515 rental housing, $55,160,000; section 524 site loans, $17,000; credit sales of acquired property, $3,492,000, of which up to $2,416,000 may be for multi-family credit sales; and section 523 self-help housing land development loans, $282,000: Provided, That of the total amount appropriated in this paragraph, $10,380,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103–66: Provided further, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1999, they shall remain available for other authorized purposes under this head.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $360,785,000, which shall be transferred to and merged with the appropriation for ''Rural Housing Service, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $583,397,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That of this amount, not more than $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: Provided further, That agreements entered into or renewed during fiscal year 1999 shall be funded for a five-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $26,000,000, to remain available until expended (7 U.S.C. 2209b): Provided, That of the total amount appropriated, $1,000,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103–66: Provided further, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1999, they shall remain available for other authorized purposes under this head.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for housing for domestic farm labor, very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1486, 1490e, and 1490m, $41,000,000, to remain available until expended: Provided, That of the total amount appropriated, $1,200,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103–66: Provided further, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1999, they shall remain available for other authorized purposes under this head.

SALARIES AND EXPENSES

For necessary expenses of the Rural Housing Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, title V of the Housing Act of 1949, and cooperative agreements, $60,978,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $520,000 may be used for employment under 5 U.S.C. 3109: Provided further, That the Administrator may expend not more than $10,000 to provide modest nonmonetary awards to non-USDA employees.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, $16,615,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans of $33,000,000: Provided further, That through June 30, 1999, of the total amount appropriated, $3,215,520 shall be available for the cost of direct loans for empowerment zones and enterprise communities, as authorized by title XIII of the Omnibus Budget Reconciliation Act of 1993, to subsidize gross obligations for the principal amount of direct loans, $7,246,000: Provided further, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1999, they shall remain available for other authorized purposes under this head.

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

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $15,000,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $3,783,000.

Of the funds derived from interest on the cushion of credit payments in fiscal year 1999, as authorized by section 313 of the Rural Electrification Act of 1936, $3,783,000 shall not be obligated and $3,783,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $3,300,000, of which $1,300,000 shall be available for cooperative agreements for the appropriate technology transfer for rural areas program and $250,000 shall be available for an agribusiness and cooperative development program.

SALARIES AND EXPENSES

For necessary expenses of the Rural Business-Cooperative Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926; for activities relating to the marketing aspects of cooperatives, including economic research findings, as authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $25,680,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $260,000 may be used for employment under 5 U.S.C. 3109.

ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION CORPORATION REVOLVING FUND

For necessary expenses to carry out the Alternative Agricultural Research and Commercialization Act of 1990 (7 U.S.C. 5901–5908), $3,500,000 is appropriated to the Alternative Agricultural Research and Commercialization Corporation Revolving Fund.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, $71,500,000; 5 percent rural telecommunications loans, $75,000,000; cost of money rural telecommunications loans, $300,000,000; municipal rate rural electric loans, $295,000,000; and loans made pursuant to section 306 of that Act, rural electric, $700,000,000 and rural telecommunications, $120,000,000, to remain available until expended.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of direct loans, $16,667,000; cost of municipal rate loans, $25,842,000; cost of money rural telecommunications loans, $810,000: Provided, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $29,982,000, which shall be transferred to and merged with the appropriation for ''Rural Utilities Service, Salaries and Expenses''.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out its authorized programs. During fiscal year 1999 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be $157,509,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), $4,174,000.

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

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., $12,680,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas: Provided, That the costs of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

SALARIES AND EXPENSES

For necessary expenses of the Rural Utilities Service, including administering the programs authorized by the Rural Electrification Act of 1936, and the Consolidated Farm and Rural Development Act, and for cooperative agreements, $33,000,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $105,000 may be used for employment under 5 U.S.C. 3109.

TITLE IV

DOMESTIC FOOD PROGRAMS

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

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, $554,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $9,176,897,000, to remain available through September 30, 2000, of which $4,128,747,000 is hereby appropriated and $5,048,150,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That up to $4,300,000 shall be available for independent verification of school food service claims: Provided further, That none of the funds under this heading shall be available unless the value of bonus commodities provided under section 32 of the Act of August 24, 1935 (49 Stat. 774, chapter 641; 7 U.S.C. 612c), and section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) is included in meeting the minimum commodity assistance requirement of section 6(g) of the National School Lunch Act (42 U.S.C. 1755(g)).

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

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $3,924,000,000, to remain available through September 30, 2000: Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That of the total amount available, the Secretary shall obligate $10,000,000 for the farmers' market nutrition program within 45 days of the enactment of this Act, and an additional $5,000,000 for the farmers' market nutrition program from any funds not needed to maintain current caseload levels: Provided further, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of the Child Nutrition Act of 1966: Provided further, That State agencies required to procure infant formula using a competitive bidding system may use funds appropriated by this Act to purchase infant formula under a cost containment contract entered into after September 30, 1996, only if the contract was awarded to the bidder offering the lowest net price, as defined by section 17(b)(20) of the Child Nutrition Act of 1966, unless the State agency demonstrates to the satisfaction of the Secretary that the weighted average retail price for different brands of infant formula in the State does not vary by more than 5 percent.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), $22,585,106,000, of which $100,000,000 shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That none of the funds made available under this head shall be used for studies and evaluations: Provided further, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: Provided further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That funds made available for Employment and Training under this head shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) and the Emergency Food Assistance Act of 1983, $131,000,000, to remain available through September 30, 2000: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note), and section 311 of the Older Americans Act of 1965 (42 U.S.C. 3030a), $141,081,000, to remain available through September 30, 2000.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, $108,561,000, of which $5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp coupon handling, and assistance in the prevention, identification, and prosecution of fraud and other violations of law and of which $2,000,000 shall be available for obligation only after promulgation of a final rule to curb vendor related fraud: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $150,000 shall be available for employment under 5 U.S.C. 3109.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES MANAGER

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761–1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $128,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $136,203,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1736) and the foreign assistance programs of the International Development Cooperation Administration (22 U.S.C. 2392).

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

PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691, 1701–1704, 1721–1726a, 1727–1727e, 1731–1736g–3, and 1737), as follows: (1) $203,475,000 for Public Law 480 title I credit, including Food for Progress programs; (2) $16,249,000 is hereby appropriated for ocean freight differential costs for the shipment of agricultural commodities pursuant to title I of said Act and the Food for Progress Act of 1985; (3) $837,000,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title II of said Act; and (4) $25,000,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title III of said Act: Provided, That not to exceed 15 percent of the funds made available to carry out any title of said Act may be used to carry out any other title of said Act: Provided further, That such sums shall remain available until expended (7 U.S.C. 2209b).

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct credit agreements as authorized by the Agricultural Trade Development and Assistance Act of 1954, and the Food for Progress Act of 1985, including the cost of modifying credit agreements under said Act, $176,596,000.

In addition, for administrative expenses to carry out the Public Law 480 title I credit program, and the Food for Progress Act of 1985, to the extent funds appropriated for Public Law 480 are utilized, $1,850,000, of which $1,035,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service and General Sales Manager'' and $815,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $3,820,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $3,231,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service and General Sales Manager'' and $589,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; $1,098,140,000, of which not to exceed $132,273,000 in fees pursuant to section 736 of the Federal Food, Drug, and Cosmetic Act may be credited to this appropriation and remain available until expended: Provided, That fees derived from applications received during fiscal year 1999 shall be subject to the fiscal year 1999 limitation: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) $226,580,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs, of which, and notwithstanding section 409(h)(5)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), an amount of $500,000 shall be made available for the development of systems, regulations,

and pilot programs, if any, that would be required to permit full implementation, consistent with section 409(h)(5) of that Act, in fiscal year 2000 of the food contact substance notification program under section 409(h) of such Act; (2) $291,981,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $125,095,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $41,973,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $145,736,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $31,579,000 shall be for the National Center for Toxicological Research; (7) $34,000,000 shall be for the Office of Tobacco; (8) $25,855,000 shall be for Rent and Related activities, other than the amounts paid to the General Services Administration; (9) $88,294,000 shall be for payments to the General Services Administration for rent and related costs; and (10) $87,047,000 shall be for other activities, including the Office of the Commissioner, the Office of Policy, the Office of External Affairs, the Office of Operations, the Office of Management and Systems, and central services for these offices.

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

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

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $11,350,000, to remain available until expended (7 U.S.C. 2209b).

DEPARTMENT OF THE TREASURY

FINANCIAL MANAGEMENT SERVICE

PAYMENTS TO THE FARM CREDIT SYSTEM FINANCIAL ASSISTANCE CORPORATION

For necessary payments to the Farm Credit System Financial Assistance Corporation by the Secretary of the Treasury, as authorized by section 6.28(c) of the Farm Credit Act of 1971, for reimbursement of interest expenses incurred by the Financial Assistance Corporation on obligations issued through 1994, as authorized, $2,565,000.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed $25,000 for employment under 5 U.S.C. 3109, $61,000,000, including not to exceed $1,000 for official reception and representation expenses: Provided, That the Commission is authorized to charge reasonable fees to attendees of Commission sponsored educational events and symposia to cover the Commission's costs of providing those events and symposia, and notwithstanding 31 U.S.C. 3302, said fees shall be credited to this account, to be available without further appropriation.

FARM CREDIT ADMINISTRATION

LIMITATION OF ADMINISTRATIVE EXPENSES

Not to exceed $35,800,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the fiscal year 1999 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 440 passenger motor vehicles, of which 437 shall be for replacement only, and for the hire of such vehicles.

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

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

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

SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended (7 U.S.C. 2209b): Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, integrated systems acquisition project, and up to $2,000,000 for costs associated with collocating regional offices; Farm Service Agency, salaries and expenses funds made available to county committees; and Foreign Agricultural Service, middle-income country training program.

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

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

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

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

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

SEC. 710. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 711. None of the funds in this Act shall be available to pay indirect costs on research grants awarded competitively by the Cooperative State Research, Education, and Extension Service that exceed 14 percent of total Federal funds provided under each award: Provided, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under the Small Business Innovation Development Act of 1982, Public Law 97–219 (15 U.S.C. 638).

SEC. 712. Notwithstanding any other provisions of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 713. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 1999 shall remain available until expended to cover obligations made in fiscal year 1999 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; and the rural economic development loans program account.

SEC. 714. Such sums as may be necessary for fiscal year 1999 pay raises for programs funded by this Act shall be absorbed within the levels appropriated by this Act.

SEC. 715. Notwithstanding the Federal Grant and Cooperative Agreement Act, marketing services of the Agricultural Marketing Service; Grain Inspection, Packers and Stockyards Administration; and the Animal and Plant Health Inspection Service may use cooperative agreements to reflect a relationship between the Agricultural Marketing Service, the Grain Inspection, Packers and Stockyards Administration or the Animal and Plant Health Inspection Service and a State or Cooperator to carry out agricultural marketing programs or to carry out programs to protect the Nation's animal and plant resources.

SEC. 716. Notwithstanding the Federal Grant and Cooperative Agreement Act, the Natural Resources Conservation Service may enter into contracts, grants, or cooperative agreements with a State agency or subdivision, or a public or private organization, for the acquisition of goods or services, including personal services, to carry out natural resources conservation activities: Provided, That Commodity Credit Corporation funds obligated for such purposes shall not exceed the level obligated by the Commodity Credit Corporation for such purposes in fiscal year 1998.

SEC. 717. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 718. Hereafter, none of the funds made available in this Act may be used to provide assistance to, or to pay the salaries of personnel to carry out a market promotion/market access program pursuant to section 203 of the Agricultural

Trade Act of 1978 (7 U.S.C. 5623) that provides assistance to the United States Mink Export Development Council or any mink industry trade association.

SEC. 719. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants: Provided, That interagency funding is authorized to carry out the purposes of the National Drought Policy Commission.

SEC. 720. None of the funds appropriated in this Act may be used to carry out the provisions of section 918 of Public Law 104–127, the Federal Agriculture Improvement and Reform Act.

SEC. 721. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 722. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 723. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committee on Appropriations of both Houses of Congress.

SEC. 724. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1999, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committee on Appropriations of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1999, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committee on Appropriations of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

SEC. 725. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel to carry out section 793 of Public Law 104–127, with the exception of funds made available under that section on January 1, 1997.

SEC. 726. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality incentives program authorized by sections 334–341 of Public Law 104–127 in excess of $174,000,000.

SEC. 727. None of the funds appropriated or otherwise available to the Department of Agriculture may be used to administer the provision of contract payments to a producer under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for contract acreage on which wild rice is planted unless the contract payment is reduced by an acre for each contract acre planted to wild rice.

SEC. 728. The Federal facility located in Stuttgart, Arkansas, and known as the ''United States National Rice Germplasm Evaluation and Enhancement Center'', shall be known and designated as the ''Dale Bumpers National Rice Research Center'': Provided, That any reference in law, map, regulation, document, paper, or other record of the United States to such federal facility shall be deemed to be a reference to the ''Dale Bumpers National Rice Research Center''.

SEC. 729. Notwithstanding any other provision of law, the Secretary of Agriculture, subject to the reprogramming requirements established by this Act, may transfer up to $26,000,000 in discretionary funds made available by this Act among programs of the Department, not otherwise appropriated for a specific purpose or a specific location, for distribution to or for the benefit of the Lower Mississippi Delta Region, as defined in Public Law 100–460, prior to normal state or regional allocation of funds: Provided, That any funds made available through Chapter Four of Subtitle D of Title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) may be included in any amount reprogrammed under this section if such funds are used for a purpose authorized by such Chapter: Provided further, That any funds made available from ongoing programs of the Department of Agriculture used for the benefit of the Lower Mississippi Delta Region shall be counted toward the level cited in this section.

SEC. 730. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to enroll in excess of 120,000 acres in the fiscal year 1999 wetlands reserve program as authorized by 16 U.S.C. 3837.

SEC. 731. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out the emergency food assistance program authorized by section 27(a) of the Food Stamp Act if such program exceeds $90,000,000.

SEC. 732. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out the provisions of section 401 of Public Law 105–185.

SEC. 733. Notwithstanding any other provision of law, the City of Big Spring, Texas shall be eligible to participate in rural housing programs administered by the Rural Housing Service.

SEC. 734. Notwithstanding any other provision of law, the Municipality of Carolina, Puerto Rico shall be eligible for grants and loans administered by the Rural Utilities Service.

SEC. 735. Notwithstanding section 381A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009), the definitions of rural areas for certain business programs administered by the Rural Business-Cooperative Service and the community facilities programs administered by the Rural Housing Service shall be those provided for in statute and regulations prior to the enactment of Public Law 104–127.

SEC. 736. None of the funds appropriated or otherwise made available by this Act shall be used to carry out any commodity purchase program that would prohibit eligibility or participation by farmer-owned cooperatives.

SEC. 737. Section 512(d)(4)(D)(iii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(d)(4)(D)(iii)) is amended by inserting before the semicolon the following: '', except that for purposes of this clause, antibacterial ingredient or animal drug does not include the ionophore or arsenical classes of animal drugs''.

SEC. 738. (a) None of the funds appropriated or otherwise made available to the Secretary by this Act, any other Act, or any other source may be used to issue the final rule to implement the amendments to Federal milk marketing orders required by subsection (a)(1) of section 143 of the Agricultural Market Transition Act (7 U.S.C. 7253), other than during the period of February 1, 1999, through April 4, 1999, and only if the actual implementation of the amendments as part of Federal milk marketing orders takes effect on October 1, 1999, notwithstanding the penalties that would otherwise be imposed under subsection (c) of such section.

(b) None of such funds may be used to designate the State of California as a separate Federal milk marketing order under subsection (a)(2) of such section, other than during the period beginning on the date of the issuance of the final rule referred to in subsection (a) through September 30, 1999.

(c) For purposes of this section, a rule shall be considered to be a final rule when the rule is submitted to Congress as required by chapter 8 of title 5, United States Code, to permit congressional review of agency rulemaking and before the Secretary of Agriculture conducts the producer referendum required under section 8c(19) of the Agricultural Adjustment Act (7 U.S.C. 608c(19)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937.

SEC. 739. Whenever the Secretary of Agriculture announces the basic formula price for milk for purposes of Federal milk marketing orders issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, the Secretary shall include in the announcement an estimate, stated on a per hundredweight basis, of the costs incurred by milk producers, including transportation and marketing costs, to produce milk in the different regions of the United States.

SEC. 740. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out a conservation farm option program, as authorized by section 335 of Public Law 104–127.

SEC. 741. WAIVER OF STATUTE OF LIMITATIONS. (a) To the extent permitted by the Constitution, any civil action to obtain relief with respect to the discrimination alleged in an eligible complaint, if commenced not later than 2 years after the date of the enactment of this Act, shall not be barred by any statute of limitations.

(b) The complainant may, in lieu of filing a civil action, seek a determination on the merits of the eligible complaint by the Department of Agriculture if such complaint was filed not later than 2 years after the date of enactment of this Act. The Department of Agriculture shall—

(1) provide the complainant an opportunity for a hearing on the record before making that determination; and

(2) award the complainant such relief as would be afforded under the applicable statute from which the eligible complaint arose notwithstanding any statute of limitations.

(c) A proposed administrative award or settlement, exceeding $75,000 (other than debt relief), of an eligible complaint—

(1) shall not take effect until 90 days after notice of that award or settlement is given to the Attorney General (or the Attorney General's designee); and

(2) shall not take effect in any event if, during that 90-day period, the Attorney General (or the Attorney General's designee) objects to the award or settlement.

(d) Notwithstanding subsections (a) and (b), if an eligible claim is denied administratively, the claimant shall have at least 180 days to commence a cause of action in a Federal court of competent jurisdiction seeking a review of such denial.

(e) The United States Court of Federal Claims and the United States District Court shall have exclusive original jurisdiction over—

(1) any cause of action arising out of a complaint with respect to which this section waives the statute of limitations; and

(2) over any civil action for judicial review of a determination in an administrative proceeding in the Department of Agriculture under this section.

(f) As used in this section, the term ''eligible complaint'' means a non-employment-related complaint that was filed with the Department of Agriculture before July 1, 1997 and alleges discrimination at any time during the period beginning on January 1, 1983 and ending December 31, 1996:

(1) under the Equal Credit Opportunity Act (15 U.S.C. 1691 et seq.) in administering a farm ownership, farm operating, or emergency loan from the Agricultural Credit Insurance Program Account; or

(2) in the administration of a commodity program or a disaster assistance program.

(g) This section shall apply in fiscal year 1999 and thereafter.

SEC. 742. In any claim brought under the Rehabilitation Act of 1973 and filed with the Secretary of Agriculture after January 1994 resulting in a finding that a farmer was subjected to discrimination under any farm loan program or activity conducted by the United States Department of Agriculture in violation of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Secretary of Agriculture shall be liable for compensatory damages. Such liability shall apply to any administrative action brought before the date of enactment of this Act, but only if the action is brought within the applicable statute of limitations and the complainant sought or seeks compensatory damages while the action is pending.

SEC. 743. Public Law 102–237, Title X, Section 1013(a) and (b) (7 U.S.C. 426 note) is amended by striking '', to the extent practicable,'' in each instance in which it appears.

SEC. 744. Funds made available for conservation operations by this or any other Act, including prior-year balances, shall be available for financial assistance and technical assistance for Franklin County, Mississippi, in the amounts earmarked in appropriations report language.

SEC. 745. Section 306D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926d) is amended by inserting ''25 percent in'' in lieu of ''equal'' in subsection (b), and by inserting ''$20,000,000'' in lieu of ''$15,000,000'' in subsection (d).

SEC. 746. None of the funds made available to the Food and Drug Administration by this Act shall be used to close or relocate, or to plan to close or relocate, the Food and Drug Administration Division of Drug Analysis in St. Louis, Missouri.

SEC. 747. None of the funds made available by this Act or any other Act for any fiscal year may be used to carry out section 302(h) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622(h)) unless the Secretary of Agriculture inspects and certifies agricultural processing equipment, and imposes a fee for the inspection and certification, in a manner that is similar to the inspection and certification of agricultural products under that section, as determined by the Secretary: Provided, That this provision shall not affect the authority of the Secretary to carry out the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.).

SEC. 748. Notwithstanding the provisions of section 508(b)(5)(A) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(5)(A)), for the 1999 reinsurance and subsequent reinsurance years, no producer shall pay more than $50 per crop per county as an administrative fee for catastrophic risk protection under section 508(b)(5)(A) of the Act.

SEC. 749. That notwithstanding section 4703(d)(1) of title 5, United States Code, the personnel management demonstration project established in the Department of Agriculture, as described at 55 FR 9062 and amended at 61 FR 9507 and 61 FR 49178, shall be continued indefinitely and become effective upon enactment of this Act.

SEC. 750. (a) The first sentence of section 509(f)(4)(A) of the Housing Act of 1949 (42 U.S.C. 1479(f)(4)(A)) is amended by striking ''fiscal year 1998'' and inserting ''fiscal year 2000''.

(b) Section 515(b)(4) of the Housing Act of 1949 (42 U.S.C. 1485(b)(4)) is amended by striking ''September 30, 1998'' and inserting ''September 30, 2000''.

(c) The first sentence of section 515(w)(1) of the Housing Act of 1949 (42 U.S.C. 1485(w)(1)) is amended by striking ''fiscal year 1998'' and inserting ''fiscal year 2000''.

(d) Section 538 of the Housing Act of 1949 (42 U.S.C. 1490p–2) is amended—

(1) in subsection (t), by striking ''fiscal year 1998'' and inserting ''fiscal year 2000''; and

(2) in subsection (u), by striking ''September 30, 1998'' and inserting ''September 30, 2000''.

(e) Section 538(f) of the Housing Act of 1949 (42 U.S.C. 1490p–2(f)) is amended by adding after paragraph (5) the following new flush sentence:

''The Secretary may not deny a guarantee under this section on the basis that the interest on the loan, or on an obligation supporting the loan, for which the guarantee is sought is exempt from inclusion in gross income for purposes of chapter 1 of the Internal Revenue Code of 1986.''.

SEC. 751. Section 1237D(c)(1) of subchapter C of the Food Security Act of 1985 is amended by inserting after ''perpetual'' the following ''or 30-year''.

SEC. 752. Section 1237(b)(2) of subchapter C of the Food Security Act of 1985 is amended by adding the following:

''(C) For purposes of subparagraph (A), to the maximum extent practicable should be interpreted to mean that acceptance of wetlands reserve program bids may be in proportion to landowner interest expressed in program options.''.

SEC. 753. (a) Section 3(d)(3) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(d)(3)) (as amended by section 253(b) of the Agricultural Research, Extension, and Education Reform Act of 1998) is amended by striking ''The Secretary'' and inserting ''At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont, the Secretary''.

(b) Section 7(e)(2) of the Honey Research, Promotion, and Consumer Information Act (7 U.S.C. 4606(e)(2)) (as amended by section 605(f)(3) of the Agricultural Research, Extension, and Education Reform Act of 1998) is amended by striking ''$0.0075'' each place it appears and inserting ''$0.01''.

(c)(1) Section 793(c)(2)(B) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 2204f(c)(2)(B)) is amended—

(A) in clause (iii), by striking ''or'' at the end;

(B) in clause (iv), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(v) a State agricultural experiment station.''.

(2) Section 401(d) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621(d)) is amended—

(A) in paragraph (3), by striking ''or'' at the end;

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

(C) by adding at the end the following:

''(5) a State agricultural experiment station.''.

(d) Section 3(d) of the Hatch Act of 1887 (7 U.S.C. 361c(d)) is amended—

(1) in paragraph (1), by striking ''No'' and inserting ''Except as provided in paragraph (4), no''; and

(2) by adding at the end the following:

''(4) TERRITORIES.—In lieu of the matching funds requirement of paragraph (1), the Commonwealth of Puerto Rico, the Virgin Islands, and Guam shall be subject to the same matching funds requirements as those applicable to an eligible institution under section 1449 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222d).''.

(e) Section 3(e) of the Smith-Lever Act (7 U.S.C. 343(e)) is amended—

(1) in paragraph (1), by inserting ''paragraph (4) and'' after ''provided in''; and

(2) by adding at the end the following:

''(4) TERRITORIES.—In lieu of the matching funds requirement of paragraph (1), the Commonwealth of Puerto Rico, the Virgin Islands, and Guam shall be subject to the same matching funds requirements as those applicable to an eligible institution under section 1449 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222d).''.

(f) The amendments made by this section shall take effect on the date of enactment of the Agricultural Research, Extension, and Education Reform Act of 1998.

SEC. 754. None of the funds appropriated by this Act or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the users fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2000 appropriations Act.

SEC. 755. (a) Section 203(h) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622(h)) is amended by adding at the end the following: ''Shell eggs packed under the voluntary grading program of the Department of Agriculture shall not have been shipped for sale previous to being packed under the program, as determined under a regulation promulgated by the Secretary.''.

(b) Not later than 90 days after the date of enactment of this Act, the Secretary of Agriculture, and the Secretary of Health and Human Services, shall submit a joint status report to the Committees on Appropriations of the House of Representatives and the Senate that describes actions taken by the Secretary of Agriculture and the Secretary of Health and Human Services—

(1) to enhance the safety of shell eggs and egg products;

(2) to prohibit the grading, under the voluntary grading program of the Department of Agriculture, of shell eggs previously shipped for sale; and

(3) to assess the feasibility and desirability of applying to all shell eggs the prohibition on repackaging to enhance food safety, consumer information, and consumer awareness.

SEC. 756. Expenses for computer-related activities of the Department of Agriculture funded through the Commodity Credit Corporation pursuant to section 161(b)(1)(A) of Public Law 104–127 in fiscal year 1999 shall not exceed $65,000,000: Provided, That section 4(g) of the Commodity Credit Corporation Charter Act is amended by striking $193,000,000 and inserting $188,000,000.

SEC. 757. (a) The Secretary of Agriculture may use funds for tree assistance made available under Public Law 105–174, to carry out a tree assistance program to owners of trees that were lost or destroyed as a result of a disaster or emergency that was declared by the President or the Secretary of Agriculture during the period beginning May 1, 1998, and ending August 1, 1998, regardless of whether the damage resulted in loss or destruction after August 1, 1998.

(b) Subject to subsection (c), the Secretary shall carry out the program, to the maximum extent practicable, in accordance with the terms and conditions of the tree assistance program established under part 783 of title 7, Code of Federal Regulations.

(c) A person shall be presumed eligible for assistance under the program if the person demonstrates to the Secretary that trees owned by the person were lost or destroyed by May 31, 1999, as a direct result of fire blight infestation that was caused by a disaster or emergency described in subsection (a).

SEC. 758. None of the funds appropriated or otherwise made available by this Act shall be used to establish an Office of Community Food Security or any similar office within the United States Department of Agriculture without the prior approval of the Committee on Appropriations of both Houses of Congress.

SEC. 759. Notwithstanding any other provision of law, the city of Vineland, New Jersey, shall be eligible for programs administered by the Rural Housing Service and the Rural Business-Cooperative Service.

SEC. 760. (a)(1) For purposes of this section, the term ''Commission'' means the Commodity Futures Trading Commission.

(2) For purposes of this section, the term ''qualifying hybrid instrument or swap agreement'' means a hybrid instrument or swap agreement that—

(A) was entered into before the start of the restraint period or is entered into during the restraint period; and

(B) is exempt under part 34 or part 35 of title 17, Code of Federal Regulations (as in effect on January 1, 1998), qualifies for the safe harbor contained in the Policy Statement of the Commission regarding swap agreements published in the Federal Register on July 21, 1989 (54 Fed. Reg. 30694), or qualifies for the exclusion set forth in the Statutory Interpretation of the Commission concerning certain hybrid instruments published in the Federal Register on April 11, 1990 (55 Fed. Reg. 13582).

(3) For purposes of this section, the term ''restraint period'' means the period—

(A) beginning on the date of the enactment of this Act; and

(B) ending on March 30, 1999, or the first date on which legislation is enacted that authorizes appropriations for the Commission for a fiscal year after fiscal year 2000, whichever occurs first.

(b) During the restraint period, the Commission may not propose or issue any rule or regulation, or issue any interpretation or policy statement, that restricts or regulates activity in a qualifying hybrid instrument or swap agreement.

(c) Notwithstanding subsection (b), during the restraint period, the Commission may—

(1) act on a petition for exemptive relief under section 4(c) of the Commodity Exchange Act (7 U.S.C. 6(c));

(2) enter such cease and desist orders and take such enforcement action, including the imposition of sanctions, as the Commission considers necessary to enforce any provision of the Commodity Exchange Act (7 U.S.C. 1 et seq.) or title 17, Code of Federal Regulations, in connection with a qualifying hybrid instrument or swap agreement, to the extent such provision is otherwise applicable to that qualifying hybrid instrument or swap agreement or a transaction involving that qualifying hybrid instrument or swap agreement;

(3) take such action as the Commission considers appropriate with regard to agricultural trade options; and

(4) take such action as the Commission considers appropriate to respond to a market emergency.

(d)(1) The legal status of contracts involving a qualifying hybrid instrument or swap agreement shall not differ from the legal status afforded such contracts during the period—

(A) beginning on—

(i) in the case of swap agreements, July 21, 1989, which was the date on which the Commission adopted a Policy Statement regarding swap agreements (54 Fed. Reg. 30694); and

(ii) in the case of hybrid instruments, April 11, 1990, which was the date that the Statutory Interpretation of the Commission concerning hybrid instruments was published in the Federal Register; and

(B) ending on January 1, 1998.

(2) Neither the comment letter of the Commission submitted on February 26, 1998, to the Securities and Exchange Commission regarding the proposal known as ''Broker-Dealer Lite'', nor the Concept Release of the Commission regarding over-the-counter derivatives published in the Federal Register on May 12, 1998 (63 Fed. Reg. 26114), shall alter or affect the legal status of a qualifying hybrid instrument or swap agreement under the Commodity Exchange Act (7 U.S.C. 1 et seq.).

(e) Nothing in this section shall be construed as reflecting or implying a determination that a qualifying hybrid instrument or swap agreement, or a transaction involving a qualifying hybrid instrument or swap agreement, is subject to the Commodity Exchange Act (7 U.S.C. 1 et seq.).

SEC. 761. None of the funds appropriated or otherwise made available by this or any other Act may be used to carry out provisions of section 612 of Public Law 105–185.

SEC. 762. Section 136 of the Agricultural Market Transition Act (7 U.S.C. 7236) is amended by striking ''1.25 cents'' each place it appears in subsections (a) and (b) and inserting ''3 cents''.

SEC. 763. In implementing section 1124 of subtitle C of title XI of this Act, the Secretary of Agriculture shall:

(a) provide $18,000,000 to the states for distribution of emergency aid to individuals with family incomes below the federal poverty level who have been adversely affected utilizing Federal Emergency Management Agency guidelines;

(b) transfer to the Secretary of Commerce for obligation and expenditure (1) $15,000,000 for programs pursuant to title IX of Public Law 91–304, as amended, of which six percent may be available for administrative costs; (2) $5,000,000 for the Trade Adjustment Assistance program as provided by the Trade Act of 1974, as amended; and (3) $7,000,000 for disaster research and prevention pursuant to section 402(d) of Public Law 94–265; and

(c) transfer to the Administrator of the Small Business Administration for obligation and expenditure, $5,000,000 for the cost of direct loans authorized by section 7(b) of the Small Business Act, as amended, for eligible small businesses.

SEC. 764. (a) Section 604 of the Clean Air Act is amended by inserting at the end the following:

''(h) METHYL BROMIDE.—Notwithstanding subsection (d) and section 604(b), the Administrator shall not terminate production of methyl bromide prior to January 1, 2005. The Administrator shall promulgate rules for reductions in, and terminate the production, importation, and consumption of, methyl bromide under a schedule that is in accordance with, but not more stringent than, the phaseout schedule of the Montreal Protocol Treaty as in effect on the date of the enactment of this subsection.''.

(b) Section 604(d) of the Clean Air Act is amended by inserting at the end the following:

''(5) SANITATION AND FOOD PROTECTION.—To the extent consistent with the Montreal Protocol's quarantine and preshipment provisions, the Administrator shall exempt the production, importation, and consumption of methyl bromide to fumigate commodities entering or leaving the United States or any State (or political subdivision thereof) for purposes of compliance with Animal and Plant Health Inspection Service requirements or with any international, Federal, State, or local sanitation or food protection standard.

''(6) CRITICAL USES.—To the extent consistent with the Montreal Protocol, the Administrator and the Secretary of Agriculture, after notice and opportunity for public comment, may exempt the production, importation, and consumption of methyl bromide for critical uses.''.

(c) Section 604(e) of the Clean Air Act is amended by inserting at the end the following:

''(3) METHYL BROMIDE.—Notwithstanding the phaseout and termination of production of methyl bromide pursuant to section 604(h), the Administrator may, consistent with the Montreal Protocol, authorize the production of limited quantities of methyl bromide, solely for use in developing countries that are Parties to the Copenhagen Amendments to the Montreal Protocol.''.

TITLE VIII—AGRICULTURAL CREDIT

SEC. 801. Section 373 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008h) is amended by striking subsection (b) and inserting the following:

''(b) PROHIBITION OF LOANS FOR BORROWERS THAT HAVE RECEIVED DEBT FORGIVENESS.—

''(1) PROHIBITIONS.—Except as provided in paragraph (2)—

''(A) the Secretary may not make a loan under this title to a borrower that has received debt forgiveness on a loan made or guaranteed under this title; and

''(B) the Secretary may not guarantee a loan under this title to a borrower that has received—

''(i) debt forgiveness after April 4, 1996, on a loan made or guaranteed under this title; or

''(ii) received debt forgiveness on no more than 3 occasions on or before April 4, 1996.

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—The Secretary may make a direct or guaranteed farm operating loan for paying annual farm or ranch operating expenses of a borrower who—

(i) was restructured with a write-down under section 353; or

(ii) is current on payments under a confirmed reorganization plan under chapters 11, 12, or 13 of Title II of the United States Code.

''(B) EMERGENCY LOANS.—The Secretary may make an emergency loan under section 321 to a borrower that—

''(i) on or before April 4, 1996, received not more than 1 debt forgiveness on a loan made or guaranteed under this title; and

''(ii) after April 4, 1996, has not received debt forgiveness on a loan made or guaranteed under this title.''.

SEC. 802. Section 324(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1964(d)) is amended—

(1) by striking ''(d) All loans'' and inserting the following:

''(d) REPAYMENT.—

''(1) IN GENERAL.— All loans''; and

(2) by adding at the end the following:

''(2) NO BASIS FOR DENIAL OF LOAN.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall not deny a loan under this subtitle to a borrower by reason of the fact

that the borrower lacks a particular amount of collateral for the loan if the Secretary is reasonably certain that the borrower will be able to repay the loan.

''(B) REFUSAL TO PLEDGE AVAILABLE COLLATERAL.—The Secretary may deny or cancel a loan under this subtitle if a borrower refuses to pledge available collateral on request by the Secretary.''.

SEC. 803. (a) Section 508(n) of the Federal Crop Insurance Act (7 U.S.C. 1508(n)) is amended—

(1) by striking ''If'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), if''; and

(2) by adding at the end the following:

''(2) EXCEPTION.—Paragraph (1) shall not apply to emergency loans under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.).''.

(b) Section 196(i)(3) of the Agricultural Market Transition Act (7 U.S.C. 7333(i)(3)) is amended—

(1) by striking ''If'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), if''; and

(2) by adding at the end the following:

''(B) EXCEPTION.—Subparagraph (A) shall not apply to emergency loans under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.).''.

SEC. 804. Section 302 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922) is amended by adding at the end the following:

''(D) NOTICE.—Beginning with fiscal year 2000 not later than 12 months before a borrower will become ineligible for direct loans under this subtitle by reason of this paragraph, the Secretary shall notify the borrower of such impending ineligibility.''.

SEC. 805. The Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) is amended—

(1) in section 302(a)(2) (7 U.S.C. 1922(a)(2)), by inserting ''for direct loans only,'' before ''have either'';

(2) in section 311(a)(2) (7 U.S.C. 1941(a)(2)), by inserting ''for direct loans only,'' before ''have either''; and

(3) in section 359 (7 U.S.C. 2006a)—

(A) in subsection (a), by striking ''and guaranteed''; and

(B) in subsection (c), by striking ''or guaranteed'' each place it appears.

SEC. 806. (a) Section 305 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1925) is amended—

(1) by striking ''Sec. 305. The Secretary'' and inserting the following:

''SEC. 305. LIMITATIONS ON AMOUNT OF FARM OWNERSHIP LOANS.

''(a) IN GENERAL.—The Secretary'';

(2) by striking ''$300,000'' and inserting ''$700,000 (increased, beginning with fiscal year 2000, by the inflation percentage applicable to the fiscal year in which the loan is guaranteed and reduced by the amount of any unpaid indebtedness of the borrower on loans under subtitle B that are guaranteed by the Secretary)'';

(3) by striking ''In determining'' and inserting the following:

''(b) DETERMINATION OF VALUE.—In determining''; and

(4) by adding at the end the following:

''(c) INFLATION PERCENTAGE.—For purposes of this section, the inflation percentage applicable to a fiscal year is the percentage (if any) by which—

''(1) the average of the Consumer Price Index (as defined in section 1(f)(5) of the Internal Revenue Code of 1986) for the 12-month period ending on August 31 of the immediately preceding fiscal year; exceeds

''(2) the average of the Consumer Price Index (as so defined) for the 12-month period ending on August 31, 1996.''.

(b) Section 313 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1943) is amended—

(1) by striking ''Sec. 313. The Secretary'' and inserting the following:

''SEC. 313. LIMITATIONS ON AMOUNT OF OPERATING LOANS.

''(a) IN GENERAL.—The Secretary'';

(2) by striking ''this subtitle (1) that would cause'' and inserting ''this subtitle—

''(1) that would cause'';

(3) by striking ''$400,000; or (2) for the purchasing'' and inserting ''$700,000 (increased, beginning with fiscal year 2000, by the inflation percentage applicable to the fiscal year in which the loan is guaranteed and reduced by the unpaid indebtedness of the borrower on loans under the sections specified in section 305 that are guaranteed by the Secretary); or

''(2) for the purchasing''; and

(4) by adding at the end the following:

''(b) INFLATION PERCENTAGE.—For purposes of this section, the inflation percentage applicable to a fiscal year is the percentage (if any) by which—

''(1) the average of the Consumer Price Index (as defined in section 1(f)(5) of the Internal Revenue Code of 1986) for the 12-month period ending on August 31 of the immediately preceding fiscal year; exceeds

''(2) the average of the Consumer Price Index (as so defined) for the 12-month period ending on August 31, 1996.''.

SEC. 807. Section 353(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2001(e)) is amended by adding at the end the following:

''(6) NOTICE OF RECAPTURE.—Beginning with fiscal year 2000 not later than 12 months before the end of the term of a shared appreciation arrangement, the Secretary shall notify the borrower involved of the provisions of the arrangement.''.

SEC. 808. Section 353(c)(3)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2001(c)(3)(C)) is amended by striking ''110 percent'' and inserting ''100 percent''.

TITLE IX—INDIA-PAKISTAN RELIEF ACT

SEC. 901. SHORT TITLE. This title may be cited as the ''India-Pakistan Relief Act of 1998''.

SEC. 902. WAIVER AUTHORITY. (a) AUTHORITY.—The President may waive for a period not to exceed one year upon enactment of this Act with respect to India or Pakistan the application of any sanction or prohibition (or portion thereof) contained in section 101 or 102 of the Arms Export Control Act, section 620E(e) of the Foreign Assistance Act of 1961, or section 2(b)(4) of the Export Import Bank Act of 1945.

(b) EXCEPTION.—The authority provided in subsection (a) shall not apply to any restriction in section 102(b)(2) (B), (C), or (G) of the Arms Export Control Act.

(c) AVAILABILITY OF AMOUNTS.—Amounts made available by this section are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided, That such amounts shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

SEC. 903. CONSULTATION. Prior to each exercise of the authority provided in section 902, the President shall consult with the appropriate congressional committees.

SEC. 904. REPORTING REQUIREMENT. Not later than 30 days prior to the expiration of a one-year period described in section 902, the Secretary of State shall submit a report to the appropriate congressional committees on economic and national security developments in India and Pakistan.

SEC. 905. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED. In this title, the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives and the Committees on Appropriations of the House of Representatives and the Senate.

TITLE X—UNDER SECRETARY OF AGRICULTURE FOR MARKETING AND REGULATORY PROGRAMS

SEC. 1001. GENERAL.

Title II of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6901 et seq.) is amended—

(1) in section 218(a)—

(A) in paragraph (1) by adding ''and'' at the end;

(B) in paragraph (2) by striking ''; and'' and inserting a period; and

(C) by striking paragraph (3);

(2) by redesignating subtitle I as subtitle J;

(3) by inserting after subtitle H the following:

''Subtitle I—Marketing and Regulatory Programs

''SEC. 285. UNDER SECRETARY OF AGRICULTURE FOR MARKETING AND REGULATORY PROGRAMS.

''(a) AUTHORIZATION.—The Secretary is authorized to establish in the Department the position of Under Secretary of Agriculture for Marketing and Regulatory Programs.

''(b) CONFIRMATION REQUIRED.—If the Secretary establishes the position of Under Secretary of Agriculture for Marketing and Regulatory Programs authorized under subsection (a), the Under Secretary shall be appointed by the President, by and with the advice and consent of the Senate.

''(c) FUNCTIONS OF UNDER SECRETARY.—

''(1) PRINCIPAL FUNCTIONS.—Upon establishment, the Secretary shall delegate to the Under Secretary of Agriculture for Marketing and Regulatory Programs those functions and duties under the jurisdiction of the Department that are related to agricultural marketing, animal and plant health inspection, grain inspection, and packers and stockyards.

''(2) ADDITIONAL FUNCTIONS.—The Under Secretary of Agriculture for Marketing and Regulatory Programs shall perform such other functions and duties as may be required by law or prescribed by the Secretary.

''(d) SUCCESSION.—Any official who is serving as Assistant Secretary of Agriculture for Marketing and Regulatory Programs on the date of the enactment of this section and who was appointed by the President, by and with the advice and consent of the Senate, shall not be required to be reappointed under subsection (b) to the successor position authorized under subsection (a) if the Secretary establishes the position, and the official occupies the new position, within 180 days after the date of enactment of this section (or such later date set by the Secretary if litigation delays rapid succession).

''(e) EXECUTIVE SCHEDULE.—Section 5314 of title 5, United States Code, is amended by inserting after the item relating to the Under Secretary of Agriculture for Food Safety (as added by section 261(c)) the following:

'Under Secretary of Agriculture for Marketing and Regulatory Programs.'.''; and

(4) in section 296(b)—

(A) in paragraph (2), by striking ''or'';

(B) in paragraph (3), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(4) the authority of the Secretary to establish in the Department the position of Under Secretary of Agriculture for Marketing and Regulatory Programs under section 285.''.

SEC. 1002. PAY INCREASE PROHIBITED.

The compensation of any officer or employee of the Department of Agriculture on the date of enactment of this Act shall not be increased as a result of the enactment of this Act.

SEC. 1003. CONFORMING AMENDMENT.

Section 5315 of title 5, United States Code, is amended by striking ''Assistant Secretaries of

Agriculture (3).'' and inserting ''Assistant Secretaries of Agriculture (2).''.

TITLE XI—EMERGENCY AND MARKET LOSS ASSISTANCE

Subtitle A—Emergency Assistance for Crop and Livestock Feed Losses Due to Disasters

SEC. 1101. GENERAL PROVISIONS.

(a) FAIR AND EQUITABLE DISTRIBUTION.—Assistance made available under this subtitle shall be distributed in a fair and equitable manner to producers who have incurred crop and livestock feed losses in all affected geographic regions of the United States.

(b) PROGRAM ADMINISTRATION.—In carrying out this subtitle, the Secretary of Agriculture (referred to in this title as the ''Secretary'') may determine—

(1) 1 or more loss thresholds producers on a farm must incur with respect to a crop to be eligible for assistance;

(2) the payment rate for crop and livestock feed losses incurred; and

(3) eligibility and payment limitation criteria (as defined by the Secretary) for persons to receive assistance under this subtitle, which, in the case of assistance received under any section of this subtitle, shall be in addition to—

(A) assistance made available under any other section of this subtitle and subtitle B;

(B) payments or loans received by a person under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.);

(C) payments received by a person for the 1998 crop under the noninsured crop assistance program established under section 196 of that Act (7 U.S.C. 7333);

(D) crop insurance indemnities provided for the 1998 crop under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

(E) emergency loans made available for the 1998 crop under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.).

SEC. 1102. CROP LOSS ASSISTANCE.

(a) IN GENERAL.—The Secretary shall administer a program under which emergency financial assistance is made available to producers on a farm who have incurred losses associated with crops due to disasters (as determined by the Secretary).

(b) LOSSES INCURRED FOR 1998 CROP.—Subject to section 1132, the Secretary shall use not more than $1,500,000,000 to make available assistance to producers on a farm who have incurred losses in the 1998 crop due to disasters.

(c) MULTIYEAR LOSSES.—Subject to section 1132, the Secretary shall use not more than $675,000,000 to make available assistance to producers on a farm who have incurred multiyear losses (as defined by the Secretary) in the 1998 and preceding crops of a commodity due to disasters (including, but not limited to, diseases such as scab).

(d) RELATIONSHIP BETWEEN ASSISTANCE.—The Secretary shall make assistance available to producers on a farm under either subsection (b) or (c).

(e) QUALIFYING LOSSES.—Assistance under this section may be made for losses associated with crops that are due to, as determined by the Secretary—

(1) quantity losses;

(2) quality (including, but not limited to, aflatoxin) losses; or

(3) severe economic losses due to damaging weather or related condition.

(f) CROPS COVERED.—Assistance under this section shall be applicable to losses for all crops, as determined by the Secretary, due to disasters.

(g) CROP INSURANCE.—

(1) ADMINISTRATION.—In carrying out this section, the Secretary shall not discriminate against or penalize producers on a farm who have purchased crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(2) ENCOURAGING FUTURE CROP INSURANCE PARTICIPATION.—Subject to section 1132, the Secretary, acting through the Federal Crop Insurance Corporation, may use the funds made available under subsections (b) and (c), and only those funds, to provide premium refunds or other assistance to purchasers of crop insurance for their 1998 insured crops, or their preceding (including 1998) insured crops.

(3) PRODUCERS WHO HAVE NOT PURCHASED CROP INSURANCE FOR 1998 CROP.—As a condition of receiving assistance under this section, producers on a farm who have not purchased crop insurance for the 1998 crop under that Act shall agree by contract to purchase crop insurance for the subsequent 2 crops produced by the producers.

(4) LIQUIDATED DAMAGES.—

(A) IN GENERAL.—The contract under paragraph (3) shall provide for liquidated damages to be paid by the producers due to the failure of the producers to purchase crop insurance as provided in paragraph (3).

(B) NOTICE OF DAMAGES.—The amount of the liquidated damages shall be established by the Secretary and specified in the contract agreed to by the producers.

(5) FUNDING FOR CROP INSURANCE PURCHASE REQUIREMENT.—Subject to section 1132, such sums as may be necessary, to remain available until expended, shall be available to the Federal Crop Insurance Corporation to cover costs incurred by the Corporation as a result of the crop insurance purchase requirement of paragraph (3). Funds made available under subsections (b) and (c) may not be used to cover such costs.

SEC. 1103. EMERGENCY LIVESTOCK FEED ASSISTANCE.

Subject to section 1132, the Secretary shall use not more than $175,000,000 to make available livestock feed assistance to livestock producers affected by disasters during calendar year 1998.

Subtitle B—Market Loss Assistance

SEC. 1111. MARKET LOSS ASSISTANCE.

(a) IN GENERAL.—Subject to section 1132, the Secretary shall use $1,650,000,000 for assistance to owners and producers on a farm who are eligible for final payments for fiscal year 1998 under a production flexibility contract for the farm under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) to partially compensate the owners and producers for the loss of markets for the 1998 crop of a commodity.

(b) AMOUNT.—The amount of assistance made available to owners and producers on a farm under this section shall be proportional to the amount of the contract payment received by the owners and producers for fiscal year 1998 under a production flexibility contract for the farm under the Agricultural Market Transition Act.

(c) TIME FOR PAYMENT.—The assistance made available under this section for an eligible owner or producer shall be made as soon as practicable after the date of enactment of this Act.

Subtitle C—Other Assistance

SEC. 1121. INDEMNITY PAYMENTS FOR COTTON PRODUCERS.

(a) FEDERAL CONTRIBUTION.—Subject to subsection (b), the Secretary of Agriculture shall pay $5,000,000 to the State of Georgia to help fund an indemnity fund, to be established and managed by that State, to compensate cotton producers in that State for losses incurred in 1998 or 1999 from the loss of properly stored, harvested cotton as the result of the bankruptcy of a warehouseman or other party in possession of warehouse receipts evidencing title to the commodity, an improper conversion or transfer of the cotton, or such other potential hazards as determined appropriate by the State.

(b) CONDITIONS ON PAYMENT TO STATE.—The Secretary of Agriculture shall make the payment to the State of Georgia under subsection (a) only if the State also contributes $5,000,000 to the indemnity fund and agrees to expend all amounts in the indemnity fund by not later than January 1, 2000, to provide compensation to cotton producers as provided in such subsection. If the State of Georgia fails to make its contribution of $5,000,000 to the indemnity fund by July 1, 1999, the funds that would otherwise be paid to the State shall be available to the Secretary for the purpose of providing partial compensation to cotton producers as provided in such subsection.

(c) REPORTING REQUIREMENTS.—Upon the establishment of the indemnity fund, and not later than October 1, 1999, the State of Georgia shall submit a report to the Secretary of Agriculture and the Congress describing the State's efforts to use the indemnity fund to provide compensation to injured cotton producers.

SEC. 1122. HONEY RECOURSE LOANS.

(a) IN GENERAL.—In order to assist producers of honey to market their honey in an orderly manner during a period of disastrously low prices, the Secretary shall make available recourse loans to producers of the 1998 crop of honey on fair and reasonable terms and conditions, as determined by the Secretary.

(b) LOAN RATE.—The loan rate of the loans shall be 85 percent of the average price of honey during the 5-crop year period preceding the 1998 crop year, excluding the crop year in which the average price of honey was the highest and the crop year in which the average price of honey was the lowest in the period.

(c) NO NET COST BASIS.—Repayment of a loan under this section shall include repayment for interest and administrative costs as necessary to operate the program established under this section on a no net cost basis.

SEC. 1123. NONINSURED CROP ASSISTANCE TO RAISIN PRODUCERS.

Notwithstanding any of the provisions of section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) that would exclude the following producers from benefits thereunder, the Secretary shall make Noninsured Crop Assistance Program payments in fiscal year 1999 to raisin producers who obtained catastrophic risk protection but because of adverse weather conditions were not able to comply with the policy deadlines for laying the raisins in trays.

SEC. 1124. EMERGENCY ASSISTANCE.

In addition to amounts appropriated or otherwise made available by this Act, $50,000,000 is appropriated to the Department of Agriculture, to remain available until expended, to provide emergency disaster assistance to persons or entities who have incurred losses from a failure under section 312(a) of Public Law 94–265.

SEC. 1125. FOOD FOR PROGRESS.

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

(1) in subsection (f)(3), by inserting after ''$30,000,000'' the following: ''(or, in the case of fiscal year 1999, $35,000,000)'';

(2) in subsection (l)(1), by inserting after ''$10,000,000'' the following: ''(or, in the case of fiscal year 1999, $12,000,000)'';

(3) by redesignating subsection (n) as subsection (o); and

(4) by inserting after subsection (m) the following:

''(n) During fiscal year 1999, to the maximum extent practicable, the Secretary shall utilize Private Voluntary Organizations to carry out this section.''.

SEC. 1126. TEMPORARY EXPANSION OF RECOURSE LOAN AUTHORITY.

Section 137 of the Agricultural Market Transition Act (7 U.S.C. 7237) is amended—

*(1) in the section heading, by inserting ''**and other fibers**'' before the period at the end;*

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

''(c) RECOURSE LOANS AVAILABLE FOR MOHAIR.—

''(1) RECOURSE LOANS AVAILABLE.—Notwithstanding any other provision of law, during fiscal year 1999, the Secretary shall make available

recourse loans, as determined by the Secretary, to producers of mohair produced during or before that fiscal year.

''(2) LOAN RATE.—The loan rate for a loan under paragraph (1) shall be equal to $2.00 per pound.

''(3) TERM OF LOAN.—A loan under paragraph (1) shall have a term of 1 year beginning on the first day of the first month after the month in which the loan is made.

''(4) WAIVER OF INTEREST.—Notwithstanding subsection (d), the Secretary shall not charge interest on a loan made under paragraph (1).''.

Subtitle D—Administration

SEC. 1131. COMMODITY CREDIT CORPORATION.

Subject to section 1132, the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out subtitles A, B, and C.

SEC. 1132. EMERGENCY REQUIREMENT.

Notwithstanding the last sentence of section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, amounts made available by subtitles A, B, and C of this title are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided, That such amounts shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress.

SEC. 1133. REGULATIONS.

(a) ISSUANCE OF REGULATIONS.—As soon as practicable after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall issue such regulations as are necessary to implement subtitles A, B, and C. The issuance of the regulations shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'').

(b) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

TITLE XII—BIODIESEL

SEC. 1201. BIODIESEL FUEL USE CREDITS.

(a) AMENDMENT.—Title III of the Energy Policy Act of 1992 (42 U.S.C. 13211–13219) is amended by adding at the end the following new section:

''SEC. 312. BIODIESEL FUEL USE CREDITS.

''(a) ALLOCATION OF CREDITS.—

''(1) IN GENERAL.—The Secretary shall allocate one credit under this section to a fleet or covered person for each qualifying volume of the biodiesel component of fuel containing at least 20 percent biodiesel by volume purchased after the date of the enactment of this section for use by the fleet or covered person in vehicles owned or operated by the fleet or covered person that weigh more than 8,500 pounds gross vehicle weight rating.

''(2) EXCEPTIONS.—No credits shall be allocated under paragraph (1) for a purchase of biodiesel—

''(A) for use in alternative fueled vehicles; or

''(B) that is required by Federal or State law.

''(3) AUTHORITY TO MODIFY PERCENTAGE.—The Secretary may, by rule, lower the 20 percent biodiesel volume requirement in paragraph (1) for reasons related to cold start, safety, or vehicle function considerations.

''(4) DOCUMENTATION.—A fleet or covered person seeking a credit under this section shall provide written documentation to the Secretary supporting the allocation of a credit to such fleet or covered person under paragraph (1).

''(b) USE OF CREDITS.—

''(1) IN GENERAL.—At the request of a fleet or covered person allocated a credit under subsection (a), the Secretary shall, for the year in which the purchase of a qualifying volume is made, treat that purchase as the acquisition of one alternative fueled vehicle the fleet or covered person is required to acquire under this title, title IV, or title V.

''(2) LIMITATION.—Credits allocated under subsection (a) may not be used to satisfy more than 50 percent of the alternative fueled vehicle requirements of a fleet or covered person under this title, title IV, and title V. This paragraph shall not apply to a fleet or covered person that is a biodiesel alternative fuel provider described in section 501(a)(2)(A).

''(c) CREDIT NOT A SECTION 508 CREDIT.—A credit under this section shall not be considered a credit under section 508.

''(d) ISSUANCE OF RULE.—The Secretary shall, before January 1, 1999, issue a rule establishing procedures for the implementation of this section.

''(e) COLLECTION OF DATA.—The Secretary shall collect such data as are required to make a determination described in subsection (f)(2)(B).

''(f) DEFINITIONS.—For purposes of this section—

''(1) the term 'biodiesel' means a diesel fuel substitute produced from nonpetroleum renewable resources that meets the registration requirements for fuels and fuel additives established by the Environmental Protection Agency under section 211 of the Clean Air Act; and

''(2) the term 'qualifying volume' means—

''(A) 450 gallons; or

''(B) if the Secretary determines by rule that the average annual alternative fuel use in light duty vehicles by fleets and covered persons exceeds 450 gallons or gallon equivalents, the amount of such average annual alternative fuel use.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Energy Policy Act of 1992 is amended by adding at the end of the items relating to title III the following new item:

''Sec. 312. Biodiesel fuel use credits.''.

TITLE XIII—EMERGENCY APPROPRIATIONS

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $40,000,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

For an additional gross obligation for the principal amount of direct and guaranteed farm operating loans as authorized by 7 U.S.C. 1928–1929, to be available from funds in the Agricultural Credit Insurance Fund, $540,510,000, of which $150,000,000 shall be for unsubsidized guaranteed loans and $156,704,000 shall be for subsidized guaranteed loans.

For the additional cost of direct and guaranteed farm operating loans, including the cost of modifying such loans as defined in section 502 of the Congressional Budget Act of 1974, farm operating loans, $31,405,000, of which $15,969,000 shall be for direct loans, $13,696,000 for guaranteed subsidized loans, and $1,740,000 for unsubsidized guaranteed loans: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATURAL RESOURCES CONSERVATION SERVICE

FORESTRY INCENTIVES PROGRAM

For an additional amount to carry out the program of forestry incentives, as authorized by the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, $10,000,000, to remain available until expended, as authorized by that Act: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That such amount shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

This Act may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999''.

And the Senate agree to the Same.

JOE SKEEN,
JAMES T. WALSH,
JAY DICKEY,
JACK KINGSTON,
GEORGE R. NETHERCUTT, Jr.,
HENRY BONILLA,
TOM LATHAM,
BOB LIVINGSTON,
MARCY KAPTUR (except CFTC derivative moratorium),
VIC FAZIO,
JOSÉ E. SERRANO,
ROSA L. DELAURO,
Managers on the Part of the House.

THAD COCHRAN,
ARLEN SPECTER,
KIT BOND,
SLADE GORTON,
MITCH MCCONNELL,
CONRAD BURNS,
TED STEVENS,
DALE BUMPERS (with exception of title XI),
TOM HARKIN (with exception of title XI),
PATRICK J. LEAHY (with exception of title XI),
BARBARA BOXER (with exception of title XI),
ROBERT C. BYRD (with exception of title XI),
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

CONGRESSIONAL DIRECTIVES

The statement of the managers remains silent on provisions that were in both the House and Senate bills that remain unchanged by this conference agreement, except as noted in this statement of the managers.

The conferees agree that executive branch wishes cannot substitute for Congress' own statements as to the best evidence of congressional intentions—that is, the official reports of the Congress. The conferees further point out that funds in this Act must be used for the purposes for which appropriated, as required by section 1301 of title 31 of the United States Code, which provides: ''Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.''

The House and Senate report language that is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein.

FOOD SAFETY INITIATIVE

Funding for Food Safety is of critical importance to the conferees and, accordingly, it has been given high priority. The conferees note that many of the activities described under the President's Food Safety Initiative have been funded for many years. The President's budget request, which assumes the collection of user fees that have not been authorized, further complicates the process.

The following table reflects funding increases for activities identified under the Food Safety Initiative:

Food and Drug Administration	$20,000,000
Food Safety and Inspection Service	8,412,000
Office of the Chief Economist	98,000
Economic Research Service	453,000
Food and Nutrition Service	2,000,000
Cooperative State Research, Education and Extension Service	12,135,000
Agricultural Research Service	8,802,000
Total	$51,900,000

TITLE I—AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

The conference agreement provides $2,836,000 for the Office of the Secretary as proposed by the Senate instead of $2,941,000 as proposed by the House.

The conference agreement adopts language as proposed by the House to prohibit the use of salaries and expenses to carry out section 793(d) of Public Law 104–127, a limitation on program levels in the Fund for Rural America and section 793(c)(1)(C) of Public Law 104–127, a limitation on housing assistance. The Senate bill had no similar provision.

The conferees concur with Senate report language regarding the Food Quality Protection Act (FQPA) that says that, in implementing the FQPA, decisions should be ''. . . based on sound science, and reliable, accurate and widely accepted data which reflects the Nation's agricultural production, practices, and conditions.''

The conferees understand the trust responsibility the U.S. has toward Indians and Alaska Natives and directs the Department of Agriculture to report to the Congress no later than February 1, 1999, on the progress made with Indian agriculture, Federal interagency coordination, and the level of Indian usage of Federal programs and initiatives outlined to benefit Indian agriculture.

The conferees have included in the bill a prohibition on funding to establish an Office of Community Food Security or any similar office without the prior approval of the Committees on Appropriations.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

The conference agreement provides $5,620,000 for the Chief Economist instead of $5,973,000 as proposed by the House and $5,048,000 as proposed by the Senate. Included in this amount is $219,000 for agricultural weather activities, $255,000 for the World Agricultural Outlook Board, and $98,000 to support the Food Safety Initiative.

NATIONAL APPEALS DIVISION

The conference agreement provides $11,718,000 for the National Appeals Division as proposed by the Senate instead of $12,204,000 as proposed by the House.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

The conference agreement provides $6,120,000 for the Office of Budget and Program Analysis as proposed by the House instead of $5,986,000 as proposed by the Senate.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

The conference agreement provides $613,000 for the Office of the Assistant Secretary for Administration as proposed by the Senate instead of $636,000 as proposed by the House.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

The conference agreement does not include language as proposed by the House limiting the purpose for which funds may be transferred to commercial space expansion. The conference agreement includes new language that provides flexibility for the Secretary to transfer not more than 5 percent of this appropriation to or from another agency's appropriation to allow for incremental changes in the amount of GSA or commercial space and not to finance changes in GSA billing.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides $32,168,000 for Departmental Administration as proposed by the House instead of $27,034,000 as proposed by the Senate.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $65,128,000 for the Office of the Inspector General instead of $67,178,000 as proposed by the House and $63,128,000 as proposed by the Senate. Included in this amount is $100,000 for confidential operational expenses instead of $95,000 as proposed by the House and $125,000 as proposed by the Senate. The conference agreement includes $2,000,000 for law enforcement and related work instead of $1,965,000 as proposed by the House.

OFFICE OF THE GENERAL COUNSEL

The conference agreement provides $29,194,000 for the Office of the General Counsel instead of $30,396,000 as proposed by the House and $28,759,000 as proposed by the Senate. Included in this amount is $435,000 to provide legal support for the Department's civil rights program.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

The conference agreement provides $540,000 for the Office of the Under Secretary for Research, Education and Economics as proposed by the Senate instead of $560,000 as proposed by the House.

ECONOMIC RESEARCH SERVICE

The conference agreement provides $65,757,000 for the Economic Research Service instead of $67,282,000 as proposed by the House and $53,109,000 as proposed by the Senate. Included in this amount is $12,195,000 for studies and evaluations of the child nutrition, WIC, and food stamp programs. Of this amount, $2,000,000 is transfered to the Food Program Administration account of the Food and Nutrition Service to conduct programmatic evaluations and analyses. The conferees direct that any welfare reform studies, analyses, or evaluations undertaken by the agency shall directly relate to USDA programs.

The conferees expect a study as proposed by the House, as part of the nutrition related studies, to assess cost containment practices used by states to limit branded products sold in the WIC food package other than infant formula. The conferees direct that the total cost for this study shall not exceed $1,100,000 in fiscal year 1999 nor $1,500,000 over the next three years.

The conference agreement includes $453,000 for estimating the benefits of food safety.

The conferees are aware of a 1996 GAO study on plate waste in the school lunch program and expect the USDA to develop recommendations for eliminating this problem.

Two years ago, the U.S. Congress set U.S. farm policy through the year 2002. As international trade negotiations move into a phase critical to U.S. agriculture, it is essential that our negotiators and farmers have accurate and timely information. Therefore, in addition to the language in the Senate report, the conferees expect commodity situation and outlook reports be maintained at the reporting frequency in place at the time of enactment of the Food and Agriculture Improvement and Reform Act.

The conference agreement provides $300,000 for a study by the National Academy of Sciences concerning the appropriate amounts of fruit, fiber and sugar in the diet of the population targeted for benefit by the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). The study will be a compilation and review of existing studies and data, including data compiled and materials prepared by the Department in developing the Dietary Guidelines and the Healthy Eating Index. It will examine, in particular, whether WIC program participants would benefit nutritionally if the six grams of sugar per ounce of dried cereal limitation in WIC program regulations were to be modified so that sugar contained in dried fruit in such cereals did not count against this limitation. The study will also examine the impact of the above modifications to the WIC dried cereal limitation on the dental health of WIC participants. A report on this study should be transmitted to the appropriate committees of Congress and to the Secretary no later than 12 months after the project is initiated by the Academy.

NATIONAL AGRICULTURAL STATISTICS SERVICE

The conference agreement provides $103,964,000 for the National Agricultural Statistics Service as proposed by the Senate instead of $105,082,000 as proposed by the House. Of this amount up to $23,599,000, is provided for the Census of Agriculture including $600,000 for the agriculture economics and land ownership survey and the aquaculture statistics census as proposed by the Senate instead of up to $23,141,000 as proposed by the House.

The conferees expect the National Agricultural Statistics Service to continue to revise the Census of Agriculture to eliminate redundancies in questions asked of farmers.

AGRICULTURAL RESEARCH SERVICE

The conference agreement provides $781,950,000 for the Agricultural Research Service instead of $755,816,000 as proposed by the House and $768,221,000 as proposed by the Senate.

The following table reflects the conference agreement:

	Amount
FY 1998 Appropriation	$744,605,000
Transfer:	
Office of Civil Rights	170,000
Department of State	16,000

	Amount
Rescission	($223,000)
Adjusted FY 1998 Base	744,568,000
Emerging Diseases and Exotic Pests	7,550,000
Plants: Emerging Plant Diseases	(1,450,000)
Albany, CA	{250,000}
Beltsville, MD	{250,000}
Frederick, MD	{250,000}
College Station, TX	{250,000}
Montpellier, FR	{250,000}
Logan, UT	{200,000}
Fusarium Head Blight (ARS/Consortium of 12 Land Grant Univ	{3,000,000}
Animals: Exotic Infectious Diseases	(3,100,000)
Athens, GA	{500,000}
Ames, IA {NADC	{1,000,000}
Beltsville, MD	{500,000}
Pullman, WA	{600,000}
Laramie, WY	{500,000}
Environmental Quality/ Natural Resources	2,400,000
Bioactive Compounds	(250,000)
Gainesville, FL	{250,000}
IPM/Areawide	{1,150,000}
Beltsville, MD	{250,000}
Columbia, MO	{400,000}
Stoneville, MS	{250,000}
College Station, TX	{250,000}
Livestock Management Systems	(1,000,000)
Everglades Initiative	750,000
Canal Point, FL	{250,000}
Miami, FL	{250,000}
Ft. Lauderdale, FL	{250,000}
Food Safety	8,802,000
Preharvest	(4,802,000)
Athens, GA	{250,000}
Ames, IA	{250,000}
West Lafayette, IN	{250,000}
Beltsville, MD	{250,000}
Clay Center, NE	{600,000}
College Station, TX	{250,000}
Postharvest	(2,000,000)
Safety/Quality of Fruits/ Vegetables	1,000,000
Food Safety Engineering, Purdue Univ	1,000,000
Genetic Resources	2,100,000
Palmer, AK	{100,000}
Columbia, MO	(700,000)
Leetown, WV	{1,000,000}
Human Nutrition Initiative	2,250,000
Little Rock, AR	{750,000}
San Francisco, CA	{250,000}
Boston, MA	{250,000}
Beltsville, MD	{250,000}
Grand Forks, ND	{250,000}
Houston, TX	{500,000}
Pfiesteria	719,000
Alternative Fish Feed, Aberdeen, ID	250,000
Appalachian Fruit Research Station, Kearneysville, WV	250,000
Aquaculture Research, AK	1,100,000
Biological Control of Western Weeds, Albany, CA	300,000
Biomedical Materials in Plants {C/A with Biotech. Foundation, Inc.	500,000
Cereal Crops Research, Madison WI	250,000
Cotton Ginning, Stoneville, MS	250,000
Endophyte Research {C/A with Univ. of AR, MO and OSU	200,000
Fish Diseases, Auburn, AL	750,000
Fish Farming Experiment Laboratory, Stuttgart, AR	750,000
Floriculture and Nursery Crop Res {USNA, Washington, DC/OSU/Cornell and CA Univ	1,000,000
Ft. Pierce, FL {Horticulture	500,000
Forage Crops, Woodward, OK	250,000
Garden Unit, USNA, Washington, DC	250,000
Golden Nematode, Ithaca, NY	150,000
Grape Rootstock, Geneva, NY	300,000
Grasshopper Research, AK	750,000
Grazinglands Research, El Reno, OK	250,000
Honeybee Research Varroa/ Tracheal Mites, Baton Rouge, LA	300,000
Lettuce Geneticist/Breeding, Salinas, CA	250,000
Lyme Disease {Tick Control Project, Beltsville, MD	200,000
Manure Handling and Disposal, Starkville, MS	500,000
Meadowfoam Research, Peoria, IL	200,000
Mycoplasma Research, Starkville, MS	250,000
National Warmwater Aquaculture Center, Stoneville, MS	1,100,000
National Agricultural Library	250,000
Natural Products, Oxford, MS	750,000
New England Plant, Soil and Water Lab, Orono, ME	250,000
Non-Chemical Control of Pecan Insect Pests, Byron, GA	250,000
Peach Varieties Research, Byron, GA	150,000
Peanut Quality Research Dawson, GA/Raleigh, NC	1,000,000
Pear Thrips, Ithaca, NY	100,000
Potato Breeder Position, Aberdeen, ID	150,000
Range Research, Burns, OR	250,000
Rice Research:	
Stuttgart, AR	1,400,000
Davis, CA	250,000
Beaumont, TX	200,000
Root Diseases of Wheat and Barley, Pullman, WA	500,000
Small Fruits Research, Poplarville, MS	250,000
Small Fruits Research, Corvallis, OR	250,000
Soil Tilth Research, Ames, IA	500,000
Soybean and Corn Research, Stoneville, MS	750,000
Subtropical Animal Research Station, Brooksville, FL	500,000
Subtropical Horticultural Research Station, Miami, FL	300,000
Sugarbeet Research, Ft. Collins, CO	200,000
U.S. Plant Stress and Water Conserv. Lab, Lubbock, TX	500,000
Vegetable Research, East Lansing, MI	200,000
Wild Rice Research, St. Paul, MN	100,000
Wind Erosion Research, Manhattan, KS	250,000
Termination of ongoing projects	−1,419,000
Children's nutrition study	−5,000,000
Food safety study	−420,000
Citrus Tristeza Virus {transfer	−500,000
Total, ARS	781,950,000

The conference agreement concurs in the following program terminations: global environmental change, CO; and water and agrochemical management, LA.

The conferees understand that ARS and the Institute for Technology Development are collaborating to develop promising imaging technology to help assure food quality and safety. The conferees encourage the continuation of this important research and expect ARS to increase its support for this cooperative project from the increased funding provided for food safety.

The conferees are aware of the important research carried out by ARS National Animal Disease Center at Ames, Iowa, on corn insects and crop genetics, plant introduction, soil tilth, and national programs to control and prevent avian and animal diseases. The conferees continue funding for these important ARS projects in FY 1999 and have provided an additional $2,000,000 for ARS research as reflected in the table.

The amount recommended does not provide funding for program and operations supporting the mission of the newly-constructed swine facility which has been deeded to Iowa State University (ISU). In the Department's report to the Committees regarding funding options for the facility, the conferees understand (1) ISU is presently investing funds in research that is related or complementary to the research proposed for the new facility, and (2) the swine industry is prepared to work toward obtaining other sources of funds to support operational costs and the program of research planned for this facility. The National Swine Research Center was conveyed to ISU in March, 1998, as directed under the Emergency Supplemental Appropriations and Rescissions Act, P.L. 104–19, October 17, 1995. Under this agreement, the conference report stated ''that any future costs of operation associated with that facility be provided by sources other than the Federal government.''

The conferees expect the Department to consult with the Strategic Planning Task Force on the appropriateness of establishing a human nutrition research center in preventive nutrition, diet, and obesity.

The conferees recognize the important research being done at the ARS-Athens Russell Research Center on competitive exclusion of enteritidis food safety pathogens and encourage the Department to extend this important research to swine.

BUILDINGS AND FACILITIES

The conference agreement provides $56,437,000 for Agricultural Research Service, Buildings and Facilities instead of $61,380,000 as proposed by the House and $31,930,000 as proposed by the Senate.

The following table reflects the conference agreement:

Arizona: Water Conservation and Western Cotton, Maricopa	$500,000
California: Western Human Nutrition Laboratory, Davis	6,150,000
Hawaii: U.S. Pacific Basin Agricultural Research Center	4,500,000
Illinois: National Center for Agricultural Utilization, Peoria	8,200,000
Iowa: National Animal Disease Center, Ames	2,957,000
Kansas: U.S. Grain Marketing Research Laboratory, Manhattan	1,400,000
Louisiana: Southern Regional Research Center, New Orleans	6,000,000
Maryland:	
National Agricultural Library, Beltsville	1,200,000

Beltsville Agricultural Research Center, Beltsville	2,500,000
Mississippi: Biocontrol and Insect Rearing Laboratory, Stoneville	200,000
Montana: Pest Quarantine/Integrated Pest Management Facility, Sidney	7,300,000
New Mexico: Jornada Range Research Station, Las Cruces	6,700,000
New York: Plum Island Animal Disease Center, Greenport	3,500,000
Pennsylvania: Eastern Regional Research Center, Philadelphia	3,300,000
Utah: Poisonous Plant Laboratory, Logan	30,000
West Virginia: National Center for Cool and Cold Water Aquaculture, Leetown	2,000,000
Total	56,437,000

The conference agreement provides $500,000 in additional planning funds for the relocation and replacement of ARS research laboratory from the Phoenix, Arizona location to the Maricopa Agriculture Center. The conferees direct the agency to further review and evaluate the size, capacity and costs associated with replacing the existing research laboratory. This effort is essential to determine the required scope and the most cost-efficient facility required to meet the needs of ARS water and cotton research. The conference agreement provides $2,957,000 for the National Animal Disease Center and expects the ARS to use $1,943,000 in available unobligated funds to complete the project.

The conference agreement does not include funding for the avian disease laboratory in Michigan without any prejudice toward the project.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

The conference agreement provides $481,216,000 for research and education activities instead of $431,125,000 as proposed by the House and $432,982,000 as proposed by the Senate.

The conference agreement reflects a 7% increase from the fiscal year 1998 level for payments under the Hatch Act, cooperative forestry research, payments to 1890 Colleges and Universities, animal health and disease grants, and payments to 1994 institutions; and an increase of $32,100,000 for the National Research Initiative. The following table reflects the conference agreement:

Research and education activities

[In thousands of dollars]

Payments Under Hatch Act	180,545
Cooperative forestry research (McIntire-Stennis)	21,932
Payments to 1890 colleges and Tuskegee	29,676
Special Research Grants (P.L. 89–106):	
Aegilops cylindricum (WA)	360
Aflatoxin (IL)	113
Agriculture-based industrial lubricants (IA)	250
Agricultural diversification (HI)	131
Agricultural diversity/Red River Corridor (MN/ND)	250
Agriculture water usage (GA)	300
Alliance for food protection (NE, GA)	300
Alternative crops (ND)	550
Alternative crops for arid lands (TX)	100

Research and education activities—Continued

Alternative marine and fresh water species (MS)	308
Alternative salmon products (AK)	400
Animal science food safety consortium (AR, IA, KS)	1,521
Apple fire blight (NY, MI)	500
Aquaculture (LA)	330
Aquaculture (MS)	592
Aquaculture (VA)	100
Aquaculture product and marketing development (WV)	750
Babcock Institute (WI)	400
Binational agriculture research and development	400
Biodiesel research (MO)	152
Brucellosis vacinos (MT)	150
Center for animal health and productivity (PA)	113
Center for innovative food technology (OH)	381
Center for rural studies (VT)	200
Chesapeake Bay agroecology (MD)	150
Chesapeake Bay aquaculture	385
Citrus tristeza	500
Competitiveness of agricultural products (WA)	680
Contagious equine metitis (KY)	250
Cool season legume research (ID, WA)	329
Cotton research (TX)	200
Cranberry/blueberry (MA)	150
Cranberry/blueberry disease & breeding (NJ, MA)	220
Dairy and meat goat research (TX)	63
Delta rural revitalization (MS)	148
Designing foods for health (TX)	250
Drought mitigation (NE)	200
Ecosystems (AL)	500
Environmental research (NY)	486
Environmental risk factors/cancer (NY)	100
Expanded wheat pasture (OK)	285
Farm and rural business finance (IL)	87
Feed barley for rangeland cattle (MT)	600
Floriculture (HI)	250
Food and Agriculture Policy Institute (IA, MO)	800
Food irradiation (IA)	200
Food marketing policy center (CT)	400
Food processing center (NE)	42
Food quality (AK)	350
Food safety	5,000
Food safety (AL)	300
Food systems research group (WI)	225
Forestry (AR)	523
Fruit and vegetable market analysis (AZ, MO)	320
Generic commodity promotion research and evaluation (NY)	212
Global change	1,000
Global marketing support service (AR)	127
Grain sorghum (KS)	106
Grass seed cropping systems for a sustainable agriculture (WA, OR, ID)	423
Human nutrition (IA)	473
Human nutrition (LA)	752
Human nutrition (NY)	622
Hydroponic tomato production (OH)	200
Illinois-Missouri Alliance for Biotechnology	1,184
Improved dairy management practices (PA)	296
Improved fruit practices (MI)	445
Infectious disease research (CO)	250
Institute for Food Science and Engineering (AR)	1,250

Research and education activities—Continued

Integrated production systems (OK)	180
International agricultural market structures and institutions (KY)	250
International arid lands consortium	400
Iowa biotechnology consortium	1,564
Livestock and dairy policy (NY, TX)	475
Lowbush blueberry research (ME)	220
Maple research (VT)	100
Meadowfoam (OR)	300
Michigan biotechnology consortium	675
Midwest advanced food manufacturing alliance	423
Midwest agricultural products (IA)	592
Milk safety (PA)	250
Minor use animal drugs (IR–4)	550
Molluscan shellfish (OR)	400
Multi-commodity research (OR)	364
Multi-cropping strategies for aquaculture (HI)	127
National biological impact assessment	254
Nematode resistance genetic engineering (NM)	127
Non-food uses of agricultural products (NE)	64
Oil resources from desert plants (NM)	175
Organic waste utilization (NM)	100
Pasture and forage research (UT)	225
Peach tree short life (SC)	162
Pest control alternatives (SC)	106
Phytophthora root rot (NM)	127
Plant, drought, and disease resistance gene cataloging (NM)	150
Postharvest rice straws (CA)	300
Potato research	1,300
Precision agriculture (KY)	500
Precision agriculture (MS)	1,000
Preharvest food safety (KS)	212
Preservation and processing research (OK)	226
Rangeland ecosystems (NM)	200
Regional barley gene mapping project	400
Regionalized implications of farm programs (MO, TX)	294
Rice Modeling (AR)	296
Rural devel. cntrs. (PA, IA (ND), MS, OR, LA)	523
Rural policies institute (NE, MO)	644
Russian wheat aphid (CO)	200
Seafood and aquaculture harvesting, processing and marketing (MS)	305
Small fruit research (OR, WA, ID)	300
Southwest consortium for plant genetics and water resources	338
Soybean cyst nematode (MO)	475
STEEP III—water quality in Northwest	500
Sustainable agriculture (MI)	445
Sustainable agriculture and natural resources (PA)	95
Sustainable agriculture systems (NE)	59
Sustainable beef supply (MT)	500
Sustainable pest management for dryland wheat (MT)	400
Swine waste management (NC)	500
Tillage, silviculture, waste management (LA)	212
Tomato wilt virus (GA)	200
Tropical and subtropical	2,724
Turkey carnavirus (IN)	200
Urban pests (GA)	64
Vidalia onions (GA)	100

Research and education activities—Continued

Viticulture consortium (NY, CA)	1,000
Water conservation (KS)	79
Water quality	3,461
Weed control (ND)	423
Wetland plants (LA)	600
Wheat genetic research (KS)	261
Wood utilization research (OR, MS, NC, MN, ME, MI, ID, TN)	5,136
Wool research (TX, MT, WY)	300
Total, Special Research Grants	63,116
Improved pest control:	
Critical issues	200
Emerging pest and disease issues	1,623
Expert IPM decision support issues	177
Integrated pest management	2,731
Pesticide clearance (IR–4)	8,990
Pesticide impact assessment	1,327
Total, Improved pest control	15,048
Competititve research grants:	
Animal systems	29,000
Markets, trade and policy	4,600
Nutrition, food quality and health	16,000
Natural resources and the environment	20,500
Plant systems	41,000
Processes and new products	8,200
Total, Competitive research grants	119,300
Animal Health and Disease (Sec. 1433)	5,109
Critical Agricultural Materials Act	600
Aquaculture Centers (Sec. 1475)	4,000
Alternative Crops	750
Sustainable agriculture	8,000
Capacity building grants	9,200
Payments to the 1994 Institutions	1,552
Graduate fellowship grants	3,000
Institution challenge grants	4,350
Multicultural scholars program	1,000
Hispanic-serving institutions	2,850
Secondary/2-year post-secondary	500
Federal Administration:	
Agriculture development in American Pacific	564
Agriculture waste utilization (WV)	250
Alternative fuels characterization laboratory (ND)	218
Animal waste management (OK)	250
Center for Agricultural and Rural Development (IA)	355
Center for North American Studies (TX)	87
Data information system	1,000
Geographic information system	844
Mariculture (NC)	250
Mississippi Valley State University	583
National Center for Peanut Competitiveness	300
Office of grants and program systems	310
Pay costs and FERS (prior)	1,100
Peer panels	350
PM–10 study (CA, WA)	873
Shrimp aquaculture (AZ, HI, MS, MA, SC)	3,354
Total, Federal Administration	10,688
Total, Research and Education Activities	481,216

The conferees direct the USDA to consult with the Food and Drug Administration regarding food safety research objectives of that agency and recommend that $5,000,000 of the funds provided for the food safety component of the National Research Initiative be used to meet those needs.

The conference agreement includes $523,000 for Rural Development Centers, of which $100,000 is for a new center in Louisiana. The conference agreement includes $750,000 for alternative crops, of which $550,000 is for canola and $200,000 is for hesperaloe. The conference agreement includes $1,000,000 for the wood utilization special grant for the establishment of two new centers in Idaho and Tennessee with the remainder of the increase to be shared on a proportionate basis by the existing centers.

The conference agreement includes $5,000,000 for the special grant for food safety as requested by the President and an increase of $7,400,000 in the National Research Initiative category for nutrition, food quality and health.

EXTENSION ACTIVITIES

The conference agreement provides $434,122,000 for extension activities instead of $416,789,000 as proposed by the House and $432,181,000 as proposed by the Senate.

The following table reflects the conference agreement:

Extension activities

[In thousands of dollars]

	Conference agreement
Smith Lever 3(b) & 3(c)	276,548
Smith Lever: 3(d):	
Farm safety	3,000
Food and nutrition education (EFNEP)	58,695
Food safety	3,500
Indian reservation agents	1,714
Pest management	10,783
Pesticide impact assessment	3,214
Rural development centers	908
Sustainable agriculture	3,309
Water quality	9,561
Youth at risk	9,000
1890's Colleges and Tuskegee	25,843
1890's facilities grants	8,426
Renewable Resources Extension Act	3,192
Rural health and safety education	2,628
Extension services at the 1994 institutions	2,060
Subtotal	422,381
Federal Administration and special grants:	
Ag in the classroom	208
Beef producers' improvement (AR)	197
Delta teachers academy	3,500
Diabetes detection, prevention (WA)	550
Extension specialist (AR)	99
Extension specialist (MS)	100
General administration	4,787
Income enhancement demonstration (OH)	246
Integrated cow/calf resources management (IA)	300
National Center for Agriculture Safety (IA)	195
Pilot tech. transfer (OK, MS)	326
Pilot tech. transfer (WI)	163
Range improvement (NM)	197
Rural development (NM)	280
Rural development (OK)	150
Rural rehabilitation (GA)	246
Wood biomass as an alternative farm product (NY)	197
Total, Federal Administration	11,741
Total, Extension Activities	434,122

The conferees are concerned that funds for cooperative agriculture extension services are being used to promote Federal welfare programs. Such activities are appropriate only to the extent that they fall within the traditional educational role of extension for home economics and similar missions.

The conference agreement includes a 3% increase for the formula grant programs as proposed by the Senate.

The conference agreement has provided an increase for water quality and expects the projects in North Dakota and Illinois to compete for these funds.

The conference agreement includes an increase of $500,000 for the Farm*A*Sys program, and an increase of $145,000 for the Agribility project.

MARKETING AND REGULATORY PROGRAMS

OFFICE OF THE ASSISTANT SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

The conference agreement provides $618,000 for the Office of the Assistant Secretary for Marketing and Regulatory Programs as proposed by the Senate instead of $642,000 as proposed by the House.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

The conference agreement provides $425,803,000 for the Animal and Plant Health Inspection Service (APHIS) instead of $424,500,000 as proposed by the House and $419,473,000 as proposed by the Senate.

The following table reflects the conference agreement:

[In thousands of dollars]

	Conference agreement
Pest and disease exclusion:	
Agricultural quarantine inspection	30,648
User fees	88,000
Subtotal, Agricultural quarantine inspection	118,648
Cattle ticks	4,627
Foot-and-mouth disease	3,803
Import-export inspection	6,815
International programs	6,630
Fruit fly exclusion and detection	22,970
Screwworm	30,301
Tropical bont tick	407
Total, Pest and disease exclusion	194,201
Plant and animal health monitoring:	
Animal health monitoring and surveillance	63,389
Animal and plant health regulatory enforcement	5,855
Pest detection	6,426
Total, Plant and animal health monitoring	75,670
Pest and disease management programs:	
Aquaculture	567
Biocontrol	8,160
Boll weevil	16,209
Brucellosis eradication	11,864
Golden nematode	435
Gypsy moth	4,366
Imported fire ant	1,000
Miscellaneous plant diseases	1,410
Noxious weeds	424
Pink bollworm	1,048
Pseudorabies	4,567
Scrapie	2,991
Silverleaf whitefly	
Tuberculosis	4,920
Wildlife services—operations	28,797

	Conference agreement
Witchweed	1,506
Total, Pest and disease management programs	88,264
Animal care:	
Animal welfare	9,175
Horse protection	361
Total, Animal care	9,536
Scientific and technical services:	
Aviation safety	1,200
Biotechnology/environmental protection	7,393
Integrated systems acquisition project	3,500
International cooperative administrative service	909
Plant methods development laboratories	4,693
Veterinary biologics	10,345
Veterinary diagnostics	15,622
Wildlife services—methods development	10,365
Total, Scientific and technical services	54,027
Contingency fund	4,105
Total, Salaries and expenses	425,803

The conference agreement includes $909,000 for the International Cooperative Administrative Support Service Program.

The conferees direct APHIS to conduct an analysis of the existing Medfly exclusion and detection program in the State of Florida and include in that analysis a review of various potential alternatives, including the feasibility of implementing a year-round sterile Medfly release program. Specifically, the analysis should identify the scope, annual cost, and method of implementation for such programs. APHIS shall report its findings to both the House and Senate Appropriations Committees no later than May 1, 1999.

Infestations of red imported fire ants have been found in Dona Ana County, New Mexico and, as a result, the county has been quarantined. In order to properly survey and monitor the remaining counties of New Mexico for red imported fire ants, the conferees direct APHIS to provide the necessary financial and technical assistance to the State of New Mexico to carry out the necessary activities.

The conferees request APHIS to grant a six-month extension of the comment period for the proposed rule published in the *Federal Register* on August 12, 1998, concerning importation of grapefruits, lemons, and oranges from Argentina. Additional time is needed to allow independent scientists to review the scientific data submitted on behalf of Argentina's petition and to review the risk mitigation measures advocated by APHIS.

The conferees direct the Department to publish rules regarding the compensation of Arizona wheat producers, seed companies, seed producers, and handlers for their economic loss for the 1997–1998 crop due to Karnal bunt.

The conferees direct the Department to work with the Arizona wheat industry and Arizona regulatory agencies to develop a plan for de-regulation of Karnal bunt in Arizona, to be submitted to the Committees on Appropriations no later than November 15, 1998, to allow for appropriate grower decisions for planting wheat for 1999.

The conferees direct APHIS to establish protocols containing appropriate verification procedures including permanent country of origin marking requirements for each country or region requesting to export livestock into the United States.

The conference agreement adopts House report language providing $1,500,000 for rabies control activities. The Senate report provided $800,000 for specific states.

The conference agreement adopts House report language providing $450,000 for trap testing and related activities to meet U.S. obligations under international standards. The Senate report had no similar language. The conferees expect the agency to work toward the development of more humane trapping methods.

The conference agreement adopts Senate report language providing $300,000 for an assessment of the economic threat from a newly-described contagious equine metritis-like bacterium to the U.S. horse industry. The House report had no similar provision.

The conference agreement adopts Senate report language providing $500,000 for operation of the bison quarantine facility and all associated operations including the testing of bison which have left Yellowstone National Park. The House report had no similar provision.

The conference agreement adopts Senate report language providing $300,000 to establish and operate a Wildlife Services office in Hawaii. The House report had no similar provision.

The conference agreement provides an increase of $175,000 to offset the impact of expanding wolf populations and the reintroduction of wolves in the northern Rocky Mountains.

The conference report adopts Senate report language providing $400,000 to require the Secretary to prevent the inadvertent introduction of brown tree snakes into Hawaii and other states. The House had no similar language.

The conferees urge the Secretary to delay the implementation of regulations issued by the Animal and Plant Health and Inspection Service (Fed. Reg. Vol. 63, No. 172, September 4, 1998) entitled ''Swim with the Dolphin'' as applied to wading programs. The managers expect the Department to solicit input from affected parties and ensure that the regulations will not impose unreasonable requirements, economic hardship, or conflict with State laws.

BUILDINGS AND FACILITIES

The conference agreement provides $7,700,000 for the Animal and Plant Health Inspection Service, Buildings and Facilities, instead of $5,200,000 as proposed by the House and $4,200,000 as proposed by the Senate.

The conference agreement includes $3,500,000 for completion of a wing at the National Wildlife Research Center in Fort Collins, CO.

The conferees direct the agency to consider locations in Montana and Iowa for construction of a large animal biosafety level-3 containment facility.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

The conference agreement provides $46,000,000 for the Agricultural Marketing Service instead of $46,567,000 as proposed by the House and $45,567,000 as proposed by the Senate. The conferees expect that, of the funds available for the National Organic Standards Program, amounts as may be necessary shall be used to offset the initial costs of accreditation services.

El Nino and the Asian currency crisis have caused significant problems to West Coast tuna fishermen. The USDA should use its surplus removal authorities to assist with this problem.

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement provides $60,730,000 for the Limitation on Administrative Expenses as proposed by the House instead of $59,521,000 as proposed by the Senate.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides $26,787,000 for the Grain Inspection, Packers and Stockyards Administration instead of $27,542,000 as proposed by the House and $26,390,000 as proposed by the Senate. Included in this amount is $2,500,000 as proposed by the Senate for restructuring the Packers and Stockyards Administration and $397,000 as proposed by the House for packer concentration and industry structure.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

The conference agreement provides $446,000 for the Office of the Under Secretary for Food Safety as proposed by the Senate. The House bill provided an unspecified amount of funding for the Office of the Under Secretary from the Food Safety and Inspection Service account.

FOOD SAFETY AND INSPECTION SERVICE

The conference agreement provides $609,250,000 for the Food Safety and Inspection Service as proposed by the House instead of $605,149,000 as proposed by the Senate.

The conference agreement includes the full amount requested in the fiscal year 1999 budget for the Food Safety Initiative and inspection costs.

The conferees note that the report on ratites was not delivered until six months after the requested submission date and, although a cost-benefit analysis was requested, it was not supplied. While citing significant potential health risks and the existence of industry microbiological data, the Department did not perform a risk assessment to quantify public health benefits. The Department is directed to resubmit the report with the cost-benefit analysis, as requested, by December 31, 1998, or to provide the conferees a detailed accounting of the projected cost and time required to determine the merits and effectiveness of a mandatory ratite inspection program.

The conference agreement adopts language as proposed by the House disagreeing with the Administration's proposal to waive cost-sharing limitations for cooperative state inspection programs. The Senate report had no similar provision.

The conferees direct the Secretary of Agriculture to report to the House and Senate Committees on Appropriations by March 1, 1999, recommendations on lifting the ban on the interstate distribution of State inspected meat.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

The conference agreement provides $572,000 for the Office of the Under Secretary for Farm and Foreign Agricultural Services as proposed by the Senate instead of $597,000 as proposed by the House.

The conferees are concerned that the USDA is administering the forfeiture penalty provisions of 7 U.S.C. 7272(g) in a manner inconsistent with the intent of Congress. These provisions were intended only to act as a disincentive to program loan forfeitures. Unfortunately, as evidenced in the fiscal year 1999 Budget Summary, the Department has interpreted the provisions to have ''effectively reduced sugar loan rates.'' The conferees direct the Secretary of Agriculture to administer the program consistent with Congressional intent, and to ensure that the forfeiture penalty shall not apply for any purpose other than an actual loan forfeiture resulting in the reduction of the statutory

price support loan levels for sugarcane (18 cents per pound of raw cane sugar) or sugar beets (22.9 cents per pound of refined beet sugar). In addition, the conferees direct that the penalty shall not be considered in the calculation of any sugar forfeiture price level by the Secretary or by any other official responsible for the administration of the sugar program under 7 U.S.C. 7272, the no-cost provision in section 902(a) of P.L. 99–198, and any related authorities.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

The conference agreement provides $714,499,000 for salaries and expenses of the Farm Service Agency instead of $724,499,000 as proposed by the House and $710,842,000 as proposed by the Senate. The conference agreement does not include $10,000,000 as proposed by the House for the Common Computing Environment.

The conferees expect the Secretary, to the extent practicable, to avoid the use of reductions-in-force or furloughs for both Federal and non-Federal employees or any county office closings.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

The following table reflects the conference agreement:

Farm Ownership Loans:	
Direct	($85,651,000)
Subsidy	12,822,000
Guaranteed	(425,031,000)
Subsidy	6,758,000
Farm Operating Loans:	
Direct	(500,000,000)
Subsidy	34,150,000
Subsidized Guaranteed	(200,000,000)
Subsidy	17,480,000
Unsubsidized Guaranteed	(948,276,000)
Subsidy	11,000,000
Boll Weevil Eradication	(100,000,000)
Subsidy	1,440,000
Credit Sales of Acquired Property	
Subsidy	

DISASTER ASSISTANCE/RESERVE INVENTORIES

The conference agreement does not include $521,000,000 as proposed by the Senate for disaster assistance and reserve inventories. Disaster related problems are addressed in Titles XI—XIII.

RISK MANAGEMENT AGENCY

The conferees note that risk management tools are limited for livestock producers. The conferees expect the Risk Management Agency to provide a report to the appropriate Committees of Congress on the feasibility of a crop insurance program that livestock producers can utilize for forages and native pasture.

TITLE II—CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

The conference agreement provides $693,000 for the Office of the Under Secretary for Natural Resources and Environment as proposed by the Senate instead of $719,000 as proposed by the House.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

The conference agreement provides $641,243,000 for the Natural Resources Conservation Service Conservation Operations as proposed by the House instead of $638,664,000 as proposed by the Senate. Included in this amount is not less than $5,990,000 for snow survey and water forecasting as proposed by the House instead of $5,835,000 as proposed by the Senate and not less than $9,025,000 for operation and establishment of plant materials centers as proposed by the Senate instead of $7,825,000 as proposed by the House.

In addition to the items in the House and Senate reports that are not changed by the conference agreement, funding is included for the following items: $100,000 increase for native plants on the Island of Kahoolawe in Hawaii; $300,000 increase for the Loess Hills Erosion Control in Iowa; $300,000 for the Long Beach Water Management District Project in Mississippi; $400,000 increase for the Delta Water Resources Study in Mississippi; $500,000 for the Tri-Valley watershed in Utah; $500,000 for the Great Lakes Basin Program for Soil and Erosion Sediment Control; $100,000 increase for the Potomac Ohio River Basin Soil Nutrient Project; $100,000 for the Trees Forever Program in Iowa; and $443,000 increase for construction of the Plant Materials Center at Alderson, West Virginia.

The conferees do not agree with the Senate report language citing problems that have arisen with the Wetlands Reserve Program (WRP). However, the conferees concur with Senate report language that encourages the USDA to structure the terms of WRP contracts so that high priority is given to the consideration of adjacent landowners, including but not limited to the maintenance of watershed protection.

The conferees encourage the agency to provide any technical assistance for construction and repairs to the spillway and roads for Lake Peltier at Salmen Scout Reservation, Hancock County, Mississippi.

WATERSHED SURVEYS AND PLANNING

The conference agreement provides $10,368,000 for Watershed Surveys and Planning instead of $9,545,000 as proposed by the House and $11,190,000 as proposed by the Senate.

WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement provides $99,443,000 for Watershed and Flood Prevention Operations instead of $97,850,000 as proposed by the House and $101,036,000 as proposed by the Senate. The conference agreement includes House language providing that not more than $47,000,000 shall be available for technical assistance. The conference agreement includes continued progress and assistance for the Chino Dairy Preserve Project, San Bernardino County, CA.

The conferees expect the NRCS to provide for corrective action to the North Powder-Rock Creek South pipeline in the Powder Valley Water Control District, OR, to prevent the premature deterioration of the pipeline. The conferees note that since the Powder Valley Water Control District cost-shared in the construction of the current pipeline the cost-share requirements shall not apply to the corrective action necessary since the NRCS has admitted their design flaw.

RESOURCE CONSERVATION AND DEVELOPMENT

The conference agreement provides $35,000,000 for the Resource Conservation and Development program as proposed by the House instead of $34,377,000 as proposed by the Senate. The conferees expect the Department to present to the House and Senate Appropriations Committees no later than March 1, 1999, options to fund new Resource Conservation and Development districts, including a graduation component, while considering program effectiveness, efficiency, and necessary structural changes.

FORESTRY INCENTIVES PROGRAM

The conference agreement provides $6,325,000 for the Forestry Incentives Program as proposed by the Senate. The House bill provided no funds for this account.

TITLE III—RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

The conference agreement provides $588,000 for the Office of the Under Secretary for Rural Development as proposed by the Senate instead of $611,000 as proposed by the House.

The conferees expect the Secretary, to the extent practicable, to avoid the use of reductions-in-force and furloughs in the rural development work force. The conferees further expect that no reductions-in-force or furloughs will take place unless the Secretary provides detailed justifications for such actions to the House and Senate Committees on Appropriations.

The conferees note that it has become necessary in annual appropriations bills to declare certain communities eligible for rural development programs. This is because of anomalies in the criteria for eligibility, such as population and average income levels, that have made these communities ineligible under a strict interpretation of regulations. The conferees believe that there may not be sufficient flexibility under current law and regulations to address this problem. Therefore, the conferees direct the Department to develop a plan that will address this situation including changes in current law or regulation and present this plan to the House and Senate Committees on Appropriations.

The House and Senate reports recommend projects for consideration under various rural development programs and the conferees expect the Department to apply established review procedures when considering applications.

The conferees further expect the Department to give consideration to business enterprise and housing preservation projects in the city of Bayview, VA; applications for rural business enterprise grants from TELACU, for a project in Selma, CA; for assistance for a community improvement program in Arkansas; water and sewer improvements for the City of Vaughn, NM; the Shulerville/Honey Hill Water project, S.C.; and a rural enterprise grant for Indian Hills Community College, IA.

The conferees direct the agency to exercise its authority to consider the effects of economic circumstances and high unemployment in calculating median household income for the community of Wrangell, AK, for the purpose of determining whether the community is eligible for loans and grants.

The Department should consider a request, subject to normal review procedures, from the Water Environment Research Foundation for water quality research.

The conferees are aware that the Territory of American Samoa is currently in the grip of a severe, prolonged drought, and that the island's water system is rapidly becoming infiltrated by salt water and is unsafe for human consumption. Even with aggressive water conservation and service curtailment efforts, there will soon be insufficient safe drinking water to sustain human needs in the Territory. If assistance is not provided expeditiously, there is an imminent threat that waterborne illnesses will reach epidemic proportions which will severely overburden American Samoa's limited health care facilities. The drought crisis poses an immediate and rapidly escalating threat to human life in this most remote part of American Territories.

It has come to the attention of the conferees that the American Samoa Power Authority (the Territory's water, electric, and sanitary sewer utility) has applied to USDA for assistance in obtaining and installing water filtration and treatment equipment.

This project would provide approximately one million gallons per day of safe drinking water necessary to sustain basic human needs and prevent life-threatening illness.

The conferees urge the Secretary to utilize creative and flexible solutions under the existing water and sewer loan and grants program, the community facilities loan and grants program, and such other rural development programs as the Secretary in his discretion may determine appropriate to meet this critical need in American Samoa.

RURAL DEVELOPMENT

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement provides $722,686,000 for the Rural Community Advancement Program (RCAP) instead of $702,601,000 as proposed by the Senate and $745,172,000 as proposed by the House.

The following table reflects the conference agreement:

RCAP accounts	
Water/Sewer	$645,007,000
Community Facilities	29,786,000
Business-Cooperative Development	47,893,000
Total	722,686,000
Earmarks:	
Tech. Asst. (water/sewer)	16,215,000
Circuit Rider	5,300,000
EZ/EC	33,926,000
Tech. Asst. (transportation)	500,000

The conference agreement adopts House bill language that does not include section 381O of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f) from authorized activities included in RCAP funding. The Senate bill had no similar provision.

The conference agreement does not include language in the Senate report directing USDA to provide for rural venture capital demonstration projects in Kentucky and Vermont. The House report had no similar provision.

The conference agreement also adopts Senate bill language providing that funds not obligated for empowerment zones and enterprise communities by June 30, 1999, will remain available for other purposes under this heading. The House bill had no similar provision.

The conference agreement does not provide the requested three percent earmark for Federally-recognized Indian tribes. The conferees note that, according to USDA, Indian tribes now receive approximately five percent of funding under the RCAP and the conferees believe the three percent earmark would arbitrarily restrict rural development benefits to the tribes.

The conferees expect the Department to use funds provided for technical assistance for water and sewer projects to maintain the number of circuit riders at the same level as fiscal year 1998.

The conferees have agreed to permanently increase the authorization of funding for water and sewer projects benefiting Alaska Natives under the Federal Agriculture Improvement and Reform Act of 1996 from $15,000,000 to $20,000,000 and to make the state match required under the program consistent with the 25 percent requirement for the Colonias. The conferees direct the Department, in awarding grants to various regions of the country, to give priority consideration to areas which lack flush toilets and running water . It shall also give highest priority to areas without modern sewage disposal systems, with open sewers, and high rates of disease caused by poor sanitation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $197,285,000 (providing for an estimated loan program level of $4,251,717,000) for activities under the Rural Housing Insurance Fund Program Account instead of $186,855,000 (providing for an estimated loan program level of $4,235,601,000) as proposed by the House and $207,601,000 (providing for an estimated program level of $4,284,398,000) as proposed by the Senate.

The conference agreement provides $10,380,000 from the total amount available for empowerment zones and enterprise communities instead of $10,380,100 as proposed by the Senate. The House bill had no similar provision.

The following table reflects the conference agreement:

Rural Housing Insurance Fund Program Account	
Loan authorizations:	
Single family (sec. 502)	(965,313,000)
Unsubsidized guaranteed	(3,000,000,000)
Housing repair (sec. 504)	(25,001,000)
Farm labor (sec. 514)	(20,000,000)
Rental housing (sec. 515)	(114,321,000)
Multi-family housing guarantees (sec. 538)	(100,000,000)
Site loans (sec. 524)	(5,152,000)
Credit sales of acquired property	(16,930,000)
Self-help housing land development fund	(5,000)
Total, Loan authorizations	(4,251,717,000)
Loan subsidies:	
Single family (sec. 502)	114,100,000
Unsubsidized guaranteed	2,700,000
Housing repair (sec. 504)	8,808,000
Multi-family housing guarantees (sec. 538)	2,320,000
Farm labor (sec. 514)	10,406,000
Rental housing (sec. 515)	55,160,000
Site loans (sec. 524)	17,000
Credit sales of acquired property	3,492,000
Self-help housing land development fund	282,000
Total, Loan subsidies	197,285,000
RHIF administrative expenses (transfer to RHS)	360,785,000
Total, Rural Housing Insurance Fund	1,141,467,000
(Loan authorization)	(4,251,717,000)

The conferees direct that the Department give preference to projects with the lowest interest rates in the section 538 program to ensure that the program serves tenants with low incomes.

The conferees recognize the importance of providing assistance to the economically distressed areas of the Lower Mississippi Delta. The conferees encourage the Secretary to consider using the reprogramming authority provided in section 724 of this Act to fund applications for Rural Housing Service programs in those areas where there is a shortage of affordable rental and home ownership opportunities. One of the areas to be considered is West Tallahatchie, MS, where there is a shortage of housing for teachers.

MUTUAL AND SELF-HELP HOUSING GRANTS

The conference agreement provides $1,000,000 from the total amount available for Mutual and Self-Help Housing Grants for empowerment zones and enterprise communities as proposed by the Senate. The House bill had no similar provision.

RURAL HOUSING ASSISTANCE GRANTS

The conference agreement provides $41,000,000 for Rural Housing Assistance Grants as proposed by the House instead of $45,720,000 as proposed by the Senate.

The conference agreement provides $1,200,000 from the total amount available for empowerment zones and enterprise communities as proposed by the House instead of $1,372,000 as proposed by the Senate. The House bill had no similar provision.

SALARIES AND EXPENSES

The conference agreement provides $60,978,000 for salaries and expenses as proposed by the Senate instead of $57,958,000 as proposed by the House. The conference agreement also provides for a transfer of $360,785,000 from the Rural Housing Insurance Fund as proposed by the Senate instead of $354,785,000 as proposed by the House. The total provided for Rural Housing Service salaries and expenses is $421,763,000 as proposed by the Senate instead of $412,743,000 as proposed by the House.

The conference agreement includes a provision that allows the Administrator of the Rural Housing Service to spend not more than $10,000 for non-monetary awards to non-employees of the Department of Agriculture. The House bill had no similar provision.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $16,615,000 (providing for an estimated loan program level of $33,000,000) for the Rural Development Loan Fund Program Account as proposed by the Senate instead of $17,622,000 (providing for an estimated loan program level of $35,000,000) as proposed by the House.

The conference agreement also provides from the total amount available a subsidy of $3,215,520 (providing for an estimated loan program level of $7,246,000) for empowerment zones and enterprise communities as proposed by the Senate.

The conference agreement also provides $3,482,000 for administrative expenses as proposed by the Senate instead of $3,499,000 as proposed by the House.

The conference agreement adopts Senate language that provides that funds not obligated for empowerment zones/enterprise communities by June 30, 1999, will remain available for other authorized purposes. The House bill had no similar provision.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

The conference agreement rescinds $3,783,000 of funds derived from interest on the cushion of credit payments established in the Rural Electrification Act (7 U.S.C. 901) and further provides $3,783,000 (providing for an estimated loan program level of $15,000,000) for the cost of loans under the Rural Economic Development Loans Program Account as proposed by the House instead of $5,801,000 (providing for an estimated loan program level of $23,000,000) as proposed by the Senate.

RURAL COOPERATIVE DEVELOPMENT GRANTS

The conference agreement provides a total of $3,300,000 for rural cooperative development grants as proposed by the House instead of $3,000,000 as proposed by the Senate. Both House and Senate bills provide $1,300,000 from the total amount available for cooperative agreements for the Appropriate Technology Transfer for Rural Areas Program. The conference agreement also provides $250,000 for a cooperative development program as proposed by the Senate.

The conference agreement has not earmarked projects under this title but the conferees expect the Department to give consideration to the following projects requesting

assistance under the Rural Cooperative Development Grants program: agricultural diversification, to be conducted by the Jefferson Institute, MO; Silos and Smokestacks, IA; and the Pennsylvania Cooperative Development Center. The conferees expect the Department to use established review procedures in considering these projects.

SALARIES AND EXPENSES

The conference agreement provides a direct appropriation of $25,680,000 for salaries and expenses of the Rural Business-Cooperative Service. The conference agreement further provides for transfers of $3,482,000 to this account from the Rural Development Loan Fund Program Account as proposed by the Senate instead of $3,499,000 as proposed by the House.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $43,319,000 (providing for an estimated loan program level of $1,561,500,000) for activities under the Rural Electrification and Telecommunications Loans Program Account as proposed by the House instead of $43,184,000 (providing for an estimated loan program level of $1,511,500,000) as proposed by the Senate.

The following table reflects the conference agreement:

Rural Electrification and Telecommunications Loans Program Account

Loan authorizations:	
Direct loans:	
Electric 5%	(71,500,000)
Telecommuincations 5%	(75,000,000)
Subtotal	(146,500,000)
Treasury rates: Telecommunications	(300,000,000)
Muni-rate: Electric	(295,000,000)
FFB loans:	
Electric, regular	(700,000,000)
Telecommunications	(120,000,000)
Subtotal	(820,000,000)
Total, Loan authorizations	(1,561,500,000)
Loan subsidies:	
Direct loans:	
Electric 5%	9,325,000
Telecommunications 5%	7,342,000
Subtotal	16,667,000
Treasury rates: Telecommunications	810,000
Mini-rate: Electric	25,842,000
FFB loans: Electric, regular	.....
Total, Loan subsidies	43,319,000
RETLP administrative expenses (transfer to RUS)	29,982,000
Total, Rural Electrification and Telecommunications Loans Program Account	73,301,000
(Loan authorization)	(1,561,500,000)

By increasing the amount available for Federal Financing Bank lending, it is the intent of the conferees that the Rural Utilities Service will fully utilize the authorities of section 306 of the Rural Electrification Act by issuing guarantees to private sector lenders such as the Cooperative Finance Corporation and other legally organized organizations to ensure the financial needs of borrowers are met in a timely and efficient manner.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $4,174,000 (providing for an estimated loan program level of $157,509,000) for the Rural Telephone Bank Program Account instead of $4,638,000 (providing for an estimated loan program level of $175,000,000) as proposed by the House and $3,710,000 (providing for an estimated program level of $140,000,000) as proposed by the Senate.

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

The conference agreement provides $12,680,000 for the Distance Learning and Telemedicine Program as proposed by the Senate instead of $10,180,000 as proposed by the House. The conference agreement also provides that $12,500,000 of the total amount shall be available for grants under this program as proposed by the Senate instead of $10,000,000 as proposed by the House. Both House and Senate bills provide a subsidy of $180,000 from the total amount available, which provides for an estimated loan level of $150,000,000.

TITLE IV—DOMESTIC FOOD PROGRAMS

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

The conference agreement provides $554,000 for the Office of the Under Secretary for Food, Nutrition and Consumer Services as proposed by the Senate. The House bill provided an unspecified amount of funding for the Office of the Under Secretary from the Food Program Administration account.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

The conference agreement provides a total of $9,176,897,000 for child nutrition programs instead of $9,218,647,000 as proposed by the House and $9,219,897,000 as proposed by the Senate. Included in this amount is an appropriated amount of $4,128,747,000 and an amount transferred from section 32 of $5,048,150,000.

The conference agreement includes language as proposed by the Senate providing that no funds are available for the commodity procurement program unless the value of section 32 commodities and section 416 commodities are calculated in meeting the minimum commodity assistance requirement of section 6(g) of the School Lunch Act.

The conference agreement provides the following:

Total Obligational Authority

Child Nutrition Programs:	
School lunch program	$5,384,452,000
School breakfast program	1,396,955,000
Child and adult care food program	1,611,520,000
Summer food service program	294,414,000
Special milk program	18,055,000
State administrative expenses	118,074,000
Commodity procurement and computer support	337,127,000
School meals initiative	10,000,000
Coordinated review effort	4,300,000
Food safety education	2,000,000
Total	9,176,897,000

The conference agreement provides $10,000,000 for the school meals initiative. Included in this amount is $4,000,000 for food service training grants to states, $1,600,000 for technical assistance materials, $800,000 for National Food Service Management Institute cooperative agreements, $400,000 for print and electronic food service resource systems, and $3,200,000 for other activities.

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

The conference agreement provides $3,924,000,000 for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) as proposed by the House instead of $3,948,000,000 as proposed by the Senate. The conference agreement includes bill language that directs USDA to obligate $10,000,000 for the farmers' market nutrition program within 45 days of enactment of this Act, and an additional $5,000,000 for the farmers' market nutrition program from any funds not needed to maintain current caseload levels.

The conferees direct that USDA reduce to 120 days the time period in which states are required to report on monthly obligation of funds as proposed by the House. The Senate had no similar language.

The conferees direct the Department to review the methodology and data used to estimate participation and funding levels for WIC and to report to the House and Senate Committees on Appropriations its recommendations for improvements no later than April 1, 1999, as proposed by the House. The Senate had no similar language.

The conferees address the need for a study on WIC cost containment activity under the Economic Research Service.

The conference agreement does not include bill language as proposed by the House regarding the allocation of fiscal year 1998 recovered funds.

The conference agreement includes bill language as proposed by the House that state agencies required to procure infant formula using a competitive bidding system award a contract only to the bidder offering the lowest net price.

FOOD STAMP PROGRAM

The conference agreement provides $22,585,106,000 for the Food Stamp Program instead of $22,591,806,000 as proposed by the House and $23,781,806,000 as proposed by the Senate. Included in this amount is a contingency reserve of $100,000,000. Also included in this amount is $1,236,000,000 for nutrition assistance to Puerto Rico and $90,000,000 for TEFAP commodity purchases.

COMMODITY ASSISTANCE PROGRAM

The conference agreement provides $131,000,000 for the Commodity Assistance Program instead of $141,000,000 as proposed by the House and Senate. Included in the amount is $45,000,000 for administration of TEFAP. The conferees provide that these funds may be used for administration or food costs at the discretion of the states. The conferees note that there is a $10,000,000 carryover from fiscal year 1998 in this account for the Commodity Supplemental Food Program and have adjusted the appropriation accordingly.

FOOD PROGRAM ADMINISTRATION

The conference agreement provides $108,561,000 for Food Program Administration instead of $108,311,000 as proposed by the House and $109,069,000 as proposed by the Senate. Included in this amount is $252,000 for publication of Dietary Guidelines and $725,000 for program and financial integrity advancement. The conference agreement includes language that withholds $2,000,000 of this appropriation until a final rule is promulgated to curb vendor-related fraud in the WIC program as proposed by the House.

The conferees understand USDA is reviewing the Dietary Guidelines and should ensure that scientific messages on dietary and nutritional behaviors are consistent among the Dietary Guidelines, the Food Guide Pyramid, and any related nutritional publications.

The conferees direct that the funds transferred to this account from the Economic

Research Service be used for programmatic studies and evaluations directly related to USDA programs, and that any welfare reform studies, analyses, or evaluations undertaken shall directly relate to USDA programs.

TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES MANAGER

The conference agreement includes a direct appropriation of $136,203,000 instead of $131,295,000 as proposed by the House and $131,795,000 as proposed by the Senate.

The conference agreement adopts a Senate provision which provides for the transfer of $3,231,000 from the Export Loan Program and $1,035,000 from the P.L. 480 program account under the P.L. 480 and Export Loan program accounts. The House bill provided for these transfers under this heading.

The conference agreement does not include a Senate provision providing up to $2,000,000 solely for the purpose of offsetting international exchange rate fluctuations. The House bill had no similar provision. The conferees note that the deletion of this provision does not indicate a judgment on the merits of the request but reflects the fact that the agency has not developed a plan for this activity as requested in the fiscal year 1998 conference agreement. The conferees expect such a plan to be submitted with the fiscal year 2000 President's Budget.

The amount provided includes $4,408,000 for the International Cooperative Administrative Support Service Program.

The conference agreement includes $128,000 of the total provided for a representation allowance as proposed by the Senate instead of $140,000 as proposed by the House. The conferees also provide $3,500,000 for the Cochran Fellowship Program.

PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

The following table reflects the conference agreement for Public Law 480 Program Accounts:

Public Law 480 Program and Grant Accounts

Title I—Credit sales:	
Program level	(219,724,000)
Direct loans	(203,475,000)
Ocean freight differential	(16,249,000)
Title II—Commodities for disposition abroad:	
Program level	(837,000,000)
Appropriation	837,000,000
Title III—Commodity grants:	
Program level	(25,000,000)
Appropriation	25,000,000
Loan subsidies	176,596,000
Salaries and expenses:	
General Sales Manager (transfer to FAS)	1,035,000
Farm Service Agency (transfer to FSA)	815,000
Subtotal	1,850,000
Total, Public Law 480:	
Program level	(1,081,724,000)
Appropriation	1,056,695,000

The conferees are concerned that Agency for International Development (AID) and Title II operational policies are not fully meeting both statutory mandates and the program's primary humanitarian objective of providing U.S. agricultural products and commodities for feeding the needy worldwide. While encouraged by recent aid commitments to increase relief-type feeding programs, the conferees expect AID, to the extent practicable, in utilizing the funds provided herein, to ensure that the non-emergency programs, including monetization programs, comply with the statutory requirement that 75% of the commodities provided be in the form of highly nutritious value-added agricultural commodities.

TITLE VI-RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes a direct appropriation of $1,098,140,000 for the salaries and expenses of the Food and Drug Administration, instead of $998,340,000 as proposed by the House and $1,062,642,000 as proposed by the Senate.

The following table reflects the conference agreement:

Food Safety & Applied Nutrition	$226,580,000
Human Drugs	200,305,000
Biologics	96,279,000
Animal Drugs and Feeds	41,973,000
Devices & Radiological Products	145,736,000
National Center for Toxicological Research	31,579,000
Tobacco	34,000,000
Rent and related activities	25,855,000
Other activities	80,694,000
Rental Payments to GSA	82,866,000
Sub-Total	965,867,000
Prescription Drug User Fees [1]	132,273,000
Total	1,098,140,000

[1] Of the total $132,273,000 in PDUFA collections, $91,676,000 is for Human Drugs, $28,816,000 is for Biologics, $6,353,000 is for other activities, and $5,428,000 is for payments to the General Services Administration.

The conference agreement includes an increase of $2,500,000 for the Office of Cosmetics and Color; $500,000 to begin development of a new approval process for food packaging materials; $1,000,000 for the Office of Generic Drugs; and $250,000 for the Office of Seafood Inspection. Within the amount for the Office of Seafood Inspection $200,000 is for a grant to the Interstate Shellfish Sanitation Commission.

The conference agreement includes an increase of $20,000,000 for the Food Safety Initiative. The FDA should use $19,500,000 for increased food inspection and $500,000 for research at the National Center for Toxicological Research.

The conferees expect the FDA to publish a proposed rule concerning the use of foreign marketing data in the review of new sunscreen active ingredients in the sunscreen over-the-counter drug monograph. The conferees expect the proposed rule will be published not later than June 1, 1999.

The conferees note that the Food and Drug Administration will soon consider a citizen petition requesting approval of disjunctive labeling for surimi. The conferees strongly urge the agency to act in an expeditious manner to propose a rule in response to the petition, but in no case shall the FDA propose such a rule later than six months after the receipt of the citizen petition, nor shall the agency finalize such a rule later than twelve months after the receipt of the citizen petition.

Included within the amount is $700,000 for the Clinical Pharmacology program. The conferees expect these funds to be used for competitive grants.

The conferees note that recent court decisions (Mova Pharmaceutical Corp. v. Shalala, 104 F.3d 1061 (D.C. Cir. 1998); Granutec, Inc. v. Shalala, No. 97–1873 and No. 97–1874, 1998 U.S. App. LEXIS 6685 (4th Cir. Apr 3, 1998)) have invalidated an element of the Food and Drug Administration's regulations regarding the 180-day exclusivity period for first applicants under section 505(j)(5)(B)(iv) of the Federal Food, Drug, and Cosmetic Act. The conferees strongly urge the FDA to use the funds provided to issue new regulations and guidance for industry to fulfill the intent of the Generic Drug Act (Waxman/Hatch) for the broadest possible availability of generic drugs to consumers consistent with the Act.

BUILDINGS AND FACILITIES

The conference agreement provides $11,350,000 for Food and Drug Administration Buildings and Facilities as proposed by the House instead of $12,350,000 as proposed by the Senate.

The conference agreement provides $3,000,000 for construction of Phase III at the National Center for Toxicological Research as proposed by the House instead of $4,000,000 as proposed by the Senate. The conferees expect these funds, in addition to any Phase II remaining balances, to be sufficient to initiate Phase III construction.

RENTAL PAYMENTS

The conference agreement provides $88,294,000 for FDA rental costs in the salaries and expenses account as proposed by the Senate. The House proposed these funds in a separate account.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

The conference agreement provides $61,000,000 for the Commodity Futures Trading Commission as proposed by the Senate instead of $62,140,000 as proposed by the House.

FARM CREDIT ADMINISTRATION

LIMITATION OF ADMINISTRATIVE EXPENSES

The conference agreement adopts the limitation of $35,800,000 on the expenses of the Farm Credit Administration as proposed by the House. The Senate bill had no limitation on expenses.

TITLE VII-GENERAL PROVISIONS

Senate Section 705.—The conference agreement includes language (Section 705) proposed by the Senate to allow up to $2,000,000 for costs associated with collocation of APHIS regional offices to remain available until expended. The House bill had no similar provision.

House Section 710.—The conference agreement does not include language proposed by the House that limits agencies' reimbursement to General Services Administration for costs for rental space. The Senate bill had no similar provision.

House Section 716 and Senate Section 715.—The conference agreement includes language (Section 715) proposed by the House that allows the Grain Inspection, Packers and Stockyards Administration to use cooperative agreements to carry out programs.

Senate Section 716.—The conference agreement includes language that allows the Natural Resources Conservation Service to use contracts, grants or cooperative agreements for goods or services.

Senate Section 717 and House Section 718.—The conference agreement includes language (Section 718) proposed by the Senate that permanently prohibits funds of the Market Access Program from being used to promote mink product exports.

House Section 719 and Senate Section 718.—The conference agreement includes language (Section 719) to allow up to $1,800,000 for expenses of advisory committees, panels, commissions, and task forces. The House bill recommended a limit of $1,400,000 and the Senate bill recommended a limit of $1,350,000.

Senate Section 722.—The conference agreement includes language (Section 723) to require the approval of the Chief Information Officer for purchases of information technology systems or upgrades by the Department of Agriculture. The language also includes a provision to prohibit any transfers of funds to the Office of the Chief Information Officer without the prior approval of the Committees on Appropriation of both Houses.

House Section 724.—The conference agreement does not include language relating to common support services. The conferees concur that the Department has sufficient authority to carry out such a program. The Senate bill had no similar provision.

Senate Section 724.—The conference agreement modifies language (Section 727) to prohibit contract acreage payments to a producer who plants wild rice on contract acreage unless the contract payment is reduced by an acre for each contract acre planted to wild rice. The agreement deletes the Senate provision that made this permanent law. The House bill had no similar provision.

Senate Section 725.—The conference agreement includes language (Section 728) that names the National Rice Germplasm Evaluation and Enhancement Center the ''Dale Bumpers National Rice Research Center.'' The House bill had no similar provision.

Senate Section 726.—The conference agreement includes language (Section 729) proposed by the Senate to allow the Secretary of Agriculture to transfer, subject to reprogramming requirements, up to $26,000,000 for authorized programs to benefit the Lower Mississippi Delta Region. This amount should include any and all funds provided to that region as part of the total. The House bill had no similar provision.

House Section 725 and Senate Section 727.—The conference agreement includes language (Section 725) to prohibit funding for the Fund for Rural America.

House Section 726.—The conference agreement does not include language proposed by the House that prohibited funding for the Wildlife Habitat Incentive Program.

House Section 727.—The conference agreement includes language (Section 726) proposed by the House that limits funding for the Environmental Quality Incentives Program to $174,000,000.

House and Senate Section 728.—The conference agreement includes language (Section 730) to limit acreage enrolled in the Wetlands Reserve Program to 120,000 acres as proposed by the Senate. The House proposed a limit of 130,000 acres.

House and Senate Section 729.—The conference agreement includes language (Section 731) to limit funding for The Emergency Food Assistance Program to $90,000,000 as proposed by the House instead of $80,000,000 as proposed by the Senate.

Senate Section 730 and House Section 739.—The conference agreement includes language (Section 740) that prohibits funding for the Conservation Farm Option Program as proposed by both the House and Senate.

House Section 730.—The conference agreement includes language (Section 732) that prohibits funding for the Initiative for Future Agricultural and Food Systems (P.L. 105–185) as proposed by the House. The Senate bill had no similar provision.

Senate Section 731.—The conference agreement includes language (Section 743) proposed by the Senate that amended Public Law 102–237 with regard to control of the brown tree snake. The House bill had no similar provision.

House Section 731.—The conference agreement includes language (Section 733) proposed by the House to make the City of Big Spring, Texas eligible for rural housing programs.

House Section 732—The conference agreement includes language (Section 734) that makes the municipality of Carolina, Puerto Rico eligible for grants and loans administered by the Rural Utilities Service.

Senate Section 732.—The conference agreement includes language (Section 744) as proposed by the Senate that makes funds in this or any other Act available for financial and technical assistance for Franklin County, Mississippi.

House Section 734 and Senate Section 736.—The conference agreement includes language (Section 736) as proposed by the House that does not allow funds from this Act to be used to carry out any commodity purchase program that would prohibit eligibility or participation by a farmer-owned cooperative.

Senate Section 733—The Conference agreement includes language (Section 745) that makes the cost share requirement for Alaska water and wastewater loan and grants 25% and the authorized level $20,000,000.

Senate Section 735.—The conference agreement includes language (Section 746) as proposed by the Senate that prohibits the Food and Drug Administration from closing or relocating the Division of Drug Analysis in St. Louis, MO.

House Section 735.—The conference agreement includes language (Section 737) as proposed by the House that amends the technical definition of the word ''antibacterial'' in the Federal Food, Drug, and Cosmetic Act.

House Section 736.—The conference agreement includes language (Section 738) as proposed by the House that prohibits funds from being used to issue a final rule to implement the amendments to the Federal milk marketing orders as required by subsection (a) of the Agricultural Market Transition Act other than during the period February 1, 1999 through April 4, 1999. The conference agreement also modifies the House provision to include language clarifying marketing order reform in the state of California.

House Section 737 and Senate Section 738.—The conference agreement does not include language proposed by both the House and Senate related to sanctions for the sales of agricultural products. A similar provision has been enacted into law.

Senate Section 737.—The conference agreement includes language (Section 747) proposed by the Senate that requires the Secretary of Agriculture to inspect and certify agricultural processing equipment and to impose a fee for the inspection and certification in a manner that is similar to the inspection and certification of agricultural products under the Agricultural Marketing Act of 1946.

House Section 738.—The conference agreement includes language (Section 739) which requires that when the Secretary of Agriculture announces the basic formula price for milk, the Secretary shall include in the announcement an estimate of the costs incurred by milk producers to produce milk in the different regions of the United States.

Senate Section 739.—The conference agreement includes language (Section 748) as proposed by the Senate to prohibit funds from being used to require a producer to pay an administrative fee of 10 per cent for catastrophic insurance protection. The language also makes the provision permanent law.

House Section 740 and Senate Section 761.—The conference agreement includes bill language (Section 741) that waives the statute of limitations on non-employment complaints of discrimination in certain programs of the Department of Agriculture, and modifies the House language to include expedited procedure in processing the complaints as proposed in Senate Section 761.

Senate Section 741.—The conference agreement includes language (Section 749) as proposed by the Senate that mandates the indefinite continuation of a personnel management demonstration project.

House Section 741.—The conference agreement includes language (Section 750) as proposed by the House that provides that the Secretary may not deny certain guarantees in housing on the basis that the interest on the loan for which the guarantee is sought is exempt from inclusion in gross income for purposes of Chapter 1 of the Internal Revenue Code of 1986.

Senate Section 742.—The conference agreement modifies language proposed by the Senate (Section 750) that extends the authorization of certain provisions of the Housing Act of 1949 through September 30, 2000. The Senate proposed an extension until September 30, 1999.

Section 742.—The conference agreement includes language that makes the Secretary of Agriculture liable for compensatory damages to farmers who are found to have been discriminated against under any farm loan program or activity conducted by the USDA in violation of section 504 of the Rehabilitation Act of 1973.

House Section 742.—The conference agreement does not include language to prohibit the Food and Drug Administration from using funds for the testing, development, or approval of any drug for the chemical inducement of abortion.

Senate Section 743.—The conference agreement does not include bill language as proposed by the Senate requiring a review of methyl bromide alternatives research. The House bill had no similar provision. The conferees expect the Agricultural Research Service to conduct a review of the methyl bromide alternatives research conducted by the Department. The review should include: 1) the total amount of funds expended by the Department for methyl bromide alternatives research for each fiscal year 1990 to 1997 and estimates for fiscal years 1998 and 1999, including a description of how funds are distributed and utilized; 2) descriptions of plot and field scale testing of methyl bromide alternatives conducted in fiscal years 1990 through 1998, including: a) total amount of funds expended for plot and field scale testing; and b) the results of the testing and the impact of the results on future research; and 3) a description of the variables that impact the effectiveness of methyl bromide alternatives and the Department's strategy for addressing them.

The conferees expect the Department to submit a report describing the results of its review to the appropriate committees of both Houses of Congress not later than 180 days after enactment of this Act.

Senate Section 744.—The conference agreement does not include language proposed by the Senate regarding the need to provide drought relief in Texas. The conference agreement includes language related to all agriculture disasters in Titles XI–XIII.

Senate Section 745.—The conference agreement includes language (Section 751) proposed by the Senate that amends the 1985 farm bill to exempt 30-year easements from payment limitations for the Wetlands Reserve Program.

Senate Section 746.—The conference agreement includes language (Section 752) proposed by the Senate that acceptance of Wetlands Reserve Program bids may be in proportion to landowner interest expressed in program operations.

Senate Section 748.—The conference agreement includes language (Section 754) proposed by the Senate that prohibits funds from being used to prepare a budget submission to Congress that assumes reductions from the previous year's budget due to user fee proposals unless the submission also

identifies spending reductions which should occur if the user fees are not enacted. The House bill had no similar provision.

Senate Sections 747 and 752.—The conference agreement includes language (Section 753) that makes several technical corrections to the Agriculture Research, Extension, and Education Reform Act.

Senate Section 749.—The conference agreement does not include language to establish a pilot program to permit haying and grazing on conservation reserve land.

Senate Section 750.—The conference agreement includes language proposed by the Senate (Section 755) that amends the Agricultural Marketing Act of 1946 regarding shipment of shell eggs and mandates a report on egg safety and repackaging.

Senate Section 751.—The conference agreement does not include the sense of the Senate provision regarding economic hardships faced by agricultural producers and rural communities. The conference agreement includes language related to agriculture disasters in Titles XI–XIII.

Senate Section 753.—The conference agreement does not include language proposed by the Senate that exempts food, other agricultural products, medicines and medical equipment from export control sanctions except where the country repeatedly provided support for the acts of terrorism.

Senate Section 754.—The conference agreement does not include language proposed by the Senate regarding mandatory price reporting.

The conferees direct the Secretary of Agriculture to take steps to increase the voluntary reporting of fed cattle, and wholesale beef carcass prices and volumes on a quality and yield grade basis, as well as the prices and volumes of boxed beef (on carcass equivalent basis) sales by quality grades and trim categories, on a daily basis. These reports may include all domestic and international forward sales for delivery period currently reported, prices for branded products, sales delivered as priced basis to a futures contract, sales of less than carlot volume and formulated sales. The Secretary shall encourage the reporting of the price differential for USDA Prime, the upper ⅔ of USDA Choice, and a sub-select price category. Reports should include imported beef products and livestock.

With regard to lamb, the conferees direct the Secretary of Agriculture to expand current voluntary reporting of live lamb and wholesale lamb carcass prices and volumes on a yield grade basis, as well as the prices and volumes of boxed lamb and other fabricated lamb cut sales. Price should be reported on a weekly basis, for the period currently reported, and should include prices for certified and branded products, sales of less than carlot volume and formulated sales. Reports should include imported lamb products.

The Secretary of Agriculture shall compile and publish price, volume sales, and the shipment information regarding all exports and imports of beef, veal, lamb and products thereof which is collected via the expanded voluntary process. The livestock, carcass, boxed product, primal, sub-primal and other meat cut descriptions currently being used by AMS Market News Service should serve as a basis for describing and reporting imported and exported products for price and volume purposes. The Secretary shall also standardize AMS price reporting data collection activities to ensure uniformity and complete sales data capture and to maximize the information available to all aspects of the industry. The Secretary shall report to Congress, not more than six months after enactment, on the feasibility or need for mandatory price reporting. The Secretary is also directed to implement new, electronic export certificate issuance and data-reporting programs. The Secretary shall encourage the information to be reported not later than one week after the end of the week during which exports occurred consistent with the advanced notice of rule-making published by USDA during 1997.

Senate Section 755.—The conference agreement does not include language related to metered dose inhalers. The House bill had no similar provision. The conferees note the Senate's interest in a transition from the use of chlorofluorocarbons (CFCs) in metered-dose inhalers (MDIs) to less environmentally damaging substances, as required by international treaty. The use of CFCs has been shown to be harmful to the atmospheric ozone layer, which protects humans from skin cancer, although the magnitude of the environmental impact of the amount of CFCs used in MDIs is unclear. Metered-dose inhalers, which contain CFCs as propellants, are used primarily for the treatment of asthma and other chronic pulmonary disorders. Asthma and pulmonary patients and physicians rightfully believe that the Food and Drug Administration (FDA) must consider their concerns, as well as the need to have a range of suitable substitutes in place before current products are withdrawn from the market, as the agency moves forward with a proposal to manage the transition from CFC to non-CFC products. At the same time, clear and timely guidance about a transition process is needed by both patients and caregivers. Therefore, the conferees direct FDA to devote the resources necessary to ensure that a proposed rule is issued no later than September 1, 1999.

Senate Section 756.—The conference agreement does not include language proposed by the Senate directing the Secretary, in consultation with the Comptroller General, to submit a report on the Market Access Program (MAP) to the appropriate committees of Congress not later than 180 days after enactment of this Act.

The conferees direct the Secretary to produce a report on the MAP which should include an analysis of the costs and benefits of the program for compliance with OMB circular A–94; estimate the impact of MAP on the agricultural sector, on consumers, and other sectors of the economy in the United States; assess the relation between the priorities and spending levels of programs carried out under MAP and the privately funded market promotion activities undertaken by participants in the programs; and evaluate the additional spending of participants and the amount of export additionality resulting from the MAP.

Senate Section 757.—The conference agreement does not include Sense of the Senate language regarding the economic effect of low commodity prices. The conference agreement includes language regarding agricultural disasters in Titles XI-XIII.

Senate Section 758.—The conference agreement does not include language as proposed by the Senate that amends the law regarding reserve inventories. The conference agreement includes language relating to agricultural disasters in Titles XI-XIII.

Senate Section 759.—The conference agreement does not include language proposed by the Senate that provided for an assessment on tobacco programs and reductions in several Department of Agriculture programs and increased funding for food safety related activities.

Senate Section 760.—The conference agreement (Section 756) modifies Senate Section 760 and reduces the spending cap on computer-related activities funding through the CCC.

Senate Section 762.—The conference agreement does not include language proposed by the Senate to amend the Census of Agriculture Act of 1997. This issue is addressed under the National Agricultural Statistics Service.

Senate Section 763.—The conference agreement includes language (Section 757) as proposed by the Senate that makes certain owners of trees with fire blight eligible for disaster assistance.

Senate Section 764.—The conference agreement does not include language as proposed by the Senate that requires the Secretary of Agriculture to make assistance and information available to the Commission on 21st Century Production Agriculture. The conferees expect the Secretary to assist and cooperate as necessary with the Commission.

Senate Section 765.—The conference agreement does not include bill language requiring country of origin labeling for fresh produce.

The conferees direct the General Accounting Office (GAO) to conduct a comprehensive study on the potential effects of mandatory country of origin labeling of fresh produce. This report should assess the impact of such mandatory labeling requirements on importers, producers, consumers, and retailers, including a cost/benefit analysis. The report should identify U.S. trading-partner countries which currently have country of origin practices in place, the nature and scope of such practices, and a record of U.S. challenges to those requirements. The GAO report should also address the ability of the Federal government and the public to respond to warnings about the outbreak of food-borne illness arising from imported produce. The final report should be submitted to the Congress no later than six months after the enactment of this Act.

Senate Section 766.—The conference agreement does not include the Sense of the Senate provision that certain programs in the bill receive additional funding in the event that additional allocation becomes available.

Senate Section 767.—The conference agreement does not include a provision requiring creation of a new Office of the Small Farms Advocate as provided in the Senate bill. The conferees believe that better management of existing programs within the Department, generally, would result in a more efficient and effective use of limited resources as they apply to small farm and other considerations. Accordingly, the conferees urge the Secretary to coordinate activities and to encourage policy considerations within existing programs of the Department that promote the needs of small farm operators and that may help reverse the unwarranted decline in small farm operations.

Senate Section 768.—The conference agreement does not include Senate language addressing the inadvertent planting of ineligible beans. The conferees are aware that there may be instances in which producers, in good faith or in reliance on information provided by agricultural consultants, inadvertently planted crops in violation of section 118 of the Federal Agriculture Improvement and Reform Act of 1996 (FAIR). The FAIR Act encouraged producers to exercise planting flexibility in order to adapt to new markets and to promote sound conservation and agronomic practices. Accordingly, the Secretary is urged to exercise reasonable treatment of producers in order to avoid harmful consequences.

Senate Section 769.—The conference agreement does not include language as proposed by the Senate that requires a report to Congress on a recommendation to lift the ban on interstate distribution of state inspected meat. The conferees direct the Secretary of Agriculture to report to the House and Senate Committees on Appropriations by March 1, 1999, with recommendations on lifting the

ban on the interstate distribution of State-inspected meat.

Senate Section 770.—The conference agreement includes language under Title VIII regarding loans to borrowers who have received debt forgiveness.

Senate Section 771.—The conference agreement does not include language related to the definition of family farm.

Senate Section 772.—The conference agreement includes language under Title VIII regarding the basis for denial of loans.

Senate Section 773.—The conference agreement does not include language as proposed by the Senate that amends the Federal Food, Drug, and Cosmetic Act regarding medical drug and device recalls.

Section 759.—The conference agreement includes language proposed by the House to make the city of Vineland, New Jersey eligible for programs administered by the Rural Housing Service and the Rural Business-Cooperative Service.

Section 760.—The conference agreement includes language that places a moratorium on the rule-making authority of the Commodity Futures Trading Commission (CFTC) over swaps and derivatives until March 30, 1999. The conferees do not intend to preclude the CFTC's participation in the President's Working Group on Financial Markets. Further, the conferees do not intend to preclude the Commission from taking action pursuant to any determination by the President's Working Group on Financial Markets regarding regulatory restraints with respect to qualifying hybrid instruments and swap agreements.

In light of recent market events, including the need for financial rescue measures to avert the collapse of a large hedge fund, the conferees strongly urge the President's Working Group on Financial Markets to undertake an immediate review and study of over-the-counter transactions of entities such as hedge funds and their relationships with their creditors. This provision would not interfere with the Commission's ability to take action in furtherance of any determination by the President's Working Group.

Section 761.—The conference agreement includes language providing a limitation on the use of funds to carry out section 612 of Public Law 105–185.

Section 762.—The conference agreement includes language amending section 136 of the Agricultural Market Transition Act (7 U.S.C. 7236) by striking ''1.25 cents'' each place it appears in subsection (a) and (b) and inserting ''3 cents''.

Section 763.—The conference agreement includes language regarding the distribution of funds made available by section 1124 of subtitle C of Title XI of this Act.

Section 764.—The conference agreement includes language regarding methyl bromide.

TITLE VIII—AGRICULTURAL CREDIT

The conference agreement includes several changes to agricultural credit laws including eligibility for emergency loans, notification of ineligibility for loans, training requirement exemptions, limitations on amount of farm loans, and cash flow requirements.

TITLE IX—INDIA-PAKISTAN RELIEF ACT

The conference agreement adopts Senate language (Title IX) allowing waivers of certain export control laws for India and Pakistan.

(SENATE TITLE X)

The conference agreement does not include language proposed by the Senate requiring meat labeling.

The conferees direct the Secretary to conduct a comprehensive study on the potential effects of mandatory country of origin labeling of imported fresh muscle cuts of beef and lamb. The report shall include the impact of such requirements on imports, exports, livestock producers, consumers, processors, packers, distributors and grocers. The report shall also include, but is not limited to, the following: any additional costs to the Federal government which would be incurred as a result of mandatory country of origin labeling of imported fresh muscle cuts of beef and lamb; the projected costs for beef and lamb distributors, retailers or consumers; any projected gains that may result from country of origin labeling of imported fresh muscle cuts of beef and lamb; and any empirical evidence of benefit or harm, to producers, processors, distributors, retailers or consumers produced by similar labeling programs in other countries. The report shall be submitted to Congress no later than 6 months after the enactment of this Act and shall contain a detailed statement of the findings and conclusions of the Secretary, together with his recommendations for such legislation and administrative actions as he considers appropriate.

The study may also consider the economic effects of exempting imported beef and lamb, including meat produced from animals imported directly for slaughter in sealed trucks and containers, from eligibility for USDA quality grades. The Secretary is directed to differentiate ''meat produced from animals in sealed trucks and containers directly for slaughter'' from ''U.S. production'' in all market reports.

TITLE X—UNDER SECRETARY OF AGRICULTURE FOR MARKETING AND REGULATORY PROGRAMS

The conferees have included bill language that gives the Secretary of Agriculture the authority to create an Under Secretary for Marketing and Regulatory Programs position at USDA.

TITLE XI—EMERGENCY AND MARKET LOSS ASSISTANCE

The conference agreement includes funding to provide assistance to agricultural producers who have suffered financial hardship due to adverse weather conditions and loss of markets.

The conference agreement provides $1,500,000,000 in assistance directed to producers who have incurred losses in the 1998 crop due to disaster. An additional $675,000,000 is provided to make available assistance to producers who have incurred multiyear losses in the 1998 and preceding crop years. The Secretary may make assistance available for crop losses associated with crops due to losses in quantity, quality or severe economic losses due to damaging weather or related conditions.

The conference agreement requires that producers receiving crop loss assistance who have not purchased crop insurance for the 1998 crop shall agree to purchase crop insurance for the subsequent two crops produced by the producers.

The conference agreement makes available $175,000,000 to provide livestock feed assistance to livestock producers affected by disasters during calendar year 1998.

The conferees have granted the Secretary broad authority to create and implement a crop loss assistance program with the funds made available. This will allow the Secretary to complete an assessment of 1998 crop losses and provide the maximum flexibility to expedite the delivery of assistance.

The conference agreement provides $1,650,000,000 to partially compensate producers for loss of markets in 1998 due to circumstances beyond their control, such as regional economic dislocation, unilateral trade sanctions and failure of the government to pursue trade opportunities aggressively. Payments shall be proportional to the amount of the production flexibility contract payment made to producers in fiscal year 1998.

The agreement includes $50,000,000 for emergency disaster assistance to persons or entities who have incurred losses from a failure under section 312 (a) of P.L. 94–265, $5,000,000 for cotton warehouse losses, temporary recourse loans for honey and mohair, and adjustments to crop insurance for raisin producers. The conference agreement includes language providing additional funding for the Food for Progress program.

The conferees direct the Farm Service Agency to take into consideration the history of flooding in a watershed in determining emergency conservation program eligibility in Vermont.

The conferees expect the Secretary of Agriculture to extend for two years the time period that a participant in the Conservation Reserve Program (CRP) has for completion of pruning, thinning, and stand improvement of trees on lands subject to a contract under CRP. Such pruning, thinning, or stand improvement activities are otherwise required to be completed under the contract in 1998 or 1999.

The conferees expect the Secretary of Agriculture to provide guaranteed loans for purposes of installing irrigation systems if a farmer operates a farm within an area that has been declared an agricultural disaster due to drought conditions.

The conferees understand that in addition to the devastating forest fires that occurred in Florida earlier this year, the drought in Texas has also had a significant impact on timber production and forest health. The conferees also understand that it may take several planting seasons to complete the reforestation due to lack of available planting stock.

The conferees are concerned about the weather-related crop losses that have devastated New York State fruit and onion growers in 1998. The Secretary shall make funding available to assist producers who have incurred losses during the 1998 crop year to fruit crops and to the trees and vines on which those fruit crops are produced.

The Secretary is also directed to develop a crop disaster assistance program suitable for the New York State fruit and onion growers. The Secretary shall provide financial assistance to apple producers proportioned according to their volume of apples sold in fresh, processing and juice markets, based on 1997 marketing data, and shall not deduct a salvage value when the cost of harvesting a crop in that marketing category approximates the 1998 cash market value at the time of harvest.

The Secretary shall make eligible for the Emergency Conservation Program fruit drops in orchards as well as replacement of trellises in orchards and vineyards that were damaged by storms.

The managers direct that in carrying out the disaster relief activities funded by this conference agreement, the Secretary of Agriculture shall give particular attention to assessing and meeting the needs of Puerto Rico and the United States Virgin Islands following Hurricane Georges. The Secretary should take all necessary steps to help the territories recover from the 1998 hurricane season and restore their agricultural economies, such as covering losses in livestock and nonprogram crops, including but not limited to coffee, bananas, and tropical fruits.

TITLE XII—BIODIESEL

The conference agreement includes language that creates a biodiesel program. The Senate bill included similar language.

TITLE XIII—EMERGENCY APPROPRIATIONS

The conference agreement includes additional funding for emergency related costs

including $40,000,000 for salaries and expenses for the Farm Service Agency, $31,405,000 for subsidy costs for additional operating loans for a total loan amount of $540,510,000, and $10,000,000 for the Forestry Incentives Program.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1999 recommended by the committee of conference, with comparisons to the fiscal year 1998 amount, the 1999 budget estimates, and the House and Senate bills for 1999 follow:

New budget (obligational) authority, fiscal year 1998	$49,793,563,000
Budget estimates of new (obligational) authority, fiscal year 1999	59,567,544,000
House bill, fiscal year 1999	55,883,142,000
Senate bill, fiscal year 1999	56,820,368,000
Conference agreement, fiscal year 1999	59,949,240,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1998	+10,155,677,000
Budget estimates of new (obligational) authority, fiscal year 1999	+381,696,000
House bill, fiscal year 1999	+4,066,098,000
Senate bill, fiscal year 1999	+3,128,872,000

JOE SKEEN,
JAMES T. WALSH,
JAY DICKEY,
JACK KINGSTON,
GEORGE R. NETHERCUTT, Jr.,
HENRY BONILLA,
TOM LATHAM,
BOB LIVINGSTON,
MARCY KAPTUR (except CFTC derivative moratorium),
VIC FAZIO,
JOSE E. SERRANO,
ROSA L. DELAURO,
Managers on the Part of the House.

THAD COCHRAN,
ARLEN SPECTER,
KIT BOND,
SLADE GORTON,
MITCH MCCONNELL,
CONRAD BURNS,
TED STEVENS,
DALE BUMPERS (with exception of title XI),
TOM HARKIN (with exception of title XI),
PATRICK J. LEAHY (with exception of title XI),
BARBARA BOXER (with exception of title XI),
ROBERT C. BYRD (with exception of title XI),
Managers on the Part of the Senate.

PROVIDING FOR CONSIDERATION OF H.R. 4274, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore (Mr. DICKEY). The pending business is the question of agreeing to the resolution, House Resolution 564, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

Without objection, the time for a recorded vote, if ordered, on the Speaker's Approval of the Journal will be reduced to 5 minutes immediately following this vote.

There was no objection.

RECORDED VOTE

The vote was taken by electronic device, and there were—yeas 216, nays 200, not voting 18, as follows:

[Roll No. 476]

YEAS—216

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pombo
Porter
Portman
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—200

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Farr
Fattah
Fazio
Filner
Ford
Fox
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weller
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—18

Callahan
Clay
DeFazio
Evans
Fowler
Goss
Harman
Hefley
Kennelly
King (NY)
Lipinski
Livingston
Martinez
Parker
Pitts
Poshard
Pryce (OH)
Tauzin

□ 1402

Ms. MCCARTHY of Missouri and Messrs. MINGE, LEACH, and FOX of Pennsylvania changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore (Mr. DICKEY). Pursuant to clause 5 of rule I, the pending business is the question of

agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 15-minute vote, notwithstanding the Chair's prior announcement.

The vote was taken by electronic device, and there were—ayes 346, noes 60, answered ''present'' 1, not voting 27, as follows:

[Roll No. 477]

AYES—346

Abercrombie
Ackerman
Allen
Andrews
Armey
Bachus
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bunning
Burr
Burton
Buyer
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Christensen
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Herger
Hill
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Kim
Kind (WI)
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lowey
Lucas
Luther
Maloney (NY)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Owens
Oxley
Packard
Pappas
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Radanovich
Rahall
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stokes
Stump
Sununu
Talent
Tanner
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wilson
Wise
Wolf
Woolsey
Yates
Young (AK)
Young (FL)

NOES—60

Aderholt
Becerra
Bonior
Borski
Brown (CA)
Chenoweth
Costello
Crane
Dickey
English
Fazio
Filner
Fox
Gephardt
Gibbons
Green
Gutierrez
Hastings (FL)
Hefner
Hilleary
Hilliard
Hinchey
Hulshof
Johnson (WI)
Klink
Kucinich
LaFalce
Lee
Lewis (GA)
LoBiondo
Maloney (CT)
McDermott
McNulty
Menendez
Miller (CA)
Moran (KS)
Oberstar
Obey
Olver
Pallone
Pickett
Ramstad
Rangel
Rogan
Sabo
Schaffer, Bob
Slaughter
Stenholm
Strickland
Tauscher
Taylor (MS)
Thompson
Towns
Velazquez
Vento
Visclosky
Waters
Weller
Wicker
Wynn

ANSWERED ''PRESENT''—1

Carson

NOT VOTING—27

Archer
Ballenger
Bryant
Callahan
Clay
Clyburn
DeFazio
DeLay
Fowler
Goss
Harman
Hefley
Kennelly
King (NY)
Lipinski
Livingston
Martinez
Moran (VA)
Parker
Pickering
Pitts
Poshard
Pryce (OH)
Snowbarger
Stupak
Tauzin
Waxman

□ 1421

So the Journal was approved.

The result of the vote was announced as above recorded.

REREFERRAL OF H.R. 4614, FEDERAL LAND TRANSFER IN NEW CASTLE, NEW HAMPSHIRE TO COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of the bill (H.R. 4614) to provide for the conveyance of Federal land in New Castle, New Hampshire to the town of New Castle, New Hampshire, and to require the release of certain restrictions with respect to land in such town, and that the bill be rereferred to the Committee on Government Reform and Oversight.

The SPEAKER pro tempore (Mr. PETRI). Is there objection to the request of the gentleman from Maryland?

Mr. CLEMENT. Reserving the right to object, Mr. Speaker, I yield to the gentleman from Maryland (Mr. GILCHREST) to explain the request.

Mr. GILCHREST. Mr. Speaker, I make the request because H.R. 4614 directs the administrator of general services to convey this property and specifically waives section 203 of the Federal Property and Administrative Services Act of 1949.

Mr. CLEMENT. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1995

Mrs. CUBIN. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1995.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

PERSONAL EXPLANATION

Ms. LEE. Mr. Speaker, on September 14, I inadvertently voted ''yea'' on rollcall vote 428. I ask that the RECORD reflect I intended a ''nay'' vote on House Concurrent Resolution 254.

CONFERENCE REPORT ON H.R. 4101, AGRICULTURE, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105–764) on the resolution (H. Res. 567) waiving points of order against the conference report to accompany the bill (H.R. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes, which was referred to the House Calendar and ordered to be printed.

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 567 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 567

Resolved, That up adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R.

4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

SEC. 2. House Resolution 551 is laid on the table.

The SPEAKER pro tempore. The gentleman from New York (Mr. SOLOMON) is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the very distinguished gentleman from Dayton, Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, this rule waives all points of order against the agriculture appropriations conference report in order to allow its prompt consideration today on the House floor. Today is the second day of fiscal year 1999, and it is important to get this conference report through Congress and on its way to the White House as soon as possible.

In order to further expedite the process, this rule provides that the conference report will be considered as read.

Finally the rule lays on the table the old rule providing for consideration of H.R. 4618, the separate agriculture emergency spending bill. The provisions of that bill have been incorporated in this conference report and, therefore, the old rule is no longer necessary.

Mr. Speaker, I want to commend the distinguished gentleman from New Mexico (Mr. SKEEN), chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, and the very distinguished gentlewoman from Ohio (Ms. KAPTUR), ranking minority member, for the long hours that they have put into producing this conference report.

I particularly want to thank them for upholding the 1995 farm bill as it concerns milk marketing orders, the lifeblood of every dairy farmer in America. This provision will prohibit the Department of Agriculture from changing the rules until we have gone through both a legislative and an appropriations cycle next year.

Mr. Speaker, the agricultural appropriations conference agreement provides necessary funding for agricultural programs and related programs, such as school lunch programs and assistance for Women, Infants and Children, the WIC program. It also provides for rural development.

I support the rule and the conference report it will permit this House to consider.

Mr. Speaker, I ask unanimous consent that the gentleman from Washington (Mr. HASTINGS) be allowed to manage the balance of my time.

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

There was no objection.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume, and I thank my colleague, the gentleman from New York (Mr. SOLOMON), for yielding me the time.

As he explained, this rule waives all points of order against the conference report to accompany H.R. 4104, which is the agriculture appropriations bill. The bill appropriates funds for agriculture, rural development and food and nutrition programs.

This is one of the most important of the 13 appropriation bills that we pass each year. It contains funding to help American farmers, and it is the crops they grow which feed the world.

This bill also funds food and nutrition assistance programs for the Nation's poor and hungry, so it is not an exaggeration to say that the programs funded by this bill are life sustaining for millions of people in America and around the world.

Unfortunately, this bill does not go far enough. We have had a year of droughts and flooding and other natural disasters that has created a crisis on our Nation's farms. However, the emergency aid to farmers contained in this bill is too little to offset the massive crop loss. The conferees rejected a proposal to remove caps from loan rates, and this would have enabled farmers to receive an infusion of capital to pay bills while waiting for markets to rebound. Although we are blessed with a prosperous economy and a declining poverty rate, one out of every five American children still live in poverty, and 21 million of our citizens face hunger on a regular basis.

□ 1430

Emergency food needs have risen dramatically over the past 2 years, and private donations are not keeping pace with demand at our Nation's food banks. It is estimated that more than 15 percent of requests for emergency food are being turned down because of insufficient supplies.

This bill provides hunger relief for the poor through the emergency food assistance program known as TEFAP. The conference level for the program is $90 million, which represents a cut from the administration's request of $100 million. While I would like to have seen full funding, this level is better than the Senate bill, which appropriated only $80 million.

I am very grateful to the gentleman from New Mexico (Mr. SKEEN), the chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations for maintaining the funding at the higher level. He kept his word and I appreciate it.

Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. JOHNSON).

Mr. JOHNSON of Wisconsin. Mr. Speaker, I appreciate the gentleman yielding me this time.

Mr. Speaker, I rise today to vigorously oppose this rule because the agriculture appropriations bill continues to punish dairy farmers in Wisconsin and, indeed, across the Midwest.

For years the dairy producers in Wisconsin have been forced to work under an outdated dinosaur policy that our government calls the dairy policy. It is a policy that has disregarded the advance of time and transportation and technology. In spite of all the talk here about a global economy, the government has spent more than 60 years rewarding dairy farmers with higher prices based on the distance of their farm and their cows located from Eau Claire, Wisconsin. As a result, Wisconsin farmers who live and work in America's dairyland have struggled, and dairy producers elsewhere have thrived.

This Congress seems to like ripping up the government by the root, yet when it comes to dairy pricing, this Congress sticks with the status quo, even when the status quo penalizes the dairy farmers in Wisconsin and, indeed, in the Midwest.

Back in 1996, Wisconsin dairy farmers were promised real reform by April of 1999. And now, as the reform just nears, Congress backs out of the agreement and delays reform for another 6 months. We have waited long enough for dairy price reform. The delay has added insult to hard-working Wisconsin farmers.

And to make matters worse, the Congress has also agreed to extend the Northeast Dairy Compact, a cartel that gives further unfair leverage to farmers in the Northeast at the expense of those in the Midwest.

With our pricing system and this Northeast Compact, this Congress is pitting region against region and, unfortunately, farmer against farmer. The Senate was right to resist placing riders in the appropriations bill, but the House leadership used their back room tactics to negotiate an unfair position in this conference that is before us.

This bill represents not a forward movement but, I think, indeed a giant leap backward. I have said it before, the Congress wants a return to the Stone Ages of dairy policy, and I ask people to oppose this rule.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, I thank my colleague from Ohio for yielding me this time. I would also like to associate myself with the remarks of my colleague from Wisconsin.

The Minnesota-Wisconsin, or the M-W, price for milk is a price that we all know has been the lowest in the country. We have discriminated against the heart of America's dairy production for decades. A Congress which we thought was going to address these grievances has abandoned the principle of equity when it comes to dairy production in America and is driving this policy

backwards. I think the time has come for us to make sure that all of our colleagues in the country understand what we are being asked to accept here this afternoon.

I would also like to address another aspect of this bill, and that is the emergency or the disaster assistance portion of the legislation. I also expect that most of us are now well aware that we have a combination of a crop production failure or yield failure, and a price collapse that is affecting much of American agriculture. Those crops that are hardest hit are wheat, corn, and oilseeds, particularly soybeans. Hog prices and cattle prices are also very low.

It is important that we take responsive measures to deal with this price collapse and the yield problems, and this bill does make a good start in that direction. However, I am very disappointed that on the price side of it we have chosen to put all of our eggs, so to speak, in one basket, and that is by inserting an additional AMTA, or transition payment, to agriculture.

These transition payments are the ones established in the '96 farm bill that replaced the old crop-specific subsidy programs. The disadvantages of using this transitional payment approach at this time are four, and I would like to briefly list them.

First, the amount of money for the typical American family farmer is nominal. A farmer in my district came up to me and said, and this fellow farms a fair amount of land, ''I won't even be able to fill my tractor's tank with gasoline, or diesel fuel, for the amount of money I will be receiving.'' This is not an assist. This may well be interpreted by many American farmers as an insult. I think we should go back to the drawing board and reexamine that portion of the bill.

Secondly, oilseed production does not benefit at all from this approach. The transition payments do not include soybeans as base crops. So as a consequence, American soybean farmers are not being included, even though the collapse of soybean prices is one of the unfortunate conditions that they face. So the second consideration that I think counsels against this approach is the problem of not including oilseed, or specifically soybeans.

The third is, the U.S. Department of Agriculture has carefully examined the effectiveness of the transition payments in helping America's family farmers, especially those that are actually growing the crops as opposed to those that may have retired owning land, and they have determined that the transition payments have largely benefitted land ownership in the form of higher rents and higher land prices.

Query: Do we need to be investing more money for this type of benefit when we are trying to respond to our price disaster situation?

And finally, some ag economists, in looking at where commodity prices are headed, have indicated that cotton and rice does not appear to be suffering from the same price problems as the feed grains and wheat. If this is the case, query: Is this a good investment of the American taxpayer dollar, to send money out through the transition payments which benefit those crops as well as the ones where assistance is needed?

For these reasons, I submit that this committee ought to be reexamining the disaster program that it is bringing to the floor.

Mr. HALL of Ohio. Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to Section 2 of House Resolution 567, House Resolution 551 is laid on the table.

Mr. SKEEN. Mr. Speaker, pursuant to House Resolution 567, I call up the conference report on the bill (H.R. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 567, the conference report is considered as having been read.

(For conference report and statement, see prior proceedings of the House of today.)

The SPEAKER pro tempore. The gentleman from New Mexico (Mr. SKEEN), and the gentlewoman from Ohio (Ms. Kaptur) each will control 30 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. SKEEN).

GENERAL LEAVE

Mr. SKEEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report to accompany the bill (H.R. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

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

Mr. Speaker, I am pleased to bring before the House today the conference report on H.R. 4101, making appropriations for Agriculture, Rural Development, the Food and Drug Administration, and Related Agencies.

The House approved our bill on June the 24th by a vote of 373 to 48. This conference report has almost $55 million in additional discretionary spending which we have put into research, food safety and rural development.

Although the budget situation is extremely tight, we did manage to hold the higher House number of $90 million on The Emergency Food Assistance Program. WIC is fully funded to meet the expected participation levels, with a nearly $200 million carryover for emergencies. School lunch and school breakfast and the Child and Adult Food Program are all funded at the administration request.

The Food Safety Initiative is increased by almost $51.9 million over last year and the two main food safety agencies in the government, the Food and Drug Administration and the Food Safety and Inspection Service, have both received substantial increases.

Research, which is the foundation of our agricultural system, has strong support in this bill. The Agricultural Research Service is funded at $37 million over last year, and the Cooperative State Research, Education and Extension Service has a $61 million increase.

Many of our rural development programs remain at the same levels as the previous years, as requested by the administration. And, frankly, I think we need to do better next year. But in this bill we have been able to improve some of the most critical programs, such as water and sewer and farm labor housing.

I am sure that every Member is aware of the problems in rural America caused by the extreme weather, low prices and loss of important overseas markets. This bill also includes approximately $4.2 billion in emergency assistance to farmers, ranchers and fishermen for losses due to natural disasters and other emergencies.

And while I have highlighted some of the individual program increases, Mr. Speaker, I do not want to give the impression that we have reversed the course on spending. In fact, we have to deal with another very difficult budget situation and the discretionary spending level in this bill, $13.65 billion, is $100 million less than last year.

Mr. Speaker, I would say to my colleagues that every one of our constituents needs this bill every day of their lives. This bill delivers a safe and bountiful food supply. It supports feeding and nutrition programs for mothers, infants and senior citizens. And it ensures consumers of safe supplies of medicine and medical devices.

This bill also protects and enhances our soil and water resources, which are critical not only to rural areas but to suburban and urban areas as well. This bill not only serves farmers and ranchers, indeed, they get only a small percentage of the benefits in this bill. This bill serves all Americans, no matter where they live.

I deeply appreciate the help that Members from both sides of the aisle have given us in putting this bill together. It has always been a bipartisan effort and I want it to stay that way. I ask all to vote ''aye'' on this conference report.

Mr. Speaker, I provide for the RECORD tabular material regarding H.R. 4101:

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4101)

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - AGRICULTURAL PROGRAMS						
Production, Processing, and Marketing						
Office of the Secretary	3,379,000	2,941,000	2,941,000	2,836,000	2,836,000	-543,000
Executive Operations:						
Chief Economist	5,048,000	5,823,000	5,973,000	5,048,000	5,620,000	+572,000
Commission on 21st Century Production Agriculture	.....	350,000	.....	.....	.....	.....
National Appeals Division	11,718,000	13,297,000	12,204,000	11,718,000	11,718,000	.....
Office of Budget and Program Analysis	5,986,000	6,045,000	6,120,000	5,986,000	6,120,000	+134,000
Office of the Chief Information Officer	4,773,000	7,222,000	5,551,000	5,551,000	5,551,000	+778,000
Total, Executive Operations	27,525,000	32,737,000	29,848,000	28,303,000	29,009,000	+1,484,000
Office of the Chief Financial Officer	4,283,000	4,562,000	4,283,000	4,283,000	4,283,000	.....
Office of the Assistant Secretary for Administration	613,000	636,000	636,000	613,000	613,000	.....
Agriculture buildings and facilities and rental payments	131,085,000	147,689,000	137,184,000	137,184,000	137,184,000	+6,099,000
Payments to GSA	(98,600,000)	(108,057,000)	(108,057,000)	(108,057,000)	(108,057,000)	(+9,457,000)
Building operations and maintenance	(24,785,000)	(24,127,000)	(24,127,000)	(24,127,000)	(24,127,000)	(-658,000)
Repairs, renovations, and construction	(5,000,000)	(15,505,000)	(5,000,000)	(5,000,000)	(5,000,000)	.....
Relocation expenses	(2,700,000)	.....	.....	.....	.....	(-2,700,000)
Hazardous waste management	15,700,000	15,700,000	15,700,000	15,700,000	15,700,000	.....
Departmental administration	29,231,000	32,168,000	32,168,000	27,034,000	32,168,000	+2,937,000
Outreach for socially disadvantaged farmers	3,000,000	10,000,000	3,000,000	3,000,000	3,000,000	.....
Office of the Assistant Secretary for Congressional Relations	3,668,000	3,814,000	3,668,000	3,668,000	3,668,000	.....
Office of Communications	8,138,000	8,319,000	8,138,000	8,138,000	8,138,000	.....
Office of the Inspector General	63,128,000	87,689,000	67,178,000	63,128,000	65,128,000	+2,000,000
Office of the General Counsel	28,759,000	30,446,000	30,396,000	28,759,000	29,194,000	+435,000
Office of the Under Secretary for Research, Education and Economics	540,000	560,000	560,000	540,000	540,000	.....
Economic Research Service	71,604,000	55,839,000	67,282,000	53,109,000	65,757,000	-5,847,000
National Agricultural Statistics Service	118,048,000	107,190,000	105,082,000	103,964,000	103,964,000	-14,084,000
Census of Agriculture	(36,327,000)	(23,741,000)	(23,141,000)	(23,599,000)	(23,599,000)	(-12,728,000)
Agricultural Research Service	744,382,000	776,828,000	755,816,000	768,221,000	781,950,000	+37,568,000
Buildings and facilities	80,630,000	35,900,000	61,380,000	31,930,000	56,437,000	-24,193,000
Total, Agricultural Research Service	825,012,000	812,728,000	817,196,000	800,151,000	838,387,000	+13,375,000
Cooperative State Research, Education, and Extension Service:						
Research and education activities	431,410,000	412,589,000	431,125,000	432,982,000	481,216,000	+49,806,000
Native American Institutions Endowment Fund	(4,600,000)	(4,600,000)	(4,600,000)	(4,600,000)	(4,600,000)	.....
Extension activities	423,376,000	418,651,000	416,789,000	432,181,000	434,122,000	+10,746,000
Total, Cooperative State Research, Education, and Extension Service	854,786,000	831,240,000	847,914,000	865,163,000	915,338,000	+60,552,000
Office of the Assistant Secretary for Marketing and Regulatory Programs	618,000	642,000	642,000	618,000	618,000	.....
Animal and Plant Health Inspection Service:						
Salaries and expenses	425,932,000	417,752,000	424,500,000	419,473,000	425,803,000	-129,000
AQI user fees	(88,000,000)	(100,000,000)	(88,000,000)	(88,000,000)	(88,000,000)	.....
Buildings and facilities	4,200,000	5,200,000	5,200,000	4,200,000	7,700,000	+3,500,000
Total, Animal & Plant Health Inspection Service	430,132,000	422,952,000	429,700,000	423,673,000	433,503,000	+3,371,000
Agricultural Marketing Service:						
Marketing Services	46,567,000	58,469,000	46,567,000	45,567,000	46,000,000	-567,000
New user fees	(4,000,000)	(4,000,000)	(4,000,000)	(4,000,000)	(4,000,000)	.....
(Limitation on administrative expenses, from fees collected)	(59,521,000)	(60,730,000)	(60,730,000)	(59,521,000)	(60,730,000)	(+1,209,000)
Funds for strengthening markets, income, and supply (transfer from section 32)	10,690,000	10,998,000	10,998,000	10,998,000	10,998,000	+308,000
Payments to states and possessions	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	.....
Total, Agricultural Marketing Service	58,457,000	70,667,000	58,765,000	57,765,000	58,198,000	-259,000
Grain Inspection, Packers & Stockyards Administration	25,390,000	11,797,000	27,542,000	26,390,000	26,787,000	+1,397,000
Inspection and Weighing Services (limitation on administrative expenses, from fees collected)	(43,092,000)	(42,557,000)	(42,557,000)	(42,557,000)	(42,557,000)	(-535,000)
Office of the Under Secretary for Food Safety	446,000	598,000	.....	446,000	446,000	.....
Food Safety and Inspection Service	588,761,000	149,566,000	609,250,000	605,149,000	609,250,000	+20,489,000
Lab accreditation fees 1/	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	.....
Total, Production, Processing, and Marketing	3,292,303,000	2,840,480,000	3,299,073,000	3,259,614,000	3,383,709,000	+91,406,000
Farm Assistance Programs						
Office of the Under Secretary for Farm and Foreign Agricultural Services	572,000	597,000	597,000	572,000	572,000	.....

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4101)— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Farm Service Agency:						
Salaries and expenses	698,579,000	723,478,000	724,499,000	710,842,000	714,499,000	+14,920,000
(Transfer from export loans)	(589,000)	(672,000)	(589,000)	(589,000)	(589,000)	.....
(Transfer from P.L. 480)	(815,000)	(845,000)	(815,000)	(815,000)	(815,000)	.....
(Transfer from ACIF)	(209,861,000)	(227,673,000)	(209,861,000)	(209,861,000)	(209,861,000)	.....
Total, salaries and expenses	(910,844,000)	(952,868,000)	(935,764,000)	(922,107,000)	(925,764,000)	(+14,920,000)
State mediation grants	2,000,000	4,000,000	2,000,000	2,000,000	2,000,000	.....
Dairy indemnity program	550,000	450,000	450,000	450,000	450,000	-100,000
Total, Farm Service Agency	702,129,000	727,928,000	726,949,000	713,292,000	716,949,000	+14,820,000
Agricultural Credit Insurance Fund Program Account:						
Loan authorizations:						
Farm ownership loans:						
Direct	(78,320,000)	(85,000,000)	(75,000,000)	(85,649,000)	(85,651,000)	(+7,331,000)
Guaranteed	(425,000,000)	(425,031,000)	(425,031,000)	(425,000,000)	(425,031,000)	(+31,000)
Subtotal	(503,320,000)	(510,031,000)	(500,031,000)	(510,649,000)	(510,682,000)	(+7,362,000)
Farm operating loans:						
Direct	(565,000,000)	(500,000,000)	(500,000,000)	(560,472,000)	(500,000,000)	(-65,000,000)
Guaranteed unsubsidized	(992,906,000)	(1,700,000,000)	(1,276,000,000)	(992,906,000)	(948,276,000)	(-44,630,000)
Guaranteed subsidized	(235,000,000)	(200,000,000)	(200,000,000)	(235,000,000)	(200,000,000)	(-35,000,000)
Subtotal	(1,792,906,000)	(2,400,000,000)	(1,976,000,000)	(1,788,378,000)	(1,648,276,000)	(-144,630,000)
Indian tribe land acquisition loans	(1,000,000)	(1,003,000)	(1,000,000)	(1,000,000)	(1,000,000)	.....
Emergency disaster loans	(25,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	.....
Boll weevil eradication loans	(53,467,000)	(30,000,000)	(100,000,000)	(40,000,000)	(100,000,000)	(+46,533,000)
Credit sales of acquired property	(25,000,000)	(25,000,000)	(25,000,000)	.....	.....	(-25,000,000)
Total, Loan authorizations	(2,400,693,000)	(2,991,034,000)	(2,627,031,000)	(2,365,027,000)	(2,284,958,000)	(-115,735,000)
Loan subsidies:						
Farm ownership loans:						
Direct	8,329,000	12,725,000	11,228,000	12,822,000	12,822,000	+4,493,000
Guaranteed	16,407,000	6,758,000	6,758,000	6,758,000	6,758,000	-9,649,000
Subtotal	24,736,000	19,483,000	17,986,000	19,580,000	19,580,000	-5,156,000
Farm operating loans:						
Direct	36,823,000	34,150,000	34,150,000	38,280,000	34,150,000	-2,673,000
Guaranteed unsubsidized	11,617,000	19,720,000	11,000,000	11,518,000	11,000,000	-617,000
Guaranteed subsidized	22,654,000	17,480,000	17,480,000	20,539,000	17,480,000	-5,174,000
Subtotal	71,094,000	71,350,000	62,630,000	70,337,000	62,630,000	-8,464,000
Indian tribe land acquisition	132,000	153,000	153,000	153,000	153,000	+21,000
Emergency disaster loans	6,008,000	5,900,000	5,900,000	5,900,000	5,900,000	-108,000
Boll weevil loans subsidy	472,000	432,000	1,440,000	576,000	1,440,000	+968,000
Credit sales of acquired property	3,255,000	3,260,000	3,260,000	.....	.....	-3,255,000
Total, Loan subsidies	105,697,000	100,578,000	91,369,000	96,546,000	89,703,000	-15,994,000
ACIF expenses:						
Salaries and expense (transfer to FSA)	209,861,000	227,673,000	209,861,000	209,861,000	209,861,000	.....
Administrative expenses	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	.....
Total, ACIF expenses	219,861,000	237,673,000	219,861,000	219,861,000	219,861,000	.....
Total, Agricultural Credit Insurance Fund	325,558,000	338,251,000	311,230,000	316,407,000	309,564,000	-15,994,000
(Loan authorization)	(2,400,693,000)	(2,991,034,000)	(2,627,031,000)	(2,365,027,000)	(2,284,958,000)	(-115,735,000)
Total, Farm Service Agency	1,027,687,000	1,066,179,000	1,038,179,000	1,029,699,000	1,026,513,000	-1,174,000
Risk Management Agency:						
Administrative and operating expenses	64,000,000	66,000,000	64,000,000	64,000,000	64,000,000	.....
Sales commission of agents	188,571,000	.....	.....	.....	.....	-188,571,000
Total, Risk Management Agency	252,571,000	66,000,000	64,000,000	64,000,000	64,000,000	-188,571,000
Total, Farm Assistance Programs	1,280,830,000	1,132,776,000	1,102,776,000	1,094,271,000	1,091,085,000	-189,745,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4101)— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Corporations						
Federal Crop Insurance Corporation:						
Federal crop insurance corporation fund	1,584,135,000	1,504,036,000	1,504,036,000	1,504,036,000	1,504,036,000	-80,099,000
Commodity Credit Corporation Fund:						
Reimbursement for net realized losses	783,507,000	8,439,000,000	8,439,000,000	8,439,000,000	8,439,000,000	+7,655,493,000
Operations and maintenance for hazardous waste management (limitation on administrative expenses)	(5,000,000)	(5,000,000)	(5,000,000)	(5,000,000)	(5,000,000)	.....
Total, Corporations	2,367,642,000	9,943,036,000	9,943,036,000	9,943,036,000	9,943,036,000	+7,575,394,000
Total, title I, Agricultural Programs	6,940,775,000	13,916,292,000	14,344,885,000	14,296,921,000	14,417,830,000	+7,477,055,000
(By transfer)	(211,265,000)	(229,190,000)	(211,265,000)	(211,265,000)	(211,265,000)	.....
(Loan authorization)	(2,400,693,000)	(2,991,034,000)	(2,627,031,000)	(2,365,027,000)	(2,284,958,000)	(-115,735,000)
(Limitation on administrative expenses)	(107,613,000)	(108,287,000)	(108,287,000)	(107,078,000)	(108,287,000)	(+674,000)
TITLE II - CONSERVATION PROGRAMS						
Office of the Under Secretary for Natural Resources and Environment	693,000	719,000	719,000	693,000	693,000	.....
Natural Resources Conservation Service:						
Conservation operations	632,853,000	742,231,000	641,243,000	638,664,000	641,243,000	+8,390,000
Watershed surveys and planning 2/	11,190,000	.....	9,545,000	11,190,000	10,368,000	-822,000
Watershed and flood prevention operations 3/	101,036,000	49,000,000	97,850,000	101,036,000	99,443,000	-1,593,000
Resource conservation and development	34,377,000	34,377,000	35,000,000	34,377,000	35,000,000	+623,000
Forestry incentives program	6,325,000	.....	.....	6,325,000	6,325,000	.....
Total, Natural Resources Conservation Service	785,781,000	825,608,000	783,638,000	791,592,000	792,379,000	+6,598,000
Total, title II, Conservation Programs	786,474,000	826,327,000	784,357,000	792,285,000	793,072,000	+6,598,000
TITLE III - RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS						
Office of the Under Secretary for Rural Development	588,000	611,000	611,000	588,000	588,000	.....
Rural community advancement program	652,197,000	715,172,000	745,172,000	702,601,000	722,686,000	+70,489,000
Delta region economic development program	.....	26,000,000	.....	.....	.....	.....
Rural Housing Service:						
Rural Housing Insurance Fund Program Account:						
Loan authorizations:						
Single family (sec. 502)	(1,000,000,000)	(1,000,000,000)	(930,600,000)	(1,000,000,000)	(965,313,000)	(-34,687,000)
Unsubsidized guaranteed	(3,000,000,000)	(3,000,000,000)	(3,000,000,000)	(3,000,000,000)	(3,000,000,000)	.....
Housing repair (sec. 504)	(30,000,000)	(25,001,000)	(25,001,000)	(30,000,000)	(25,001,000)	(-4,999,000)
Farm labor (sec. 514)	(15,000,000)	(32,108,000)	(20,000,000)	(15,758,000)	(20,000,000)	(+5,000,000)
Rental housing (sec. 515)	(128,640,000)	(100,000,000)	(100,000,000)	(128,640,000)	(114,321,000)	(-14,319,000)
Multi-family housing guarantees (sec. 538)	(19,700,000)	(150,000,000)	(125,000,000)	(75,000,000)	(100,000,000)	(+80,300,000)
Site loans (sec. 524)	(600,000)	(5,000,000)	(5,000,000)	(5,000,000)	(5,152,000)	(+4,552,000)
Credit sales of acquired property	(25,000,000)	(30,007,000)	(25,000,000)	(25,000,000)	(16,930,000)	(-8,070,000)
Self-help housing land development fund	(587,000)	(5,000,000)	(5,000,000)	(5,000,000)	(5,000,000)	(+4,413,000)
Total, Loan authorizations	(4,219,527,000)	(4,347,116,000)	(4,235,601,000)	(4,284,398,000)	(4,251,717,000)	(+32,190,000)
Loan subsidies:						
Single family (sec. 502)	128,100,000	118,200,000	110,000,000	118,200,000	114,100,000	-14,000,000
Unsubsidized guaranteed	6,900,000	2,700,000	2,700,000	2,700,000	2,700,000	-4,200,000
Housing repair (sec. 504)	10,300,000	8,808,000	8,808,000	10,569,000	8,808,000	-1,492,000
Multi-family housing guarantees (sec. 538)	1,200,000	3,480,000	2,900,000	1,740,000	2,320,000	+1,120,000
Farm labor (sec. 514)	7,388,000	16,706,000	10,406,000	8,199,000	10,406,000	+3,018,000
Rental housing (sec. 515)	68,745,000	48,250,000	48,250,000	62,069,000	55,160,000	-13,585,000
Site loans (sec. 524)	.....	17,000	17,000	16,000	17,000	+17,000
Credit sales of acquired property	3,492,000	4,672,000	3,492,000	3,826,000	3,492,000	.....
Self-help housing land development fund	17,000	282,000	282,000	282,000	282,000	+265,000
Total, Loan subsidies	226,142,000	203,115,000	186,855,000	207,601,000	197,285,000	-28,857,000
RHIF administrative expenses (transfer to RHS)	354,785,000	367,857,000	354,785,000	360,785,000	360,785,000	+6,000,000
Rental assistance program:						
(Sec. 521)	535,497,000	577,497,000	577,497,000	577,497,000	577,497,000	+42,000,000
(Sec. 502(c)(5)(D))	5,900,000	5,900,000	5,900,000	5,900,000	5,900,000	.....
Total, Rental assistance program	541,397,000	583,397,000	583,397,000	583,397,000	583,397,000	+42,000,000
Total, Rural Housing Insurance Fund	1,122,324,000	1,154,369,000	1,125,037,000	1,151,783,000	1,141,467,000	+19,143,000
(Loan authorization)	(4,219,527,000)	(4,347,116,000)	(4,235,601,000)	(4,284,398,000)	(4,251,717,000)	(+32,190,000)
Mutual and self-help housing grants	26,000,000	26,000,000	26,000,000	26,000,000	26,000,000	.....
Rural community fire protection grants	2,000,000	.....	.....	.....	.....	-2,000,000
Rural housing assistance grants	45,720,000	46,900,000	41,000,000	45,720,000	41,000,000	-4,720,000
Subtotal, grants and payments	73,720,000	72,900,000	67,000,000	71,720,000	67,000,000	-6,720,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4101)— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
RHS expenses:						
Salaries and expenses	57,958,000	60,978,000	57,958,000	60,978,000	60,978,000	+3,020,000
(Transfer from RHIF)	(354,785,000)	(367,857,000)	(354,785,000)	(360,785,000)	(360,785,000)	(+6,000,000)
Total, RHS expenses	(412,743,000)	(428,835,000)	(412,743,000)	(421,763,000)	(421,763,000)	(+9,020,000)
Total, Rural Housing Service	1,254,002,000	1,288,247,000	1,249,995,000	1,284,481,000	1,269,445,000	+15,443,000
(Loan authorization)	(4,219,527,000)	(4,347,116,000)	(4,235,601,000)	(4,284,398,000)	(4,251,717,000)	(+32,190,000)
Rural Business-Cooperative Service:						
Rural Development Loan Fund Program Account:						
(Loan authorization)	(35,000,000)	(35,000,000)	(35,000,000)	(33,000,000)	(33,000,000)	(-2,000,000)
Loan subsidy	16,888,000	17,622,000	17,622,000	16,615,000	16,615,000	-273,000
Administrative expenses (transfer to RBCS)	3,482,000	3,547,000	3,499,000	3,482,000	3,482,000	.....
Total, Rural Development Loan Fund	20,370,000	21,169,000	21,121,000	20,097,000	20,097,000	-273,000
Rural Economic Development Loans Program Account:						
(Loan authorization)	(25,000,000)	(15,000,000)	(15,000,000)	(23,000,000)	(15,000,000)	(-10,000,000)
Direct subsidy	5,978,000	3,783,000	3,783,000	5,801,000	3,783,000	-2,195,000
Alternative Agricultural Research and Commercialization Revolving Fund	7,000,000	10,000,000	.....	7,000,000	3,500,000	-3,500,000
Rural cooperative development grants	3,000,000	5,700,000	3,300,000	3,000,000	3,300,000	+300,000
RBCS expenses:						
Salaries and expenses	25,680,000	26,396,000	25,680,000	25,680,000	25,680,000	.....
(Transfer from RDLFP)	(3,482,000)	(3,547,000)	(3,499,000)	(3,482,000)	(3,482,000)	.....
Total, RBCS expenses	(29,162,000)	(29,943,000)	(29,179,000)	(29,162,000)	(29,162,000)	.....
Total, Rural Business-Cooperative Service	62,028,000	67,048,000	53,884,000	61,578,000	56,360,000	-5,668,000
(By transfer)	(3,482,000)	(3,547,000)	(3,499,000)	(3,482,000)	(3,482,000)	.....
(Loan authorization)	(60,000,000)	(50,000,000)	(50,000,000)	(56,000,000)	(48,000,000)	(-12,000,000)
Rural Utilities Service:						
Rural Electrification and Telecommunications Loans Program Account:						
Loan authorizations:						
Direct loans:						
Electric 5%	(125,000,000)	(55,000,000)	(71,500,000)	(71,500,000)	(71,500,000)	(-53,500,000)
Telecommunications 5%	(75,000,000)	(50,000,000)	(75,000,000)	(75,000,000)	(75,000,000)	.....
Subtotal	(200,000,000)	(105,000,000)	(146,500,000)	(146,500,000)	(146,500,000)	(-53,500,000)
Treasury rates: Telecommunications	(300,000,000)	(300,000,000)	(300,000,000)	(250,000,000)	(300,000,000)	.....
Muni-rate: Electric	(500,000,000)	(250,000,000)	(295,000,000)	(295,000,000)	(295,000,000)	(-205,000,000)
FFB loans:						
Electric, regular	(300,000,000)	(300,000,000)	(700,000,000)	(700,000,000)	(700,000,000)	(+400,000,000)
Telecommunications	(120,000,000)	(120,000,000)	(120,000,000)	(120,000,000)	(120,000,000)	.....
Subtotal	(420,000,000)	(420,000,000)	(820,000,000)	(820,000,000)	(820,000,000)	(+400,000,000)
Total, Loan authorizations	(1,420,000,000)	(1,075,000,000)	(1,561,500,000)	(1,511,500,000)	(1,561,500,000)	(+141,500,000)
Loan subsidies:						
Direct loans:						
Electric 5%	9,325,000	7,172,000	9,325,000	9,325,000	9,325,000	.....
Telecommunications 5%	2,940,000	4,895,000	7,342,000	7,342,000	7,342,000	+4,402,000
Subtotal	12,265,000	12,067,000	16,667,000	16,667,000	16,667,000	+4,402,000
Treasury rates: Telecommunications	60,000	810,000	810,000	675,000	810,000	+750,000
Muni-rate: Electric	21,100,000	21,900,000	25,842,000	25,842,000	25,842,000	+4,742,000
FFB loans: Electric, regular	2,760,000	.....	.....	.....	.....	-2,760,000
Total, Loan subsidies	36,185,000	34,777,000	43,319,000	43,184,000	43,319,000	+7,134,000
RETLP administrative expenses (transfer to RUS)	29,982,000	32,000,000	29,982,000	29,982,000	29,982,000	.....
Total, Rural Electrification and Telecommunications Loans Program Account	66,167,000	66,777,000	73,301,000	73,166,000	73,301,000	+7,134,000
(Loan authorization)	(1,420,000,000)	(1,075,000,000)	(1,561,500,000)	(1,511,500,000)	(1,561,500,000)	(+141,500,000)
Rural Telephone Bank Program Account:						
(Loan authorization)	(175,000,000)	(175,000,000)	(175,000,000)	(140,000,000)	(157,509,000)	(-17,491,000)
Direct loan subsidy	3,710,000	4,638,000	4,638,000	3,710,000	4,174,000	+464,000
RTP administrative expenses (transfer to RUS)	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	.....
Total	6,710,000	7,638,000	7,638,000	6,710,000	7,174,000	+464,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4101)— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Distance learning and telemedicine program:						
(Loan authorization)	(150,000,000)	(150,000,000)	(150,000,000)	(150,000,000)	(150,000,000)	.....
Direct loan subsidy	30,000	180,000	180,000	180,000	180,000	+150,000
Grants	12,500,000	15,000,000	10,000,000	12,500,000	12,500,000	.....
Total	12,530,000	15,180,000	10,180,000	12,680,000	12,680,000	+150,000
RUS expenses:						
Salaries and expenses	33,000,000	33,445,000	33,000,000	33,000,000	33,000,000	.....
(Transfer from RETLP)	(29,982,000)	(32,000,000)	(29,982,000)	(29,982,000)	(29,982,000)	.....
(Transfer from RTP)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	.....
Total, RUS expenses	(65,982,000)	(68,445,000)	(65,982,000)	(65,982,000)	(65,982,000)	.....
Total, Rural Utilities Service	118,407,000	123,040,000	124,119,000	125,556,000	126,155,000	+7,748,000
(By transfer)	(32,982,000)	(35,000,000)	(32,982,000)	(32,982,000)	(32,982,000)	.....
(Loan authorization)	(1,745,000,000)	(1,400,000,000)	(1,886,500,000)	(1,801,500,000)	(1,869,009,000)	(+124,009,000)
Total, title III, Rural Economic and Community Development Programs	2,087,222,000	2,220,118,000	2,173,781,000	2,174,804,000	2,175,234,000	+88,012,000
(By transfer)	(391,249,000)	(406,404,000)	(391,266,000)	(397,249,000)	(397,249,000)	(+6,000,000)
(Loan authorization)	(6,024,527,000)	(5,797,116,000)	(6,172,101,000)	(6,141,898,000)	(6,168,726,000)	(+144,199,000)
TITLE IV - DOMESTIC FOOD PROGRAMS						
Office of the Under Secretary for Food, Nutrition and Consumer Services	554,000	573,000	.....	554,000	554,000	.....
Food and Consumer Service:						
Child nutrition programs	2,612,675,000	3,887,703,000	4,166,747,000	4,171,747,000	4,128,747,000	+1,516,072,000
Discretionary spending	3,750,000	10,000,000	3,750,000	.....	.....	-3,750,000
Transfer from section 32	5,151,391,000	5,332,194,000	5,048,150,000	5,048,150,000	5,048,150,000	-103,241,000
Total, Child nutrition programs	7,767,816,000	9,229,897,000	9,218,647,000	9,219,897,000	9,176,897,000	+1,409,081,000
Special supplemental nutrition program for women, infants, and children (WIC)	3,924,000,000	4,081,000,000	3,924,000,000	3,948,000,000	3,924,000,000	.....
Reserve	.....	(20,000,000)	.....	.....	.....	.....
Food stamp program:						
Expenses	23,736,479,000	22,365,806,000	21,165,806,000	22,365,806,000	21,159,106,000	-2,577,373,000
Reserve	100,000,000	1,000,000,000	100,000,000	100,000,000	100,000,000	.....
Nutrition assistance for Puerto Rico	1,204,000,000	1,236,000,000	1,236,000,000	1,236,000,000	1,236,000,000	+32,000,000
The emergency food assistance program	100,000,000	100,000,000	90,000,000	80,000,000	90,000,000	-10,000,000
Total, Food stamp program	25,140,479,000	24,701,806,000	22,591,806,000	23,781,806,000	22,585,106,000	-2,555,373,000
Commodity assistance program	141,000,000	317,081,000	141,000,000	141,000,000	131,000,000	-10,000,000
Food donations programs for selected groups:						
Needy family program	1,165,000	.....	1,081,000	1,081,000	1,081,000	-84,000
Elderly feeding program	140,000,000	.....	140,000,000	140,000,000	140,000,000	.....
Total, Food donations programs 4/	141,165,000	.....	141,081,000	141,081,000	141,081,000	-84,000
Food program administration	107,505,000	111,848,000	108,311,000	109,069,000	108,561,000	+1,056,000
Total, Food and Consumer Service	37,221,965,000	38,441,632,000	36,124,845,000	37,340,853,000	36,066,645,000	-1,155,320,000
Total, title IV, Domestic Food Programs	37,222,519,000	38,442,205,000	36,124,845,000	37,341,407,000	36,067,199,000	-1,155,320,000
TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS						
Foreign Agricultural Service and General Sales Manager:						
Direct appropriation	131,295,000	141,087,000	131,295,000	131,795,000	136,203,000	+4,908,000
(Transfer from export loans)	(3,231,000)	(3,413,000)	(3,231,000)	(3,231,000)	(3,231,000)	.....
(Transfer from P.L. 480)	(1,035,000)	(1,093,000)	(1,035,000)	(1,035,000)	(1,035,000)	.....
Total, Program level	(135,561,000)	(145,593,000)	(135,561,000)	(136,061,000)	(140,469,000)	(+4,908,000)
Public Law 480 Program and Grant Accounts:						
Title I - Credit sales:						
Program level	(244,508,000)	(111,558,000)	(197,514,000)	(221,083,000)	(219,724,000)	(-24,784,000)
Direct loans	(226,900,000)	(102,163,000)	(182,624,000)	(203,475,000)	(203,475,000)	(-23,425,000)
Ocean freight differential	17,608,000	9,395,000	14,890,000	17,608,000	16,249,000	-1,359,000
Title II - Commodities for disposition abroad:						
Program level	(837,000,000)	(837,000,000)	(837,000,000)	(837,000,000)	(837,000,000)	.....
Appropriation	837,000,000	837,000,000	837,000,000	837,000,000	837,000,000	.....
Title III - Commodity grants:						
Program level	(30,000,000)	(30,000,000)	(25,000,000)	(30,000,000)	(25,000,000)	(-5,000,000)
Appropriation	30,000,000	30,000,000	25,000,000	30,000,000	25,000,000	-5,000,000
Loan subsidies	176,596,000	88,667,000	158,499,000	176,596,000	176,596,000	.....

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4101)— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Salaries and expenses:						
General Sales Manager (transfer to FAS)	1,035,000	1,093,000	1,035,000	1,035,000	1,035,000	.....
Farm Service Agency (transfer to FSA)	815,000	845,000	815,000	815,000	815,000	.....
Subtotal	1,850,000	1,938,000	1,850,000	1,850,000	1,850,000	.....
Total, Public Law 480:						
Program level	(1,111,508,000)	(978,558,000)	(1,059,514,000)	(1,088,083,000)	(1,081,724,000)	(-29,784,000)
Appropriation	1,063,054,000	967,000,000	1,037,239,000	1,063,054,000	1,056,695,000	-6,359,000
CCC Export Loans Program Account:						
Export credit: Loan subsidy	407,630,000	253,000,000	252,500,000	.....	.....	-407,630,000
(Loan authorization)	(5,500,000,000)	(4,615,000,000)	(4,615,000,000)	.....	.....	(-5,500,000,000)
Emerging markets export credit	(200,000,000)	.....	.....	.....	.....	(-200,000,000)
Salaries and expenses (Export Loans):						
General Sales Manager (transfer to FAS)	3,231,000	3,413,000	3,231,000	3,231,000	3,231,000	.....
Farm Service Agency (transfer to FSA)	589,000	672,000	589,000	589,000	589,000	.....
Total, CCC Export Loans Program Account	411,450,000	257,085,000	256,320,000	3,820,000	3,820,000	-407,630,000
Total, title V, Foreign Assistance and Related Programs	1,605,799,000	1,365,172,000	1,424,854,000	1,198,669,000	1,196,718,000	-409,081,000
(By transfer)	(4,266,000)	(4,506,000)	(4,266,000)	(4,266,000)	(4,266,000)	.....
TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION						
DEPARTMENT OF HEALTH AND HUMAN SERVICES						
Food and Drug Administration						
Salaries and expenses, direct appropriation	857,501,000	878,884,000	871,499,000	940,367,000	965,867,000	+108,366,000
Prescription drug user fee act	(117,122,000)	(126,845,000)	(126,845,000)	(132,273,000)	(132,273,000)	(+15,151,000)
Mammography clinics user fee	(13,966,000)	(14,385,000)	(14,385,000)	(14,385,000)	(14,385,000)	(+419,000)
Subtotal, program level	(988,589,000)	(1,020,114,000)	(1,012,729,000)	(1,087,025,000)	(1,112,525,000)	(+123,936,000)
Buildings and facilities	21,350,000	8,350,000	11,350,000	12,350,000	11,350,000	-10,000,000
Rental payments (FDA)	46,294,000	82,866,000	82,866,000	.....	.....	-46,294,000
By transfer from PDUFA	.....	(5,428,000)	(5,428,000)	.....	.....	.....
Subtotal, program level	(46,294,000)	(88,294,000)	(88,294,000)	.....	.....	(-46,294,000)
Total, Food and Drug Administration	925,145,000	970,100,000	965,715,000	952,717,000	977,217,000	+52,072,000
DEPARTMENT OF THE TREASURY						
Financial Management Service: Payments to the Farm Credit System Financial Assistance Corporation	7,728,000	2,565,000	2,565,000	2,565,000	2,565,000	-5,163,000
INDEPENDENT AGENCIES						
Commodity Futures Trading Commission	58,101,000	63,360,000	62,140,000	61,000,000	61,000,000	+2,899,000
Farm Credit Administration (limitation on administrative expenses)	(34,423,000)	(35,800,000)	(35,800,000)	.....	(35,800,000)	(+1,377,000)
Total, title VI, Related Agencies and Food and Drug Administration	990,974,000	1,036,025,000	1,030,420,000	1,016,282,000	1,040,782,000	+49,808,000
TITLE VII - EMERGENCY APPROPRIATIONS						
DEPARTMENT OF AGRICULTURE						
Farm Service Agency						
Emergency conservation program	34,000,000	.....	.....	.....	.....	-34,000,000
Tree assistance program	14,000,000	.....	.....	.....	.....	-14,000,000
Agricultural Credit Insurance Fund Program Account:						
Emergency insured loans:						
Loan subsidy	21,000,000	.....	.....	.....	.....	-21,000,000
(Loan authorization)	(87,400,000)	.....	.....	.....	.....	(-87,400,000)
Total, Farm Service Agency	69,000,000	.....	.....	.....	.....	-69,000,000
Commodity Credit Corporation						
Livestock disaster assistance fund	4,000,000	.....	.....	.....	.....	-4,000,000
Dairy production indemnity assistance program	6,800,000	.....	.....	.....	.....	-6,800,000
Total, Commodity Credit Corporation	10,800,000	.....	.....	.....	.....	-10,800,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4101)— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Natural Resources Conservation Service						
Watershed and flood prevention operations	80,000,000					-80,000,000
Total, title VII, Emergency appropriations	159,800,000					-159,800,000
TITLE XI - EMERGENCY APPROPRIATIONS						
DEPARTMENT OF AGRICULTURE						
Farm Service Agency						
Salaries and expenses		40,000,000			40,000,000	+40,000,000
Agricultural Credit Insurance Fund Program Account:						
Loan authorizations:						
Farm operating loans:						
Direct					(133,806,000)	(+133,806,000)
Guaranteed unsubsidized					(150,000,000)	(+150,000,000)
Guaranteed subsidized					(156,704,000)	(+156,704,000)
Total, Loan authorizations					(440,510,000)	(+440,510,000)
Loan subsidies:						
Farm operating loans:						
Direct		15,969,000			15,969,000	+15,969,000
Guaranteed unsubsidized		1,740,000			1,740,000	+1,740,000
Guaranteed subsidized		13,696,000			13,696,000	+13,696,000
Total, Agricultural Credit Insurance Fund		31,405,000			31,405,000	+31,405,000
(Loan authorization)					(440,510,000)	(+440,510,000)
Total, Farm Service Agency		71,405,000			71,405,000	+71,405,000
Federal Crop Insurance Corporation						
Federal crop insurance corporation fund		1,545,000,000				
Purchase requirement					66,000,000	+66,000,000
Commodity Credit Corporation						
Natural disasters					1,500,000,000	+1,500,000,000
Multi-year losses					675,000,000	+675,000,000
Livestock disaster assistance fund		85,000,000			175,000,000	+175,000,000
Multi-year flooding		50,000,000				
Market loss					1,650,000,000	+1,650,000,000
Total, Commodity Credit Corporation		135,000,000			4,066,000,000	+4,066,000,000
Natural Resources Conservation Service						
Forestry incentives program					10,000,000	+10,000,000
Forest Service						
State and private forestry		10,000,000				
Total, title XI, emergency appropriations		1,761,405,000			4,147,405,000	+4,147,405,000
TITLE XIII - EMERGENCY APPROPRIATIONS						
DEPARTMENT OF AGRICULTURE						
Office of the Secretary (cotton warehouse)					5,000,000	+5,000,000
Federal Crop Insurance Corporation						
Federal crop insurance corporation fund (raisins)					3,000,000	+3,000,000
Commodity Credit Corporation						
Economic loss (Alaska)					50,000,000	+50,000,000
Honey					1,000,000	+1,000,000
Mohair fiber					27,000,000	+27,000,000
Total, Commodity Credit Corporation					78,000,000	+78,000,000
Foreign Agricultural Service and General Sales Manager						
Food for progress					25,000,000	+25,000,000
Total, title XIII, emergency appropriations					111,000,000	+111,000,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 (H.R. 4101)— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Grand total:						
New budget (obligational) authority	49,793,563,000	59,567,544,000	55,883,142,000	56,820,368,000	59,949,240,000	+10,155,677,000
Appropriations	(49,633,763,000)	(57,806,139,000)	(55,883,142,000)	(56,820,368,000)	(55,690,835,000)	(+6,057,072,000)
Emergency appropriations	(159,800,000)	(1,761,405,000)	.....	.....	(4,258,405,000)	(+4,098,605,000)
(By transfer)	(606,780,000)	(640,100,000)	(606,797,000)	(612,780,000)	(612,780,000)	(+6,000,000)
(Loan authorization)	(14,012,620,000)	(13,403,150,000)	(13,414,132,000)	(8,506,925,000)	(8,894,194,000)	(-5,118,426,000)
(Limitation on administrative expenses)	(142,036,000)	(144,087,000)	(144,087,000)	(107,078,000)	(144,087,000)	(+2,051,000)

1/ In addition to appropriation.
2/ Budget proposes to fund this account under Conservation Operations.
3/ Budget proposes to fund technical assistance for WFPO under Conservation Operations.
4/ Budget proposes to include funding for these programs under the Commodity Assistance Program in FY 1998.

Mr. SKEEN. Mr. Speaker, I reserve the balance of my time.

Ms. KAPTUR. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of this conference report on H.R. 4101, which is the 1999 appropriations bill for Agriculture and Related Agencies.

Mr. Speaker, I want to say how pleased we are today also that our fine and distinguished colleague, the gentleman from the State of Texas (Mr. HENRY GONZALEZ), is here for this debate, and how very much we enjoy working with him on every single issue that comes before the Nation.

□ 1445

Mr. Speaker, I rise today to commend our chairman, the gentleman from New Mexico (Mr. SKEEN), and as well as all the members of our subcommittee, and the committee staff, Tim, Sally, and Bobby, for their outstanding leadership in helping us put this bill together.

Without question, it keeps our Nation at the leading edge for food, fiber, fuel, and forest production as well as research, trade, and food safety. Really a full plate. Our bill contains this year $55.88 billion in total budget authority for the fiscal year 1999, where the clock has already begun running, of which $13.65 billion is for discretionary programs, with the vast majority, $42.2 billion, for mandatory programs.

Over two-thirds of this bill's spending, in fact, is dedicated to mandatory programs, largely the nutrition programs, like the school lunch and the school breakfast programs and the food stamp program, which comprise nearly 70 percent of all the funding incorporated in this measure.

Now, this is a balanced bill that attempts to address the needs of farmers, food and drug safety, rural community development, consumers, and those in our population most nutritionally at risk. The chairman has fashioned a bill with our committee that is the best possible bill within the allocation that we were all dealt.

I have to say, I appreciate the bipartisanship and sensitivity of the gentleman from New Mexico (Mr. SKEEN) to balancing the burden of these tight funding levels between various constituencies served by our bill, Members who may represent Bronx, New York, all the way to the southern third of New Mexico and Arizona. So we have a very diverse committee and a very diverse Congress.

I would be remiss if I did not point out that there remains a veto threat on this bill because of the level provided for disaster assistance in agriculture. I would hope that there would be another opportunity for this Congress to perhaps incorporate additional disaster assistance in an omnibus supplemental appropriations bill.

Funding levels are also still well below the administration's request for several of our most critically important programs in this bill. For example, in the area of food safety; the Women, Infants, and Children's feeding program; our conservation program, so important to today and tomorrow; youth tobacco prevention; all of the rural water and sewer needs that each of us knows so well from our respective States, and certainly The Emergency Feeding and Assistance Program known as TEFAP.

Without an additional allocation of resources, we continue to betray our commitment to American farmers and to all consumers who benefit from the bounty that our farmers produce.

I am going to reference a few of the major points in the bill right now, beginning with disaster assistance.

Mr. Speaker, there is a real crisis facing most American farmers in rural communities today, and many have been unduly affected by the drought and other extreme and unusual weather conditions. Some are suffering the impact of repeated crop disease year after year, and others have been impacted by very low farm prices, falling farm prices, and increasing inability to obtain credit at prices that really work on the balance sheet.

While the rest of the country may be experiencing economic recovery, thousands and thousands of farm and ranch families, certainly so many of our dairy farmers that the gentleman from Wisconsin (Mr. OBEY), our ranking member, has so eloquently represented in these debates, and the communities that depend on them have been left behind. The gentleman from Wisconsin (Mr. JOHNSON) just talked about that a bit earlier during the debate on the rule.

I am pleased that we were able to provide over $4 billion in emergency assistance to farmers in this conference report, but I remain concerned that this level of funding still remains insufficient to deal with the magnitude of the real farm crisis facing this country. We must keep in mind that this bill will provide only a 1-year fix and that prices are projected to be low again next year.

In fact, at a meeting earlier today, one of our Ohio members told me he had taken his third cutting on hay and alfalfa. That is terrific, except it means that prices are going to continue to go down. Farmers need a long-term safety net and we may need to look to other options for assistance in the future.

Let me move on to the area of food safety. Each year over 9,000 Americans die, that is 9,000, die in this country and another 33 million become ill from food-borne pathogens. Currently less than two-tenths of 1 percent, less than 1 percent of imported produce is being inspected for pathogen contamination.

This bill provides a $51 million increase for the President's Food Safety Initiative, and we thank the administration for that initiative, with $20 million targeted to import inspection through our Food and Drug Administration. This will go a long way toward bolstering our Nation's food safety inspection and research efforts to assure that our food and produce are of higher quality.

I regret, however, that the conferees were unable to adopt country-of-origin labeling for produce and meat, specifically beef and lamb, which we feel is so important for our people to know where their food is coming from. Consumers have a right to know where the food that they eat originates from.

Let me move on, finally, to the area of derivatives and say I remain concerned about a provision in the bill that places a moratorium on the ability of the Commodity Futures Trading Corporation to regulate over-the-counter derivatives.

We have all seen in the recent headlines the default and bailout of the company called Long-Term Capital Management, which in essence was a hedge fund. They play in the area of risk with no assets. Many of the Members in this Chamber may already know about this situation. An emergency financial rescue of over $3.5 billion was hurriedly put together by the Federal Reserve and several New York banks on behalf of a very few large financial institutions and wealthy individuals.

In effect, the largest banks in this country, who lent organizations money to invest in these hedge funds, are at risk because their fundamental deposits are insured by the Federal Deposit Insurance Corporation, which means the taxpayers of this country, because our Nation guarantees bank deposits up to $100,000. That creates the risk pool for insurance, and they are going to be faced with drawing on it very heavily if they are not able to make whole the people who play in those markets.

This federally backed rescue involved Long-Term Capital Management from Connecticut, which was not even regulated by the Federal Government. Yet the package put together was a Federal package. In essence, the taxpayers of America are becoming the insurance company of last resort for a handful of very high risk takers, institutions and individuals that are involved in the highest stakes game and are completely over-leveraged in the international markets.

Mr. Speaker, where are we, where is this Congress and where is our government when it comes to helping out all of the people of this land, including our farmers who are strung out, many of them, to their very last acre?

I find it ironic that this conference report includes nearly $4 billion in emergency assistance for America's farmers, barely much more than is being provided to some of America's wealthiest individuals and largest institutions connected to long-term capital management. It is an interesting ratio to think about.

Drought and floods and deteriorating world markets are ravaging America's farm sector. Our dairy farmers are

being wiped out one after another, and regularly we see on television incidents and acts of God beyond the control of those who are making a living, a hard and difficult living, off the land. Thousands and thousands of farmers and farm families and ranchers are looking to us for this much needed assistance.

Those who speculate on financial trends, those who take major risks and never get their hands dirty, based on which direction currency and commodity prices will go, are taken care of in an instant. One could say that they are bailed out in less than a New York minute by the New York Fed's intervention.

In closing, I want to express my appreciation to the gentleman from New Mexico (Mr. SKEEN) again for putting together the best bill that we could under the circumstances.

Let me just reiterate my continuing concern that we have not been able to provide in this bill country-of-origin labeling on meat, especially beef and lamb. Also, our hope to provide some certainty in the market, for mandatory price reporting in the livestock area, which would be such a simple thing for us to do, it was not included in this legislation. Those are shortcomings in this bill that we hope to overcome in future years.

Overall, it is a good bill. It is worthy of the Members' support.

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

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

Mr. Speaker, I want to return the bouquet to the lady, the gentlewoman from Ohio (Ms. KAPTUR), the ranking member, and thank her for all the service and the help that she has been, and also the rest of the members of the committee. They are a great bunch to work with.

Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. SMITH), who is chairman of the Committee on Agriculture.

Mr. SMITH of Oregon. Mr. Speaker, I want to compliment the gentleman from New Mexico (Mr. SKEEN) and the ranking member for bringing forth a responsible and reasonable package that is in favor of agriculture across this country, but especially I want to visit for a moment about the disaster relief which is a portion of this program.

Seldom in our history have we ever had a situation that has occurred to us in agriculture as it has in this year, and that simply is drought and flood and disaster conditions throughout much of the country, especially in the South, and a loss of revenue at the same time which was caused by loss of markets.

The problems that we face with disasters, of course, we cannot control, and we have stepped up here today with this program, which certainly is not adequate to fulfill all the needs of farmers and ranchers but certainly will take care of many, many of the problems in disaster as we have been able to identify them around the country.

The other portion of this bill, which is brand new to us, is the restoration of some revenue loss because of market loss. The reason we are doing that is simply because it is the government's responsibility, we feel, to provide markets for agriculture and for farmers and for commodities.

We passed the 1996 Freedom in Farm bill which said no more intervention by the Federal Government in commodities, which gave freedom for the farmer to plant and to harvest and to decide his own fate and future. As a part of that, we also gave the responsibility to the government to provide markets for his products, and that he cannot provide markets for, obviously.

That has been attempted, and we have simply lost that race for the moment. We have lost 30 percent of our market in Asia, as we well know. Japan, which is a huge market for us, is fumbling in economic, questionable situations. South America is combining with their own programs, through MERCOUR and others, to trade with themselves. And we cannot get any commodities into the European Union. So here we are.

This is an adequate and important program for revenue redistribution, and that is why $1.65 billion has been returned through increased AMTA payments to farmers who have lost revenue, who have lost some of their crops through loss of revenue. A part of that, of course, is a recognition that livestock feed is important, and part of this disaster relief goes to emergency feed for livestock people.

All in all, Mr. Speaker, I believe that this program is fair, it is reasonable. It answers farmers' questions, wherever they may be in this country, whatever kind of commodities and crops they may grow. And beyond that, it is fair to the taxpayer and to the budget.

I suggest that we pass this bill. It is important to us. It is important to farmers and it is essential to this nation.

Ms. KAPTUR. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. STENHOLM) the very distinguished ranking member of the Committee on Agriculture, a rancher and farmer himself, from the great State of Texas.

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

Mr. STENHOLM. Mr. Speaker, I rise in support of this conference report, commend the chairman and the ranking member for their work on this very difficult task.

Mr. Speaker, I rise in strong support of the conference report and I thank my colleague for yielding time.

Mr. Speaker, H.R. 4101 is an important bill which funds the operations of the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission and the many functions of those agencies. The Department of Agriculture is an important partner to our nation's farmers and ranchers, and with the normal provisions of this bill the conferees have made recommendations that carefully balance program priorities.

I am particularly grateful that the conferees have risen to the occasion and provided additional funding to aid our nation's farmers and ranchers whose livelihoods are being devastated by natural crises and low prices.

Mr. Speaker, a year ago we were considering the conference report for the FY 1998 version of this bill. At that time, the El Niño weather pattern was continuing to warm the waters of the Eastern Pacific Ocean, the prices of agricultural commodities were displaying considerable volatility, and signs were appearing of trouble spots in the world's economy. We were well aware of the increasing level of uncertainty facing agriculture. With the failure to address IMF and Fast Track, I am afraid that we have ensured future uncertainty in agriculture.

Now, this uncertainty has given way to multiple, compounded disasters. Extreme weather patterns have wiped out crops and pastures, increasing stocks and plummeting economies in Asia are destroying our prices, and it has become clear that the agriculture policies we have set in place are not sufficient to help producers secure the stable revenues they need to continue in business for the long haul.

Mr. Speaker, I support the conference report because it addresses the short-term impacts of the crisis. However, I am disappointed that we were unable to focus on improving the long-term safety net for farmers and ranchers. When I look at the projections for next year's crops, I see continuing low incomes in our agricultural sector. This year's events have made it more clear than ever that we on the Agriculture Committee must commit ourselves to making long-term improvements in Federal programs and give our producers the tools they need to manage adequately production and yield risks.

Mr. Speaker, we have to move forward with this conference report. Too many producers need the assistance that will be provided. Unfortunately, we cannot at this time accurately assess the total damage inflicted on agriculture this year from natural disaster—including Hurricane Georges—or from low prices. To the extent that this bill fails to address adequately the current agricultural crisis, in the days, weeks, and months ahead, we can continue to consider the scope of difficulties in rural America and fashion the appropriate Federal response.

Mr. Speaker, in addition to disaster spending, H.R. 4101 will provide the Agriculture Department with the resources it needs to address the challenges facing rural America. Under the bill, funding is provided for cooperative efforts in agricultural research—the key to sustained economic viability for agriculture. While the bill prohibits funding for the Initiative for Future Agriculture and Food Systems which became law earlier this year, I look forward to working with my colleagues to ensure that this promising program can be up and running in the not too distant future. The bill provides funding for the administration of the basic farm programs established under the Farm Bill, and for the conservation programs which are an increasingly important focus of

the mission of USDA. The bill also funds important programs that will help rural communities address the substantial economic challenges they face.

Mr. Speaker, again I wish to thank and congratulate my colleagues who worked so hard to develop this bill, and I urge all of my colleagues to vote for its passage.

Ms. KAPTUR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I wanted to enter into the record, because the staff gets so little recognition and just reading their names does not seem to be enough, but I do have to say we have the best staff in the Congress on this subcommittee. To Tim Sanders, our hat is off to him, to Sally Chadbourne, to Bobbi Jeanquart, to John Ziolkowski, to Martin Delgado and Jim Richards. I thank them very much for helping America help our people.

□ 1500

Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member on the Committee on Appropriations. There is no harder fighter in our country for the needs of farmers and ranchers, including dairy farmers in his own state.

Mr. OBEY. Mr. Speaker, it is getting a little deep in here. Let me simply say that I want to express my affection for the gentleman from New Mexico and my great respect for the gentlewoman from Ohio, and I regret that I have to oppose their bill, but I want to explain why I am doing that.

Mr. Speaker, I think there are four very good reasons to vote ''no'' on this bill. First of all, this bill blocks the ability of Secretary of Agriculture Glickman to propose even the smallest reform of the ancient, outmoded and disgracefully discriminatory milk marketing order system. I do not think it ought to do that, and that is one reason I am voting against it.

Secondly, this bill is a very expensive admission that the Freedom to Farm bill is a spectacular failure and it has in fact become the freedom-to-fail-at-farming bill.

Last year, the farm bill provided some $36 billion in transition payments to farmers who are moving their way into the wonderful new world of no safety net. Despite that fact, this bill now recognizes the need to add billions more, because the bottom has dropped out of the market. That is a confession of failure. I think people ought to recognize that.

The problem, however, is that while those grain farmers are getting multibillion dollar payments from the government for the next number of years, when I asked the conferees to provide transition payments for dairy farmers that were only 4 percent as large as those transition payments for grain farmers, we were turned down flat by unanimous vote of the Republican House conferees. If that had been provided, dairy farmers would have gotten an extra 50 cents per hundred weight this year, a small amount, but certainly it would have been welcome.

Thirdly, the conferees then threw beef farmers overboard. There are three companies who control 80 percent of the market in the meat packing industry. They know with perfect understanding what the prices are that they are offering the farmers. But farmers are dispersed and they do not know what the real price is that they can get in the marketplace. We tried to get that corrected by having mandatory price reporting. Again, the House Republican conferees turned that down unanimously, even though it had been supported on a bipartisan basis in the Senate.

Then look at the fact that this bill turned its back on consumers in two ways. First of all, the Senate, again on a bipartisan basis, proposed country-of-origin food labeling on beef because of concerns about problems such as E. coli. Again, the Republican House conferees unanimously turned that down.

We then tried to pass the Senate bipartisan proposal to provide country-of-origin food labeling for fruits and vegetables because we had a cyclosporia outbreak with raspberries from Guatemala and we had hepatitis outbreak because of strawberries from Mexico. Again, Republican House conferees unanimously blocked that bipartisan initiative in the Senate. Given the fact that we only inspect 2 percent of the fruits and vegetables that come into this country for pathogens, it seems to me that is the least that Congress could have done, but they chose not to do it.

Therefore, I am simply going to urge a no vote on this bill. There are many good provisions in the bill, but there are also many cases where the conferees simply gave in to the processors or continued grossly discriminatory pricing practices, and they certainly walked away from the consumer protection actions that they should have taken on these country-of-origin provisions. So I am going to vote no, and I would urge others to do likewise.

Mr. SKEEN. Mr. Speaker, I yield four minutes to the gentleman from Iowa (Mr. LATHAM) a real farmer.

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

Mr. LATHAM. Mr. Speaker, I thank the chairman very much, and I want to express my appreciation to him for working very hard through a very tough bill, and the ranking member for being so very, very helpful and accommodating.

Let me just say, first of all, the gentleman just talked about the Freedom to Farm bill, calling it the freedom-to-fail bill. I think what this bill points out is the fact that the administration has totally abandoned and failed our farmers, when you look at the fact over the last three years we have had $1.5 billion available for this administration to use to market our grains overseas in the form of Export Enhancement Program funds, and only when the European Union dumped 30,000 metric tons of feed grain barley in California did they finally use about $7 million of this.

Let us look at what the administration's response has been to the plight of the American farmer. In their budget proposal from the other side that they brought forward they had $573 million of new taxes on livestock producers, and these are people who are in dire straits today. But they have got $573 million of new taxes on beef and pork producers in their budget. They cut $35 million out of the Food for Peace program. And when we have a safety net in the farm bill as far as revenue assurance, what is the administration's response in their budget proposal? It is to cut funds out of insurance for farmers to the point where they were going to decimate the entire program for farmers to actually cover their risk out here as far as price and yield.

This is the response of an administration who pretends to be concerned about farmers? The problem is the administration has failed in enacting a good bill which finally gives farmers the freedom to make decisions for themselves.

There are people here who want to roll back the clock and go back to government control on everything, which they have never controlled price except exacerbated a real problem when we have surpluses, and that is what they want to do again.

This is a good bill which actually helps farmers. Being a farmer myself who lives on a farm and operates a farm and understands a little bit about agriculture, I hope, I hope people will support this bill.

The emergency funds in here actually go to help farmers who have need today. The alternative was to put money into a program which, if you did not have a crop this year, would give you no help at all. To raise loan caps when you do not have any grain to put under loan, does not help you.

I would also say by extending the period of the loans, let us think about this for a second, shall we? If you do not have a crop to put under loan, how does extending the loan help you? How does raising the caps on the loans help you, when you have nothing to put under loan? All their program does is give more money to people who have good crops and take money away from people who have had natural disasters. Does that make any sense at all? No, it makes no sense at all.

We have a good bill that is going to help farmers who have disasters, who need financial assistance because of the administration's policy, which has caused the low prices that we have in agriculture today. Let us support this bill. I would ask everyone to join together in making this work, because it is critical for agriculture and it is critical for this country.

Ms. KAPTUR. Mr. Speaker, I yield two minutes to the very able and dedicated gentlewoman from Connecticut

(Ms. DELAURO), who works harder than any other Member of this chamber on most days.

Ms. DELAURO. Mr. Speaker, let me say thank you to my good friend and colleague, the gentlewoman from Ohio (Ms. KAPTUR), for yielding me time and for the wonderfully high compliment. I am much appreciative. I also would like to recognize the gentleman from New Mexico (Chairman SKEEN) and our ranking member, the gentlewoman from Ohio (Ms. KAPTUR), for their outstanding work to bring this conference report to the floor.

I am pleased to rise in support of the conference report. The report omits dangerous language which would have had the chilling effect of slowing or stopping research on drugs to treat cancer, ulcers, hypertension, rheumatoid arthritis and many other serious illnesses. Science, not politics, should dictate whether drugs are approved and made available to the patients whose lives depend on them. I am pleased that this conference report reaffirms that important principle.

The conference report also provides $4.2 billion in critical emergency aid to help agricultural families across this country recover from the terrible losses suffered due to disease, El Nino and other natural disasters, and from the Asian financial crisis and the loss of export markets. I voted in conference to increase these funds.

Farm communities are facing the worst agricultural crisis in a decade, and I believe that additional funds will be needed to address this crisis. However, I am pleased that the conference report takes an important step in the right direction to get aid to our farmers. Despite my desire for higher funding for disaster relief, WIC nutritional assistance, food safety and the FDA tobacco initiative, I would like to say thank you to the chairman and the ranking member for their hard work in putting this package together. I would also like to extend my thanks to the staff who have helped to make this possible. They make it possible for us to do our work.

Ms. KAPTUR. Mr. Speaker, I yield one minute to the gentleman from California (Mr. FAZIO). This is his last conference bill. I can honestly say this is a man that has worked so hard for America, for California and on our committee. We will miss his brilliance and his leadership. We hope he will come back and visit us many, many times, and we thank him for his service to America.

Mr. FAZIO of California. Mr. Speaker, I want to thank my dear colleague, the gentlewoman from Ohio (Ms. KAPTUR), for yielding me this time and for those very generous remarks.

I want to thank the ranking member, along with the chairman, the gentleman from New Mexico (Mr. SKEEN), for the outstanding work they have done on this bill. I rise in support of it, and want to express my deep thanks for the way in which the people I represent in agriculture in California have been treated in this bill and in prior bills. I have enjoyed greatly my opportunity to serve on this committee, and this bill reflects the impact that the very important agricultural State of California has on our national economy, and this bill at the same time responds well to that.

I thank all of my colleagues for the time I have been able to spend with them on this subject.

I rise in support of the conference report.

Each appropriation bill is an amalgam of agencies and issues, but I believe our bill—even though it is confined primarily to one department—is one of the most challenging to balance adequately. We provide funding for farm programs, for rural development and housing, for food safety and operations of the Food and Drug Administration, to promote foreign trade, for research and support for our land-grant colleges, and for human nutrition programs for our school children, for pregnant women and young children, and for others in need.

The House-Senate conference committee was a reflection of the many issues that can be raised in this bill. Although everyone may not be completely happy, I believe we resolved a number of difficult issues in as satisfactory a manner as can be expected under the circumstances.

I want to focus my remarks on one of the issues I raised at conference—methyl bromide. My amendment was agreed to without objection by House and Senate conferees.

Methyl bromide is the most important and widely used agricultural fumigant in use in the United States today and in international agricultural commerce. Despite its importance, methyl bromide is a dangerous chemical, and it is believed to deplete the ozone, so the United States and other countries have made a decision to phase out its use and have worked together in negotiating the Montreal Protocol Treaty.

As many of my colleagues know, based on the requirements of the Clean Air Act, the U.S. has been under a self-imposed methyl bromide phase-out of 2001 for many years. As 2001 has grown closer, our farmers and others who depend upon methyl bromide have experienced considerable anxiety—both because of the phase-out but, more importantly, because of the competitive disadvantage that would be imposed on them if it continues to be available to other countries.

In anticipation of this phase-out, we have provided funding in our bill for many years to the Agricultural Research Service for research into alternatives to methyl bromide. Although there is increased attention on research into alternatives for some users, there is little evidence that we are close to an all-purpose methyl bromide alternative. If cost-effectiveness is taken into account, the situation becomes even less promising.

For those who think this is an issue just related to farming, I want to point out many uses of methyl bromide that we all depend upon. Although much of methyl bromide is used for crop fumigation—especially pre-planting preparation of fields—there are many other important uses that touch home for all of us. Methyl bromide is used for funmigation of many agricultural commodities before they are shipped overseas, in fact, countries such as Japan require methyl bromide certification before accepting our U.S. agricultural commodities. On the receiving end, methyl bromide is used in U.S. ports to fumigate a variety of shipments being received from other countries—not just agricultural commodities, but essentially any pallet of goods that may be infested with unseen parasites that would cause catastrophe if released into our agriculture. In addition, methyl bromide is used for fumigating bakeries, rice mills, grain silos, and food processing plants, so it is an essential tool for federal, state and local sanitation requirements that contribute to a safe food system.

The Administration's negotiating team has attempted over several international meetings to conform the Montreal Protocol to our self-imposed 2001 phase-out under the Clean Air Act. However, they were unsuccessful, and at a September meeting just last year, a 2005 phase-out for developed countries was negotiated.

The amendment I offered at our conference and that is included in this conference report is a relatively simple conformance for the U.S. to the Montreal Protocol. it would amend the Clean Air Act in order for the U.S. to conform to the schedule that has been negotiated by the Administration—a negotiating team headed by officials from the Council on Environmental Quality and EPA. The language of each of its provisions—including a sanitation exemption and a critical uses provision—is specifically conditioned to be consistent with the Montreal Protocol.

Some opposition has been raised to my amendment and that is to be expected for a provision of this importance. I can tell you that farmers would have preferred far more—many of my farmers are competing not with developed countries but with Chile or Argentina or Mexico, who will continue to enjoy a 10-year advantage in using methyl bromide. I can tell you that some environmentalists would prefer we do nothing at all—that we adhere to the self-imposed 2001 phase-out despite its possible devastating effect on our farm economy.

But I believe there has been a recognition by this Administration and by this Congress for many years that this is an issue we need to address. President Clinton told California farmers in 1995 that he would help them resolve this issue, and Kathleen McGinty, chair of the Council on Environmental Quality has written the Commerce Committee on two occasions to indicate the Administration's willingness to work with it, yet the Administration has never taken the next step by suggesting how we might move ahead.

The Commerce Committee, for understandable reasons, has been hesitant to move ahead despite the compelling case for conforming to the rest of the world, because of the protracted fight between farmers and environmentalists that would probably have resulted.

So, with an Administration which has chosen to remain silent and a Commerce Committee that has chosen not to act, it was left to a retiring congressman who didn't have to face the voters again—namely me—to suggest the approach that is embodied in this conference report today.

While I suspect both the Administration and the Commerce Committee do not think my amendment is perfect, I urge both to support it as a common-sense solution to this problem, and I believe they will.

A provision in an appropriations bill is probably not the best way to handle an issue of this magnitude. The Appropriations Committee is approached time and time again by both authorizers who are unable to work issues through their own committees, and by constituents who are unable to get the normal processes to respond. For those who dislike Appropriations Committee intervention in major issues, I say: show us that you can make the regular process work.

This increasing desire to politicize many issues spills over to ones like this where we should have reached consensus long ago. We need to work harder to identify common ground and put together bipartisan coalitions that can speak with authority to our various constituencies whose nature is always to ask for more. In pushing too hard for the impossible, we too often lose sight of the possible, and we are left with nothing.

My amendment is a common-sense proposal that means that American farmers will not be put at a competitive disadvantage while farmers in every other country are on a different phase-out schedule. it makes sense for the American farmer, it makes sense for our international trade, and it makes sense for all Americans.

Mr. SKEEN. Mr. Speaker, I yield two minutes to the gentleman from New York (Mr. SOLOMON).

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I was not going to speak, except that I do just want to commend both the chairman of the committee, my good friend, the gentleman from New Mexico (Mr. SKEEN), and the gentlewoman from Ohio (Ms. KAPTUR), because they have brought an excellent bill to this floor.

I do not have to tell Members that in New York State, everyone thinks of it as the money capital of the world, and you would not believe that in a small area like mine, it is the 20th largest dairy producing district in America, not to mention the apples and other produce. But agriculture is the mainstay of industry in New York State, and this bill goes a long way to preserving especially the dairy industry, but all of the agricultural industry.

So I wanted to take a minute just to commend both of you, and particularly your staffs. You have some of the best staff in this entire Congress. I salute you and them and urge support of and passage of the bill.

□ 1515

Ms. KAPTUR. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. BISHOP), who really helped our committee a great deal in enlightening us on some of the civil rights damage suits pending before the U.S. Department of Agriculture and who worked so closely with us, as did the gentlewoman from North Carolina (Mrs. CLAYTON) and the gentlewoman from California (Ms. WATERS). Without question, this is a better bill, a much better bill because of their leadership.

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

Mr. BISHOP. Mr. Speaker, I rise to support the conference report on H.R. 4101, the fiscal year 1999 agricultural appropriations bill, which includes disaster and market loss assistance to cover losses incurred by farmers this year.

The total farmgate losses in Georgia have been estimated by the University of Georgia to be in excess of three-quarters of a billion dollars. In light of this, the $4.6 billion provided in the bill for all agricultural disasters throughout the United States might prove to be inadequate.

Indeed, many of the details of this bill's implementation will be entrusted to the Department of Agriculture, so I do not know that any of us is confident that every producer in our districts who has suffered a loss through acts of God or record low prices will be indemnified. However, this is a bird in the hand and I must support the bird that we have in hand.

In addition, I am pleased to say that the conferees have seen fit to respond to the Department of Agriculture and the minority farmers in this Nation in providing appropriations and report language which will assist in a long-term problem there. I am pleased to say the conferees, in addition to the overall relief provisions, have included at least three other items of importance to me, two of which I authored after listening to producers throughout South Georgia.

One provision will adjust the Conservation Reserve Program contracts to avoid a further decline in low timber prices throughout the Southeast, and the other will ensure that the Secretary makes available guaranteed loans for the purpose of irrigation installation.

The third, which I am pleased to support, offered by my friend, the gentleman from Georgia (Mr. KINGSTON), will provide for indemnity payments to compensate a number of cotton producers who, through no fault of their own, were left holding the bag when a licensed warehouseman went bankrupt earlier this year.

I urge adoption of the conference report, and it is a good bill.

The current market condition for the sale of harvested timber throughout the Southeast is poor, due in part to the increased harvesting activity in the aftermath of the fires which scorched, but did not completely destroy thousands of acres of commercial pine trees in Florida. Many farms which contain land subject to contract under the Conservation Reserve Program require thinning of pine stands in 1998 or in 1999, as a condition of continued participation in the program. Farmers with land under contract were concerned that the current market condition for timber throughout the Southeast is such that this required thinning activity could exacerbate the oversupply which has resulted in record low prices for harvested trees. I asked for and the conferees agreed to report language that a delay in this requirement is warranted, in order to give the market a chance to absorb the current glut, and for prices to rebound. Therefore, the conferees have directed that the Secretary authorize no less than a two-year extension period on the requirement that owners of land under Conservation Reserve Program contracts should prune, thin or conduct stand improvement activities otherwise required to be completed in 1998 or 1999.

Many of the crop losses suffered through the country during 1998 were due to drought conditions, sustained by dryland farming operations. Many of the dryland farmers report that they could minimize their losses due to drought conditions in future years if they had access to loan financing for installation of irrigation systems, including retention ponds. I believe that the policy of the Congress in responding to disasters should include measures which would serve to mitigate losses from future disasters of the same nature, which are certain to occur again. I asked and the conferees have directed the Secretary to provide loans to borrowers who farm in areas subject to a past Secretarial Declaration of Disaster, due to drought conditions.

In view of the widespread drought conditions this bill is attempting to relieve, directing the Secretary to place a priority on irrigation-related lending is vital.

Ms. KAPTUR. Mr. Speaker, might I inquire as to the remaining time on this side, please?

The SPEAKER pro tempore (Mr. PETRI). The gentlewoman from Ohio (Ms. KAPTUR) has 9 minutes remaining.

Ms. KAPTUR. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. PALLONE) who has worked so hard with us on the sanctions portion of the bill.

Mr. PALLONE. Mr. Speaker, I want to thank the ranking member from Ohio for yielding me this time.

I rise in support of the conference report, and I want to thank the conferees for including a provision that would give the President authority to waive sanctions that were imposed on both India and Pakistan as a result of the nuclear tests that those countries conducted earlier this year.

The sanctions imposed after the nuclear tests have disrupted a variety of bilateral assistance programs, including technical support for the very market reforms that we would like to see India and other developing countries adopt. These reforms offer short- and long-term opportunities for U.S. companies, large and small, to gain entry into India's vast consumer market and to help meet India's significant infrastructure improvement needs. Under the unilateral sanctions, we stand to lose many of these economic opportunities.

Mr. Speaker, the sanctions have not achieved the desired result; namely, gaining India's support for the Comprehensive Test Ban Treaty. However, several rounds of negotiations between both sides have shown significant progress, and at this time of significant progress in south Asia, giving the President the authority to waive sanctions in exchange for significant agreements from India and Pakistan will help to move the process forward.

Mr. SKEEN. Mr. Speaker, I reserve the balance of my time.

Ms. KAPTUR. Mr. Speaker, I yield 1½ minutes to the distinguished gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I thank the ranking member for yielding me this time. I want to commend the chairman and the ranking member for their support in bringing the bill before the House.

This bill has many provisions that are good. It has been noted for things that are lacking, but when we balance it all, it has more good than bad. Obviously, we judge good by what things are hurting us back home, and our farmers back home are in some disarray there and they are in disarray for many reasons; not only because the prices are low, but some farmers who have been discriminated against for years are really looking forward to this bill coming, to getting some legal relief from the statute of limitations. Many farmers who have had 17 years of complaints, now this bill will at least allow them to have the legal opportunity to remove the statute of limitations.

I am also pleased about the credit provisions that are in the bill. The credit provisions amend some of the harshness of the 1996 farm bill, where it allows a person who might have defaulted or had problems with their loan to have a second chance. It does not do it as far as I would like, but I must say it is a step in the right direction.

It provides also some relief for emergency loans, if persons have had emergency loans, and again, that is in the right direction. There is not enough money for research, but through the conferees there was some restoration of some funds for research and some expansion for extension programs.

All of those go to make the agricultural community, not only the 1990 colleges, but the university for research, appreciative that the bill will mean that the agriculture community can go forward.

Ms. KAPTUR. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. BERRY), who has worked so hard on this measure.

Mr. BERRY. Mr. Speaker, I thank the gentlewoman from Ohio for yielding me this time.

I rise in support of America's farmers. I think it is time for us not to try to find someone to blame this crisis on that our farmers are facing. It is clearly from natural disasters, global oversupply, diminished overseas demand, and low prices, and the last time I checked, droughts are caused by lack of rainfall and floods are caused by too much rainfall.

Now is the time for us to take appropriate action. We should not have delayed the passage of this bill even one day. The partisan fights over unrelated issues should not be allowed to impede the much-needed assistance that this bill will provide for thousands of farmers, not only in the First Congressional District of Arkansas but across this country.

Mr. Speaker, we must recognize this as a true emergency when our agriculture base is in danger of collapsing. Since this bill will deliver funding and serve as an investment in our future security for this country and our prosperity, it is essential that it be delivered without delay.

Mr. Speaker, I urge passage of this bill.

Ms. KAPTUR. Mr. Speaker, I yield 1 minute to the gentleman from Vermont (Mr. SANDERS), the fighter for justice.

Mr. SANDERS. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I rise in support of this legislation because it provides important benefits for dairy farmers in Vermont and farmers throughout the country. Specifically for our region, it expands the Northeast Dairy Compact for another year, which is terribly important for farmers in my State who are fighting to keep their heads above water.

This legislation provides some disaster relief for farmers all over this country, including New England, which is vitally needed. It also gives us more time to address the Federal Milk Marketing Order formula, a very, very important issue, and I want to thank the gentleman from New York (Mr. SOLOMON) for his leadership role in that fight.

Having said that, we still have a long way to go. Family farmers are what this country is supposed to be about. We believe in decentralized agriculture. We need to significantly improve Federal policy for dairy farmers, family farmers, or else we are going to continue to lose them, and that will be a tragedy not only for New England but for every State in this country.

Ms. KAPTUR. Mr. Speaker, I yield such time as he may consume to the gentleman from Maine (Mr. BALDACCI).

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

Mr. BALDACCI. Mr. Speaker, I rise in support of the conference report.

Ms. KAPTUR. Mr. Speaker, I yield 3 minutes to the gentleman from North Dakota (Mr. POMEROY), who has fought harder than anyone I know for the needs of the farmers in the Great Plains States due to the disasters that have been ravaging that part of the country. The Dakotas are lucky to have him here.

Mr. POMEROY. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I want to commend the chairman of the Subcommittee on Agriculture of the Committee on Appropriations, and the chairman of the agriculture authorizing committee, as well as the ranking members, the gentlewoman from Ohio (Ms. KAPTUR) and the gentleman from Texas (Mr. STENHOLM).

Mr. Speaker, I like these individuals a lot; they have put real hard work into this bill. However, I must rise and oppose this conference report. It is not my style, as the Members will note, to oppose agriculture appropriations bills, much less ask for a motion to recommit late on a Friday afternoon. But that is precisely what I am doing today, because the amount of relief in this bill is simply nowhere near adequate to meet the magnitude of the catastrophe unfolding in farm country.

We have had a collapse of commodity prices. Wheat is down $1.66 a bushel in the last 2 years. That is a 36 percent drop. The relief provided under the AMTA increase in this bill would amount to 13 cents a bushel. Mr. Speaker, corn is down $2.37 a bushel; that is a 57 percent drop in market price. The relief in this bill would amount to 2 cents a bushel. Soybeans, $1.90 a bushel drop from 2 years ago, a 27 percent fall. The relief in this bill amounts to 2 cents a bushel.

Mr. Speaker, the worst thing we can do is hold forth to the public some agriculture disaster response and then go home and let the farmers realize that it amounts to pennies on the dollar, compared to what their problems are. There is a difference as we look at what we face this fall, and the difference is, we no longer have a farm program that automatically triggers in relief when market prices collapse.

Market prices have collapsed. There has been a start made in the bill to give farmers relief for both disaster assistance and market price collapse. The disaster assistance goes a lot further to meeting the need than the market price collapse. It is a good start, but we have to do more.

The President has held out a veto threat on this bill. Let us not run this down Pennsylvania Avenue, have it vetoed, have it come back. Let us get it right the first time.

Mr. Speaker, I am going to be making a motion to recommit. My motion is going to provide that within the scope of the conference we recommit to increase the assistance available to family farmers suffering economic loss as a result of record low prices, deteriorating market conditions, and/or natural disasters.

The fact of the matter is we have not done an adequate job in this bill. We need more relief. We will lose thousands and thousands of farmers across the country, and if it was not just so darn desperate, there is no way in the world I would try and make this motion on this bill at this time, but we have to do more. Please support the motion to recommit.

Ms. KAPTUR. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentlewoman from Ohio (Ms. KAPTUR) has 1½ minutes remaining.

Mr. SKEEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BARRETT).

(Mr. BARRETT of Nebraska asked and was given permission to revise and extend his remarks.)

Mr. BARRETT of Nebraska. Mr. Speaker, I rise in very strong support of the conference report on H.R. 4101.

Mr. Speaker, I support the conference report on H.R. 4101. I want to thank the Chairman, Ranking Member, and the House Leadership for their efforts to address the problems in the agriculture economy, through this bill.

There's no question there's trouble in agriculture today. We've had disastrous drought and flooding, which my state was fortunate to escape this year. Exports are down and farmgate prices are extremely low, and my producers haven't escaped that devastation.

With the 1996 farm bill, we hoped for a smooth transition from government-controlled to market-oriented agriculture. Unfortunately, the problems in Asia and incredibly abundant production worldwide, have made the transition rough going.

This bill addresses the situation in the right way. We maintain our commitment to freedom in agriculture, but we provide assistance to producers facing weather-related disasters, and every producer coping with low prices and decreased exports.

I say to my friends on the other side of the aisle, who are also good friends of agriculture, that I understand your arguments for reverting to old farm polices, and for raising loan rates. That may seem like the best, quick fix, but in the long run will do more harm than good. I understand the demand for more money. But please don't vote to put agriculture back in the hands of government, or vote to lose this piece of pie just because it's not a big enough slice.

Let's stay the course on the 1996 farm bill, but respond to the current problems. Please support this bill. This is must-pass, must-be-signed legislation for rural America.

Mr. SKEEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. COMBEST).

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

Mr. COMBEST. Mr. Speaker, I rise in strong support of H.R. 4101.

Mr. Speaker, I rise today in support of the conference to H.R. 4101, the FY 1999 Agriculture Appropriations Act. Among other important provisions, this conference report provides emergency assistance for farmers and ranchers across the country who are facing income losses this year due to lost export markets, and devastating weather. Rural America has an extreme need for assistance right now, and I appreciate the opportunity we have today to meet that need.

Mr. Speaker, American farmers and ranchers are the most efficient in the world—it's a fact, and it benefits our nation more than we can know. But even the most insightful and efficient agricultural producers cannot predict, nor plan for the economic devastation that can occur when prices fall, or when drastic weather wipes out a year's work. In my home of West Texas this year, we are facing both sides of this crisis. Severe heat and drought have left many producers without a crop. For those who did manage to hang on, low prices and higher input costs have robbed their profitability.

The emergency assistance provided in this conference report represents the most even-handed way to infuse a substantial amount of needed capital into the cash poor rural economy. For producers of the traditional row-crops who are suffering excessively low prices, this bill provides supplemental market loss payments equal to 29 percent of their FY 1998 AMTA payment. For farmers who have suffered additional losses because of natural disasters, it gives the Secretary of Agriculture the ability and resources needed to provide cash indemnities. In addition, for soybean farmers, the package establishes a market for the value-added biodiesel product which should aide the industry for years to come. And lastly, for ranchers, the bill funds a livestock feed program that will reimburse a portion of any additional feed costs incurred this year.

However, let us be clear: no amount of assistance we provide this year will make producers whole. But when combined with additional support provided through the Emergency Farm and Financial Relief Act—which allows farmers to collect the full amount of their FY 1999 AMTA payments this month—and the tax package which this body passed last Saturday, the provisions of this agricultural relief package will go far in helping farmers and ranchers recover a portion of their losses. What's more, this cash assistance will roll over several times in our rural communities—bringing life to their ailing economies.

Mr. Speaker, looking beyond today, I believe the current state of our farm sector commands further attention by this Congress—particularly in the committees of jurisdiction. But I believe we are acting prudently today to only consider a disaster relief package which works within the framework of our current farm bill. In 1996, we sought to empower the American farmer to be more competitive, and to capture a larger share of the growing world market by doing away with artificial price supports and planting restrictions. To renege on these goals now, or to make hasty reforms to this policy without having full knowledge of all the costs or ramifications involved would be reckless.

Again, I want to express my strong support for this balanced disaster relief package. America's farmers and ranchers need our support. I urge the passage of this conference report.

Mr. SKEEN. Mr. Speaker, I reserve the balance of my time.

Ms. KAPTUR. Mr. Speaker, I yield our remaining time to the gentleman from New York (Mr. LAFALCE), from the Buffalo area, one of the hardest working Members of this Chamber.

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

□ 1530

Mr. LAFALCE. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I am very pleased, and I congratulate the conferees on the agriculture appropriations bill for providing crop disaster relief that is so desperately needed by the apple growers in my district and throughout western New York, most especially Orleans County and Niagara County.

Our apple industry in New York State was devastated recently by tornado force winds on Labor Day. It could not have come at a worse time. The latest weather-related damage estimates to this year's apple crop is 41.4 million, fully 28 percent of the total crop value.

The hardest hit area was in Orleans County, in my district. The Labor Day storm there caused more than a $5 million loss to my county's apple crop. Yields are down by as much as 70 percent on over 6,000 acres in my county, and thousands of trees were destroyed.

I applaud this $1.5 billion new disaster grant program that is so crucial to restoring the financial health of New York apple growers. I applaud the conferees for the tremendous work they have done in inserting and including this $1.5 billion.

Mr. Speaker, I am very pleased that conferees on the Agriculture Appropriations bill agreed to provide crop disaster relief that is so desperately needed by the apple growers in my district and throughout Western New York.

New York's apple industry has been both physically and financially devastated by a series of unusual weather events this past year—from last frosts in the spring to an intense hail and wind storm on Labor Day.

The tornado force winds on Labor Day could not have come at a worse time. They completely destroyed five million bushels just prior to harvest—more than 20 percent of the entire New York apple crop. The latest weather-related damage estimates to this year's apple crop is $41.4 million—fully 28 percent of the total crop value.

One of the hardest hit areas was Orleans County in my district. The Labor Day storm caused more than a $5 million loss to that county's apple crop. Yields are down by as much as 70 percent on 6,000 acres in the county. And thousands of trees were destroyed.

This appropriations bill will help those farmers by providing $1.5 billion in emergency assistance for 1998 crop losses due to disasters, and an additional $675 million for farmers who have suffered multiyear losses. I am very grateful that this critical funding has been included.

This new disaster grant program is crucial to restore the financial health of New York apple growers. Most of them are carrying huge debt loads. They simply cannot afford emergency disaster loans, no matter how low the interest rate. Without these direct payments, many of them would not be able to survive the devastating losses they have suffered this year.

I want to thank the Chairman, the gentleman from New Mexico, and the ranking Democrat, the gentlelady from Ohio, for the excellent work they've done in responding to this apple crop disaster in New York State, and to the farm crisis nationwide. I also commend the gentleman from New York, Mr. WALSH, for leading the effort on the conference committee to provide this essential disaster relief. And I thank all my New York colleagues who joined Mr. WALSH and me in urging conferees to provide this grant assistance.

I look forward to working with Mr. WALSH and with Secretary Glickman to ensure that the emergency grant assistance program is developed and implemented in a way that will most effectively help New York apple growers and other fruit producers recover from this year's weather disasters and continue producing for year to come.

Ms. KAPTUR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just say in closing that, again, we urge our colleagues

to vote for this bill. For those who are anxious to catch their planes to go home, let me say that the gentleman from New Mexico (Mr. SKEEN), the chairman and I, did not select this period in which to debate our bill. We were given this time.

We feel that it is an important bill. We apologize to the Members who missed their 4 o'clock flights. It was not our choice to go up before the Committee on Rules this afternoon. I can say this, and the gentleman cannot. We ask for the Members' support of our bill.

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

Mr. Speaker, I say to my colleagues, the farmers and ranchers need this bill now. American consumers need this bill now. Do not make them wait any longer. Vote no on the motion to recommit.

Mr. SANDLIN. Mr. Speaker, I commend Chairman SKEEN and Ranking Member KAPTUR for the skill and hard work they have put into crafting this conference report. I also want to recognize the efforts of Agriculture Committee Chairman SMITH and Ranking Member STENHOLM. They have all shown great sensitivity to and understanding of the needs of our Nation's farmers, and for that I thank them. I rise in strong support of this conference report and urge all my colleagues to vote for it.

For months, parched fields forced Texas ranchers to purchase feed or hay for their herds. The dry conditions and the increased demand, however, have made hay scarce and expensive. Texas ranchers are spending an average of $3.5 million a day in extra feed costs to support their herds. Now, many of the remaining hayfields in East Texas are being ravaged by army worms. I commend the committee for raising emergency funding for the livestock feed assistance program from the original $75 million to $175 million. Ranchers in east Texas are cash starved after having to purchase hay all summer, and this cash infusion is sorely needed.

All agricultural producers in Texas, not just the ranchers, are suffering through the second severe drought to hit Texas in 3 years. Total farm and ranch losses from the drought are now estimated to reach $2.1 billion statewide, with an overall impact to the State economy estimated at $5.8 billion. Other factors, such as a glut of foreign cotton, the depressed demand from foreign markets, and bumper crops of grain in the Midwest are driving down commodity prices and compounding an already disastrous year for Texas farmers.

Forest landowners have not escaped the devastation this year. The Texas Forestry Service estimates that 65 percent of the pine seedlings planted this year on 150,000 acres have died, at a total cost to private landowners of $16.6 million. I especially appreciate the committee working with me to direct the forest service to use disaster relief funds for the Forestry Incentives Program in east Texas. East Texas timber producers have tremendous losses this year, and the work of this committee will aid in replanting efforts for years to come.

Mr. Speaker, the one thing I can count on hearing every time I return home is that our farmers need help this year. Our farming families put everything they have on the line every year to feed America. This year, every farmer and rancher in Texas was dealt a hand with no rain and no demand for their products. The disaster relief package in this conference report is a vital step in returning strength to our agricultural producers and agriculture communities.

The President wants more funding in disaster relief for our farmers and I support his efforts. However, this relief is too badly needed by too many farmers in east Texas right now for me to consider opposing this bill. Any further disaster relief that is needed will have to come in an omnibus bill or a supplemental package. Texas agricultural producers need this money now.

Mr. GEPHARDT. Mr. Speaker, rural America is in a crisis. Farmers across this country are struggling to survive natural disasters and commodity prices that are at a two-decade low. Driven down by the economic slide in Asia, farmers are being forced to sell crops at prices that don't even cover production costs. They need our help.

When hedge-funds ran into trouble because of the impact of a global economic tidal wave, our government took strong action. We need to take the same kind of immediate steps to shore up the farm economy, which is as important to our economy and our national standard of living as the health and stability of the financial markets.

America's farmers have never failed us. But too often we have taken their hard work for granted. America has the best in quantity and quality of food products—produced at low prices and with an efficiency that is a model for the world. Agriculture is vital to the economic success of this country. It is one of our export leaders.

But in 1996, when we passed the Republican farm bill, we cut the safety net out from under our farmers. Now, we are reaping the effects of that misguided effort.

Thanks to the Republican Freedom to Farm bill, the only freedom farmers still have is the freedom to fail. They face hardship and even ruin because of a financial crisis not of their making and a 1996 Republican farm bill which still makes no sense.

For months we having been begging with the majority to listen to farmers—to help farmers. Farm income is projected to drop between $7.5 and $9 billion this year alone. It has been obvious that we needed to take immediate action to save family farmers. But Republicans were too busy doing nothing to respond. It was only a few short weeks ago that the Republican leadership reluctantly acknowledged that farm families can't pay 1990's mortgages on 1970's crop prices.

It's too little and too late. We are long past Band-Aid cures. There is only $1.65 billion in economic assistance in this bill when the loss in farm income is five to six times higher. The Republic message to farmers is: Be happy with the crumbs off our table.

Farmers put more than crumbs on our table. We owe them the same. We must reject the Republican half-measure and take strong action to shore up prices.

We need to lift the caps Republicans put on marketing loans in 1996 so we can raise bushel prices for corn and soybeans more than 30 cents—so we can raise prices on wheat more than 60 cents. And we need to direct aid to producers who have actually suffered losses, instead of using the outdated formula in this bill that will give out assistance based on historic production dating back years.

We must do better for the people who have worked so long and labored so hard to feed Americans and the world. They don't ask for more than their due; they only request a stable, decent return on their investment of time and capital.

I urge my colleagues to give America's farmers what they have always given us. Give them a decent, fair bill that helps farm families. Vote ''yes'' on the motion to recommit. Vote ''no'' on this conference report.

Mr. FORD. Mr. Speaker, I rise today in support of this conference report. Although this legislation doesn't contain the level of emergency funding the President requested, I believe it is critical that we provide some level of emergency assistance for farmers. As we all know, farmers throughout this nation are suffering from low prices, globalization and bad weather. The Mid-South region is no different. In my own State of Tennessee, corn farmers have been hurt by the aflatoxin fungus and drought and low prices in the Mississippi Delta have adversely affected cotton farmers.

Equally important, Mr. Speaker, this measure includes $26 million to spur economic growth in the Lower Mississippi Delta region. The delta encompasses 219 counties in 7 States, and taken together, it is one of the poorest regions in the nation, with poverty rates exceeding 20 percent. This initiative will result in expanded agricultural exports, better schools and a modern infrastructure in the delta region.

The Ninth Congressional District of Tennessee is the hub of the delta, and as such stands to benefit greatly from this funding. I would like to thank the chairmen and ranking Democrats of both the full committee and the agriculture appropriations subcommittee and also my colleague, Mr. BERRY from Arkansas and Senator BUMPERS, from the other body, who were also instrumental in ensuring these funds were included in the bill. I urge my colleagues to support the conference report.

Mr. GILMAN. I am pleased to rise in support of the conference report to H.R. 4101, the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act for fiscal year 1999.

I especially want to thank the hard work of the distinguished subcommittee chairman, JOE SKEEN, the distinguished committee chairman, BOB SMITH, and my friend and colleague from New York, JIM WALSH for all of their diligent work in crafting a much needed emergency assistance fund for our Nation's farmers and ranchers.

Mr. Speaker, on June 13 a severe storm passed through my congressional district in Orange County, NY, severely damaging our farms throughout the Wallkill Valley. This storm included hail and high winds damaging over 5,000 acres of onions and a few thousand acres of other vegetables. In addition, excessive rainfall and additional hail passed through the Walker Valley since the initial storm, wiping out any hope of salvaging a decent crop.

Many of the growers are currently uncertain about the ultimate fate not only of their crop, but of their farms.

Marketing challenges have already arisen due to storm damages. Grocery store chains

are balking at the Orange County product. Many growers are already seeking alternative employment. Migrant labor has either been laid off and/or hiring has ceased, which also has a negative impact on our local economy.

This is nothing new to the farming community in Orange County. In fact, in the last 3 years the Walkin Valley has seen 116 farm and farm families go out of business.

It is projected that unless emergency USDA assistance is offered, another 12 farms will soon be in jeopardy of being lost forever.

Under the current USDA crop insurance program for onions, growers anticipate losing approximately $988 to $1,147 per acre or a total of $38,000 to $44,725 each. This means more of our farms will go out of business and many more will be on the brink.

Accordingly, I wholeheartedly support the efforts of the conferees in crafting a necessary emergency assistance fund which includes our onion farmers in Orange County.

In addition, I look forward to working with our Agriculture Committee chairman during the 106th Congress, to craft a workable onion crop insurance program, which will act as initially intended—a safety net. It has become clear that there are serious problems with portions of the current crop insurance program as it relates to onion crops.

Accordingly, I urge all of my colleagues to support this conference report.

Mr. MILLER of Florida. Mr. Speaker, I am disappointed to report that tucked away in this conference report is language that could actually increase the Government subsidies provided to Big Sugar.

Big Sugar claims this is simply ''clarifying'' language. They claim Congress never intended the one-cent loan forfeiture penalty contained in the farm bill to be considered an effective reduction of sugar loan rates. But Congress did.

In fact, during debate on the 1996 farm bill, some members of the House Agriculture Committee told this body that the support level for sugar would effectively be reduced by one-cent per pound because of the forfeiture penalty. Sugar producers know very well this was the express intent of Congress in 1996.

Why? Because in more recent debates, defenders of the sugar program have pointed to the one-cent forfeiture penalty as evidence that Congress had reformed the sugar program in 1996, and therefore the program should not be changed further. Big Sugar keeps wanting to change the rules for their own benefit.

I am pleased that the conferees wisely opted to include this change as report language and not bill language. Nevertheless, the language in this report is simply an attempt to reinterpret the legislative history of the farm bill to prompt the Agriculture Department to raise the price of sugar. The USDA should pay no attention to it.

USDA should continue to consider the forfeiture penalties as having caused an effective reduction in the loan rates for sugar, just as Congress intended in 1996.

Mr. SKEEN. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. POMEROY

Mr. POMEROY. Mr. Speaker, I offer a motion to recommit this conference report, with instructions.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. POMEROY. I am opposed to the conference report in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. POMEROY moves to recommit the conference report on the bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes (H.R. 4101) to the committee of conference with instructions to the managers on the part of the House to the extent possible within the scope of conference to increase the assistance available to family farmers suffering economic loss as a result of record low prices, deteriorating market conditions and/or natural disasters, to take into account the almost 50% drop in real income that has occurred in some farming sectors since 1980; and to limit such assistance to individuals actively engaged in farming.

The SPEAKER pro tempore. The motion is not debatable.

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 156, nays 236, not voting 42, as follows:

[Roll No. 478]

YEAS—156

Abercrombie
Ackerman
Allen
Barcia
Barrett (WI)
Becerra
Bereuter
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Cummings
Danner
Davis (FL)
DeGette
Delahunt
DeLauro
Dicks
Dingell
Dixon
Doyle
Emerson
Engel
Eshoo
Evans
Farr
Fazio
Filner
Frank (MA)
Frost
Furse
Gejdenson
Gonzalez
Goode
Gordon
Green
Gutierrez
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kind (WI)
Kleczka
Klink
Kucinich
Lampson
Lantos
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Mascara
Matsui
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller (CA)
Minge
Mink
Mollohan
Moran (VA)
Nadler
Neal
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Roemer
Roybal-Allard
Sabo
Sanders
Sawyer
Schumer
Scott
Sherman
Sisisky
Skaggs
Slaughter
Spratt
Stabenow
Stark
Strickland
Tauscher
Taylor (MS)
Thompson
Thune
Thurman
Tierney
Towns
Turner
Velazquez
Vento
Watkins
Watt (NC)
Waxman
Wexler
Weygand
Woolsey
Wynn
Yates

NAYS—236

Aderholt
Andrews
Archer
Bachus
Baesler
Baker
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
Berry
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Davis (IL)
Davis (VA)
Deal
Diaz-Balart
Dickey
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
English
Ensign
Etheridge
Everett
Ewing
Fawell
Foley
Forbes
Ford
Fossella
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefner
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jackson (IL)
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
Kingston
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Oxley
Packard
Pappas
Pascrell
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pombo
Porter
Portman
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rivers
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryun
Sanchez
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snyder
Solomon
Souder
Spence

Stearns
Stenholm
Stump
Talent
Tanner
Taylor (NC)
Thomas
Thornberry
Tiahrt
Traficant
Upton
Visclosky
Walsh
Wamp
Waters
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—42

Armey
Barton
Boucher
Brady (PA)
Callahan
Clay
Costello
Cunningham
DeFazio
DeLay
Deutsch
Fattah
Fowler
Gephardt
Goss
Harman
Hefley
Houghton
Hyde
Kennelly
Kilpatrick
King (NY)
Klug
Lipinski
Martinez
Meehan
Menendez
Moakley
Parker
Pickett
Pitts
Poshard
Pryce (OH)
Salmon
Smith, Adam
Snowbarger
Stokes
Stupak
Sununu
Tauzin
Torres
Wise

☐ 1551

Messrs. LUCAS of Oklahoma, SAXTON, GILCHREST, JOHN, McINNIS, ROTHMAN, HALL of Texas and SHADEGG changed their vote from ''yea'' to ''nay.''

Messrs. KUCINICH, CRAMER, LAMPSON, HILLIARD and GEJDENSON changed their 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. HOBSON). The question is on the conference report.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 333, nays 53, not voting 48, as follows:

[Roll No. 479]

YEAS—333

Abercrombie
Ackerman
Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Chambliss
Chenoweth
Christensen
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Coyne
Cramer
Crapo
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fox
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hastert
Hastings (FL)
Hayworth
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Holden
Hooley
Horn
Hoyer
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
Kingston
Klink
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McNulty
Meeks (NY)
Metcalf
Mica
Millender-McDonald
Minge
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Oxley
Packard
Pallone
Pascrell
Pastor
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pombo
Porter
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Serrano
Sessions
Shadegg
Shaw
Sherman
Shimkus
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stenholm
Strickland
Stump
Talent
Tanner
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Velazquez
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—53

Andrews
Barr
Barrett (WI)
Berman
Blumenauer
Campbell
Castle
Chabot
Cox
Crane
Doggett
Ensign
Eshoo
Farr
Frank (MA)
Franks (NJ)
Frelinghuysen
Hoekstra
Hostettler
Johnson (WI)
Johnson, Sam
Kind (WI)
Kleczka
Kucinich
Lee
Lofgren
McDermott
McIntosh
McKinney
Miller (CA)
Miller (FL)
Neumann
Oberstar
Obey
Pappas
Paul
Payne
Petri
Pomeroy
Rivers
Rohrabacher
Rothman
Royce
Sanford
Scarborough
Sensenbrenner
Shays
Stark
Stearns
Tauscher
Taylor (MS)
Vento
Yates

NOT VOTING—48

Barton
Borski
Brady (PA)
Callahan
Clay
Costello
Cunningham
DeFazio
DeLay
Deutsch
Fattah
Fowler
Gephardt
Gillmor
Goss
Hansen
Harman
Hastings (WA)
Hefley
Houghton
Hyde
Kennelly
Kilpatrick
King (NY)
Klug
Lipinski
Martinez
Meehan
Meek (FL)
Menendez
Moakley
Owens
Parker
Pickett
Pitts
Poshard
Pryce (OH)
Salmon
Shuster
Smith, Adam
Snowbarger
Stokes
Stupak
Sununu
Tauzin
Torres
Whitfield
Wise

☐ 1609

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 3694, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1999

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight, October 2, 1998, to file a conference report on the bill (H.R. 3694) to authorize appropriations for fiscal year 1999 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The SPEAKER pro tempore (Mr. HOBSON). Is there objection to the request of the gentleman from Florida?

There was no objection.

PERSONAL EXPLANATION

Mr. TAYLOR of Mississippi. Mr. Speaker, on Monday, September 2, I was unavoidably detained because of Hurricane Georges. All flights out of Mobile, New Orleans and Gulfport, Mississippi were cancelled. Had I been here, I would have voted ''no'' on H.R. 3891. I would have voted ''yes'' on H.R. 4103. I would have voted ''yes'' on H.R. 4060, and I would have voted ''yes'' on H.R. 3150.

TRIBUTE TO VIC FAZIO

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

Mr. HOYER. Mr. Speaker, unfortunately, during the course of the consideration of the energy and water bill, I was not able to be on the floor because I was doing other business on another committee. Therefore, I did not get an opportunity to rise to pay tribute to my colleague and one of the closest friends I have, not just in this institution but in my life, and that is VIC FAZIO our colleague.

He is about to, I think, have a colloquy about the schedule, acting in his leadership capacity. Very frankly, Mr. Speaker, VIC FAZIO has been a leader of this House since I arrived here in 1981. He is an extraordinarily capable Member. He is a Member whose integrity and intellect will match anybody, not

only in this institution but in our country. He has chosen to leave this body and this body will be a lesser place for that decision.

I wanted to take, Mr. Speaker, this short, brief minute to stand and say to him, thank you. During the 5½ years that I served as chairman of the caucus, VIC was my vice chair, and I was proud to have him serving with me. During his time as chairman of the DCCC, I was one of his strongest supporters.

During the decade that he headed the Subcommittee on Legislative of the Committee on Appropriations and served this institution and its Members and the citizens of this Nation so well in ensuring the effective operation of the people's House, I was proud to be his strong supporter.

During the last four years he has chaired the Democratic caucus. One of the hallmarks of his leadership was a partisan commitment to the issues and principles for which our party stands. But I know that my colleagues on the majority side also found in VIC FAZIO a gentleman who was interested in the interests of America and was willing and able and desirous of working with the other side in a collegial way to effect progress in this House on behalf of this country and its citizens.

Mr. Speaker, I appreciate the opportunity to rise to say to one of the closest friends I have that we are going to miss you. I am going to miss you. This institution is going to miss you.

The good news for all of us is that VIC FAZIO will be around. He hopefully will stay in Washington. I know he will go back to his beloved California frequently, but hopefully he and his beloved wife, Judy, an extraordinary individual in her own right, will be here, and we will see him frequently and have the opportunity to benefit from his advice and counsel and his leadership.

VIC, you have been one of the extraordinary Members of this House. The House is a better place for your service, and our country is better for your service.

□ 1615

TRIBUTE TO VIC FAZIO

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

Mr. DIXON. Mr. Speaker, one of the best benefits of holding public office is to meet colleagues who have integrity, who work for consensus, who are bridge builders. VIC FAZIO is that type of person.

I was very sorry that I could not be on the floor when the California delegation saluted him. We worked together in Sacramento and we worked together on the Committee on Standards of Official Conduct here, and for 20 years on the Committee on Appropriations.

The sad thing is that he is leaving this institution, but he leaves a great deal of friends here and we are very pleased that he will remain in Washington. He will now have the time to spend with his family, to regulate his own schedule, and I know that all of our colleagues wish he and Judy very well.

LEGISLATIVE PROGRAM

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

Mr. FAZIO of California. Mr. Speaker, I want to thank my colleagues first for their very gracious remarks, and I appreciate the Speaker's latitude in allowing them to make them.

At this time I ask the chief deputy whip, my friend the gentleman from Illinois (Mr. HASTERT), to enter into a dialog with me about next week's schedule.

Mr. HASTERT. Mr. Speaker, will the gentleman yield?

Mr. FAZIO of California. I yield to the gentleman from Illinois.

Mr. HASTERT. Mr. Speaker, I thank the gentleman from California, and we, too, want to extend our best, Mr. FAZIO, for your future.

Mr. Speaker, I am pleased to announce that we have concluded legislative business for the week.

The House will next meet on Monday, October 5, at 12:30 p.m. for morning hour and at 2 p.m. for legislative business. We do not expect any recorded votes before 5 p.m. on Monday.

On Monday, October 5, we will consider a number of bills under suspension of the rules, a list of which will be distributed to Members' offices this afternoon.

On Tuesday, October 6, and through the balance of the week, the House will consider the following legislation:

H.R. 3694, the Intelligence Authorization Act, which is a conference report;

H.R. 4274, the Labor-HHS Appropriations Act;

H.R. 4570, the Omnibus National Parks Act;

H.R. 3789, the Class Action Jurisdiction Act; and

H.R. 4259, the Haskell Indian Nations University Act of 1998.

Mr. Speaker, we also expect a number of appropriation and authorization conference reports to be ready next week. As we head into the final days of this session, Members should be ready to work late throughout next week in order to finish work on important conference reports.

Mr. Speaker, the target adjournment is still October 9th, but of course Members should be prepared to stay through the weekend, if necessary.

Mr. Speaker, I thank the gentleman for yielding to me.

Mr. FAZIO of California. Reclaiming my time, Mr. Speaker, I do have a couple of questions I would like to pose.

First of all, it looks increasingly as if we may need another continuing resolution, or CR. I know a good deal of effort will be put forth next week to avoid that, but I also do not see any provision on the schedule that would allow us to have additional time should the October 9 deadline pass.

Is the gentleman aware of a time when we might have another, hopefully short-term, CR?

Mr. HASTERT. Mr. Speaker, if the gentleman will continue to yield, obviously, our goal is October 9. The date on the CR that we have under action right now is October 9, and we will have to take that into assessment next week as bills move along, and especially the conference reports. We would be ready to move such a bill, if necessary.

Mr. FAZIO of California. Could the gentleman indicate what the tentative time frame for that would be? I realize that we would be running into the Columbus Day holiday and possibly into the next week, and I am moved to ask what the gentleman thinks the time frame of that might be.

Mr. HASTERT. As I repeat it, it is our hope we will be able to adjourn by October 9. If there are signals that that will not be able to happen, we will take that under consideration later next week in a timely manner.

Mr. FAZIO of California. Well, it is not my intention to fail to keep hope alive, but I think we all realize it is going to be difficult. So we are not expecting to be in that next week.

Is it the intention of the majority to complete the Labor-HHS appropriations next week? And what day would the gentleman understand that might come up?

Mr. HASTERT. Well, as the gentleman knows, we passed the rule on that bill today and it would be the intention of the House, after passing the rule, to act on that legislation. Hopefully, as that bill would come back, we could act on that as early as Tuesday.

Mr. FAZIO of California. I appreciate the gentleman's comments. One more question, if I could reclaim my time and yield again.

Obviously, at some point next week the Committee on the Judiciary will bring us their best efforts on the decision regarding impeachment. Is there any time at this point that the majority would point to as the day and time when we might anticipate taking that very important issue up?

Mr. HASTERT. As the gentleman knows, the Committee on the Judiciary would either act on Monday or Tuesday and, depending on what the parameters of the rules are for that particular measure, we would take that bill up probably later in the week, possibly Thursday or Friday.

Mr. FAZIO of California. Thursday or Friday. I appreciate the information of the majority and the good work of my friend from Illinois, and I yield back the balance of my time.

ADJOURNMENT TO MONDAY, OCTOBER 5, 1998

Mr. HASTERT. Mr. Speaker, I ask unanimous consent that when the

House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

The SPEAKER pro tempore (Mr. HOBSON). Is there objection to the request of the gentleman from Illinois?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. HASTERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

CALIFORNIA RACIST MAILER

(Ms. MCKINNEY asked and was given permission to address the House for 1 minute.)

Ms. MCKINNEY. Mr. Speaker, once again the Republicans are showing their true colors. In this recent mailer, the California Republican Party urged citizens to vote Republican by using a photograph of four Latino lawmakers in order to scare white voters.

Mike Madrid, director of the California Republican Party, said that the mailer was targeted at liberals, not Latinos. If this is true, then why did not Mr. Madrid picture any one of several white liberals currently serving in the State legislature? First LORETTA SANCHEZ and now this. How many times will the Republicans use racist tactics to divide America?

Mr. Madrid asserted that the mailer is not racist because he designed it and he is Latino. Well, if that is the case, then I have a suggestion. Rather than Director Mike, perhaps he should be known as Uncle Tom.

Mr. Speaker, I include the mailer for the RECORD:

Liberal Democrats in the Assembly have an agenda for California:

- Higher taxes to pay for more social programs.[1]
- Welfare without work requirements for able-bodied adults.[1]
- Weakening our 3-Strikes Law.[1]
- Legalizing same-sex marriages.[1]

[1] Actual bills introduced or positions taken by Assembly Democrats during the 1997–98 legislative session.

Assembly Democrats are celebrating because they think Republicans won't vote in the upcoming election. And if you don't vote, they win. That spells disaster for California. You can foil the liberal's plans by applying to vote my mail. Every citizen has the right to vote-by-mail. Just sign your name and return your application today. Your postage has already been paid.

Here is your Republican Vote-By-Mail Application.

Please check the information and sign and date in the colored boxes.

Thank you.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

(Mr. HULSHOF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.

(Mr. CONYERS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IMF REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. ARMEY) is recognized for 5 minutes.

Mr. ARMEY. Mr. Speaker, today the President called for a further expansion of the International Monetary Fund. He repeated the audacious request that Congress provide $18 billion to the IMF with no conditions and without first requiring IMF reform.

It is time for some presidential accountability, Mr. Speaker, in this area as well as others. We need to recognize that it was the Clinton administration's own policies that accelerated the financial collapse overseas that is threatening the United States' economy today.

For Congress to simply endorse those policies through the full funding of an unreformed IMF would be recklessly irresponsible. If the President will not, or, as yet another consequence of his diminished leadership, cannot bring about real changes in international financial institutions, then Congress must supply leadership in his place.

The IMF proposal actually illuminates a major policy departure that has developed largely unnoticed by Congress, the press and the public. Unnoticed, that is, until it was too late. I call it the Clinton Doctrine. It is a policy under which virtually any groupings of bankruptcies anywhere in the world is eligible for a bailout by American taxpayers.

This has inflamed what economists call ''moral hazard''. By covering bad investments, the administration has encouraged irresponsible behavior. The financial disasters overseas are in large part a direct consequence of this ''moral hazard''.

To make matters worse, once the financial collapses occurred, the IMF, presumably with the President's blessing, imposed catastrophic contractionary policies on the affected countries. Even Keynesians, Mr. Speaker, know not to raise taxes in a recession, and yet that is exactly what the Clinton-guided IMF often proposed. As Larry Lindsey put it, these policies have become our own era's equivalent of the Smoot-Hawley tariff.

In fairness to the President, he did not initiate this policy of global bailout which we have been drifting towards for some time. His role has been to sanction it, legitimize it, and to take it to new and unprecedented levels. Beginning with the 1995 bailout of Mexico, continuing with the multiple bailouts of Asia, and reaching its inevitable culmination in the farcical bailout of Russia this summer, the administration has undermined market discipline and helped to create the very crisis it was ostensibly trying to prevent.

The IMF, under the direction of the Clinton administration, helped cause the problem. Then the IMF made it worse. Now it is making it more difficult for the world to recover. The IMF, Mr. Speaker, has the Midas touch in reverse. Virtually every country it has tried to help has become worse from the experience.

In Korea today, children made homeless by the continuing recession are bitterly referred to as ''IMF Orphans''. Our friends in Korea know, as many in the Clinton administration do not, that the IMF is largely responsible for their continuing economic difficulties.

Congress must reverse this Clinton Doctrine that has helped bring the world economy to its current state. A positive step would be to restrain the IMF by deferring a decision on providing the huge $14.5 billion quota increase. This is essentially the House position contained in the foreign operations bill.

Delaying a decision on the IMF money would allow us time to hold an international conference and other meetings to improve the world financial system. The disasters we see overseas are clear evidence that the current arrangements have failed. Rather than pump more money into them, we need to redesign them. We need nothing less than a new Bretton Woods conference. Only then can we make an informed decision on giving away $14.5 billion of our taxpayers' money for those purposes.

Now many, including many in this House, say that we should give the IMF money up front in exchange for ''real IMF reforms''. What they do not understand is that the administration and the IMF are adamantly against any U.S.-imposed reform. As the French director of the IMF arrogantly put it last week, ''The U.S. must bring its contribution and no country is entitled to impose conditions.'' That from the head of an agency that imposes conditions on each and every country to which it brings its money, and all too many times, as I have cited, conditions that do harm rather than good.

The most the administration and other IMF supporters will accept are weak suggestions from us. The reform provisions in pending IMF bills, for instance, are a little more than sense-of-Congress resolutions.

So, Mr. Speaker, if Members are serious about doing a money-for-reform trade, I suggest they adopt this principle to start with: No IMF reform is real IMF reform until IMF adopts it before it receives any additional money from the United States.

□ 1630

This, in my judgment, is plain common sense. We do not give away $18 billion of our taxpayers' money on the strength of a promise or on an assurance. Any reform provisions that do not meet this principle should be rejected out of hand.

What should these reforms involve? If our aim is to reverse the destabilizing influence that the IMF has had on the world's economic and financial system, we should insist on these:

One, real transparency requirements that will allow us to open their books and see what in fact they do, what are their resources and what do they do with them.

Two, a ban on the IMF offering of low interest rates below the market. This is very important if we are going to stop this business called moral hazard. It is the oldest story in economics: If you subsidize bad decisions, you get more bad decisions.

Three, a 1-year limit on all IMF loans. When we do that, we again signal to the world, they do not have permanent bailouts for loans or activities that prudent people would not have undertaken in the first place.

I am not naive, Mr. Speaker. I can count votes and I know this is an uphill fight, but it is one we must make even in the waning days of this Congress. In the end, Mr. Speaker, it comes down to first principles. My party believes in freedom and responsibility. Guided by those values, we have resisted the status temptation and instead led America into this era of limited government and broad prosperity. How can we then acquiesce in a plan to vastly expand an international agency that covers other people's bad debts and undermines free market processes the world over?

No, Mr. Speaker, it is time to bring the reforms, the discipline, and the responsibility that make this Nation great to all the world's nations through all the transactions and institutions that this Nation supports and it tries to influence.

The SPEAKER pro tempore (Mr. HOBSON). Under a previous order of the House, the gentleman from Colorado (Mr. SKAGGS) is recognized for 5 minutes.

(Mr. SKAGGS. Mr. Speaker, addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SIMPLIFIED USA TAX ACT OF 1998

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ENGLISH) is recognized for 5 minutes.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, the American tax system is a Frankenstein's monster that terrorizes individual taxpayers while casting a cold shadow over the productive sectors of the U.S. economy. It is too complicated. It is riddled with obvious inequities. It punishes savings and investment. It reduces economic growth and burdens domestic industry struggling to remain competitive.

Next week I will introduce the Simplified USA Tax Act, because I want to reform the American tax system in a way that makes sense to average citizens and that, therefore, will pass the test of time. Not only do we need a Tax Code that is fair and sensible, we need one that is stable.

As bad as the current Tax Code is, and I am one of its severest critics, the last thing that we need is to enact some reform that is so radical and experimental that we may have to redo it all over again a few years later.

The Tax Code must give Americans a fair opportunity to save part of their earnings. After all, it is thrift that has helped provide Americans with the security and independence that is the foundation of freedom. It is savings that buys the tools to make Americans more productive. And it is productivity that raises our living standards to the highest in the world.

In my tax reform proposal, ''USA'' stands for unlimited savings allowance. Everyone is allowed an unlimited Roth IRA in which they can put the portion of each year's income they save after paying taxes and living expenses. After 5 years, all money in the account can be withdrawn for any purpose and all withdrawals are tax free. Nothing could be simpler and nothing could give people a better opportunity to save, especially young people.

Under the new Tax Code, tax rates must be low, especially for wage earners who now must pay both an income tax and a FICA payroll tax on the same amount of wages. The USA tax starts out with low tax rates, 15 percent at the bottom, 25 percent in the middle, 30 percent at the top. Then the rates are reduced even further by allowing wage earners their full tax credit for the Social Security and Medicare payroll tax that is withheld from their paychecks under current law.

I do not propose to repeal the payroll tax because to do so would imperil Social Security, but I do allow a credit for it. And when the credit is taken into account, the rates of tax on workers' wages are very low indeed, in the 7 percent to 17 percent range for nearly all Americans.

The USA tax provides tax relief for all Americans, especially who own their home, give to their church, educate their children and set aside some savings for a better tomorrow. Under my proposal, everyone gets a deduction for the mortgage interest on their home and for charitable contributions they make. In addition, and this is brand new and long overdue in our society. USA allows a deduction for tuition paid for college and postsecondary vocational education. Generous personal and family exemptions are also allowed under my proposal.

The USA tax is simplicity itself. The tax return will be short, only a page or two for most of us. But, more to the point, the tax return will be understandable. For the first time in a long time, America's tax system will make sense to the citizens who file the tax returns and pay the taxes. For the first time since inception of the Federal income tax, Americans will have a full and fair opportunity to save whatever portion of their income they wish and for whatever purpose they wish.

For the first time in history, working people will be allowed a credit for the payroll taxes they pay. And for the first time ever, families will have a generous tax-free allowance for the education of their children.

My proposal also contains a new and better way of taxing corporations and other businesses that will allow them to compete and win in global markets in a way that exports American-made products, not American jobs. Experts who have studied this believe that, if enacted in America, this innovative approach to business taxation will soon become the worldwide standard to which other countries will aspire.

For too long, the Tax Code has been a needless drag on the economy. That is not very smart and it is certainly not fair to those Americans whose living standards are lower because of it. For years its complex inanities have been the object of ridicule. It has also been the ultimate source of bureaucratic excesses and abuse by the IRS that is inconsistent with our free society.

Mr. Speaker, it is high time that we restore people's faith in the integrity and competence of their tax system and, in the process, take a major step toward restoring people's confidence in the good character of their government.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 5 minutes.

(Mr. DIAZ-BALART addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONTRACEPTION FOR WOMEN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, I am amazed to have had to have come to the floor more than once on this issue. The Treasury, Postal rule went down again. There may be more than one reason why. But underlying that rule is a bill that allows basic minimal health protection for women.

Since when does contraception for female government employees deserve to be in a bill whose rule is voted down? The women of America would say, no, never. And the bipartisan Women's Caucus of this Congress has said no in no uncertain terms.

This is a bill that deserves the word ''noncontroversial.'' It passed unanimously in the Senate. In the House it has passed twice. What we are talking about is a provision that simply says that if a health plan pays for prescriptions, it must also pay for contraception prescriptions.

Plans are often willing to pay for abortion. Plans are willing to pay for surgical procedures involved in reproduction. They certainly ought to be willing to pay for what prevents abortion. They pay for sterilization often, but not for simple contraception measures.

Now, the provision contains a religious exemption. Among the religious plans would be Catholic plans. Catholic plans would not have to pay for contraception.

The gentleman from New Jersey (Mr. SMITH) has inserted himself into this matter. He wants a morality exemption. That, of course, could never be granted by the Congress. One of the problems, I suppose, in a country like ours is we cannot figure out where everyone is on basic moral questions, but we do know where people are on religious questions.

I do not know what the gentleman from New Jersey (Mr. SMITH) or anybody else is doing in this matter. We are talking about a non-conferenceable item. There was no disagreement between the House and the Senate. Why is this matter up for grabs? Unless we now are in a Soviet-style body where both sides can pass a bill but somebody else can zap in and overturn it.

The gentleman from New Jersey (Mr. SMITH) has a provision that is a true insult to the women of America. He says, yes, they can cover contraception but only for the diaphragm. Surely only police states would tell women what kind of contraception to use. But let me be clear. Women need options in contraception precisely because some do not work, some make people sick, some are unsafe to some people, some have long-term effects and consequences. It is not for this body to decide.

The health plan, if it is providing prescriptions anyway, should not be able to exclude this basic minimal kind of prescription that most women of childbearing age in fact need in one form or the other, and it is not for the gentleman from New Jersey (Mr. SMITH) or any Member of this body to tell women which kind of contraception is the one that should be covered.

Women indeed should not have to explain themselves to this body on this question. I am embarrassed to have to stand before this body to talk about contraception for women, especially for women who work for the Federal service.

There are five major forms of contraception used, and none of them involve or come close to abortion. The pill, the diaphragm, the IUD, Norplant, and Depo-Provera. Ten percent of Federal plans offer no contraceptive coverage at all. This is a real family bill, when we consider that the woman of the family in this country pays 68 percent more for health coverage than the man in the family. We have got to get this thing down to size.

This provision is central to women's health. Above all, we should not bring abortion-style politics into contraception. That is where we have a broad umbrella of agreement.

Thus, this provision presents two fundamental issues for this House. One is simple democracy, when an item is non-conferenceable because both sides have agreed to it. Democracy works. We must leave it alone. We must not set the precedent that someone else can turn it around.

And the second principle, of course, is that contraception is central to women's health. Leave it be. Pass this provision in the Treasury, Postal appropriations bill.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. SCARBOROUGH) is recognized for 5 minutes.

(Mr. SCARBOROUGH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

BIG WEEK IN NATION'S CAPITAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. WELLER) is recognized for 5 minutes.

Mr. WELLER. Mr. Speaker, this week is a big week here in our Nation's capital. Yesterday was October 1 and yesterday was the first day of the new fiscal year, and we are celebrating something that has not occurred for 29 years.

This week we are celebrating the first not only balanced budget in 29 years, but the first budget surplus in 29 years, where we actually have more tax revenue coming into our Treasury than we are spending. It is now projected that over the next 10 years that this budget surplus will contain $1.6 trillion, that is $1 trillion, $600 billion, in tax revenue more than we are spending.

We have to make some choices now, of course, on what we are going to do with that extra money, money that the hard-working folks back home send to Washington. Just a week ago, 10 days ago, we made a choice, and with a bipartisan vote this House adopted what is called the 90–10 plan, a plan which sets aside 90 percent of surplus tax revenues to save Social Security.

□ 1645

Ninety percent, of course, equals $1.4 trillion, $1,400,000,000,000, is surplus tax revenues being allocated under the 90/10 plan to save Social Security. I might note when the President first discussed the idea of using surplus tax revenues to save Social Security in January, the projected surplus at that time was $600 billion, and, since then, because of the economy and because of fiscal responsibility here in this House, we now have a $1.6 trillion surplus tax revenues. Under the 90/10 plan, we set aside more than twice what the President asked for. $600 billion by the President; we set aside $1.4 trillion.

That is a big victory, because the remaining 10 percent we give back to the American people. Ninety percent goes to Social Security; the remaining 10 percent goes back to the American people.

Representing the south side of Chicago and the south suburbs, I think it is important to point out that the 90/10 plan not only saves Social Security, the 90/10 plan helps eliminate the marriage tax penalty, helps Illinois farmers, helps Illinois small business people, helps Illinois schools and helps parents in Illinois who wish to send their kids on to college.

I might also note that while we propose to give extra tax dollars back to the taxpayers as well as saving Social Security, the President says he wants to save Social Security and spend the rest. I might note in the 90/10 plan we provide about $7 billion in tax relief in 1999, this coming year, whereas the President wants to spend $14 billion of the surplus. It is kind of interesting he would spend twice as much as we want to give back of the surplus to the American people.

Not only does our plan save Social Security, but, as I pointed out, it eliminates the marriage tax penalty for the majority of those who suffer the marriage tax penalty. I have often stood in this well and raised the question, is it right, is it fair, that 28 million married working couples with two incomes pay higher taxes under our Tax Code just because they are married? In fact, under our Tax Code, married working couples with two incomes pay more in taxes than identical couples with identical incomes living together outside of marriage. That is just wrong.

Our plan here, the 90/10 plan, eliminates the marriage tax penalty, and it not only eliminates it for the majority of those who suffer it, but for 28 million married working couples, they will see an extra $240 in extra take-home pay next year under our proposal. That is a car payment. That is a month or two of day care in Joliet, Illinois. That is real money for real people. Also six million married taxpayers will no

longer need to itemize under our marriage tax relief plan. We are bringing fairness, we are bringing simplicity, to the Tax Code.

Also, because we want to encourage individuals to save more for their retirement and future, save for education, the 90/10 plan not only eliminates the marriage tax penalty and saves Social Security, but it also rewards savings by allowing a single person to have their first $100 in savings interest tax exempt, and for a married couple the first $200. For a married couple they could have $10,000 in a savings account and essentially that interest they earn will be tax-free. That also simplifies our Tax Code, because 10 million couples will no longer need to itemize.

Mr. Speaker, the 90/10 plan saves Social Security. The 90/10 plan eliminates the marriage tax penalty for the majority of those suffer it, it helps Illinois farmers, it helps Illinois small business, it helps Illinois schools, it helps Illinois parents.

My hope is in the next week the Senate will take up this legislation, give it the same kind of bipartisan support it received here in the House, and I also hope the President will join with us to save Social Security and eliminate the marriage tax penalty.

THREE REASONS TO BE PROUD OF THE 20TH DISTRICT OF ILLINOIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. SHIMKUS) is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, I am proud to be from Illinois and the 20th district. Today I want to mention three reasons why.

The first integrated school in the Nation is about to be added to the National Register of Historic Places. The addition of Hamilton School in Otterville, Illinois, was recently announced by the Illinois Historic Preservation Agency. Behind the history of the school is a heartwarming story of unselfish brotherly love between a young black slave and his master.

Silas Hamilton, a white doctor, founded the Hamilton School. Not having any children of his own, he freed a six-year-old black slave, George Washington, and raised him as his own child. Two years later, in 1836, when he was old enough, Washington began attending classes at the formerly all-white school in Otterville and grew up to be a successful farmer in Jersey County. When Washington died, he left a fund to have a monument erected in Hamilton's memory on the lawn of the school.

Today, Washington and Hamilton are buried together; not as master and slave, but as friend and friend. The large stone crypt is visible from the window of the Hamilton School, and serves as a symbol of the friendship between a white and a black man, and the beginnings of American racial harmony.

Secondly, Mr. Speaker, while most rural post offices are seeing a decline in customers due to the resent technological advancements of e-mail, Internet and fax machines, the Texico Post Office's business just seems to keep growing.

The Texico Post Office will be celebrating its 100th year of service on Monday, the 5th of October. The celebration will include an open house, refreshments and a special commemorative postmark celebrating the 100th anniversary, which will be available for 30 days.

Fred Young has been the postmaster of the office for over 30 years and has seen a lot of changes during his tenure. ''There is a lot more paperwork involved, and there have been several rate changes. Also since I've been here our rural route delivery has doubled,'' said Mr. Young.

The Texico office is undoubtedly quieter than some of the bigger offices. The rural route only covers 75 miles. However, they are able to serve their patrons with just one rural carrier, Sondra Coldwell, her substitute, Marla Saupe, and the office's clerk, Terri Pemberton.

Even though the office is a bit smaller and quieter, it not something that Postmaster Young minds. Maintaining the tradition of good quality service for the patrons is Young's priority.

Mr. Speaker, in addition to sharing with the Members the information about Otterville and Texico, I want to take this time to make special mention of a loss to central Illinois of a woman that the State Journal-Register called a ''trailblazer'' who opened the doors for women.

Josephine Oblinger died last Sunday day at St. John's hospital in Springfield, Illinois. At 85, she left behind a legacy of good works that will likely never be duplicated. Her son Carl said, ''She just did the good things that needed to be done,'' and described her as his ''confidant for life.''

Josephine was a native of Chicago. She attended the University of Detroit Law School, graduating in 1943 Magna Cum Laude. The significance of that accomplishment is lost on many of us today, who forget that there was a time when women were neither expected or even allowed in some cases to pursue a career in the law. In fact, her son Carl remind us that even though she was the class valedictorian, she was not allowed to speak at the graduating ceremony solely because she was a woman.

In addition to the law, she was a teacher. She also was elected as Sangamon County Clerk, as an outstanding state representative, and President of the Illinois Federation of Teachers. In her later years, she never shied away from continuing to help those in need.

Yet, despite all that she has accomplished and all that she did for so many of us in central Illinois, her proudest accomplishment was her beloved son Carl. Since it is true that our greatest legacy is our children and the kind of people they turn out to be, I can tell you that her son Carl has honored his mother and his father in immeasurable terms.

My prayers go out to Carl and Marge along with thought, Josephine Oblinger made a difference in our lives, and so do the two of you.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. RIGGS) is recognized for 5 minutes.

(Mr. RIGGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

AN APPEAL FOR FAIRNESS IN AIRLINE COMPETITION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Minnesota (Mr. OBERSTAR) is recognized for 60 minutes as the designee of the minority leader.

Mr. OBERSTAR. Mr. Speaker, rarely, probably only one or two other times in my 24 year service in this House, have I taken the time of this body to address the House during special orders, but I do so today to express my utter astonishment over a multimillion dollar advertising campaign by the major airlines, designed to discredit a proposal by the Department of Transportation to stop unfair competitive practices against new low-fare airlines.

The ads seek to arouse public opinion by totally mischaracterizing the Department's proposal. Unfortunately, consumer organizations and new entrant carriers do not have the resources to respond by purchasing a comparable amount of advertising.

Typical of the airline campaign is the Brian Olson ad which shows a picture of a disappointed young man under the headline ''Vacation Canceled—Due to Government Regulation.''

The text of the ad says:

> Brian Olson was looking forward to the family vacation. With so many cheap air fares available, his family was planning the trip of a lifetime, but proposed Department of Transportation regulations could keep Brian home. That's bad news for Mrs. Olson.
>
> The DOT has proposed new regulations that will eliminate many discounted air fares and raise air fares for leisure travel in a misguided effort to re-regulate the airline industry.

The DOT proposal described in the ad bears flow resemblance to DOT's actual proposal. Quite frankly, if the issues were not so important, the ad is so ridiculous as to be laughable. The actual DOT proposal does not contemplate any general limitations on discounted air fares. The proposal is not designed to raise air fares, it is designed to produce lower air fares by protecting the new low-fare service against unfair competition, the purposes of which are

to drive the low-fare carrier out of the market and then raise fares to their prior level. The purpose of the DOT regulation is to give the so-called Brian Olson and his family more opportunities for a vacation at affordable air fares, rather than fewer or higher costs.

The DOT proposal only covers those markets in which low-fare service first becomes available because a new low-fare carrier enters the market. The policy is designed to prevent the established carrier in any given market from trying to drive the new carrier out with unfair anticompetitive practices which are described in the proposed rule as follows: The established carrier matches the fare and substantially increases capacity to the point where the established carrier is losing money on the route at issue. This type of so-called ''competition'' makes economic sense only if the established carrier expects to drive the new carrier out of the market and then recover its losses by raising air fares.

The DOT proposed policy declares that this type of competitive response is an unfair competitive practice prohibited by 49 U.S. Code 41712.

I want to make it very clear that every carrier has a right to defend its market, its route or its hub. Carriers do not have a right to do so by unfair competitive practices in which they flood a market with unprofitable service.

My years of experience in support of deregulation lead me to conclude that DOT's proposed guidelines are directed at a serious problem that has to be corrected if we are to continue to enjoy the low-fare benefits of airline deregulation.

Further, the law and the legislative history of deregulation are clear that DOT has the necessary authority to issue guidelines to deal with the problem and that the type of guideline DOT has proposed is not re-regulation, but it is consistent with the principles of airline deregulation.

Attorneys General from 29 states, including Republican Attorneys General from New York, Virginia, Wyoming, Arkansas and Kansas, agree. They have written in support of the DOT guidelines saying:

> The proposal of the Department of Transportation is not an attempt to re-regulate the airline industry. It does not propose to dictate routes or prices. It only sets out guidelines for interpreting an existing statute, and it does so in a rational way which seeks to prevent competitive strategies designed to destroy competition, rather than compete.

Predatory practices are not a theoretical problem. DOT investigations and Congressional hearings have uncovered a number of instances in which major airlines have adopted money-losing strategies to drive out new entrants who have instituted low-fare service.

For example, during the time when I was Chairman of the Aviation Subcommittee, in 1993, Reno Air entered the Minneapolis-Reno market. Northwest Airlines, which had dropped out of this market in 1991, apparently decided that any new Minneapolis competition was intolerable. Northwest reinstituted Minneapolis-Reno service, matching Reno's low fares and capacity, understandable, acceptable behavior up to that point.

□ 1700

Northwest went further. The carrier also announced that it would inaugurate new low-fare service in several other markets served by Reno Air, including Reno to Los Angeles, to Seattle and to San Diego.

The Department of Transportation began an investigation of Northwest's actions with a view toward instituting an enforcement case. Result: Northwest moderated its response. But the change came too late. Northwest had achieved its objective of driving Reno Air out of Minneapolis. After Reno left, Northwest raised its lowest refundable daytime fare in the Minneapolis-Reno market from $136 to $454.

Northwest followed a similar strategy against Spirit Airlines. When Spirit began offering a single daily round trip of low-fare service between Detroit and Boston, Northwest matched Spirit's fares on every coach seat on the 11 daily flights it operated. Northwest's average fare was reduced from $259 to $100. After about half a year, Spirit was driven out of the market. When Spirit left the market, Northwest raised its fare to an average of $267, $12 higher than its previous number, just about.

My distinguished Republican colleague, the gentleman from Iowa (Mr. GANSKE) cited the following example in a letter to the Wall Street Journal: ''Predatory pricing does exist and can be a successful strategy for a major carrier. In 1995, Vanguard Airlines entered the Des Moines market. In response, the major carriers lowered fares from Des Moines to Chicago to $79. After driving Vanguard out of the market, the major carrier is now charging $800 for a business class round trip. I dare say that not only has predatory pricing driven out the competitor, but at $800 per round trip, the major airline long ago made up its losses. For comparison, a round trip fare from Omaha to Chicago is about $200.''

That major carrier was United Airlines, I might add.

DOD cites 4 additional examples, without naming the carriers involved, and I will cite 2 of those cases. An established carrier responded to new low-fare service in a market by increasing its service from 41,000 seats in a quarter to 55,000 seats. The number of seats the established carrier offered at low fares below $75 increased from 11,000 to 47,000. The new entrant was selling 9,000 low-fare seats a quarter. As a result of this dumping of capacity, the established carrier's revenue dropped from $7.6 million a quarter to $3.9 million in that same period of time.

Second example: An established carrier responded to a new low-fare entrant by increasing the number of seats it offered in the market from 44,000 in a quarter to 67,000. The number of seats offered at a low fare of $50 to $75 was increased from 1,300 to 50,000. The established carrier's revenues decreased from $9 million a quarter to $5.6 million. When the new entrant was driven out of the market, the established carrier reduced total capacity from 67,000 seats a quarter to 36,000 seats. Mr. Speaker, 15,000 of those seats were at a fare of over $325. The result: Total revenues went back to $9 million.

Mr. Speaker, it is not surprising that Northwest Airlines has been a leader in the practice of driving out new entrants by lowering fares and dumping excess capacity. Michael Levine, now Northwest executive vice president for marketing and international, is the same Michael Levine who 10 years ago, when he was a law professor, conducted an in-depth study of airline marketing strategies. Mr. Levine concluded after an extensive analysis that a strategy of predatory pricing practices was frequently employed by major airlines and was likely to be effective. Levine found,

> Economists committed to a high degree of airline market contestability have historically maintained that predation is doomed to failure and is therefore unlikely, because capital assets involved in airline production are mobile.

Continuing quote,

> This contestability analysis is unfortunately inconsistent with much observed behavior since deregulation. Many new entrant airlines such as People Express, for example, in Newark, Minneapolis; Muse Air on its routes to Texas, Oklahoma and Louisiana, and other points out of Love Field and Hobby; Pacific Express in the Los Angeles-San Francisco market and others, have been pressed and helped out of business through aggressive pricing by incumbent rivals.

Continuing to quote,

> New entrants are very vulnerable, both to predation and to aggressive price competition between holdover incumbents and new entrants. If circumstances, including the financial condition of the new entrant, warrants, the incumbent can flood the market with low-price seats, withdrawing them almost invisibly at peak times or as competitive conditions allow. Economies of scope and perhaps of scale in these tactics allow large incumbents to use them more effectively than the smaller, newer airlines. The economies of scope are easily seen. An incumbent who uses such tactics a few times quickly develops a reputation for fierce response to entry. The smaller the route on which the predatory war takes place as a percentage of the total operations of the airlines, the more staying power the airline will have as cash is lost in operations which do not cover incremental costs. In effect, the airline lends itself money out of accounting reserves to fight a war which drains cash. If the new entrant cannot find a source of capital which will accept the information that the temporary losses are a worthwhile investment, it will not be able to sustain losses for as long a time as will the large scale incumbent.

Source: Airline Competition, Competition in Deregulated Markets of the Yale Journal on Regulation, Spring, 1987.

Well, Mr. Levine followed this blueprint to a tee when he became executive in charge of pricing and marketing for Northwest Airlines. The benefits of service by low-fare carriers go far beyond the service they provided to their passengers. When a low-fare carrier is successful, major carriers are forced to reduce their fares and their passengers also benefit. The savings to travelers are truly astonishing.

A DOT analysis concluded that for the year 1995, low-fare competition saved more than 100 million travelers a total of $6.3 billion in air fares. DOT studies also show that many passengers and markets which are not served by low fare carriers do not receive the full benefits of deregulation. DOT studied fares in all markets under 750 miles and found that in markets served by low-fare carriers, fares had decreased by 41 percent, adjusted for inflation, since deregulation in 1978. But, for those markets not served by low-fare carriers, fares had increased by 23 percent, adjusted for inflation.

The DOT study showed that average fares in markets served by low-fare carriers were $70 to $90 lower than average fares in other markets. It is very instructive that the higher fares prevailed in all markets not served by low-fare carriers. Fares were high even in markets in which established carriers competed.

Conclusion: It is the low-fare carriers, not the major carriers, who drive prices down and benefit consumers.

DOT has given some specific examples of fare disparities related to whether a market is served by a low-fare carrier. For example, Chicago-Cincinnati, where United competes with a major carrier, Delta. The average fare is $259. In Chicago-Louisville, a market of comparable distance where United competes with a low-fare carrier, Southwest, the average fare is $72. And there are many more such case example studies.

It is clear that the traveling public has a lot to lose if low-fare carriers are driven out of the marketplace by unfair competitive practices.

In competing with established carriers, low-fare carriers face obstacles beyond price-cutting and capacity-dumping. Established carriers control slots, gates, and computer reservation systems which are essential to effective competition. Established carriers can also use frequent flyer programs and travel commission overrides as competitive weapons. I know of a number of cases in which major airlines offer extra frequent flyer miles and give travel agents added commissions for flights in markets in which the major carrier was faced with low fare competition.

Even more disturbing are recent trends toward industry concentration. As the number of established carriers is reduced, the surviving carriers will become even more formidable, new threats to new entrants. Furthermore, the reduction in the number of established carriers means less competition within this group, and that means that the need for competition from low-fare carriers will become even greater. When markets are controlled by established carriers, the tendency is for the carrier simply to follow each other's fare changes, with the result that fares are identical and passenger choice is limited.

Since the early 1980s, there has been a long-term trend toward industry concentration. In the past few months, there have been some proposals which threaten to escalate the process dramatically to the disadvantage of air travelers. During the 20 years of airline deregulation, competition was reduced by a wave of mergers in the late 1980s, and by the bankruptcies of many established carriers and new entrants. Although a few small carriers who started operation in the post-deregulation era have survived, the new competition does not come close to offsetting the loss of competition caused by mergers and bankruptcies.

Very recently there has been an even greater threat to competition: Global-straddling alliances. In the past few months, proposals have surfaced for alliances between Northwest, with 9 percent of the domestic market, and Continental, 8 percent of the market; between American, 17 percent of the domestic market, and USAirways, 8 percent; and between United Airlines, 17 percent of domestic market, and Delta, with 18 percent, although it now appears that this latter proposal may not be able to proceed because they do not seem to be able to come to agreement on a code share alliance, for the time being. In addition, there is an alliance already in place between America West with 4 percent of the domestic market and Continental at 8 percent.

If, as some have suggested, alliances are the equivalent of mergers, these recent proposals indicate a very disturbing trend toward an aviation sector worldwide consisting of 3 major carriers, which Secretary of Transportation Sam Skinner warned us about in the early 1990s during hearings that I chaired at that time. The General Accounting Office found that if all of the 3 alliances proposed a few months ago were implemented, competition could be reduced for about 100 million passengers a year.

Alliances between major carriers pose an especially serious threat to competition because many of these carriers are already in alliances with major foreign airlines, such as Northwest-KLM, United-Lufthansa-SAS-Air Canada, and Delta-Swiss Air-Sabena-Austrian-Virgin. America is now trying to develop alliances with British Air, TACA, Canadian, Quantas and Japan Airlines. Big powerful global-straddling carrier alliances, reducing competition and increasing fares for air travelers.

These alliances have enormous market power. They control slots at the major slot constrained airports of the world: O'Hare, Heathrow and Narita. They operate in countries with which we have restrictive bilaterals that limit competition: our bilaterals with the United Kingdom and Japan. They control the major computer reservation systems through which most airline travel is marketed. They control major networks of domestic feeder airlines and some new entrants.

Experience has shown that when a U.S. carrier enters an alliance with a foreign carrier, other U.S. carriers limit or terminate their service to the foreign carrier's home market. If major U.S. carriers are added to these already imposing alliances, there will be an irrevocable change in worldwide airline competition.

□ 1715

The Committee on Transportation and Infrastructure has reported legislation to give the Department of Transportation an opportunity to review the proposed alliances between major carriers before they are implemented, very important legislation.

As Robert Crandall, former chairman and CEO of American Airlines said shortly before he retired, ''The Department can promote competition by preventing any further concentration in the domestic industry, and by undoing the collusive alliances it has created in the international marketplace. Doing so will offer the consumers more choices than they have today.''

Regardless of whether our committee's alliance legislation passes, the trend toward new alliances makes it even more important that DOT ensure that new entrants are not driven out of the business by unfair competitive practices.

The major airlines have tried to damn the DOT proposal by labeling it with the pejorative term ''reregulation.'' This is a gross mischaracterization. DOT is not proposing to add any new regulatory requirements. DOT is only implementing its statutory responsibility which predates the Deregulation Act of 1978 to prevent unfair competitive practices.

To understand what ''reregulation'' means, we first need to understand the meaning of ''deregulation.'' Before 1978, the airlines were fully regulated. They needed authority from the Civil Aeronautics Board to change the cities they served and the fares they charged.

In 1978, this regulatory regime was ended by the Airline Deregulation Act, which gave airlines the same freedom as other industries to establish their service and their fares. But deregulation did not mean that there would be no limits on airlines' business decisions. All American business is subject to controls to ensure that their products are safe and that consumers are not deceived among other protections.

Some of these controls affect pricing decisions. For example, under the antitrust laws, no American business is free to set its prices by an agreement with its competitors. All businesses in

America are prohibited from pricing practices which constitute unfair competitive practices violating the letter or spirit of the antitrust laws.

This prohibition is found in Section 5 of the Federal Trade Commission Act, governing industry generally, and in former Section 411 of the Federal Aviation Act, which is now 49 U.S.C. 41712, which applies specifically to airlines.

Since 1938 airlines have been exempt from Section 5 of the Federal Trade Commission Act, and subject to a provision specifically prohibiting unfair competitive practices by airlines administered by CAB's predecessor, and then by CAB, and since 1985, by DOT. This is the prohibition on which DOT's guidelines are based, historically established in law for the benefit and protection of air travelers.

Congress has made it absolutely clear that we expect the U.S. Department of Transportation to prohibit unfair competitive practices by airlines. In 1984 when we passed legislation terminating the Civil Aeronautics Board and giving its remaining responsibilities to the U.S. Department of Transportation, we explained that, ''There is also a strong need to preserve the Board's authority under Section 411 to ensure fair competition in air transportation. Again, this is the same authority which the Federal Trade Commission exercises over other industries under Section 5 of the Federal Trade Commission Act.

Although the airline industry has been deregulated, this does not mean that there are no limits to competitive practices. As in the case with all industry, carriers must not engage in practices which would destroy the framework under which fair competition operates.

Air carriers are prohibited, as are firms in other industries, from practices which are inconsistent with the antitrust laws or the somewhat broader prohibitions of Section 411 of the Federal Aviation Act (corresponding to Section 5 of the Federal Trade Commission Act) against unfair competitive practices. Source, House Committee Report on CAB Sunset Act, H.R. 98–793, 98th Congress, Second Session.

I cite this to be perfectly precisely clear about the legal basis for the authority that the DOT seeks now to exercise.

The principal architect of deregulation, Dr. Alfred Kahn, has confirmed that the DOT proposal is not reregulation. Dr. Kahn said:

> The entry of these new low-fare carriers keeps the industry honest. I'm a strong advocate of competition and I don't want to go back to regulation. But you've got to distinguish legitimate competition from what is intended to drive competitors out and exploit consumers.

That is Alfred Kahn, as quoted in USA Today, April 6, 1998.

Dr. Kahn further says, ''When I hear 'vigorous competitive' responses to describe a situation in which, within a space of a year, fares started at $260, went down to $100 in two quarters, and then back up to $270, I want to retch,'' said Dr. Kahn in the hearing on Aviation Competition of the Subcommittee on Aviation, the Senate Committee on Commerce, Science, and Transportation, April 23, 1998.

Strong language from a man who knows what ''deregulation'' means and what ''fair competition'' is.

Two other issues need to be clarified. First, the prohibition against unfair competitive practices is related to but is broader than the prohibitions of the antitrust laws. As the court ruled in United Airlines against CAB, 766 F.2nd 1107, 7th Circuit, 1985, ''We know from many decisions under both this section, (Section 411 of the Federal Aviation Act prohibiting unfair competitive practices),'' and its progenitor, Section 5 of the Federal Trade Commission Act, ''that the Board can forbid anticompetitive practices before they become serious enough to violate the Sherman Act.''

Secondly, DOT has authority to issue general rules determining that specific practices constitute unfair competitive practices. DOT is not limited to enforcing the prohibition against unfair practices through a case-by-case determination.

This was the issue in the 7th Circuit Court case of United Airlines against CAB, in which United Airlines challenged the CAB's authority to issue rules determining that various practices in the operation of computer reservation systems would be unfair competitive practices.

After analyzing the background of the reenactment of Section 411 in 1984, the court concluded,

> Congress, looking forward to the period after abolition of the Board, was very concerned to preserve in the Department of Transportation authority to enforce Section 411 . . . It is too late to inquire whether, as an original matter of interpretation of Sections 204(a) and 411, rulemaking can be used to prevent unfair or deceptive practices or unfair methods of competition. To hold that it cannot be so used would pull the rug out from under Congress's restructuring of airline regulation.

Wise words rightly said by the court.

There have been some proposals for legislation to stop the DOT rulemaking. I am pleased that the Committee on Transportation and Infrastructure has rejected these proposals, and instead has reported legislation to ensure that the final guidelines will include a full analysis of relevant issues, and that Congress will have an opportunity to legislate before final guidelines become effective.

I agreed to this legislation as a compromise, making it clear that my support should not be construed as indicating doubts about DOT's proposal, but rather, as a means of moving the issue forward. The Secretary of Transportation has pledged to give serious open-minded consideration to all comments filed, and I am confident that final guidelines will reflect any legitimate problems which may be raised.

I believe the basic approach proposed by DOT is sound. It is inconsistent with deregulation for established airlines to respond to low fare competition by adopting pricing and scheduling policies which lose money, and then when the new entrant leaves the market, raising fares to prior levels.

I respect the rights of established airlines to oppose the DOT proposal, but I urge them to contest the proposal by responding to the real issue with real case studies and honest facts, rather than using their fictitious strawman claim of ''reregulation'' in their rush to ban all low-fare service.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. KILPATRICK (at the request of Mr. GEPHARDT) for today after 3:30 p.m. on account of official business.

Ms. HARMAN (at the request of Mr. GEPHARDT) for today on account of illness in the family.

Mr. MARTINEZ (at the request of Mr. GEPHARDT) for today on account of personal business.

Mr. PITTS (at the request of Mr. ARMEY) for today after 1:00 p.m. on account of his son's wedding.

Mr. CALLAHAN (at the request of Mr. ARMEY) for September 26 through October 2 on account of personal reasons associated with Hurricane Georges.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. OBERSTAR) to revise and extend their remarks and include extraneous material:)

Mr. CONYERS, for 5 minutes, today.

Mr. SKAGGS, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

(The following Members (at the request of Mr. WELLER) to revise and extend their remarks and include extraneous material:)

Mr. SCARBOROUGH, for 5 minutes, today.

Mr. WELLER, for 5 minutes, today.

Mr. SHIMKUS, for 5 minutes, today.

Mr. RIGGS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. OBERSTAR) and to include extraneous material:)

Mr. HAMILTON in two instances.

Mr. TAYLOR of Mississippi.

Ms. DELAURO.

Mr. STARK.

Mr. TOWNS in two instances.

Mr. BENTSEN.

Mr. NEAL of Massachusetts.

Mr. MILLER of California.

Mr. SKELTON.
Mr. DINGELL.
Ms. JACKSON-LEE of Texas.
Mr. POSHARD.
Mr. KIND.
Ms. BROWN of Florida.
Ms. LEE.
Mr. MALONEY of Connecticut.
Mr. COYNE.
Ms. MCCARTHY of Missouri.
Mr. BARCIA.

(The following Members (at the request of Mr. WELLER) and to include extraneous material:)

Mr. SHIMKUS.
Mrs. MORELLA.
Mr. WALSH.
Mr. MCCRERY.
Mr. MILLER of Florida.
Mr. BOB SCHAFFER of Colorado.
Mr. HASTERT.
Mrs. WILSON.
Mr. PAUL.
Mr. BLILEY.
Ms. DUNN.
Mr. NEY.
Mr. LAZIO of New York.
Ms. PRYCE of Ohio.

(The following Members (at the request of Mr. OBERSTAR) and to include extraneous material:)

Mr. GALLEGLY.
Mr. ENGLISH of Pennsylvania.
Mr. TOWNS.
Mr. YOUNG of Florida.
Mr. HORN.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 58. Joint Resolution recognizing the accomplishments of Inspectors General since their creation in 1978 in preventing and detecting waste, fraud, abuse, and mismanagement, and in promoting economy, efficiency, and effectiveness in the Federal Government; to the Committee on Government Reform and Oversight.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 6. An act to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on the following date present to the President, for his approval, bills of the House of the following titles:

On October 1, 1998:

H.R. 4060. Making appropriations for energy and water development for the fiscal year ending September 30, 1999 and for other purposes.

H.R. 4380. To amend the Public Health Service Act to revise and extend the program for mammography quality standards.

H.R. 3096. To correct a provision relating to termination of benefits for convicted persons.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p.m.), under its previous order, the House adjourned until Monday, October 5, 1998, at 12:30 p.m. for Morning Hour debates.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Omitted from the Record of October 1, 1998]

Mr. MCINNIS: Committee on Rules. House Resolution 563. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4104) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105–761). Referred to the House Calendar.

Mr. DREIER: Committee on Rules. House Resolution 564. Resolution providing for consideration of the bill (H.R. 4274) making appropriations for the Department of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105–762). Referred to the House Calendar.

[Submitted October 2, 1998]

Mr SKEEN: Committee on Conference. Conference report on H.R. 4101. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105–763). Ordered to be printed.

Mr. SOLOMON: Committee on Rules. House Resolution 567. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105–764). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1833. A bill to amend the Indian Self-Determination and Education Assistance Act to provide for further Self-Governance by Indian Tribes, and for other purposes; with an amendment (Rept. 105–765). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3972. A bill to amend the Outer Continental Shelf Lands Act to prohibit the Secretary of the Interior from charging State and local government agencies for certain uses of the sand, gravel, and shell resources of the outer Continental Shelf (Rept. 105–766). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 1693. An act to provide for improved management and increased accountability for certain National Park Service programs, and for other purposes; with an amendment (Rept. 105–767). Referred to the Committee of the Whole House on the State of the Union.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. BLILEY: Committee on Commerce. H.R. 3844. A bill to promote and enhance public safety through use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous and reliable networks for personal wireless services, and ensuring access to Federal Government property for such networks, and for other purposes, with an amendment; referred to the Committee on Transportation and Infrastructure for a period ending not later than October 9, 1998, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(q), rule X. (Rept. 105–768, Pt. 1).

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BLILEY:

H.R. 4679. A bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the circumstances in which a substance is considered to be a pesticide chemical for purposes of such Act, and for other purposes; to the Committee on Commerce.

By Ms. JACKSON-LEE of Texas (for herself, Ms. KILPATRICK, Ms. MCKINNEY, Mr. RUSH, Mrs. CLAYTON, Ms. MILLENDER-MCDONALD, Mr. FORD, Mr. LAMPSON, Mr. REYES, Mr. HINOJOSA, Mr. RODRIGUEZ, Mr. GREEN, Mr. PASTOR, and Mr. CLYBURN):

H.R. 4680. A bill to amend title XVIII of the Social Security Act to require hospitals reimbursed under the Medicare system to establish and implement security procedures to reduce the likelihood of infant patient abduction and baby switching, including procedures for identifying all infant patients in the hospital in a manner that ensures that it will be evident if infants are missing from the hospital; to the Committee on Ways and Means, and in addition to the Committees on Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARR of Georgia (for himself and Mr. BISHOP):

H.R. 4681. A bill to require a 33 percent reduction in funds provided to a State under title I of the Omnibus Crime Control and Safe Streets Act of 1968 unless law enforcement officers are afforded due process in a case which could lead to dismissal, demotion, suspension, or transfer of a law enforcement officer; to the Committee on the Judiciary.

By Mr. BARCIA of Michigan (for himself, Mr. GORDON, Mrs. MORELLA, Mr. BROWN of California, Mrs. CAPPS, Ms. RIVERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ETHERIDGE, Ms.

STABENOW, Mr. TRAFICANT, Ms. LEE, and Ms. JACKSON-LEE of Texas):

H.R. 4682. A bill to minimize the disruption of Government and private sector operations caused by the Year 2000 computer problem; to the Committee on Science.

By Mr. BILIRAKIS (for himself, Mr. BLILEY, Mr. DINGELL, Mr. BROWN of Ohio, Mr. GINGRICH, Mr. PORTER, Mr. BARTON of Texas, Mr. HASTERT, Mr. WAXMAN, Mr. STEARNS, Mr. GREENWOOD, Mr. BILBRAY, Mr. ROGAN, Mr. STRICKLAND, Mr. BURR of North Carolina, Mr. LAZIO of New York, and Mr. GREEN):

H.R. 4683. A bill to amend the Public Health Service Act to revise and extend certain programs with respect to women's health research and prevention activities at the National Institutes of Health and the Centers for Disease Control and Prevention; to the Committee on Commerce.

By Mr. CAMPBELL (for himself, Mr. SESSIONS, Mr. PAUL, Mr. JONES, and Mr. COOK):

H.R. 4684. A bill to amend the Internal Revenue Code of 1986 to encourage a strong community-based banking system; to the Committee on Ways and Means.

By Ms. DUNN of Washington:

H.R. 4685. A bill to amend the Internal Revenue Code of 1986 to expand the exclusion for qualified small business stock, to increase the annual limit with respect to incentive stock options, and for other purposes; to the Committee on Ways and Means.

By Mr. KENNEDY of Massachusetts (for himself, Mr. BARRETT of Wisconsin, Mr. HASTINGS of Florida, Mr. COSTELLO, Mr. FILNER, Mr. WAXMAN, Ms. KILPATRICK, Mr. STARK, Mr. KENNEDY of Rhode Island, Mr. NEAL of Massachusetts, Ms. SLAUGHTER, Mr. SANDLIN, Mr. UNDERWOOD, Mr. MEEHAN, and Ms. ROYBAL-ALLARD):

H.R. 4686. A bill to amend titles XI, XVIII, and XIX of the Social Security Act to permit paid staff other than nurse aides and licensed health professionals to provide feeding and hydration assistance to residents in nursing facilities participating in the Medicare and Medicaid Programs (and to provide special training requirements for such staff), and to establish a program to ensure that such facilities do not employ individuals who have a history of patient or resident abuse or have been convicted of certain crimes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MALONEY of Connecticut:

H.R. 4687. A bill to amend the Internal Revenue Code of 1986 to allow vendor refunds of Federal excise taxes on kerosene used in unvented heaters for home heating purposes; to the Committee on Ways and Means.

By Mr. MCGOVERN (for himself, Mr. WEYGAND, Mrs. THURMAN, and Mr. PALLONE):

H.R. 4688. A bill to require that jewelry imported from another country be indelibly marked with the country of origin; to the Committee on Ways and Means.

By Mr. MCNULTY (for himself and Mr. HOUGHTON):

H.R. 4689. A bill to exclude from Federal taxation any portion of any reward paid to David R. Kaczynski and Linda E. Patrik which is donated to the victims in the Unabomber case or their families or which is used to pay Mr. Kaczynski's and Ms. Patrik's attorneys' fees; to the Committee on Ways and Means.

By Mr. MINGE (for himself and Mr. POMEROY):

H.R. 4690. A bill to respond to the needs of United States farmers experiencing exceptionally low commodity prices and extensive crop failures; to the Committee on Agriculture.

By Mrs. ROUKEMA:

H.R. 4691. A bill to amend title 31, United States Code, to prevent the smuggling of large amounts of currency or monetary instruments into or out of the United States, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. TOWNS:

H.R. 4692. A bill to make any State whose child poverty rate increases by 5 percent or more in a fiscal year ineligible for a high performance bonus for the next fiscal year under the program of block grants to States for temporary assistance for needy families; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska (for himself, Mr. HEFNER, and Mr. MCINTYRE):

H.R. 4693. A bill to provide for Federal recognition of the Qutekcak Native Tribe of Alaska and the Tuscarora Nation of the Kauta-Noh, and for other purposes; to the Committee on Resources.

By Mr. KOLBE (for himself, Mr. STUMP, Mr. SHADEGG, Mr. HAYWORTH, Mr. SALMON, and Mr. YOUNG of Alaska):

H. Con. Res. 332. Concurrent resolution expressing the sense of Congress regarding the policy of the Forest Service toward recreational shooting and archery ranges on Federal land; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REDMOND:

H. Con. Res. 333. Concurrent resolution expressing the sense of the Congress that public schools should conduct ceremonies and other activities to educate and inform students about the sacrifice and commitment of veterans of the United States Armed Forces; to the Committee on Education and the Workforce.

By Mr. CARDIN (for himself and Mr. EHRLICH):

H. Res. 568. A resolution recongnizing and congratulating Cal Ripken, Jr.; to the Committee on Government Reform and Oversight.

By Mr. MORAN of Virginia:

H. Res. 569. A resolution concerning the extradition to the United States of Salvadorans; to the Committee on International Relations.

By Mr. ROHRABACHER:

H. Res. 570. A resolution expressing the sense of the House of Representatives regarding support for the formation of the Chinese Democracy Party (CDP) and to urge the Government of the People's Republic of China to guarantee the rights and safety of the CDP organizers; to the Committee on International Relations.

By Mr. WELDON of Pennsylvania (for himself, Mr. PICKETT, Mr. BARTLETT of Maryland, Mr. WATTS of Oklahoma, Mr. TAYLOR of North Carolina, Mr. THORNBERRY, Ms. GRANGER, Mr. PAPPAS, and Mr. CUNNINGHAM):

H. Res. 571. A resolution expressing sympathy to the family and colleagues of Lev Yakovlevich Rokhlin, and expressing the sense of the House of Representatives that the President of the United States should urge the Russian Government to promptly and thoroughly investigate the circumstances surrounding the death of Lev Yakovlevich Rokhlin and to provide a full accounting of the circumstances as soon as practicable, but not later than November 1999; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. PELOSI:

H.R. 4694. A bill for the relief of Suchada Kwong; to the Committee on the Judiciary.

H.R. 4695. A bill for the relief of Oleg Rasulyevich Rafikov, Alfia Fanilevna Rafikova, Evgenia Olegovna Rafikova, and Ruslan Khamitovich Yagudin; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 98: Mr. MILLER of California.

H.R. 158: Mr. MENENDEZ.

H.R. 218: Mr. JONES, Mr. BISHOP, and Mr. GILMAN.

H.R. 902: Mr. NEUMANN.

H.R. 1126: Mr. SKEEN.

H.R. 1628: Mr. SMITH of New Jersey.

H.R. 1711: Mr. ADERHOLT, Mr. PICKERING, Mr. HUNTER, Mr. HILLEARY, Mr. GIBBONS, Mr. BURR of North Carolina, Mr. HOEKSTRA, Mr. RYUN, Mr. KLINK, and Mr. EVERETT.

H.R. 1773: Mr. GOODE.

H.R. 1883: Mr. ADERHOLT.

H.R. 2009: Mr. COX of California.

H.R. 2397: Mr. GORDON, Mr. DEFAZIO, Mr. SAXTON, Mr. VENTO, Mr. METCALF, Mr. DOYLE, Mr. JACKSON of Illinois and Mr. HAYWORTH.

H.R. 2499: Mr. LAZIO of New York and Mr. BEREUTER.

H.R. 2560: Mr. BASS, Mr. BUNNING of Kentucky, Mr. FRELINGHUYSEN, Mr. LAHOOD, Mr. BONILLA, Mr. CAMPBELL, Mr. HANSEN, and Mr. PACKARD.

H.R. 2748: Mr. SHIMKUS.

H.R. 2754: Mr. NEAL of Massachusetts, Mr. DIXON, and Ms. ROYBAL-ALLARD.

H.R. 2817: Mr. MCINTOSH, Mr. MORAN of Virginia, Mrs. CAPPS, and Mr. DOYLE.

H.R. 2819: Ms. SLAUGHTER.

H.R. 2914: Mr. SAWYER.

H.R. 2923: Mr. BALDACCI.

H.R. 2938: Mr. BOB SCHAFFER, Mr. LUTHER, and Mr. OBERSTAR.

H.R. 2941: Mr. HUTCHINSON.

H.R. 2951: Mr. STENHOLM.

H.R. 3008: Mr. PAYNE.

H.R. 3081: Mr. HOYER and Mr. RANGEL.

H.R. 3247: Mr. BATEMAN and Mr. MCHUGH.

H.R. 3261: Mr. POMBO.

H.R. 3296: Ms. DEGETTE.

H.R. 3427: Mr. SCOTT.

H.R. 3484: Mr. THOMPSON, Mr. JEFFERSON, and Mr. LUTHER.

H.R. 3514: Mr. NEAL of Massachusetts.

H.R. 3684: Mr. ADERHOLT.

H.R. 3779: Mr. BONILLA and Mr. STRICKLAND.

H.R. 3795: Mrs. MORELLA.

H.R. 3879: Mr. KNOLLENBERG.

H.R. 3895: Ms. FURSE.

H.R. 3900: Mr. MCHUGH.

H.R. 3911: Mr. WAXMAN and Mr. CAMPBELL.

H.R. 4009: Mr. SPRATT, Mr. VENTO, Mr. ABERCROMBIE, Mr. WISE, Mr. DEFAZIO, Ms. CARSON, and Mr. LEVIN.

H.R. 4016: Mrs. MINK of Hawaii.

H.R. 4031: Ms. STABENOW.

H.R. 4035: Mr. BARTON of Texas, Mr. BRADY of Texas, Mr. NEY, Mr. LARGENT, Mr. HEFNER, Mr. POMEROY, Mr. SANDLIN, Mr. PRICE of

North Carolina, Mr. ACKERMAN, Mr. DAVIS of Florida, Mr. HALL of Texas, Mr. BEREUTER, Ms. LEE, Mr. PAUL, Mr. WISE, Mr. FRANK of Massachusetts, Ms. WATERS, Mr. WATT of North Carolina, Mr. DUNCAN, Mr. ADERHOLT, Mrs. BONO, Mr. MATSUI, Mr. FORD, and Ms. ROS-LEHTINEN.

H.R. 4036: Mr. BARTON of Texas, Mr. NEY, Mr. LARGENT, Mr. GOODLING, Ms. ESHOO, Mr. HEFNER, Mr. WELDON of Florida, Mr. SANDLIN, Mr. PRICE of North Carolina, Mr. ACKERMAN, Mr. CRAMER, Mr. HALL of Texas, Mr. CALVERT, Mr. BARR of Georgia, Ms. LEE, Mr. WEYGAND, Mr. GOODE, Mr. PAUL, Mr. WISE, Mr. FRANK of Massachusetts, Mr. BARCIA, Mr. GONZALEZ, Mr. DICKEY, Ms. WATERS, Mr. WATT of North Carolina, Mr. ADERHOLT, Mr. OWENS, Mr. JENKINS, Ms. HARMAN, Mrs. BONO, Mr. MATSUI, Mr. FORD, Ms. ROS-LEHTINEN, Mr. MCKEON, Ms. PELOSI, Mr. HORN, and Mr. STARK.

H.R. 4071: Mrs. EMERSON.

H.R. 4096: Mr. DOOLITTLE.

H.R. 4154: Mr. CALVERT, Mr. JENKINS, and Mr. SPENCE.

H.R. 4179: Mr. MEEKS of New York, Mr. METCALF, Mr. REDMOND, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. VENTO, Mr. LUTHER, Mr. UPTON, Ms. KILPATRICK, Mr. MARTINEZ, Ms. SLAUGHTER, and Ms. DEGETTE.

H.R. 4203: Ms. KILPATRICK, Mr. ALLEN, and Mr. MANTON.

H.R. 4213: Mrs. CAPPS, Mr. MEEKS of New York, and Mr. REYES.

H.R. 4217: Mr. POMBO.

H.R. 4235: Mr. SHAW and Mr. JEFFERSON.

H.R. 4242: Mr. SANDERS.

H.R. 4280: Mr. HOYER.

H.R. 4281: Mr. POMBO and Mr. BOB SCHAFFER.

H.R. 4285: Mr. BEREUTER.

H.R. 4314: Mr. BUNNING of Kentucky.

H.R. 4362: Ms. MCCARTHY of Missouri, Mr. UNDERWOOD, and Mr. DOYLE.

H.R. 4424: Mr. STUMP.

H.R. 4449: Mr. WELLER, Mr. HASTINGS of Washington, Mr. SANDERS, Mr. THOMPSON, and Mr. DAVIS of Virginia.

H.R. 4455: Mr. RAMSTAD.

H.R. 4472: Mrs. LINDA SMITH of Washington.

H.R. 4505: Mr. MORAN of Virginia.

H.R. 4513: Mr. LAHOOD.

H.R. 4516: Mr. CUMMINGS, Mr. CARDIN, Mr. BARTLETT of Maryland, Mr. GILCHREST, Mr. HOYER, Mrs. MORELLA, and Mr. EHRLICH.

H.R. 4590: Mr. HOBSON, Mr. GILLMOR, and Mr. ADAM SMITH of Washington.

H.R. 4604: Mr. JEFFERSON, Mr. BRADY of Texas, Mr. ENGLISH of Pennsylvania, and Mr. PAXON.

H.R. 4609: Mr. FRANKS of New Jersey, Mr. ENGLISH of Pennsylvania, and Mr. SMITH of New Jersey.

H.R. 4611: Mr. OBERSTAR.

H.R. 4628: Ms. SLAUGHTER, Mr. BARRETT of Wisconsin, Mr. ABERCOMBIE, Mr. SANDLIN, and Mr. ENGEL.

H.R. 4669: Mr. WATTS of Oklahoma, Mr. MCHALE, and Mr. FILNER.

H. Con. Res. 100: Mr. BENTSEN.

H. Con. Res. 126: Mr. STENHOLM, Mrs. MINK of Hawaii, and Mr. MOAKLEY.

H. Con. Res. 229: Mr. ACKERMAN, Ms. BROWN of Florida, Mr. ENSIGN, Mr. MCINTOSH, and Mr. OLVER.

H. Con. Res. 264: Mr. BONILLA.

H. Con. Res. 274: Mr. LIVINGSTON, Mr. PACKARD, Mr. KASICH, Mr. RILEY, Mr. CONDIT, Ms. SANCHEZ, Mr. SNOWBARGER, Mrs. CAPPS, and Mr. ROMERO-BARCELO.

H. Con. Res. 290: Mr. HAYWORTH, Mrs. CHENOWETH, Mr. PEASE, Mr. JENKINS, Mr. HANSEN, Mr. ROHRABACHER, Mrs. THURMAN, Mr. MORAN of Kansas, Mr. CLYBURN, and Mr. SCARBOROUGH.

H. Con. Res. 295: Mrs. CAPPS.

H. Con. Res. 306: Mr. NETHERCUTT.

H. Con. Res. 320: Mr. GILMAN and Mr. BEREUTER.

H. Res. 483: Mr. MCGOVERN, Mr. KLINK, Ms. RIVERS, and Mr. LANTOS.

H. Res. 518: Mr. ENGLISH of Pennsylvania, Mr. LANTOS, Ms. CARSON, Mr. MEEKS of New York, and Mr. MARKEY.

H. Res. 523: Mrs. MCCARTHY of New York, Mr. BEREUTER, Mr. WEXLER, Mrs. MEEK of Florida, Mr. WATT of North Carolina, Ms. FURSE, and Mr. FOX of Pennsylvania.

H. Res. 529: Mr. HASTINGS of Washington.

H. Res. 533: Mr. MCGOVERN and Mr. BEREUTER.

H. Res. 561: Ms. SLAUGHTER, Mrs. KELLY, and Mr. ROTHMAN.

H. Res. 565: Mr. BARTON of Texas, Mr. BOB SCHAFFER, Mr. HALL of Texas, Mr. MCHUGH, Mr. NETHERCUTT, Mrs. MALONEY of New York, Mr. FOSSELLA, Mr. RANGEL, Mr. RODRIGUEZ, Mr. LUCAS of Oklahoma, Mr. DAVIS of Virginia, Ms. CHRISTIAN-GREEN, and Mrs. KENNELLY of Connecticut.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS.

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1995: Mrs. Cubin

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 6 by Mr. OBEY on H.R. 3580: Karen L. Thurman and Ron Klink.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3789

OFFERED BY: MR. BRYANT

AMENDMENT NO. 7: Page 3, add the following after line 25:

''(C) In a case removed to the district court on the basis of jurisdiction under this subsection in which the district court determines under this paragraph to abstain from hearing an action, the court shall not determine whether the case may be maintained as a class action under Rule 23 of the Federal Rules of Civil Procedure.

Page 4, line 1, strike lines 1 through 3.

Page 4, line 4, strike ''(B)'' and insert ''(3)(A)''.

Page 4, line 5, strike ''(C)'' and insert ''(B)''.

Page 4, line 10, strike ''(C)'' and insert ''(B)''.

Page 5, strike lines 1 through 3 and insert the following:

''(C) Paragraph (1) and section 1453 shall not apply to any civil action, regardless of the forum in which it may be filed, that involves—

''(i) a class action brought under the Securities Act of 1933 or the Securities Exchange Act of 1934, or that is subject to the limitations on class actions under the Securities Act of 1933 or the Securities Exchange Act of 1934; or

''(ii) a claim or claims relating to—

''(I) the internal affairs or governance of a corporation or other form of entity or business association arising under or by virtue of the statutory, common, or other laws of the State in which such corporation, entity, or business association is incorporated (in the case of a corporation) or organized (in the case of any other entity); or

''(II) the rights, duties (including fiduciary duties), and obligations relating to or created by any security.

''(D) Paragraph (1) and section 1453 shall not apply to—

''(i) an action involving a security that is brought by a State, a political subdivision thereof, or a State pension plan, whether on its own behalf, or as a member of a class comprised solely of other States, political subdivisions, or State pension plans that are named plaintiffs, and that have authorized participation, in such action;

''(ii) an action that seeks to enforce a contractual agreement between an issuer and an indenture trustee; or

''(iii) an action involving any debt securities that is exempt from registration under the Securities Act of 1933 pursuant to rules issued by the Securities and Exchange Commission under section 4(2) of such Act.

''(E) As used in this paragraph—

''(i) the terms 'issuer', 'security', and 'equity security' have the meanings given those terms in section 3 of the Securities Exchange Act of 1934;

''(ii) an 'affiliate' of an issuer is a person that directly or indirectly, through one or more intermediaries, controls or is controlled by or is under common control with, that issuer; and

''(iii) the term 'State pension plan' means a pension plan established and maintained for its employees by the government of a State or political subdivision thereof, or by any agency or instrumentality thereof.''.

Page 6, lines 18 and 19, strike ''district court's direction in accordance with Rule 23(c)(2) of the Federal Rules of Civil Procedure'' and insert ''direction of the State court''.

Page 7, line 21, insert after the first period the following: ''Nothing in this subsection shall preclude a party from amending its complaint after remand to State court.''.

H.R. 4274

OFFERED BY: MR. WEYGAND

AMENDMENT NO. 25: Page 6, line 10, before the period insert the following: ''*: Provided further,* That, to the extent practicable, not less than 50 percent of the total number of Job Corps centers established during fiscal year 1999 shall be established in States that, as of the date of the enactment of this Act, do not have Job Corps centers''.

H.R. 4274

OFFERED BY: MR. WEYGAND

AMENDMENT NO. 26: Page 6, line 10, before the period insert the following: ''*: Provided further,* That, to the extent practicable, Job Corps centers established during fiscal year 1999 shall be established in States that, as of the date of the enactment of this Act, do not have Job Corps centers''.

H.R. 4274

OFFERED BY: MR. WEYGAND

AMENDMENT NO. 27: Page 28, line 15, insert ''(decreased by $6,008,000)'' after the last dollar figure.

Page 34, line 24, insert ''(decreased by $6,327,000)'' after the dollar figure.

Page 44, line 9, insert ''(increased by $5,000,000)'' after the dollar figure.