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House of Representatives

The House met at 9 a.m.

The Reverend Byron E. Powers, Senior Pastor, The Church Love is Building, Church of God, Sheffield, Ohio, offered the following prayer:

So we pray. Almighty and Gracious God, Your Word declares that ''this is the day that the Lord has made.'' We recognize this day that You have given us, these great United States, for our heritage. Help us to treasure and guard it. Help us, this day, always to prove ourselves to be cognizant of Your favor and eager to fulfill Your awesome purpose in this world. Forgive us for our sin, the discord, confusion, pride, and arrogance, that hinders our relationship with You and one another.

In our diversity, mold us into one united people. Empower our leaders this day with the spirit of wisdom, so that righteousness, justice, and peace may prevail and that, through obedience to Your commandments, we may show forth Your praise among the nations of the Earth.

So, Heavenly Father, we ask this day that our Nation and leaders will be blessed; that our influence will be enlarged; that Your hand would be upon us, and keep us from evil that we may not cause pain. We pray this in Your Name that is above all others. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. HALL) come forward and lead the House in the Pledge of Allegiance.

Mr. HALL of Texas 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The gentleman from Ohio (Mr. NEY) is recognized for 1 minute. All other 1-minutes will be after business today.

WELCOME TO GUEST CHAPLAIN, THE REVEREND BYRON E. POWERS

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

Mr. NEY. Mr. Speaker, it is my privilege to welcome the Honorable Reverend Byron E. Powers as our guest chaplain. Reverend Powers is currently the Senior Pastor of the Church Love Is Building in Sheffield, Ohio, one of the great parishes in the region.

Reverend Powers has devoted his life to helping others, and previously served as the senior pastor for churches in Illinois and Florida. He has earned a Bachelor of Arts in Psychology from Lee University and a Master of Arts in Clinical Pastoral Counseling from Ashland Theological Seminary. In addition to his pastoral responsibilities, he currently serves as senior chaplain to the Lorain Police Department. He has been married for 19 years to his wife Frankie, and they have three wonderful children, Sarah, Rachel and Nathan.

Reverend Powers is a leader in the community. His commitment and compassion for those less fortunate has led him to assist many in the area around Sheffield while working tirelessly to serve his community and the great State of Ohio.

It is my distinct pleasure to welcome Reverend Powers to the Congress of the United States and thank him for leading the House in prayer.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002

The SPEAKER. Pursuant to House Resolution 180 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2311.

□ 0906

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on Wednesday, June 27, 2001, a demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. BONIOR) had been postponed and the bill was open for amendment from page 22, line 19, through page 23, line 4.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment offered by the gentleman from Colorado (Mr. TANCREDO); amendment No. 4 offered by the gentleman from Colorado (Mr. TANCREDO); amendment offered by the gentleman from New York (Mr. HINCHEY); amendment No. 2 offered by the gentleman from Ohio (Mr. KUCINICH); and amendment offered by the gentleman from Michigan (Mr. BONIOR).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

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AMENDMENT OFFERED BY MR. TANCREDO

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TANCREDO:

Page 2, line 18, after the dollar amount, insert the following: ''(reduced by $9,900,000)''.

Page 18, line 2, after the dollar amount, insert the following: ''(increased by $9,900,000)''.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 39, noes 372, not voting 22, as follows:

[Roll No. 199]

AYES—39

Bartlett
Biggert
Boswell
Cannon
Davis, Jo Ann
DeGette
Doggett
Ehlers
Flake
Gilchrest
Goode
Gutknecht
Hefley
Hinchey
Holt
Luther
McCollum
McKinney
Moran (KS)
Osborne
Paul
Pence
Pickering
Pitts
Radanovich
Ramstad
Rivers
Royce
Schaffer
Sensenbrenner
Shadegg
Shays
Smith (MI)
Sununu
Tancredo
Terry
Toomey
Udall (CO)
Udall (NM)

NOES—372

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Callahan
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Sessions
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Towns
Traficant
Turner
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—22

Barton
Bonilla
Burton
Buyer
Clayton
Dooley
Ehrlich
Greenwood
Grucci
Harman
Hyde
Leach
Mica
Moran (VA)
Owens
Platts
Putnam
Serrano
Smith (TX)
Thomas
Waxman
Young (AK)

□ 0934

Messrs. LAMPSON, LARSEN of Washington, BLAGOJEVICH, LARGENT, DAVIS of Illinois, and MALONEY of Connecticut changed their vote from ''aye'' to ''no.''

Mr. PICKERING and Ms. McCOLLUM changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. GRUCCI. Mr. Chairman, on rollcall vote No. 199, I was detained in traffic and was unable to make it to the floor to vote on the Tancredo amendment increasing funding for the Department of Energy's Renewable Energy Research Program, while offsetting the Army Corps of Engineers General Investigations Account. Had I been present, I would have voted in the negative.

Mr. MICA. Mr. Chairman, on rollcall No. 199, I was unavoidably detained. Had I been present, I would have voted ''no.''

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 4 OFFERED BY MR. TANCREDO

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. TANCREDO:

In title I, strike section 105 (relating to shore protection projects cost sharing).

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 84, noes 333, not voting 16, as follows:

[Roll No. 200]

AYES—84

Baldwin
Barr
Bartlett
Bass
Bereuter
Blumenauer
Bryant
Cannon
Chabot
Clay
Cubin
DeFazio
DeGette
DeLay
Doggett
Eshoo
Farr
Flake
Foley
Frank
Gibbons
Gilchrest
Goode
Goodlatte
Graves
Hayworth
Hefley
Hill
Hooley
Hostettler
Inslee
Johnson (CT)
Johnson (IL)
Kelly
Kerns
Kildee
Kind (WI)
Kolbe
Largent
Larsen (WA)
Lee
Lofgren
Luther
Maloney (CT)
Matheson
McCollum
McGovern
McKinney
Meehan
Miller, Gary
Miller, George
Moore
Moran (KS)
Neal
Otter
Paul
Pence
Peterson (MN)
Petri
Pitts
Ramstad
Rivers
Sabo
Sanchez
Schaffer
Sensenbrenner
Shadegg
Shays
Sherman
Smith (MI)
Smith (WA)
Snyder
Solis
Stark
Sununu
Tancredo
Terry
Tiahrt
Tiberi
Toomey
Udall (CO)
Udall (NM)
Upton
Waters

NOES—333

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews

Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Burr
Callahan
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Etheridge
Evans
Everett
Fattah
Ferguson
Filner
Fletcher
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Mink
Mollohan
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (PA)
Phelps
Pickering
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Serrano
Sessions
Shaw
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Towns
Traficant
Turner
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—16

Barton
Burton
Buyer
Dooley
Ehrlich
Greenwood
Leach
Moran (VA)
Owens
Platts
Putnam
Radanovich
Ryun (KS)
Smith (TX)
Thomas
Young (AK)

□ 0944

Mr. CAMP and Mr. ROHRABACHER changed their vote from ''aye'' to ''no.''

Mr. SHERMAN changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HINCHEY

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HINCHEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HINCHEY:

In title III, in the item relating to ''DEPARTMENT OF ENERGY PROGRAMS; ENERGY SUPPLY'' after the aggregate dollar amount, insert the following: ''(increased by $50,000,000)''.

In title III, in the item relating to ''ATOMIC ENERGY DEFENSE ACTIVITIES NATIONAL NUCLEAR SECURITY ADMINISTRATION; WEAPONS ACTIVITIES'' after the aggregate dollar amount, insert the following: ''(reduced by $60,000,000)''.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 258, not voting 12, as follows:

[Roll No. 201]

AYES—163

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bass
Becerra
Berkley
Berman
Blumenauer
Boehlert
Bonior
Boswell
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
Deutsch
Doggett
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Ferguson
Filner
Frank
Frost
Gephardt
Gonzalez
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
LoBiondo
Lofgren
Lowey
Luther
Maloney (NY)
Markey
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Petri
Price (NC)
Rahall
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (MI)
Smith (WA)
Solis
Stark
Strickland
Stupak
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Woolsey
Wu
Wynn

NOES—258

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehner
Bonilla
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Bryant
Burr
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Emerson
English
Etheridge
Everett
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Largent
Latham
LaTourette
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
Matheson
Matsui
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pence
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Regula
Rehberg
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce

Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schiff
Schrock
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (NJ)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Young (FL)

NOT VOTING—12

Barton
Burton
Buyer
Dooley
Ehrlich
Leach
Platts
Putnam
Radanovich
Smith (TX)
Thomas
Young (AK)

□ 0952

Mr. PASTOR changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. KUCINICH

The CHAIRMAN. The unfinished business is the demand for a recorded vote on amendment No. 2 offered by the gentleman from Ohio (Mr. KUCINICH), on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. KUCINICH:

In title III, in the item relating to ''WEAPONS ACTIVITIES,'' after aggregate dollar amount, insert the following; ''(reduced by $112,500,000)''.

In title III, in the item relating to ''DEFENSE NUCLEAR NONPROLIFERATIONS'', after the aggregate dollar amount, insert the following: ''(increased by $66,000,000)''.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 91, noes 331, not voting 11, as follows:

[Roll No. 202]

AYES—91

Allen
Andrews
Baird
Baldacci
Baldwin
Barrett
Blumenauer
Bonior
Brown (OH)
Carson (IN)
Clay
Conyers
Cummings
Davis (IL)
DeFazio
DeGette
Deutsch
Doggett
Eshoo
Evans
Farr
Fattah
Ferguson
Filner
Frank
Hilliard
Hinchey
Honda
Hooley
Jackson (IL)
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kind (WI)
Kleczka
Kucinich
LaFalce
Lantos
Lee
Levin
LoBiondo
Luther
Maloney (NY)
Markey
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Miller, George
Mink
Moore
Moran (VA)
Nadler
Neal
Ney
Oberstar
Obey
Olver
Owens
Pallone
Paul
Payne
Pelosi
Rahall
Rangel
Rivers
Rothman
Rush
Ryan (WI)
Sabo
Sanders
Sawyer
Schakowsky
Serrano
Smith (NJ)
Smith (WA)
Stark
Strickland
Tiberi
Tierney
Toomey
Udall (CO)
Velazquez
Waters
Weiner
Woolsey
Wu

NOES—331

Abercrombie
Ackerman
Aderholt
Akin
Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Etheridge
Everett
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kilpatrick
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
Matheson
Matsui
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Napolitano
Nethercutt
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pascrell
Pastor
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Roybal-Allard
Royce
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Snyder
Solis
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Towns
Traficant
Turner
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (FL)

NOT VOTING—11

Barton
Burton
Ehrlich
Leach
Platts
Putnam
Radanovich
Ros-Lehtinen
Smith (TX)
Thomas
Young (AK)

□ 1001

Mrs. KELLY changed her vote from ''aye'' to ''no.''

Mr. KIND and Mr. FRANK changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. EHRLICH. Mr. Chairman, on rollcall Nos. 199, 200, 201, and 202, I was unable to vote. Had I been present, I would have voted ''no'' on all four.

AMENDMENT OFFERED BY MR. BONIOR

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. BONIOR), on which further proceedings were postponed, and which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BONIOR:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . No funds provided in this Act may be expended to issue any permit or other authorization under section 10 of the Rivers and Harbors Appropriation Act of 1899 (33 U.S.C. 403), or to issue any other lease, license, permit, approval, or right-of-way, for any drilling to extract or explore for oil or gas from the land beneath the water in any of Lake Huron, Lake Ontario, Lake Michigan, Lake Erie, Lake Superior, Lake Saint Clair, the Saint Mary's River, the Saint Clair River, the Detroit River, the Niagara River, or the Saint Lawrence River from Lake Ontario to the 45th parallel of latitude.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 265, noes 157, not voting 11, as follows:

[Roll No. 203]

AYES—265

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Camp
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Ford
Fossella
Frank
Frost
Ganske
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Harman
Hastings (FL)
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hutchinson
Hyde
Inslee
Isakson
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pomeroy
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Scarborough
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Sweeney
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walsh
Wamp
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Wilson
Woolsey
Wu
Wynn
Young (FL)

NOES—157

Aderholt
Akin
Armey
Baker
Ballenger
Barr
Bass
Bentsen
Bereuter
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Buyer
Callahan
Calvert
Cannon
Cantor
Carson (OK)
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Deal
DeLay
DeMint
Doolittle
Dreier
Duncan
Dunn
Edwards
Emerson
Everett
Flake
Forbes
Frelinghuysen
Gallegly
Gekas
Gibbons
Goode
Goodlatte
Graham
Granger
Graves
Green (TX)
Grucci
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hobson
Horn
Hostettler
Houghton
Hulshof
Hunter
Issa
Istook
Jefferson
Jenkins
John
Johnson, Sam
Keller
Kerns
King (NY)
Kingston
Knollenberg
Kolbe
Lampson
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Northup
Norwood
Osborne
Otter
Oxley
Paul
Pence
Peterson (PA)
Pickering
Pitts
Pombo
Pryce (OH)
Rehberg
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryun (KS)
Sandlin
Saxton
Schaffer
Schrock
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (WA)
Souder
Spence
Stenholm
Stump
Sununu
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Turner
Vitter
Walden
Watkins (OK)
Watts (OK)
Weldon (PA)
Whitfield
Wicker
Wolf

NOT VOTING—11

Barton
Burton
Fletcher
Leach
Platts
Putnam
Radanovich
Ros-Lehtinen
Smith (TX)
Thomas
Young (AK)

□ 1010

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2001, no further amendments to the bill shall be in order except the following amendments, which may be offered only by the Member designated in the request, or a designee, shall be considered as read, shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question:

The amendment by the gentleman from Ohio, Mr. TRAFICANT, regarding drilling, for 20 minutes;

The amendment by the gentlewoman from Nevada, Ms. BERKLEY, regarding nuclear waste, for 20 minutes;

The amendment by the gentleman from Ohio, Mr. TRAFICANT, regarding Buy American, for 10 minutes;

The amendment by the gentlewoman from Texas, Ms. EDDIE BERNICE JOHNSON, regarding bio/environmental research, for 10 minutes;

The amendment by the gentlewoman from New York, Mrs. KELLY, regarding the Nuclear Regulatory Commission Inspector General salaries and expenses, for 10 minutes; and

The amendment by the gentleman from Florida, Mr. DAVIS, regarding the Gulf Stream natural gas pipeline, for 60 minutes.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 39, line 18, be considered as read, printed in the RECORD, and open to amendment at any time.

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

Mr. VISCLOSKY. Mr. Chairman, reserving the right to object, my understanding is that will still limit the universe to those amendments announced by the chairman, with the same time limits. It will not open it up to any new amendments.

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

Mr. VISCLOSKY. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, the gentleman is correct.

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

There was no objection.

The text of the remainder of the bill through page 39, line 18, is as follows:

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $845,341,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $688,045,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator of the National Nuclear Security Administration, including official reception and representation expenses (not to exceed $12,000), $10,000,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 30 passenger motor vehicles, of which 27 shall be for replacement only, $5,174,539,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For expenses of the Department of Energy to accelerate the closure of defense environmental management sites, including the purchase, construction and acquisition of plant and capital equipment and other necessary expenses, $1,092,878,000, to remain available until expended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization projects necessary for atomic energy defense environmental management activities authorized by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $143,208,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $487,464,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $310,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $1,500.

During fiscal year 2002, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $4,891,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, up to $8,000,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $28,038,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $5,200,000 in reimbursements, to remain available until expended: *Provided*, That up to $1,512,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $172,165,000, to remain available until expended, of which $166,651,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That of the amount herein appropriated, $1,227,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: *Provided further*, That up to $152,624,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $2,663,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), $181,155,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed $181,155,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2002 shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the General Fund shall be reduced as revenues are received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation from the General Fund estimated at not more than $0: *Provided further*, That none of the funds made available to the Federal Energy Regulatory Commission in this or any other Act may be used to authorize construction of the Gulfstream Natural Gas Project.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a) None of the funds appropriated by this Act may be used to award a management and operating contract, or award a significant extension or expansion to an existing management and operating contract, unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the Subcommittees of the waiver and setting forth, in specificity, the substantive reasons why the Secretary believes the requirement for competition should be waived for this particular award.

SEC. 302. None of the funds appropriated by this Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy,

under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 42 U.S.C. 7274h).

SEC. 303. None of the funds appropriated by this Act may be used to augment the $21,900,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 305. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 306. None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

SEC. 307. None of the funds appropriated in other than Energy and Water Development Appropriations Acts may be used for Department of Energy laboratory directed research and development (LDRD).

SEC. 308. Not later than March 31, 2002, the Secretary of Energy, after consultation with the Nuclear Regulatory Commission and the Occupational Safety and Health Administration, shall transmit to the Committee on Appropriations, the Committee on Energy and Commerce, and the Committee on Education and the Workforce of the House of Representatives, and to the Committee on Appropriations, the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, and the Committee on Health, Education, Labor, and Pensions of the Senate, a report containing an implementation plan for the transfer, on October 1, 2002—

(1) from the Department of Energy to the Nuclear Regulatory Commission of regulatory authority over nuclear safety at the

Department of Energy's science laboratories; and

(2) from the Department of Energy to the Occupational Safety and Health Administration of regulatory authority over worker safety at such laboratories.

Out of funds appropriated by this Act for Environment, Safety, and Health, the Secretary of Energy shall transfer $4,000,000 to the Nuclear Regulatory Commission and $120,000 to the Occupational Safety and Health Administration. For purposes of this section, the Department of Energy's science laboratories are the Argonne National Laboratory, the Brookhaven National Laboratory, the Lawrence Berkeley National Laboratory, the Oak Ridge National Laboratory, the Pacific Northwest National Laboratory, the Ames Laboratory, the Fermi National Accelerator Laboratory, the Princeton Plasma Physics Laboratory, the Stanford Linear Accelerator Center, and the Thomas Jefferson National Accelerator Facility.

SEC. 309. When the Department of Energy makes a user facility available to universities and other potential users, or seeks input from universities and other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users. When the Department of Energy considers the participation of a university or other potential user in the establishment or operation of a user facility, the Department shall employ full and open competition in selecting such a participant. For purposes of this section, the term ''user facility'' includes, but is not limited to: a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2)); a National Nuclear Security Administration Defense Programs Technology Deployment Center/User Facility; and any other Department facility designated by the Department as a user facility.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended notwithstanding section 405 of said Act, and, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $71,290,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $18,500,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), and purchase of promotional items for use in the recruitment of individuals for employment, $516,900,000, to remain available until expended: *Provided*, That of the amount appropriated herein, $23,650,000 shall be derived from the Nuclear Waste Fund: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $473,520,000 in fiscal year 2002 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation estimated at not more than $43,380,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $6,180,000, to remain available until expended: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at $5,933,000 in fiscal year 2002 shall be retained and be available until expended, for necessary salaries and expenses in this account notwithstanding 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation estimated at not more than $247,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,100,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

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

SEC. 503. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

The CHAIRMAN. Are there any points of order to any of the sections so opened?

POINT OF ORDER

Mr. LARGENT. Mr. Chairman, I make a point of order.

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

Mr. LARGENT. Mr. Chairman, I make a point of order that section 308 of the bill, beginning on page 32, line 24, and ending on page 34, line 6, violates clause 2 of rule XXI of the rules of the House of Representatives prohibiting legislation on appropriations bills.

As I understand the intent of section 308, the language in question directs the Secretary of Energy to write a report to Congress on a plan to transfer certain regulatory functions in DOE science laboratories to the Nuclear Regulatory Commission and the Occupational Safety and Health Administration. My reading of the amendment, however, goes much further. I think that the language contained in the bill would actually effectuate the transfer of these functions to the NRC and OSHA.

In any event, Mr. Chairman, the language of section 308 clearly constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI of the rules of the House because it changes current law, where no plan to transfer these functions is present.

I therefore insist on my point of order.

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

Hearing none, for the reasons stated by the gentleman from Oklahoma (Mr. LARGENT), the point of order is sustained, and section 308 of the bill will be stricken.

The CHAIRMAN. Are there amendments to the bill?

AMENDMENT NO. 1 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. TRAFICANT:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds appropriated or otherwise made available in this Act may be made available to any person or entity convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2001, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. TRAFICANT).

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

Mr. Chairman, this is an amendment that has been offered and accepted on all appropriations bills. It is good for America.

I will yield to the distinguished chairman of the subcommittee, who has done a fine job on the bill, and would hope that he would also look favorably at my next amendment as well.

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

Mr. TRAFICANT. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, certainly this is something not only that we forgot to put in, which should have been put in, but we appreciate the gentleman bringing it to our attention and allowing us to be a part of his effort to continue to encourage companies to buy American.

We have no objection to this amendment and would happily accept it.

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

Mr. TRAFICANT. I yield to my good friend and classmate, the gentleman from Indiana.

Mr. VISCLOSKY. Mr. Chairman, I appreciate the gentleman yielding.

On behalf of all the steelworkers I represent, I am also happy to accept the gentleman's amendment.

Mr. TRAFICANT. Mr. Chairman, I ask for an aye vote, and I yield back the balance of my time.

The CHAIRMAN. Does any Member claim time in opposition to the amendment?

Hearing none, the question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. TRAFICANT:

At the end of the bill (before the short title) add the following section:

SEC. . No fund in this Act may be used to drill for oil and gas, through, in or under, the Mosquite Creek Reservoir, Trumbull County, Ohio.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2001, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Ohio (Mr. TRAFICANT).

□ 1015

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

I want to give a little background on this amendment, and I want the appropriators to know that I have gone three times to the authorizing committee. This is the only drinking water supply for 125,000 of my constituents. The Senators, both Republicans, and every mayor supports stopping the banning of slant drilling under a lake when there are so many natural resources in that region.

Let me tell my colleagues about the hypocrisy. Our Department of Natural Resources will not allow any drilling on adjacent wetland in the Mesquite Reservoir because there are trumpet swans and Canadian geese habitat. I have 125,000 people that depend on this for drinking water with no backup water supply. And just on June 3, not counting last year, we had an earthquake of 3.0 in the district of the gentleman from Ohio (Mr. LATOURETTE), district to the north, not far from this lake.

Now, I have supported energy development. I have tried not to be hypocritical, because everybody says, not in my backyard. But when I believe that there are people, as we did in Florida, when there is fresh water, as we have done with the Great Lakes; God almighty, this is just common sense, and I did not have an amendment for this bill until I had seen the efforts made at the Great Lakes, and I worked 3 years through the authorizing committee.

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

Mr. TRAFICANT. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, the gentleman mentioned the word ''hypocrisy,'' and the gentleman knows how opposed I am to any form of hypocrisy. If indeed it is as the gentleman says that this could imperil the drinking water of the gentleman's constituents, we will have no part of that. We will be happy to accept the gentleman's amendment.

Mr. TRAFICANT. Mr. Chairman, I am very proud and honored that the gentleman has taken that position.

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

Mr. TRAFICANT. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. Mr. Chairman, I would also be happy to join with the Chair and announce my acceptance of the amendment from my distinguished classmate of the State of Ohio.

Mr. TRAFICANT. Mr. Chairman, I appreciate that.

In closing, I would just like to say that I will not call for a recorded vote, but I would like to see the eyes of the distinguished gentleman from Alabama (Mr. CALLAHAN), the powerful chairman, and I want a commitment, because I know the gentleman from Florida (Mr. YOUNG) has fought hard to preserve fresh water drinking supplies and people close to drilling. I am not going to ask for a vote, with an understanding that my language will be preserved and protected as best as possible in conference.

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

Mr. TRAFICANT. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, it will be preserved as best as possible.

Mr. TRAFICANT. Mr. Chairman, that is good enough for me. The gentleman's word has always been good enough. I thank the Congress for considering the people in my district.

Mr. Chairman, I ask for an ''aye'' vote.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments?

AMENDMENT OFFERED BY MS. BERKLEY

Ms. BERKLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. BERKLEY:

Page 37, after line 11, insert the following:

TITLE IV–A

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For additional expenses of the Nuclear Waste Technical Review Board, to be derived from the Nuclear Waste Fund, for the Board (1) to evaluate the technical and scientific validity of activities undertaken by the Secretary of Energy relating to the packaging and transportation of high-level radioactive waste and spent nuclear fuel, as authorized by section 503 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10263), (2) to hold hearings, sit and act, take testimony, and receive evidence, as authorized by section 504(a) of such Act (42 U.S.C. 10264(a)), and (3) to request the Secretary (or any contractor of the Secretary) to provide the Board with records, files, papers, data, and information, as authorized by section 504(b) of such Act (42 U.S.C. 10264(b)); and the aggregate amount otherwise provided in this Act for ''Energy Programs—Nuclear Waste Disposal'' is hereby reduced by; $500,000.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2001, the gentlewoman from Nevada (Ms. BERKLEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from Nevada (Ms. BERKLEY).

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

I rise today to offer an amendment regarding the transportation of high-level nuclear waste. As we are all aware, the Department of Energy is nearing completion on its report on whether Yucca Mountain should be licensed as the Nation's repository for

high-level nuclear waste. The DOE has written lengthy reports on hundreds of issues relating to the project, but has remained eerily silent on the one issue that affects almost every Member of this House: the transportation of nuclear waste across the country.

If the proposed Yucca Mountain repository is approved, the transfer of high-level nuclear waste would necessitate the shipment of over 77,000 tons of lethal nuclear waste through at least 43 States. The DOE has itself recognized that such transfers may result in as many as 300 accidents with potentially catastrophic consequences, yet it has not published national shipping routes. Members of Congress and the American public have a right to know if high-level radioactive waste is going to be trucked through their districts, past their homes and hospitals, their children's schools, and on their neighborhood roads, and they have a right to know what kind of impact these shipments will have on their communities.

That is why I am offering an amendment that would transfer $500,000 to the Nuclear Waste Technical Review Board to help them encourage the DOE to publicize the transportation routes. It is only a matter of common sense and sound public policy that this body would seek the assurance of a review board composed of our country's top nuclear scientists on a matter of such importance and so fraught with danger for our citizens. It seems only appropriate to ensure that the board is given the resources it needs to hold hearings, take testimony, and receive evidence to evaluate the DOE's transportation routes. It is, after all, vitally important that Members of Congress understand fully the potential impact on our communities, our constituents and on the environment.

This amendment builds on the language of the committee report acknowledging the serious public concern with shipping nuclear waste across the country by road and rail and the need to select transportation routes. I want to thank the chairman and the ranking member for their efforts in this regard. Our amendment helps move forward the committee's intent by employing the Nuclear Waste Technical Review Board to analyze the routes and their potential impacts and to further encourage the DOE to make public, make public their proposed routes.

Let me be clear. This is not a vote on whether or not one supports a nuclear repository at Yucca Mountain. This amendment is about whether Members of Congress and our constituents have a right to know, the right to know whether nuclear waste is going to be traveling through our communities. A vote for this amendment is a vote in favor of protecting our neighborhoods from bureaucrats with too little information and too much secrecy. This is, in the end, about the public's right to know.

Mr. Chairman, I strongly urge my colleagues to support this amendment. Again, I want to thank the chairman and the ranking member for their work.

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

Mr. CALLAHAN. Mr. Chairman, I reluctantly rise in opposition to the gentlewoman's amendment.

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

First let me say to the gentlewoman that we are all concerned about the transportation part of the ultimate storage at Yucca Mountain. During the last month, I have traveled to Yucca Mountain and looked at the facility. We have discussed the transportation part of the storage site at Yucca Mountain, and we agree with the gentlewoman that we should be prepared. However, we have ample time to be prepared.

For the gentlewoman's information, we already have provided $3.1 million in the bill for the Nuclear Waste Technical Review Board. They tell us they can live with that much money, and I really do not think that taking another $500,000 and putting it into that study is going to enhance the solution to the gentlewoman's problems at all. Our major concern is that we have a safe conveyance. If, indeed, Yucca Mountain is approved, we need some safe capability of delivering the products through the various States and through the State of Nevada to the site.

So I would agree with the gentlewoman that we should be concerned about it, and we are concerned about it. We brought this up in our committee hearings, and the Department of Energy told us that they had opted to defer more serious transportation planning until after the completion of the review of final site. The final determination has not yet been made. What the Department is saying is that as soon as final determination is made, it is still going to be 6, 7, maybe 9 years before the repository opens. It is going to take a long time, we will still have ample time to study the transportation possibilities. I think that at this time putting an additional $500,000 into a review board that really does not need the money is not the answer to the gentlewoman's problems.

So I would respectfully disagree with the gentlewoman's amendment.

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

Mr. CALLAHAN. I yield to the gentlewoman from Nevada.

Ms. BERKLEY. Mr. Chairman, I thank the distinguished gentleman.

I think the gentleman is making my point for me, and I appreciate the fact that you have come to Nevada and toured Yucca Mountain. The fact of the matter is the Nuclear Waste Technical Review Board says they do not need the money because they do not have anything to study now because the DOE has not offered the trade routes. The reality of the situation is that the people in this House, our colleagues, have a right to know and their constituents have a right to know if the DOE and our government is planning to use their roads through their neighborhoods, through their towns, to transport 77,000 tons of the most toxic nuclear material known to mankind.

This is a right-to-know issue, and the DOE's feet should be held to the fire, and if giving another half a million dollars to the technical review board so that they can force the DOE to publish those trade routes, I think that is a very important thing.

Also, the committee language, with all due respect, says that they should start doing the trade routes in the State of Nevada. It is my contention that we are doing this a little bass-ackwards. We should not be doing Nevada first, we should be doing all of the transportation routes getting to Nevada, and Nevada should be the last leg of the journey, not the first.

Mr. CALLAHAN. Mr. Chairman, reclaiming my time, we must decide on whether or not that is going to definitely be the site. Once that determination is made, there will be ample time to provide ample resources to the review board to make certain that the public is fully aware of how the transportation needs are going to be met.

So I think the gentlewoman is on the right track; I think she is just a little early, because in a sense, it is an admission that it is going to happen.

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

Mr. CALLAHAN. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. Mr. Chairman, I appreciate the gentleman yielding, and I also rise in opposition to the amendment. I appreciate the gentlewoman's concern, but I would also voice the opinion that it is very premature, because this is, after all, about Yucca Mountain, and the site has not been decided upon. The chairman mentioned 6, 7 years. It might be longer than that, and the gentlewoman also suggested that while language in the report that talks about the State of Nevada transportation problem, we should be concerned about other States.

I would just read a sentence or two from the committee report from page 119. This is our language: ''The Department should use available funds in fiscal year 2002 to initiate the selection of transportation routes in Nevada and other States in cooperation with the States and to begin planning for construction of a rail line to the repository site.''

So again, reluctantly, I also am very opposed to the gentlewoman's amendment.

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

Ms. BERKLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Now, the reason the gentlewoman is raising the issue is quite simple. First

of all, we are told that this nuclear technology is so safe that none of us have to worry, none of us have to be concerned at all as the materials are transported down streets in our own communities. On the other hand, there is a law on the books which indemnifies, which makes sure that none of the companies that own the trucks or the trains are liable in the event of an accident.

Well, that is not a good combination. One cannot say on the one hand it is safe and on the other hand say, well, we have to indemnify against any risks of the truck drivers and the train drivers. Who would want people careening through their neighborhoods with no insurance in large trucks, much less trucks or trains with nuclear materials there? So they become ''mobile Chernobyls,'' in a sense. They become these very dangerous vehicles.

What the gentlewoman is saying is that we should have advanced knowledge of which routes are going to be taken, what the precautions are that are being put into place. It is just kind of a common-sense, anticipatory way of looking at these issues, especially since this recipe has been constructed, which could be an invitation to recklessness, to willful misconduct, to excessive drinking or drug-taking by the truck drivers or the train conductors, because they are not liable for any accidents.

□ 1030

And that is why I think the gentlewoman is so concerned. And I think what this issue does is just help to spotlight how concerned all Americans should be if this material starts to move through their neighborhoods.

Ms. BERKLEY. Mr. Chairman, may I inquire as to how much time I have remaining?

The CHAIRMAN. The gentlewoman from Nevada (Ms. BERKLEY) has 4½ minutes remaining, and the gentleman from Alabama (Mr. CALLAHAN) has 5½ minutes remaining.

Mr. CALLAHAN. Mr. Chairman, I urge a ''no'' vote, and I yield back the balance of my time.

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

Mr. Chairman, two nights ago this House passed legislation that would prohibit dangerous trucks coming to this country from Mexico. Certainly trucks containing nuclear waste going through our neighborhoods is more serious than dangerous Mexican trucks, which we prohibited from coming onto our highways.

It seems to me there is not one of us that can go home to our constituents and say we voted down a piece of legislation that would demand that the Department of Energy actually publish the proposed transportation routes of 77,000 tons of toxic nuclear waste. This nuclear waste is going to be coming across all our neighborhoods, all of our towns, through our communities, through 43 States en route to Yucca Mountain, Nevada.

Now, I appreciate the fact that both the chairman and the ranking member suggest that perhaps this is premature, but listening to what the administration has been saying with their new reliance on nuclear energy and the fact that in the committee language itself, although there has not been completion of the scientific study saying Yucca Mountain will be the Nation's repository, certainly nobody reading the signs can say that this country is not trying very hard to make Yucca Mountain, which has been selected as the only site, the one that is acceptable for nuclear waste. I might add, however, that it is not acceptable, and it is very apparent that it is not.

The fact of the matter is that we have a right to know, and we have a right to protect our constituents. Our constituents, American citizens, have a right to know what their government intends to do. And I would like to hearken back to the nuclear atomic weapons tests that were conducted at the Nevada test site in the 1950s and the 1960s, when we were told there was absolutely no danger to detonating those atomic weapons in the middle of the Nevada desert. The fact of the matter is, every single, and let me repeat that, every single employee of the Nevada test site that worked on those atomic tests are all dying of cancer now and other horrible, heinous ailments. And that is because our Federal Government said, Don't worry, be happy; there is nothing wrong. This is a similar situation 50 years later, and we are hearing the exact same thing from our Federal Government.

For this body not to stand up and protect each one of our constituents, and make sure that that nuclear waste and those trucks are not going to be barreling down our neighborhood streets I think is most irresponsible for anybody that does not support this legislation. This is the single most important issue to the people in Southern Nevada, the people that I represent. I again urge all of my colleagues to stand with us, stand with me, and make a determination to keep our neighborhoods, our schools, our hospitals, and the people that we represent safe.

Mr. BACA. Mr. Chairman, I rise in support of the Berkley amendment to the Energy and Water FY 2002 Appropriations bill, H.R. 2311.

We must study the problems associated with the transportation of nuclear waste and protect our communities.

The likeliest routes will truck much of California's radioactive waste along Interstate 15 and along train tracks straight through San Bernardino County.

It has been said that used fuel is so dangerous that the nuclear plants must isolate the fuel from human contact for 10,000 years. So why would we run the risk of shipping it through our backyards without the proper scientific research and before we have weighed all our options?

Congress has spent billions of dollars on the Yucca Mountain storage site and it is still unknown whether this site is environmentally sound or not. Why should our tax dollars be spent and our health be put at risk without finding out all aspects of this issue? Scientific studies show that transporting such material has potential risks that could end in catastrophic disasters and yet no other option has been proposed.

We must ensure the security of our community. Nuclear waste is a serious issue that must be handled very carefully and thoroughly. I am committed to protecting the health and environment of the 42nd district of California along with all the districts in the United States.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Nevada (Ms. BERKLEY).

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Nevada (Ms. BERKLEY) will be postponed.

AMENDMENT OFFERED BY MRS. KELLY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. KELLY:

In title IV, in the item relating to ''NUCLEAR REGULATORY COMMISSION—SALARIES AND EXPENSES'', after the second and fourth dollar amounts, insert the following: ''(reduced by $700,000)''.

In title IV, in the item relating to ''NUCLEAR REGULATORY COMMISSION—OFFICE OF INSPECTOR GENERAL'', after the first and second dollar amounts, insert the following: ''(increased by $700,000)''.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2001, the gentlewoman from New York (Mrs. KELLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York (Mrs. KELLY).

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

Mr. Chairman, I rise for the purpose of entering into this colloquy with the distinguished chairman of the committee, the gentleman from Alabama (Mr. CALLAHAN).

I wish to discuss the importance of providing additional funding for the NRC Inspector General. I feel that providing the Inspector General with more resources will help the NRC better perform its responsibility of ensuring the safe operation of our Nation's nuclear power plants. Through my own experience, I have found that the agency's priorities have not always been what they should be.

In February of last year, an accident occurred at the Indian Point 2 nuclear power plant in my district. A steam generator tube burst, and the plant was shut down immediately. It goes without saying the people in the community surrounding the plant, myself included, were seriously troubled by this

accident. We expected the Federal agency responsible for handling nuclear safety would make every effort to quickly repair and restore public confidence in the plant. I regret to say that the NRC fell short of this very reasonable expectation.

Though the agency itself acknowledged that this plant had the highest risk assessment of any plant in the Nation, they were on red as risk assessment, they demonstrated a stunning indifference to a litany of legitimate concerns about the plant's safety. The NRC chairman refused to play any role whatsoever in the very difficult deliberation as to when the plant ought to be started. The NRC chairman refused to hold a commission hearing at the plant, or even come to Buchanan to see the plant and the surrounding community firsthand.

Not once during the entire 11-month period that the plant was down did the chairman or any of the NRC commissioners think they ought to come to Buchanan, New York, and look at this plant. So the chairman can imagine my profound concern when I learned about some of the places that the NRC chairman and the commissioners did think they ought to go during the time the plant was down: places like Korea, Spain, and Mexico. The public record indicates that during the time the Indian Point 2 plant was down, the chairman of the NRC visited a nuclear power plant in Scotland. He visited three in Canada.

During this time, investigators from the IG's office were at Indian Point cataloguing all of their mistakes. They found a troubling number of things at this plant, and the most troubling they discovered was that an inspection performed back in 1997 plainly indicated the strong likelihood of a leak. The NRC had that information back in 1997. It showed that there was a strong likelihood of a leak, but nothing was done because nobody at the NRC ever looked at the inspection report. This should not have happened.

I realize there is a new interest in nuclear power, and I should say that I am not against nuclear power. But the way that the NRC handled the Nation's most troubled plant raises some real concerns. I understand the gentleman from Alabama has provided a generous increase in the funding for the Inspector General in this bill. I commend him and thank him for it.

Is it the gentleman's understanding that this additional funding will be available for further independent reviews of NRC regulating activities?

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Alabama.

Mr. CALLAHAN. I thank the gentlewoman for her work on this issue, Mr. Chairman; and I share her feelings about the importance of ensuring that the NRC Inspector General is provided the resources it needs for conducting independent reviews. This additional $680 million that we have in this bill is available for this very purpose.

Mrs. KELLY. I thank the gentleman. I would ask only that the gentleman continue to keep in mind the importance of a strong funding level for the NRC Inspector General as we continue to work on this bill, and also that he continue to vigorously oversee the agency to ensure that unnecessary travel expenses are not incurred by the NRC officials.

Mr. CALLAHAN. If the gentlewoman will yield further, I will continue to closely monitor all expenditures incurred by NRC officials to ensure that their resources are not improperly squandered.

Mrs. KELLY. I thank the gentleman from Alabama very much, the distinguished chairman of the subcommittee.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. DAVIS OF FLORIDA

Mr. DAVIS of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DAVIS of Florida:

In title III, in the item relating to ''FEDERAL ENERGY REGULATORY COMMISSION—SALARIES AND EXPENSES'', strike the last proviso (relating to Gulfstream Natural Gas Project).

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2001, the gentleman from Florida (Mr. DAVIS) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to set the context of this amendment because it takes us back a little bit. Last week, we had a debate on the floor of the House of Representatives. It was a very hearty, very democratic debate on the floor about an amendment I offered, along with the gentleman from Florida (Mr. SCARBOROUGH), to prevent the Secretary of the Interior from going forward with issuing any new leases for offshore oil drilling, oil and gas, 17 miles off the coast of Pensacola, some of the most pristine beaches in not just the State of Florida but of the country, and about 200 miles off the coast of Tampa Bay, my home.

The House adopted our amendment by a vote of 247, and the bill is now in the Senate where it will be debated there. Unfortunately, the highly esteemed chairman of the Subcommittee on Energy and Water Development, the gentleman from Alabama (Mr. CALLAHAN), was in Alabama, with other members of the Alabama delegation traveling with the President, and was not present for the debate. I regret that, and I know he certainly regrets it as well. But the House has done its will and spoke on that particular issue.

The reason I rise today to offer this amendment is because the gentleman from Alabama (Mr. CALLAHAN) has inserted some language in this particular bill we are debating, which I think is fair to describe as a response to the debate last week. What that language, which I will speak about in more detail in a while, along with other Members both Democrats and Republicans, what that language does is to punish the State of Florida and, I would submit, other States who have a stake in a natural gas pipeline that has already had $800 million spent on it and is due to open in approximately 1 year.

The language that the gentleman from Alabama (Mr. CALLAHAN) has inserted would basically bring that pipeline to a grinding halt. I think that is an irresponsible position for the House of Representatives to take today. I personally would not want to go home on the 4th of July and have to explain that I had voted for a bill that had that language in it.

I do understand the gentleman's point. His point is he wishes he had been here for the debate, and I think he disagrees in the strongest terms with the outcome of the debate last week. But that debate is over, and we are dealing with a new issue today and it is an issue that affects hundreds of workers' lives.

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

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

Mr. Chairman, let me say that, as the gentleman from Florida just mentioned, yes, they did bring up this measure while I, along with the other members of the Alabama delegation, were traveling with the President last week, which is their prerogative. I think, out of deference to me and to my State and to my delegation, that they should have at least informed us the night before of their intent. But they failed to do that, which is their prerogative. They do not have to notify me of anything if they do not want to. But I thought it awful strange they waited until we got out of town. When it was obvious we could not get back, this did not allow us the opportunity to defend our State.

But this amendment has nothing to do with that. As the gentleman from Florida said, the vote last Thursday was the will of the Congress. This has nothing to do with permitting the drilling of oil off the coast of Alabama, which 181 does. It has nothing to do with that.

I think it is the height of hypocrisy for Floridians, especially the sponsor of this amendment, to say we are not

going to allow drilling for natural gas in the Gulf of Mexico because it is 270 miles off the coast of Tampa, but at the same time we want a pipeline from Alabama to Florida because we need this gas. They tell us that a 142 percent expectation of increased need is going to take place in the next 6 years in Florida. So what they said was, do not drill for the gas, but go ahead and build the pipeline and supply us with gas.

Mr. Chairman, they have got to make up their mind. It is the height of hypocrisy to try to pull the wool over the Floridians' eyes just because it might look good in the local newspaper, or statewide newspaper, if someone happens to be running for a public office statewide. It is the height of hypocrisy to on the one hand go to your people and say, look how strong I am, look how faithful I am, look what I am doing to protect the beautiful beaches of Florida, look what I have done, reelect me or send me to another office, do all of these good things; but let us go ahead and build that pipeline because we know it is going to happen anyway. And if it is not going to happen anyway, well, then, we do not want them drilling off the coast of Alabama for additional resources. We are going to take this resource away from the people of Alabama.

So they are saying to Alabamans, you suffer, but do not let us suffer. Let us run our air conditioners all year long, because the weather and the climate in Florida is so wonderful and so beautiful it requires that they have more air-conditioning. We want to do that. We want to provide for Floridians the ample resources they need, thereby ensuring they will not have the same energy crisis in Florida, which is what is going to happen.

We do not want that to happen to our neighbors in Florida, and we are not going to let that happen. But, in my opinion, why build a pipeline to transport a gas when the author of this bill is the one who authored the other bill saying do not drill for gas.

□ 1045

Mr. Chairman, why are we going to disrupt the sandy bottom of the beautiful Gulf of Mexico and risk that brown sand turning the beautiful beaches of the panhandle in Destin and in Pensacola into a brown beach instead of a sugar-white beach? Why would we risk that if we are not going to have a resource? It is a mystery to me.

The only solution I can find to that mystery is that someone is grandstanding here. Someone either believes or wants it to happen on the one hand, and is trying for some reason to convince the Floridians that might read about this that he is a savior of Florida, and maybe he is.

I think Jeb Bush has done more, Mr. Chairman, to preserve the pristine beaches of Florida and make sure that there is no offshore drilling off the coast of Florida than anybody in history, and he is to be commended for that. But I do not know how we can tolerate the hypocrisy of what we are hearing here today, and that is do not drill for oil. That is accepted. That is not in question today; but just in case we do, then send it to Florida through this pipeline that we are going to lay on the bottom of the beautiful Gulf of Mexico.

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

Mr. DAVIS of Florida. Mr. Chairman, I yield 4 minutes to myself to respond.

Mr. Chairman, I am going to stick to the facts today. I think that holds us up to the standard that we should be held up to. First, I am flattered at the notion that I had the chance to control the timing of the debate last week. I wish I had that much influence. It is clear that the gentleman from Florida (Mr. SCARBOROUGH) and I do not.

As far as the notice, I regret that the gentleman from Alabama was not aware. The amendment was not filed until the morning of the debate because I had difficulties with the Congressional Budget Office getting an amendment that would not be subject to a point of order, and that is the reason why the amendment only has a 6-month duration for the fiscal year.

Mr. Chairman, let me correct something the gentleman from Alabama said. Section 181 is 200 miles, not 270 miles, off the coast of Tampa Bay, my home. That is where I grew up. I remember an oil spill that happened there when I was a child. It was not a rig, it was a barge, but it had the same impact. This is 17 miles from the district that the gentleman from Florida (Mr. SCARBOROUGH) represents, and he can talk about that better than I can.

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

Mr. DAVIS of Florida. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I might point out that they are already drilling now within 1 mile of the district of the gentleman from Florida (Mr. SCARBOROUGH). That is not an argument.

These waters are primarily the waters within 17 miles of the beaches or offshore land of the gentleman from Florida (Mr. SCARBOROUGH) that belong to and are the State of Alabama. They are directly south of Alabama and not Florida. We can argue all we want by slanting arrows to Alabama that these are areas off the gentleman from Florida's (Mr. SCARBOROUGH) beaches, but that is not factual. That is misleading. That is hypocrisy.

Mr. DAVIS of Florida. Reclaiming my time, Mr. Chairman, let us stick with the facts and not hyperbole. It is 17 miles. The gentleman and I can disagree whether or not that is Florida's coast or not. The fact is it is 17 miles from some of the most pristine beaches of not just Florida, but in the country.

Mr. Chairman, the gentleman from Alabama (Mr. CALLAHAN) said yesterday on numerous occasions that he wanted to be remembered as a champion of Florida's beaches, and after he retired, and I hope that is not soon, Mr. Chairman, to travel around our beautiful beaches. That is where many of the gentleman's constituents and constituents of Democrat and Republican Members of Congress head this summer, to our beaches.

No, we do not want drilling off our coast that poses an unreasonable risk, and we do need energy, Mr. Chairman. The gentleman from Alabama (Mr. CALLAHAN) is correct about that. I know the gentleman from Alabama (Mr. CALLAHAN) wants energy for his State, too, but that does not mean he has to live next door to a nuclear power facility or any type of facility at all.

This is about balance. That is what the debate is about. It is about balance in terms of protecting our cherished environment.

Let me tell the gentleman, if it is hypocritical for Floridians to cherish their environment, then I proudly wear that label. We think there can be balance achieved, but we do not think that the language in the bill that the amendment addresses does anything to achieve that balance.

Let me also say this is not about allocating credit and blame. The public is too smart for that. I am pleased the gentleman from Alabama (Mr. CALLAHAN) mentioned the Governor of the State of Florida. He supports my amendment, Mr. Chairman; and Floridians support this amendment.

If this pipeline was not being built yet, I think the gentleman from Alabama (Mr. CALLAHAN) could have a plausible basis for his position. But let me just state the facts, and then yield to the gentleman from Florida (Mr. SCARBOROUGH).

This pipeline has had $800 million spent on it. There are hundreds of workers all over the country who are thankfully on the verge of earning a bonus for early completion. What are we saying to these workers and their families if we pass a bill today that brings that project to a grinding halt? I do not think that is responsible. That is what we ought to be debating today, whether or not the Congress ought to take that position.

Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. SCARBOROUGH).

Mr. SCARBOROUGH. Mr. Chairman, I thank the gentleman from Florida for this amendment. I want to underline what he said about the Governor of the State of Florida. Jeb Bush not only supported our efforts last week, he supported our efforts in a bill that we have dropped regarding 181; and he and the State of Florida support the pipeline.

I think there is some hypocrisy going on here. I also think some people are having some fun, and I have no problem with people having fun on the House floor with some tongue-in-cheek amendments. But I could not help

being moved yesterday by the gentleman from Alabama's (Mr. CALLAHAN) love for northwest Florida beaches, and his stated desire to protect those beaches. And he said yesterday that he is going to do everything he can to protect the environment of northwest Florida. He specifically noted the scenic beauty of the beaches from Perdido Key all of the way over to Panama City beach, Destin, Seaside. It is a wonderful place, is it not, Mr. Chairman? And he knows because we are neighbors.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. SCARBOROUGH. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, the gentleman from Alabama (Mr. CALLAHAN) also spoke of his love for the pristine beaches of the west coast of Florida, not just the northwest. He favored all of our beaches yesterday in that debate.

Mr. SCARBOROUGH. Yes, sir, and they are beautiful, too, sir. Mr. Chairman, my grandmother would term what the gentleman from Alabama (Mr. CALLAHAN) is doing for us in northwest Florida as gracious plenty; but I have to say, I thought I could do one thing in return to help his constituents the way he is trying to help mine, and if we can get a unanimous consent later on, maybe after this vote, perhaps we could offer my amendment which passed through legislative counsel last night, and I am introducing an amendment to protect the workers of the district of the gentleman from Alabama (Mr. CALLAHAN) and the State of Alabama from layoffs and firings that would occur if the Callahan language were to survive.

As much as I appreciate his love for the natural beauty of northwest Florida, I feel an equally pressing need to show my affection for the working men and women of the State of Alabama.

Just as he wants to protect Florida bases, I want to protect Alabama jobs that would be lost if those who are currently employed working on the Gulfstream natural gas project are not able to complete their work. And that is in my district, too, at Berg Steel and across the States of Louisiana and Texas and Alabama.

I fear, though, that the precedent that is being set by what the chairman has attempted to do in this bill could be dangerous because, let us think about it. Just for 1 second, let us think about it. If we use this logic that is being used, like, for instance, communities that do not want drilling 17 miles off their beaches should not be able to get natural gas, well, let us see how that would apply to other things.

If one likes chicken, under the amendment's logic, community chicken farms would have to spring up on every block because it would be hypocritical not to have chicken coops in the back yards of everybody's house that eats chicken. Think about sausage. In Pensacola, Florida, we have a place called The Coffee Cup. It is a greasy spoon that serves bacon, and I will be the first to admit, I love bacon. I consume bacon. But I sure as heck do not want to have a self-sustaining Coffee Cup slaughterhouse in the parking lot behind that restaurant and every other restaurant, but, using this logic, would have to do it.

Got milk? Better tie up the cow behind the barn because if one likes milk, if you consume milk, you better have the cow. Just like on the commercial where the guy goes up, he wants milk on his cereal, it looks preposterous. That is the world that we are heading into if we have protectionism where if you consume it in your district, you have to make it in your district.

Mr. Chairman, that is why I think this is tongue-in-cheek, because the gentleman from Alabama (Mr. CALLAHAN) knows that is not the way that the American economy works. The gentleman from Alabama (Mr. CALLAHAN) knows that there are strengths in every area. Texas, Louisiana, Mississippi, Alabama, they have their strengths. Northwest Florida and the State of Florida, they also have their strengths; and who among us does not know that Florida's strength lies in its natural beauty of its beaches.

I want to say that I understand that the chairman was upset because we took this vote when the State of Alabama Caucus, most of them, were out of the Capitol. Mr. Chairman, as I said to you in the cloak room before I hugged you for trying to protect my district so much, my staff worker that was responsible for tracking the whereabouts of the Alabama delegation must have been off that day. I know it will shock the gentleman, but I did not know that the delegation was down with the President in Alabama. I found out when we were on the floor, and if the gentleman from Alabama (Mr. CALLAHAN) wants, we can have, maybe after this amendment passes, we can have a unanimous consent decree that we pass something that suggests that had the Alabama delegation been here, the Davis-Scarborough amendment would have passed 247 to 194 instead of 247 to 188. It was not even close.

That being said, there is common courtesy in the House. I can tell the gentleman, the gentleman from Florida (Mr. DAVIS) and I had no idea that the Alabama delegation was gone. If we had, certainly we could have delayed it. But I can tell the gentleman, neither the gentleman from Florida (Mr. DAVIS) nor I controls what happens on this floor.

So I will say once again, it does not make sense for us to have this philosophy that if one does not produce it, one cannot consume it. It leads to a thousand different ridiculous conclusions. Therefore, I am hoping that the Davis-Scarborough amendment will pass and that we can move forward and that we can have the pipeline that will help workers not only in Florida, but also in Alabama, Louisiana, Mississippi and Texas.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair reminds Members to direct their comments to the Chair and not to other Members.

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

Mr. Chairman, let me say that once again we are experiencing sort of a demagoguery, sort of an attempt to mislead the Members of Congress as to what this amendment is all about.

This amendment has zero to do with drilling off the coast of Alabama or Florida. It has nothing to do with it. I mean, that is water under the dam. That water is gone. They did that in my absence, and I will accept the gentleman's apology. And let me apologize to him. I never thought the gentleman ought to keep track of me. I never thought that the gentleman ought to get his scheduler to poll to see where the Alabama delegation is. But this is a body of compromise, a body of congeniality, a body of friendship. I would never think of doing this to anyone in Florida when I knew they were gone; but that is water under the dam.

This amendment has zero to do with the drilling aspect, and quit trying to tell the Members of this body that it does. It has to do with the laying of a pipeline from Mobile, Alabama, my district, to Florida, and even the Florida newspapers are saying that the gas pipeline will cause damage in the Gulf of Mexico.

So here we have the Florida Naples Daily saying that it is going to cause damage to the environment, and now we do not have the Florida delegation defending that, they are saying, go ahead and destroy our environment. Build that nasty old pipeline. Bring the gas in from somewhere else.

□ 1100

Mr. Chairman, we ought to talk about the subject matter, not what happened last week.

Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi (Mr. WICKER), a distinguished and knowledgeable Member of this issue and also a member of the subcommittee.

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

Mr. Chairman, a former Member of this body once went down in history when he made the statement, ''Don't confuse me with the facts, my mind is made up.''

Although the chairman of the subcommittee has just told us that this is not about the drilling in lease area 181, I did have to feel that way last week during the discussion of the Davis amendment. ''Don't confuse us with the facts,'' some of our colleagues said, ''our minds are made up.''

''Forget the fact that this Nation is in an energy crisis. Just forget the fact that area 181 is way out in the Gulf of Mexico. My mind is made up. Forget the fact that we need to get rid of our dependence on foreign sources of energy. Just forget that. Don't confuse

me with that fact, our minds are made up.''

And then there was the constant discussion last week about drilling off the coast of Florida. Even The Washington Post, the next day, talked about drilling off the coast of Florida without giving the reader the foggiest notion of what we were talking about.

So what we are talking about, Mr. Chairman, is drilling in the colored-in area here which is called ''Sale 181 Area.''

As Members can see, it is over 213 miles from Tampa Bay, this drilling which our friends from Florida are calling off the coast of Florida. 213 miles away. Over 100 miles away from Panama City there. Yet it is being described by people in that delegation as being off the coast of Florida.

Now, it is true that there is a small strip of water, a small strip of the gulf in lease area 181 that goes up to the coast of Alabama. I want to suggest, perhaps, to the gentleman from Alabama (Mr. CALLAHAN) that he should apologize on behalf of the State of Alabama for being so close to Pensacola, Florida. But the fact of the matter is that this strip that extends within 17 miles of the coast of Alabama is Alabama territory. I think Alabama should get to make that choice.

And also forget the fact, our friends tell us, the supporters of the Davis amendment, that drilling offshore is not only environmentally sound nowadays but it can even be environmentally friendly.

Now, let me say a word of caution to my colleagues, Mr. Chairman. And I mean this sincerely. There has been the use of the word ''hypocrisy'' by both sides. Someone is going to jump up sometime and ask that words be taken down. I wish we would not use the word ''hypocrisy.'' I think that has been established as perhaps going above and beyond what we can do on the floor here. But I do think there is a degree of audacity in this argument here. And the audacity, the gentleman from Florida (Mr. SCARBOROUGH) is right, it is bipartisan. It is bipartisan.

I learned from the State Department yesterday that most nations in the world claim 12 nautical miles off the coast as their territory. Only one nation does not do this and that is Communist China. They claim 200 miles. There is a little bit of a parallel here. The people of Florida are saying off the coast of Florida is 213 miles, ''That's our coast.'' Off the coast of Florida is 108 miles from Fort Walton Beach. They are saying, ''Don't give us the 12 nautical miles. Give us 108 miles. Give us 213 miles.'' A bit of audacity there.

Let me just say this. Perhaps we do not need this pipeline anymore. We were talking last week with the Davis amendment about 7.8 trillion cubic feet of natural gas. I think this body, Mr. Chairman, made a grave mistake to decide that this Nation will forgo this very needed natural resource. It is not a question of where you put the sausage factory. It is not a question of where you bring the cow. This is where the natural gas is. It is right there in lease area 181. We have decided, and I hope we can reverse that decision, Mr. Chairman, we have decided to forgo it. So since we are not going to have the 7.8 trillion cubic feet, I say there is no need for the pipeline to carry only 1 million cubic feet per day.

I urge the defeat of the Davis amendment.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself 1 minute.

The gentleman who last spoke wants to redebate the amendment last week and the chairman does not and I respect the chairman's view on that. I do not think we should redebate it. But since he brought it up, let me respond.

There are 21 days of crude oil in section 181. We do not think as Floridians we should have to choose between satisfying our energy needs and exposing ourselves to undue environmental risk for 21 days of crude oil. The House has spoken on that. We sent a very strong message that we need a more balanced approach to environmental and energy policy, not just in Florida but in the country, and that vote stands.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Mrs. THURMAN).

Mrs. THURMAN. I thank the gentleman for yielding me this time.

I stand today to say that I support the amendment offered by the gentleman from Florida (Mr. DAVIS). I was struck a little bit by the idea that we are not here because of what happened last week. And so at some point I would like the gentleman from Alabama to tell me why we are here then.

This is a project that, in fact, is going to be completed by this winter, about 753 miles long. The fact of the matter is that in my district, because this comes through my district, it was controversial. FERC held public hearings at which the concerns of these interested citizens were heard. In response, Gulfstream modified the pipeline plan and now FERC is reviewing the revised plan. So I do not think there is really a legitimate reason at this time for the House to stop this process, and I think that is what this amendment actually would do and why we are here.

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Mrs. THURMAN. I yield to the gentleman from Alabama.

Mr. CALLAHAN. No, that is not why we are here. This has nothing to do with the drilling. It has to do with the fact that there is not going to be any natural gas and if there is not going to be, why build a pipeline. That is why we are here. It has only to do with the pipeline, not the drilling.

Mrs. THURMAN. Reclaiming my time, there has been natural gas and there continues to be natural gas. We have natural gas already. So I think that is kind of not true.

We get natural gas from other places. All we are saying is, we do not want the drilling in Florida. I think the gentleman can understand that. I mean, I have been to some of these other States where they have beaches and, quite frankly, I do not like getting into Louisiana's water because it is greasy and nasty and looks bad and I do not like it. I apologize to the gentleman from Louisiana (Mr. TAUZIN), but I have been there and I have swam in some of those areas, in Lake Charles. So we have some real concerns about what is going on. We have some concerns about the idea that this is taking place today.

Maybe it was not the gentleman from Alabama's intention because of what happened last week, but some of the articles that I have read in Florida actually do say that, and that this was controversial.

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

In response to the gentlewoman as to why we are doing it today, I had my staff poll the Florida delegation to make certain they were all going to be here today and that was the appropriate time to bring it up, when the Florida delegation was all here.

In response to the gentleman from Mississippi's suggestion about Pensacola, Mr. Chairman, a lot of people in that Panhandle called me my entire tenure when I was in the Senate asking me to annex them into Alabama. Maybe that is a solution. If we annex the whole Panhandle into Alabama, then they will not have any argument about it being 17 miles away.

And with further respect to his indication that my words could be taken down for saying the word ''hypocrisy,'' maybe he is right. It is the height of arrogance that causes us to be here today.

Mr. Chairman, I yield 4 minutes to the gentleman from Texas (Mr. DELAY), the majority whip.

Mr. DELAY. Mr. Chairman, I think it is very interesting, I hope our Members are watching this debate, because it is so telling about what is going on in the debate about providing energy so that Americans can turn on their lights, turn their stoves on and get natural gas, heat their homes. It is just amazing to me.

The Florida delegation, Mr. Chairman, says that they want to keep this pipeline, that if we do away with the pipeline it is going to cost jobs. But last week they did not care about the jobs that would be lost by shutting down a lease sale. And now we are listening to the argument that exploring and producing oil and gas, natural gas, is like raising chickens. I guess if I asked the Florida delegation where does natural gas come from, they would say, ''My stove.''

Mr. Chairman, I rise to oppose this amendment to let Floridians share in the shortages that they are forcing on the rest of America. Last week, our friends from Florida torpedoed an extremely promising field of oil and gas.

That action jeopardized our energy security. However, they do not apply that policy consistently. It turns out that Floridians are far more accommodating on energy issues that directly benefit their own State.

They shot down lease sale 181 even though it holds billions of barrels of oil and trillions of cubic feet of natural gas. The Florida delegation ignored the important role that these reserves could have in the lowering of our national dependence on foreign sources.

It is common knowledge that America is increasingly relying on natural gas to produce electricity. That trend is happening because making electricity with natural gas can be less taxing on the environment than other types of generation. Well, it has to come from somewhere.

They will not let us find more in the gulf, but Florida sure is not resisting the trend toward natural gas. Florida's natural gas demand for electricity will double over the next 20 years. Florida's population will grow by a third over the same time period. And they plan to supply electricity to their expanded population with generating plants that burn natural gas. This is the height, oh, I have to use the word, of arrogance. Of arrogance. I did not want to use the word. This is the height of arrogance. Florida is happy to burn it, but they block the rest of America from securing a steady and adequate supply of natural gas.

That is why Members from Florida are not blocking a proposed natural gas pipeline that will stretch 800 miles through gulf waters from Alabama to the beaches of Florida. And these are the same gulf waters that Florida placed off-limits to exploration that could help the rest of the country. I oppose the gentleman from Florida's amendment to block opposition to this pipeline.

Florida rivals California as a prime example of the not-in-my-backyard syndrome. Let Florida take the lead in conservation. Let them make do with half the natural gas that they are projected to need. If Florida is going to lead America to greater dependence on foreign sources of energy, then let them do it on their own.

There is another thing Floridians ought to remember, as pretty as their beaches may be, they are still a long walk from most places in America. And if their reactionary opposition to oil exploration holds sway, tourists will be making their way to Florida on shoe leather. Members should oppose this amendment to help Floridians understand the implications of their actions.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself 2 minutes to respond to the previous comments.

First, there is a very important distinction between my amendment today and the amendment last week. The purpose of the amendment last week was to protect the beaches of Florida. It was not to punish any other State. I am not going to speak to what the purpose of the language in the bill is, but I will tell you what the effect is. The effect is to punish Florida, not to protect anybody else.

Secondly, with respect to jobs. Last week, every Member of Congress that spoke in opposition to the Davis-Scarborough amendment was from an oil-producing State and they were protecting jobs in their areas. As I said on the floor and I will say again today, they do not have to apologize for that. But let me just say today, this is not about protecting jobs in Florida. This is about protecting jobs in Texas, Alabama, North Carolina and other States. Those are the States where there are hundreds of workers who have already spent time building a pipeline that is nearing completion. So this is not about protecting jobs in Florida today.

Thirdly, the gentleman from Texas (Mr. DELAY) made the comment that we want natural gas but we do not want rigs off our coast. Yes, we think that is a false choice.

□ 1115

We do not think we should have to choose between spoiling our beaches and running the air conditioner. We think we can have balance. Know what? If people in Texas and Louisiana want to drill more off their coast and sell us their natural gas, and I am sure they will mark it up for a pretty reasonable profit, they should do that but we do not want that. We have not given up on our beaches. They may have given up on our beaches but we have not given up on our beaches, and that is why we do not want the rigs in our backyard.

Now let me say another very important reason why this amendment needs to be adopted. We want competition in Florida. We do not want to happen in Florida what happened in California, which is the market fails and the consumers get squeezed. This pipeline will create competition. We will have more than one pipeline in Florida, and that is good for consumers. It is the way the market is supposed to work. It is good, old-fashioned competition.

Finally, the statement was made that Florida needs to do more in conservation energy efficiency. That is absolutely correct, but let us do it together as a country, and Texas and Florida, let us work together as a Congress to empower consumers and States to do more to use energy more wisely and more efficiently.

Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. SCARBOROUGH).

Mr. SCARBOROUGH. Mr. Chairman, let me just say, I have always respected the gentleman from Texas (Mr. DELAY) because he shoots it straight, and what he told us during his 4 minutes was what this is really about, and this provision really is about punishing Florida. It is an act of revenge because of what happened last week.

Regarding a couple of the statements of the gentleman from Mississippi (Mr. WICKER), he once again said it is way out in the Gulf of Mexico. It is not. It is 17 miles.

Another thing, the gentleman from Alabama (Chairman CALLAHAN) is offended because he said this is a House of courtesy, that he should have been notified because it is a House of courtesy. Right after that, he accused me personally of demagoguery and hypocrisy and of intentionally misleading Members.

I did not take his words down because he loves the northwest Florida environment so much. Also, I had the gentleman from Mississippi (Mr. WICKER) to come up soon afterwards and try to tone things down, as I hope we can do. Unfortunately, the gentleman from Mississippi (Mr. WICKER) then went on and compared my district to Communist China, but we will talk about that at another day.

I hope we can tone this down, and I hope we can understand what this really is all about. It is about punishing the State of Florida because over 200, almost 250 people, in this Chamber voted to protect our shoreline.

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

Mr. Chairman, I would like to respond somewhat to the comments of the gentleman from Florida (Mr. SCARBOROUGH) about where we are today and why we are here.

He keeps bringing up, everyone keeps bringing up, the vote that took place last week in our absence. As to whether or not it was done in the still of the night while I was gone, that is something that we can resolve. Maybe it was not. Maybe they had good intentions. Maybe they were just, I do not want to say ignorant, of my absence, but and I apologized to him, as I have already said, about the hypocrisy word; and I have changed that to arrogance. That is not the issue.

The issue is the pipeline, and the issue is what is going to be put in the pipeline. The gentleman from Florida has already said that they already have pipelines going into Florida; they want to build more pipelines because they need more natural gas. Now since we are not going to be able to drill in this particular section of the gulf, there is not going to be any more natural gas. So why build a pipeline when the gentleman's own newspapers in Florida are telling him that it could be devastating to his own environment? And therein comes my want to protect the beautiful beaches of Florida and especially the beautiful beaches of the Tampa Bay area.

When I take my boat to Florida, as I mentioned the other day, when I retire, if I ever do, when I go there I am going to go dock at a marina in Sarasota. That is where I want to be because that water is so pure, those beaches are so clean. I do not want to do anything to damage those beaches.

This is not about drilling. This is about the fact that this body decided

we do not need any more drilling; we do not need any more natural gas. If we are not going to have any more natural gas, why do we need a pipeline to transport it? Therein lies the arrogance of what I was referring to when I mentioned the word hypocrisy. That is what I was referring to.

Mr. Chairman, I yield 4 minutes to the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Committee on Energy and Commerce, who is more impacted by this than Alabama, than Florida, than anybody else, because it is closer to his district than anywhere else; and he is about as knowledgeable of this industry as anyone in this body.

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

Mr. TAUZIN. Mr. Chairman, I thank the gentleman from Alabama (Mr. CALLAHAN) for yielding me this time.

Mr. Chairman, I do want to calm things down because things get said in the heat of argument that I know Members would rather they did not say. So let me put something on the record.

The wetlands, the pristine wetlands in many cases, in my State are precious to me, and the waters of Louisiana are precious. They produce 28 percent of this Nation's landings and seafood that all of us enjoy, and we do it simultaneously with producing 27 percent of the Nation's natural gas and 27 percent of the Nation's oil. Keep that in mind.

Our people have made a commitment to this country, not just to keep our wetlands safe, not just to keep our fisheries up and sound and running for everyone, but also to produce oil and gas for the rest of the country, including Florida. There is a national wildlife reserve in my district called Mandalay. I asked Secretary Norton if she ever came to it. She said she did not.

Come to Mandalay National Wildlife Reserve in my district, come and see it. It is full of wildlife, not just a few wildlife like one herd of caribou, but a massive amount of wildlife. We have 100 wells drilled in Mandalay National Wildlife Reserve producing oil and gas for the rest of America.

I asked her, is the National Wildlife Reserve in Louisiana less precious than ANWR? Less precious than section 181? Less precious than any block of land off of California? Why is it that this country makes a moral judgment that drilling off the coast of Florida? Even if this block were really off the coast of Florida instead of off the coast of Alabama and Louisiana and Mississippi, even if the facts were right that this land we are talking about in the gulf were really closer to Florida than it is to Louisiana in its entirety, not just in one little point, even if that judgment was right, and I question that, what makes production of resources in those areas of the country more desirable, from a moral standpoint, than production in the beautiful wetlands of Louisiana?

Now, I take quarrel with the gentlewoman who talked about our waters. We drained 40-something States through Louisiana. A lot of muddy water comes through Louisiana. Yet our wetlands are precious to us, but yet we accommodate this Nation in its oil and gas needs.

The gentleman from Alabama (Mr. CALLAHAN) has raised a good question. We are going to debate an energy policy on this floor pretty soon. We ought to think about the morality of an energy policy that says for some parts of America one does not have to take any risk, one does not have to take any risk at all, because somebody else will take the risk for them. Somebody else's wetlands, somebody else's coast is going to take a risk for them.

I asked Secretary Norton what would happen to this country if Louisiana decided to put an amendment on this floor to stop oil and gas drilling off our coast because we thought our Mandalay wetlands and our wetlands were as precious as the wetlands and the beaches of other States of this country? If we decided not to take that risk anymore, what would happen to this country if we lost 27 percent of the oil and the gas?

What was the answer? It would be pretty severe.

I said, no, ma'am. It would be catastrophic. This country would fall apart.

We are already buying oil from Iraq to turn it into jet fuel to put it in our planes to fly over Iraq to bomb the radar sites that are trying to kill American pilots today. How stupid is that policy? In a few short weeks we are going to be debating real broad national energy policy. And, yes, we will talk about conservation, and we will talk about protecting the environment and supplying this country with the energy it needs so that Americans can turn on the lights and they will not be off as they were in California this summer.

We have a moral question to answer in this body, too. Is it moral to protect some people from the risks of production and to ask some of us to do it all? The answer should be no. A pipeline is not needed if the natural gas is not produced.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. CARSON).

Mr. CARSON of Oklahoma. Mr. Chairman, I rise in strong support of the Davis amendment to strike the language from the appropriations bill that would stop the Gulf Stream pipeline in mid-construction.

The chairman and the gentleman from Louisiana (Mr. TAUZIN) raised great points about the need for an energy policy in this country, and in the interest of consistency it should be noted that I voted to explore and produce in section 181, just as I support opening up other public lands across this country.

It is critical that construction of this pipeline be allowed to continue, especially at a time when we do recognize the need for improving our energy infrastructure. I think both of us on both sides of the aisle would agree that improving and increasing our infrastructure and its ability to supply the country with needed energy is a key component of any sensible energy policy. The completion of this pipeline will provide much needed natural gas throughout central and southern Florida, as well as providing many jobs for the people of the Gulf Coast region.

After all, pipes have already been ordered and delivered. Commitments have been made to construction companies. Contracts have been signed with customers. Power plants are now being built in anticipation of this project being completed.

The gentleman from Alabama (Mr. CALLAHAN) is right that this is not a vote about section 181. I was in the minority of this House in supporting drilling and exploration there. Today, the question is whether in the annals of all the wise policy tools at our disposal whether we shall cut off our nose to spite our face. Passing this appropriations bills with a prohibition would have the effect of stopping this pipeline and its construction.

The Federal Energy Regulatory Commission has already approved the project. The construction materials are already ordered at the cost of $800 million. The current language would prevent FERC from continuing the various approvals that are needed for ongoing construction.

Keeping this language in the energy and water appropriations bill would be both bad energy policy and bad public policy. If we are serious about a national energy policy, if we are serious about improving our infrastructure, let us build this pipeline.

Let us not act in petulance or in haste just because we lost one vote in this House. Let us work together to improve our national energy policy. I strongly encourage a ''yes'' vote on the Davis amendment to strike this unfortunate language from the energy and water appropriations billing.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Chairman, I thank the gentleman from Alabama (Mr. CALLAHAN) for yielding me this time.

Mr. Chairman, the steel industry in Alabama is struggling. We have just lost two steel mills. That means that steel workers, iron workers, boiler makers, electricians, sheet metal workers, railroad crafts have been put out of work.

The Davis amendment allows the construction of a natural gas pipeline from Alabama to Florida. We just heard the gentleman say that contracts have already been let. That pipeline is to be constructed largely with imported steel. That adds insult to injury for those of us in Alabama. For that reason, the members of the steel caucus, those who have those crafts in

their States, should be aware that a yes vote on the Davis amendment will allow the continued use of imported steel and steel products for the construction of this pipeline. That is why yesterday the gentleman from Pennsylvania (Mr. ENGLISH), chairman of the Congressional Steel Caucus, sent a letter to all members of the steel caucus and I want to reiterate to anyone who has a steel industry in their district to take a long look and vote no on this measure.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, nobody has answered the question yet why we are here. The gentleman from Mississippi (Mr. WICKER) said we are here to redebate the amendment; the gentleman from Alabama (Mr. CALLAHAN) to put the language in the amendment, but he still has not told us why we are here.

Let me say what is happening because this is a fact. We have opened a can of worms here today. I would say to the gentleman from Alabama (Mr. CALLAHAN), we are hearing a new debate and the debate is that a pipeline on which $800 million has already been spent, we are going to debate whether it used the right kind of steel and if it did not we are going to shut it down. That is lunacy. Yes, this pipeline has some steel from other countries and it also has a lot of steel from the United States. Some of it was fabricated in Mobile, Alabama.

Let me add something else. I have been asked questions whether this is a unionized project or not. We are going to debate whether this was unionized after it has been built? What are we going to do deconstruct the thing and build a fishing reef off the coast of Mobile? This is a unionized project. Is it 100 percent unionized? No, it is not. So is that a basis to defeat the amendment and scrap this project? Lunacy.

Let me also point out, this pipeline was built to transport natural gas that is already being drilled and extracted in the Mobile area.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. SCARBOROUGH).

□ 1130

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

Just very quickly, I want to say that we did find out why we are here today. Again, the gentleman from Texas (Mr. DELAY) is a straight shooter. He told us why we are here today, because of the vote of last week; basically telling Florida if you do not want to drill, then you do not get our gas.

He also talked about oil, which, of course, everybody says this is not about oil, it is about natural gas. It is about oil, eventually.

Also I just want to say to the gentleman from Louisiana (Mr. TAUZIN), certainly Louisiana does take the risk; but it takes an economic risk. That is what America is about. He says that everybody has to go ahead and do what Louisiana is doing, or else we are all in danger and are not going to be able to put fuel into jets.

Well, that is what capitalism is all about. People make economic choices. They decide what their region or their State or their country is best at; and then, after they make that decision, they pursue it.

Louisiana decided that drilling for natural gas and oil made economic sense, and I applaud them. That is capitalism. We in Florida have decided that our natural resources and our beautiful beaches, which are the best in the world, and they are ranked the best in the world, year in and year out, we have made the economic decision that we want to do everything we can to protect those beaches.

So, if you want to talk about sort of disingenuousness or audacity, do not tell me that I do not love America because it does not make the economic sense in the State of Florida to drill in our wetlands as it does in Louisiana. If Alabama, Mississippi, Louisiana, Texas, and Alaska want to drill for oil, God bless them. That is what America is about, that is what the 10th amendment is about, that is what States' rights are about.

The State of Florida does not want to be Louisiana; it wants to be the State of Florida.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may concern.

Mr. Chairman, I might just briefly reply to the description of me as, I think, a lunatic, or the word lunacy. I do not like that word either; but, nevertheless, in his statement, it was the height of hypocrisy again when he is saying that they are already drilling for gas in Mobile Bay, we want that gas.

But, even more so, this is not about drilling; it is about an inadequate supply of gas to go into a pipeline that is being constructed. So why should we construct it, if we are not going to have the gas?

Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, the question has been asked, why are we here? We really should be here not to talk about good politics. Possibly some of the proposals that have been put forth over the last couple of weeks have been good politics; but I can tell you, they are bad energy policy.

At the risk of being hit from all sides, I recently proposed a compromise that would comply with 100-mile limits for oil drilling. Technically the finger that comes up here on this map of Tract 181 is in Alabama waters and we should not be really interfering with that lease sale. The gentleman from Alabama (Mr. CALLAHAN) is right in opposing the amendment and prohibiting the construction of this pipeline. Why do we need a pipeline if we ban gas development?

I proposed that we should prohibit oil drilling in this finger, and then allow natural gas to be extracted from all of Tract 181, which we need. We have an expected population increase of 29 percent in Florida by 2020, and the demand for natural gas to produce electricity will grow by 97 percent.

The United States Department of Energy report entitled ''Inventory of Power Plants in the United States'' revealed that during the next decade, 28 of 34 electrical generating plants planned for Florida are designed for natural gas.

Here is an article for a plant in New Smyrna Beach. It is 2 weeks old; that proposed power plant is gas-turbine generated. Here is another proposed power plant mentioned this past week in the Orlando Sentinel, it is also gas-turbine generated. Where are we going to get the natural gas?

You cannot have it both ways, and I think the gentleman from Alabama (Mr. CALLAHAN), by his provision, in banning this pipeline, is correctly raising serious energy policy questions. We must have good energy policy, but we cannot be dependent on bad politics to make good energy decisions.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member on the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I really do not have a dog in this hunt, coming from Wisconsin; but I simply want to observe that there has been a false parallelism in this debate between the idea that if you are going to prevent drilling off the coast of Florida, then somehow it makes sense to prevent the construction of this pipeline.

There is a big difference. The drilling has not occurred; the pipeline is already largely constructed. Secondly, there is no question that Florida is going to need the natural gas. So it seems to me that there is a false parallelism which should be dismissed by any neutral Members of the body.

Secondly, let's not kid anybody: this amendment is not being offered because of the merits of the amendment. This amendment is here because it is payback time. There are some people in this place who are unhappy with the fact that last week this House said, ''No, we are going to protect the beaches of Florida. The oil companies are not going to be able to drill any damn place they want. They are going to have to take other higher values into consideration.''

So, now people who are resentful of that are thinking it would be nice if you could tweak the Florida Representatives for standing up for their own environmental interests and make them pay a price for protecting their beaches from the money lust of the oil companies. That is basically what you are talking about.

So I think that any Member who does not have a dog in this hunt ought to recognize this amendment for what it is. It is a clever attempt at retaliation. I think the House is above that kind of

thing, and I would urge that the amendment being offered by the gentleman today to remove this provision in the bill be adopted.

Any area has the right to protect its environmental resources. That is what Florida did last week, and the House ought to respect it.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Chairman, I hardly ever disagree with my ranking member on appropriations, but I do not think this amendment is about retaliation. I think it is about a real energy debate we need to have here on this floor.

I agree, Florida probably does not want to become like Louisiana or Texas. I am worried that they want to become like California, where they do not want to produce. I am glad at least they want to pipeline sometimes, because that is not the case in California. Yet, when the price goes up, because our supplies are low, they want price caps and they complain about it.

I am worried about this, that if we do not adopt this amendment, if Florida recognizes you need to produce your resources, we will see a California in the southeastern United States, and we will have the same problem in the southeastern United States as we do in California.

We can produce. I have platforms offshore that are emitting zero pollution right now. Thirty years ago we did not have that; but today we have that, because we have different standards today. That can be done in the Gulf of Mexico, whether it is in Texas, Louisiana, Alabama, Mississippi, or Florida waters; and, frankly, it can be done off the coast of California.

So I am glad to be here to enjoy this energy debate. And it is not about retaliation. I think it is about energy that we need to talk about on this floor.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Indian Rocks, Florida (Mr. YOUNG), distinguished chairman of the House Committee on Appropriations.

Mr. YOUNG of Florida. I thank the gentleman for yielding me time.

Mr. Chairman, several days ago I suggested to the House that this might be coming, this little bit of warfare between different delegations; and I had hoped that we would avoid that, because we have enough problems with our foreign suppliers. We have enough problems, that we do not need to have problems within our own country. The fact is that we do need more production of oil and gas, whatever types of energy we can produce. We are a consuming Nation, and we need to produce.

But most of the conversations today have not been about this amendment. I have enjoyed the debate, except for one part. I did not really appreciate the debate of the gentleman from Texas (Mr. DELAY) when he attacked the Florida delegation, because most of the Florida delegation has been there every step of the way to produce more energy at home, rather than relying on foreign sources. So I thought that attack was a little bit out of order.

However, the great debate about where we are to drill or not to drill has nothing to do with this amendment. This amendment merely strikes three lines out of the bill. Let me tell you what those lines are: ''Provided further, That none of the funds made available to the Federal Energy Regulatory Commission in this or any other Act may be used to authorize construction of the Gulf Stream natural gas project.'' That is the amendment, to strike that language.

Here is why we ought not to be so exercised with each other. The issues are these: the permits to authorize the construction of this pipeline have already been issued. You are not going to change that, unless you are going to change the basic law. You are not going to change that with this language.

The amendment of the gentleman from Florida (Mr. DAVIS) to strike this language is fine, and I am going to vote for it; but the fact of the matter is, this whole debate is really about nothing, because those permits have already been issued. It has been a good vehicle for the debate on the question of Lease 181 and the issue of who drills and who does not drill.

We have to be together on this. To divide this Congress, to divide this House over this issue, is not a smart thing to do. We need to calm down the rhetoric and need to get about becoming energy independent from the rest of the world.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1½ minutes to the gentleman from Bradenton, Florida (Mr. MILLER.)

Mr. MILLER of Florida. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, for our distinguished chairman of the subcommittee, I thank him for referring to Sarasota. Those are my beaches in Sarasota. I have some of the most beautiful beaches in Florida on the west coast, Anna Maria, Longboat Key, Siesta; and I hope the gentleman brings his boat down to our area.

But I am also the base where the pipeline comes ashore in Manatee County, at Port Manatee. Just as it leaves the gentleman's district, it comes ashore in my district and has a big economic impact. So I think we need to recognize the importance of the pipeline and its investors, who are spending over $1 billion on this pipeline. Now, if there was not enough gas, they would not be spending over $1 billion on this pipeline to build it from our two areas.

This issue was brought up in a manager's amendment on Monday which had something to do with Venice beaches, and I appreciate that in the manager's amendment last week when we addressed the issue of this pipeline.

So this is strictly about the pipeline. The investors, they are the ones putting the money at risk, so we do not even make that decision. We should go ahead with the pipeline.

With respect to 181, since I only have a few seconds left, I think we need to open that up for discussion. The gentleman from Florida (Mr. MICA) is right. There is plenty of gas there. I think we should drill for that gas. This was a 6-month delay. We kind of in Florida get caught between our Governor and our President, and I think there is room for compromise. I think there is a middle ground.

That is what we need to look for: move ahead, because we need the energy in our country, but let us not fight over this pipeline. The pipeline needs to go ahead, and it is going to be continued.

Mr. Chairman, I hope everyone votes for this amendment.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I just want to make two points a little more clearly, and then I think we have had a thorough, hearty debate. The first is I wish I had the chart here today to show how many rigs have gone up, and I would submit can go up, hugging the coast of Louisiana and Texas, far removed from any chance of polluting the coast of Florida.

We have a supply out there, and we Floridians are willing to pay a fair price to consume the energy we need for our State. Again, we do not want to be trapped like California. We want competition. We want more than one pipeline. Adopting this amendment will help achieve that.

Let me finally say, just to put this in perspective, if we were to raise the CAFE standards by 14 miles per hour, that would generate 10 times more result than the entire amount of natural gas and crude oil in section 181.

Mr. Chairman, I yield the balance of my time to the gentleman from Florida (Mr. SCARBOROUGH).

□ 1145

Mr. SCARBOROUGH. Mr. Chairman, I thank the gentleman from Florida (Mr. DAVIS) for yielding to me.

This debate really has been about respect or the lack thereof of the people of Florida and their wishes. We have been called hypocrites, audacious, arrogant; implied as being unpatriotic, compared to Communist Chinese, all because last week some very powerful people, some very powerful corporations, were shocked by the outcome of the vote on the Davis-Scarborough amendment.

I think we have to go back to the issue of respect and respect the will of the people in my district, respect the people of the State of Florida, just like we need to respect the will of the people of Alabama, Mississippi, Louisiana, Texas and Alaska to determine their own fate. We are very close to Alabama, and what affects Alabama affects us. We need to work together.

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

Mr. CALLAHAN. Mr. Speaker, I yield myself the balance of the time.

This has been an interesting debate, even though probably 90 percent of the time was spent on talking about an issue that is not even in the amendment. Maybe the gentleman from Florida (Mr. YOUNG) is right. Maybe this amendment will have no impact. I think he is wrong, because I think it is sending a message. They are talking about the parochialism of this issue with respect to the gentleman from Florida (Mr. SCARBOROUGH) and the gentleman from Florida (Mr. DAVIS).

Mr. Chairman, this is about my district. This pipeline originates in my district. What the gentleman from Florida (Mr. DAVIS) said is we are going to take all you are already extracting, because you have too much, and we are going to send it to Florida because they do not have any. He is right, except we do not have too much.

When we ship this natural gas out of the State of Alabama, our power rates are going to become competitive, and they go up. So that is not the issue. The issue is that I think that this issue was brought up at such a time that was inconvenient to the Alabama delegation to be here and defend themselves. They have apologized for that. We accept that apology.

I am saying this is an environmental issue, and the issue is whether or not we need to build a pipeline if we are not going to permit drilling. That is the issue. It is of keen interest to me and to the people of my State as well. All they talked about today in their selfish vision and their selfish manner is that this is going to hurt Florida. We are not going to have gas to air condition our homes. Do not do this to us. I am saying, it is going to impact Alabama as well. If the gentleman from Florida (Mr. YOUNG), the chairman of the committee, is right, and FERC would not have the authority to stop it, then there is no need for this debate.

If I want to stop it, I think I can stop it through the permitting process in the State of Alabama, which I might; if this amendment is adopted, that is probably what I will do. But I do not think this amendment is going to be adopted, and I know that some people have come up to me and said, SONNY, you would not retaliate and take some of my projects out in the conference committee that you have been so generous with in the past 3 or 4 or 5 weeks; that is not the case. I would not think of doing that.

Mr. Chairman, I will say that this is a project that is of great interest to me, and that I would like very much to defeat this amendment, and I would encourage my colleagues to vote ''no.''

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Florida (Mr. DAVIS).

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

Mr. DAVIS of Florida. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: The amendment offered by the gentlewoman from Nevada (Ms. BERKLEY), and the amendment offered by the gentleman from Florida (Mr. DAVIS).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MS. BERKLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Nevada (Ms. BERKLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 102, noes 321, not voting 10, as follows:

[Roll No. 204]

AYES—102

Abercrombie
Ackerman
Baca
Baldwin
Becerra
Berkley
Berman
Blagojevich
Blumenauer
Boswell
Bryant
Capps
Capuano
Conyers
Crowley
Davis (CA)
Davis (IL)
DeFazio
Dingell
Doggett
Engel
Evans
Ferguson
Filner
Frank
Frost
Gephardt
Gibbons
Gutierrez
Hall (OH)
Hastings (FL)
Hill
Hinchey
Holt
Honda
Hooley
Hulshof
Inslee
Israel
Jackson (IL)
Johnson, E. B.
Jones (OH)
Kennedy (RI)
Kucinich
Lantos
Leach
Lee
Lewis (GA)
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McInnis
McKinney
Meek (FL)
Menendez
Millender-McDonald
Mink
Moore
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pascrell
Rahall
Rangel
Reyes
Rivers
Roybal-Allard
Rush
Sanchez
Sanders
Sawyer
Schakowsky
Shays
Slaughter
Smith (NJ)
Solis
Souder
Stark
Stupak
Thompson (CA)
Towns
Udall (CO)
Udall (NM)
Velazquez
Waters
Watson (CA)
Waxman
Weiner
Wexler
Woolsey
Wu

NOES—321

Aderholt
Akin
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett
Bartlett
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Everett
Farr
Fattah
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCrery
McDermott
McHugh
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Mica
Miller (FL)
Miller, Gary
Miller, George
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Saxton
Scarborough
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (WA)
Snyder
Spence
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Walsh

Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—10

Barton
Burton
Houghton
Platts
Putnam
Ros-Lehtinen
Smith (TX)
Spratt
Thomas
Weldon (PA)

□ 1214

Messrs. SMITH of Washington, BILIRAKIS, HOLDEN, SANDLIN, GANSKE, GRAVES, RODRIGUEZ, SCOTT and SHERMAN, and Mrs. MYRICK and Mrs. BIGGERT changed their vote from ''aye'' to ''no.''

Messrs. STUPAK, KENNEDY of Rhode Island, SHAYS, BOSWELL, SOUDER, RANGEL, and HINCHEY and Ms. VELÁZQUEZ changed their vote from ''no'' to ''aye.''

So the agreement was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the Chair announces he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MR. DAVIS OF FLORIDA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DAVIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 210, noes 213, not voting 10, as follows:

[Roll No. 205]

AYES—210

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Becerra
Berkley
Bilirakis
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Buyer
Camp
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Conyers
Costello
Cox
Coyne
Crenshaw
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Diaz-Balart
Dingell
Doggett
Dooley
Doyle
Ehlers
Ehrlich
Engel
Eshoo
Etheridge
Evans
Fattah
Filner
Foley
Ford
Frost
Ganske
Gephardt
Gilchrest
Gonzalez
Goss
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hinojosa
Hoeffel
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Jones (NC)
Jones (OH)
Kaptur
Keller
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Moore
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Royce
Rush
Sanchez
Sanders
Sandlin
Sawyer
Scarborough
Schakowsky
Schiff
Scott
Serrano
Shaw
Shays
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stearns
Stenholm
Strickland
Stupak
Sununu
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Wexler
Woolsey
Wynn
Young (FL)

NOES—213

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bass
Bentsen
Bereuter
Berman
Berry
Biggert
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Callahan
Calvert
Cannon
Cantor
Capito
Chabot
Chambliss
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Cramer
Crane
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLay
DeMint
Dicks
Doolittle
Dreier
Duncan
Dunn
Edwards
Emerson
English
Everett
Farr
Ferguson
Flake
Fletcher
Forbes
Fossella
Frank
Frelinghuysen
Gallegly
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Gordon
Graham
Granger
Graves
Green (TX)
Green (WI)
Grucci
Gutknecht
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Holden
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Jenkins
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Manzullo
Markey
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller, Gary
Miller, George
Mink
Mollohan
Moran (KS)
Murtha
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Roukema
Roybal-Allard
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Souder
Spence
Stark
Stump
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Visclosky
Vitter
Walden
Walsh
Wamp
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)

NOT VOTING—10

Barton
Burton
Gilman
Houghton
Platts
Putnam
Ros-Lehtinen
Smith (TX)
Thomas
Weldon (PA)

□ 1226

Messrs. TAYLOR of North Carolina, KERNS, HOLDEN, SCHROCK and FORBES and Ms. EDDIE BERNICE JOHNSON of Texas and Mrs. BIGGERT changed their vote from ''aye'' to ''no''.

Mr. BUYER and Mr. HALL of Texas changed their vote from ''no'' to ''aye''.

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. ROS-LEHTINEN. Mr. Chairman, on rollcall No. 205, I was unavoidably detained. If present, I would have voted ''aye'' on rollcall No. 205.

Mr. GILMAN. Mr. Speaker, earlier today, I was unavoidably delayed during the vote on the Davis Amendment to H.R. 2299. Accordingly, I was unable to vote on rollcall No. 205. If I had been present I would have voted ''aye.'' I ask unanimous consent to have my statement placed in the RECORD at the appropriate point.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Energy and Water Development Appropriations Act, 2002''.

Mr. BENTSEN. Mr. Chairman, I rise in qualified support of H.R. 2311, the FY 2002 Energy and Water Appropriations bill.

When the Budget Committee, on which I serve, considered the President's proposal and produced a budget, I knew it was going to be very hard for Congress to fund many important water transportation and flood control projects. I recognize the incredibly difficult circumstances Chairman SONNY CALLAHAN, Ranking Member PETER VISCLOSKY have endured in crafting this bill. I would also like to thank my good friend from Texas, Mr. EDWARDS, a distinguished Member of the Subcommittee, for all the help and information he and his office have provided me.

In light of the dramatic budget cuts proposed for the Corps, I applaud the Subcommittee for funding the Brays Bayou flood control project at the Harris County Flood Control District's capability—$5 million. When completed, the Brays Bayou project will be a national model for local control, community participation, flood damage reduction in a heavily populated urban watershed, and the creation of a large, multi-use greenway/detention area on the Willow Waterhole tributary. The Brays project is a demonstration project

for a new reimbursement program initiated by legislation I authored along with Mr. DELAY that was included in Section 211 of WRDA 1996. The program gives local sponsors more responsibility and flexibility, resulting in projects more efficient implementation in tune with local concerns.

I am very encouraged that the Brays project is on track to be fully funded at $5 million in Fiscal Year 2002, rather than $4 million, as the Administration suggested. The project will improve flood protection for an extensively developed urban area along Brays Bayou in southwest Harris County including tens of thousands of residents in the flood plain, the Texas Medical Center, and Rice University. The entire project will provide three miles of channel improvements, three flood detention basins, and seven miles of stream diversion resulting in a 25-year level of flood protection. Current funding is used for the detention element of the project. Originally authorized in the Water Resources Development Act of 1990 and reauthorized in 1996 as part of a $400 million federal/local flood control project, over $20 million has already been appropriated for the Brays Bayou Project.

However, besides the admirable consideration the Subcommittee has given Brays Bayou, I believe this bill is spread too thin as a result of the extreme position taken by the Administration on the Army Corps of Engineers Construction account, which was slated to be cut $600 million. Instead, my colleagues have lowered that cut to $70 million below the 2001 level. When I introduced an amendment to remedy this in the mark-up of the budget, I warned that Congress would not stand for such a large shortfall affecting public safety and navigational water projects. I am relieved that much of the proposed cut was restored, and I commend the Chairman and ranking Member for their effort.

I appreciate that the Committee saw fit to fully fund the Administration's request for the Sims Bayou project. Unfortunately, the Administration did not request the full amount the Corps says is necessary to keep the project on schedule. My constituents are adversely affected by delayed work on the Sims Bayou. According to the Galveston District of the Corps, without funding the full $12 million capability of Corps for Sims, construction will fall behind schedule. This funding is needed because of the great risks people have faced and will continue to face until completion of the project in this highly populated watershed. The need was illustrated when Tropical Storm Allison caused great damage to thousands of homes in this watershed several weeks ago.

The project is necessary to improve flood protection in the extensively developed urban area along Sims Bayou in southern Harris County. The Sims Bayou project consists of 19.3 miles of channel enlargement, rectification, and erosion control and will provide a 25-year level of flood protection. Before the funding shortfall, the Sims Bayou project was scheduled to be completed two years ahead of schedule in 2009. We cannot be confident of that prediction unless Sims funding is raised to $12 million in the Senate version and the Conference Report.

Flood control projects are necessary for the protection of life and property in Harris County, but improving navigation in our Port is an integral step for the rapid growth of our economy in the global marketplace. Therefore, Mr. Speaker, I am disappointed that this legislation provides only $30.8 out of the needed $46.8 million for continuing construction on the Houston Ship Channel expansion project. When completed, this project will generate tremendous economic and environmental benefits to the nation and will enhance one of our region's most important trade and economic centers.

The Houston Ship Channel, one of the world's most heavily-trafficked ports, desperately needs expansion to meet the challenges of expanding global trade and to maintain its competitive edge as a major international port. Currently, the Port of Houston is the second largest port in the United States in total tonnage, and is a catalyst for the southeast Texas economy, contributing more than $5 billion annually and providing 200,000 jobs.

The Houston Ship Channel expansion project calls for deepening the channel from 40 to 45 feet and widening it from 400 to 530 feet. The ship channel modernization, considered the largest dredging project since the construction of the Panama Canal, will preserve the Port of Houston's status as one of the premier deep-channel Gulf ports and one of the top transit points for cargo in the world. Besides the economic and safety benefits, the dredged material from the deepening and widening will be used to create 4,250 acres of wetland and bird habitat on Redfish Island. I want to take this opportunity to urge those who will be conferees on this legislation to fund the Port of Houston project to its capability. This project is supported by local voters, governments, chambers of commerce, and environmental groups.

I thank all the subcommittee members, the Chairman, the Ranking Member, and especially Representative EDWARDS for their support and their work under tough budgetary circumstances.

Mr. GILMAN. Mr. Chairman, I rise in strong support of H.R. 2311, the fiscal year 2002 energy and water appropriations bill. I commend the committee's distinguished Chairman, Mr. CALLAHAN for his diligence and work on this important fiscal year 2002 appropriations bill.

H.R. 2213 is an important appropriations measure that funds our Nation's waterways, flood control, and irrigation infrastructure, as well as various important programs administered by the Department of the Energy.

Included in this measure is $100,000 for the Ramapo-Mahwah flood control project. This project involves the construction of features for flood protection along the Ramapo and Mahwah Rivers in Mahwah, New Jersey and Sufferen, New York. Flooding has occurred frequently over the past 33 years, causing extensive damage. Accordingly, the inclusion of this funding will provide the Army Corps with the funding necessary to proceed forward with the first-step to initiate a refinement of the project's cost.

Moreover, H.R. 2213 includes an appropriation of $3 million for the New York City Watershed Protection Program. Nine million New Yorker's receive their drinking water from the New York City watershed. Accordingly, it is imperative that public health and environmental concerns be addressed along the New York City watershed. This appropriation will provide assistance for New York State for the design and construction of water supply, storage, treatment and distribution facilities, and surface water resource protection and development projects.

Accordingly, I urge all of my colleagues to support this important bill.

Mr. NUSSLE. Mr. Chairman, I rise in favor of H.R. 2311, making appropriations for energy and water development for fiscal year 2002. This bill is consistent with the levels set forth in the budget resolution and complies with the Budget Act.

H.R. 2311 provides $23.7 billion in discretionary budget authority and $24.9 in outlays for the Department of Energy, the Bureau of Reclamation and various independent agencies.

This is a straightforward bill that neither designates emergencies nor provides advanced appropriations. The bill also does not rescind any previously enacted budget authority.

The bill is within the 302(b) allocation of the Appropriations' Subcommittee on Energy and Water. It therefore complies with section 302(f) of the Congressional Budget Act, which prohibits consideration of appropriations measures that exceed the appropriate subcommittee's 302(b) allocation.

On this basis, H.R. 2311 is worthy of our support.

The CHAIRMAN. Under the previous order of the House, no further amendments are in order.

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. BIGGERT) having assumed the chair, Mr. SIMPSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, pursuant to House Resolution 180, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 405, nays 15, not voting 13, as follows:

[Roll No. 206]

YEAS—405

Abercrombie	Ballenger	Bilirakis
Ackerman	Barcia	Bishop
Aderholt	Barr	Blagojevich
Akin	Barrett	Blumenauer
Allen	Bartlett	Blunt
Armey	Bass	Boehlert
Baca	Becerra	Boehner
Bachus	Bentsen	Bonilla
Baird	Bereuter	Bonior
Baker	Berman	Bono
Baldacci	Berry	Borski
Baldwin	Biggert	Boswell

Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—15

Andrews
Berkley
Flake
Gibbons
Hostettler
Moran (KS)
Paul
Royce
Scarborough
Schaffer
Sensenbrenner
Shays
Stearns
Tancredo
Thune

NOT VOTING—13

Barton
Burton
Davis (FL)
Doggett
Gutierrez
Houghton
McCollum
Platts
Putnam
Ros-Lehtinen
Smith (TX)
Thomas
Weldon (PA)

□ 1245

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2180

Mr. FERGUSON. Madam Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 2180.

The SPEAKER pro tempore (Mrs. BIGGERT). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2330, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. HASTINGS of Washington. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 183 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 183

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for further 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 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from 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. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Madam Speaker, House Resolution 183 is an open rule providing for consideration of the bill H.R. 2330, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2002.

The rule provides 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule further provides that the bill shall be read for amendment by paragraph, and that the amendment printed in the report of the Committee on Rules accompanying the rule shall be considered as adopted.

The rule waives all points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI, prohibiting unauthorized or legislative provisions in a general appropriations bill.

Finally, the rule allows the chairman of the Committee of the Whole to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD, and provides one motion to recommit with or without instructions.

Madam Speaker, H.R. 2330 appropriates $74.2 billion in fiscal year 2002 budget authority for agriculture and

related programs through the Department of Agriculture and other agencies. This figure is $2.4 billion less than last year's appropriations, but $234 million more than the President's request.

The bulk of the spending goes to food stamps, $22 billion; the Food and Drug Administration, $1.2 billion; child nutrition programs, $10.1 billion; supplemental nutrition for Women, Infants and Children, $4.1 billion; and the Federal Crop Insurance Program, $3 billion.

In addition, this bill provides $1 billion for the Agriculture Research Service; $720 million for the Food Safety and Inspection Service; and $946 million for the Farm Service Agency.

Madam Speaker, I am particularly pleased that the Committee on Appropriations has included $150 million for market loss payments for America's apple growers. As a representative of the number one apple-producing district in the Nation, I am acutely aware of the devastating losses sustained by apple growers in the past year.

In our area, for example, countless warehouses, packing houses and other apple-related businesses have either shut down, declared bankruptcy, or downsized dramatically. In county after county, growers find that it costs substantially more to produce a box of apples than the market will pay to buy it.

And, unlike many farms that can easily switch crops when prices are down for one commodity, apple growers cannot simply pull up their orchards and grow something else for a few years until apple prices go back up again. In the face of unfair competition from China and other Asian nations, our growers have few tools with which to fight back.

Apple growers are an unusually independent breed. They have suffered ups and downs of the market for years without asking for any kind of Federal assistance that has long been common to other types of commodities and farming. But never before have we suffered the kinds of losses we are experiencing right now. For that reason, I would like to commend the gentleman from Florida (Mr. YOUNG) and the gentleman from Texas (Mr. BONILLA) and their colleagues on the Committee on Appropriations for recognizing the dire situation in apple country and for providing this much-needed assistance.

Madam Speaker, this is a fair bill. It funds a number of high-priority programs while cutting out wasteful, unnecessary and duplicative spending. Accordingly, I urge my colleagues to support both this open rule and the underlying bill, H.R. 2330.

Madam Speaker, I reserve the balance of my time.

Mr. HALL of Texas. Madam Speaker, I yield myself such time as I may consume, and I thank the gentleman from Washington (Mr. HASTINGS) for yielding me the customary time.

Madam Speaker, this is an open rule. It has everything to do with the bill that makes appropriations for the Department of Agriculture and other related agencies for fiscal year 2002. As my colleague from Washington described, this rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

This allows germane amendments under the 5-minute rule. This is the normal amending process in the House. All Members, on both sides of the aisle, will have the opportunity to offer amendments that do not violate the rules for appropriations bills.

Madam Speaker, this is generally a good bill that serves America's farmers as well as the poor and hungry in this land. And I commend the ranking Democrat, the gentlewoman from Ohio (Ms. KAPTUR), and the gentleman from Texas (Mr. BONILLA), the chairman of the agriculture appropriations subcommittee, for their work. They have done a fine job working with funding levels that are too low for their important jobs.

The bill funds child nutrition programs at a rate slightly higher than last year. It also increases funding for the food stamp program and gives a small boost to food banks. Funding for the WIC program, which feeds mothers and their children, is given a small increase over last year. Unfortunately, this increase is insufficient to meet the demand for this popular program. Monthly participation is exceeding the administration's projections, which will result in an estimated 100,000 to 200,000 eligible people not being served.

I am disappointed with the actions of the Committee on Rules which failed to make in order an amendment by the gentlewoman from Ohio (Ms. KAPTUR) to fund the Global Food for Education Initiative, which is commonly known as the Global School Lunch Program.

Here in this country, the school lunch program has been one of the most successful nutrition programs. A hungry child faces an extra challenge in school. This program promotes education by making sure that each day all children receive at least one nutritious meal.

What works in the United States ought to work around the world. If we believe in education for children, we should promote this program. Also, this is a great help to our farmers, and it is being championed by former Senators George McGovern and Bob Dole.

During consideration of this measure by the Rules Committee last night, I offered a motion to permit the gentlewoman from Ohio (Ms. KAPTUR) to offer her amendment to fund the Global School Lunch Program. The amendment was defeated on a straight party-line vote, with Democrats supporting the program and Republicans opposing it.

The gentlewoman from Ohio's (Ms. KAPTUR) amendment could not be accepted because it went over budget. However, at the same time, this same Committee on Rules approved an amendment that will add $150 million over the budget to pay apple growers.

The Rules Committee also denied a request by the gentlewoman from Connecticut (Ms. DELAURO) to offer an amendment to increase food safety inspections. Food imports are increasing; yet funding for food inspectors is not adequate to keep pace. This amendment, which is important to our health and safety, should have been made in order.

Madam Speaker, I do not agree with these priorities. I support the bill, but I cannot support the rule that turns down these amendments that I just talked about.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I yield as much time as he may consume to the gentleman from Texas (Mr. BONILLA), the chairman of the subcommittee.

Mr. BONILLA. Madam Speaker, I thank the gentleman from yielding me this time, and I thank the ranking member, the gentlewoman from Ohio (Ms. KAPTUR), for her hard work. It has been a long, tough road for many of us; but in the end I think we can proudly say this is a bipartisan bill.

Madam Speaker, I rise in strong support of the rule, and in strong support of the bill that will follow. This is a good, bipartisan bill. I have worked strongly and consistently as chairman of this subcommittee to try to be inclusive, working closely with every Member on both sides of the aisle to try to address as many of the issues as we possibly could in putting this bill together.

Our subcommittee heard many hours of testimony in previous days to get to this point. Many of the hours we spent listening to witnesses involved food safety, and that is something that both of us have worked on, the gentlewoman from Ohio (Ms. KAPTUR) and I, to address these issues. There is great concern in the communities about the threats that exist from diseases that are now prevalent in other countries, primarily in Europe, that many of us are concerned about. Livestock producers, especially with the threat of foot-and-mouth disease and mad cow disease, are concerned, and we have addressed many of these concerns.

We have worked in a bipartisan way to increase the number of inspectors for the Food and Drug Administration to give them more resources to do their job. All of the inspection accounts that are important to keep our food supply and our industry safe from threats from abroad we have addressed in a strong way, and I think I speak for every member of the subcommittee as well, who would agree.

□ 1300

It has been a tough road as well because we have received over 2,500 individual requests for projects from individual Members around the country.

We have done our best to try to take care of everyone that we possibly could.

The gentleman from Ohio (Mr. HALL) mentioned the reference to an amendment involving apples. We know that apple producers are facing a tremendous problem right now in trying to deal with some adverse conditions that they are faced with. This was an amendment presented by our good friend, the gentleman from New York (Mr. HINCHEY), who has worked very hard on this issue; and this amendment has bipartisan support.

Honestly, the Members know that we have tried to keep these authorizing issues and new programs off of our appropriations bill; but in this case, the committee worked its will. And we have this program in this bill. We know that there will be some contentious times in trying to deal with this as we move through this bill, but we expect to do that.

All in all, I think we can all stand up and say we are proud of what we have accomplished here. The Committee on Rules has also worked very hard to deal with some of the problems in moving this bill to the floor. Again I want to thank the gentleman from Washington (Mr. HASTINGS), the gentleman from California (Mr. DREIER), and all the members of the Committee on Rules for taking a lot of time and energy to get us to this point and hope that, in a bipartisan way, we can support the rule and the bill.

Mr. HALL of Ohio. Madam Speaker, I yield 3½ minutes to the gentlewoman from Ohio (Ms. KAPTUR), who has been a great proponent and advocate for hungry people all over the world and in her own country.

Ms. KAPTUR. Madam Speaker, I thank the esteemed ranking member for yielding time to me on this rule on our agriculture appropriation bill for the year 2002. Let me say that it has been a pleasure to work with our new chairman, the gentleman from Texas (Mr. BONILLA). We think we have perfected the bill as it has moved through subcommittee and full committee. Nonetheless, I must rise reluctantly to oppose this rule.

We did go before the Committee on Rules to try to get the permission to offer amendments here on the floor today. We were refused. I wanted to go through a few of those amendments that we believe are worthy and would make this a much better bill.

Probably one of the most important is the Global Food for Education initiative inspired by the work of Senators Bob Dole and George McGovern. It takes our school lunch program from this country and extends its concept abroad, using food to help over 9 million needy children in 38 countries to both promote their education and help them develop fully by having decent nutrition. We very much want to continue this program. We really believe that we allowed ourselves to become bottled up by artificial budget rules that prevented us from going on record to do what is right in this current bill. We would very much like to have this Global Food for Education program extended directly by Congress as a part of the regular order in this appropriation bill.

The gentlewoman from Connecticut (Ms. DELAURO) will probably be speaking against the rule soon on the question of food safety and improved food inspection. On the surface, the bill before us looks like it provides more money for those needs, but it almost only pays costs to staff to hold on to what we have. Can anyone here really accept the fact that the Food and Drug Administration can barely inspect 1 percent of the products coming across our borders every day? That means 99 percent of imported product is not tested. Is that the gold standard of safety we hear so much about? And can we really believe that we have the information on the testing of practices like irradiation and enhanced food safety standards? No. In fact, in the subcommittee bill, we were able to get language on irradiation to do the kind of baseline studies that are necessary to assure irradiated food safety to consumers, but then those were stripped at the full committee level.

In the area of biofuels funding, the Bush administration has made over 100 recommendations to try to help America move forward and become more energy independent, but not a single one of those recommendations asks the Secretary of Agriculture to do anything. Yet we know that ethanol and biofuels and fuels based on biomass are in our sustainable energy future and that the Department of Agriculture should not be exempt from this important national challenge.

Finally, in the area of 4–H, we will be offering an amendment here on the floor to try to provide some of the initial funding for the measures that were passed here in the House this past week and in the Senate last week to celebrate the anniversary of 4–H. Let us put the money that is in the authorizing bill in this appropriation bill so that, in fact, there is no lapse of time.

For all these reasons, I do oppose the rule and look forward to the debate on the bill as the afternoon proceeds. I thank the gentleman from Ohio for yielding me the time and the committee for allowing me this opportunity to speak against the rule.

Mr. HASTINGS of Washington. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from Iowa (Mr. NUSSLE), the distinguished chairman of the Committee on the Budget.

Mr. NUSSLE. Madam Speaker, I wish to engage in a colloquy with the gentleman from Florida (Mr. YOUNG), the very distinguished chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Madam Speaker, I would be pleased to enter into such colloquy with the gentleman from Iowa.

Mr. NUSSLE. I thank the gentleman.

It is my understanding that upon adoption of the rule, the appropriations bill will exceed the Subcommittee on Agriculture and Rural Development's 302(b) allocation by $150 million.

Mr. YOUNG of Florida. I would say to the gentleman that his understanding is correct. The gentleman from Texas (Mr. BONILLA), the chairman of the subcommittee, developed a bill that was within its 302(b) allocation as set by the Committee on Appropriations. However, the bill as reported from the committee included an amendment, which I opposed, by the way. This amendment included additional spending that really should be mandatory and under the jurisdiction of the Committee on Agriculture. However, the Committee on Appropriations adopted this amendment, which would provide an additional $150 million in emergency funding to assist apple producers.

Some Members expressed concern over the emergency designation, which in effect would increase spending above the level assumed by the budget resolution, so that designation will be eliminated from the bill by the rule before us at the present time. As a result of this action, the total funding in this bill will be $150 million over the 302(b) allocation. However, the Committee on Appropriations has not exceeded our 302(a) allocation as set by the Committee on the Budget.

I want to assure the gentleman from Iowa and Members that it was not the intent and it is not the policy of the Committee on Appropriations to present a bill that is in excess of its allocation. It is simply the fact that after extensive discussions with the leadership, the Committee on Agriculture, and the Committee on the Budget, it was determined that the most expeditious way to resolve the matter and get this bill on the floor was the elimination of the emergency designation.

Mr. NUSSLE. It is my further understanding that the Committee on Appropriations will increase the subcommittee's 302(b) allocation to the level provided by this bill and adjust the 302(b) allocations for other subcommittees by an offsetting amount.

Mr. YOUNG of Florida. Madam Speaker, the gentleman's understanding is correct. It is the intent of the Committee on Appropriations to address this matter the next time it meets to consider revisions to the allocations by increasing the 302(b) allocation for this bill to a level equal to the amount this bill as passed by the House and to reduce other allocations for outstanding bills by the same amount.

The committee does not intend a wholesale reprioritization of the budget to address this matter. We are also somewhat limited in our options because we have already passed three bills out of the House. It is not the intent of the Committee on Appropriations to reduce the 302(b) allocations of bills previously passed by the House to

accommodate this spending in the agriculture bill.

However, this does not mean the committee is precluded from a later reallocation as we work on these bills with the Senate during conference deliberations. Further, I would say to the gentleman from Iowa that it is my intention that the defense allocation will be preserved and maintained. Defense will be made whole. We will ensure that the allocations are adjusted to be in conformance with the Budget Act and that our bills are consistent with their allocations. I want to assure the gentleman that we will fully abide by the provisions of the Budget Act.

Mr. NUSSLE. Madam Speaker, I thank the gentleman for his clarification of this matter.

Mr. HALL of Ohio. Madam Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. I thank the gentleman for yielding me the time.

Madam Speaker, I think that overall there are many things to commend this bill, but I think there are a number of serious omissions which the House ought to deal with before we pass the bill on to the Senate. To express those concerns, I intend personally to vote against the rule although I will probably, unless something unforeseen happens, support the bill on final passage.

First of all, I believe that we have something approaching a national crisis with respect to public confidence in the safety of the food that we import and that we consume. All of us have seen story after story about the outbreak of serious disease associated with consuming food. We have had over 5,000 Americans die last year from food borne illness.

I saw a horror story a few days ago about the fact that a number of people in South Dakota and Minnesota had gotten deathly ill because they had consumed ground beef that contained ground-up animal thyroids. Those thyroids in the past had not been included in the food supply. But because we now have synthetic thyroid drugs, those animal thyroids are no longer used to the extent they were before to make thyroid medicine and so one meatpacking plant had simply ground the thyroid up with the rest of the animal. The result was that a good many people got deathly sick.

We have seen a lot of other examples. If we take a look at what the FDA has to say about the adequacy of our inspection system for foodstuffs that come into the United States, for instance, we see that they inspect less than 1 percent of everything that is imported into this country. We believe that that constitutes a true crisis. I think that if we do not act on this crisis, it will hurt not only consumers but the very farmers that many of us represent, because farmers depend on a high level of consumer confidence in order to be able to sell their products.

And while there is no question that our food supply is among the safest in the world, we still have a lot of problems that could be taken care of if we put the needs of food safety, for instance, ahead of the needs of the wealthiest 1 percent of the people in this country to get a $53,000 tax cut next year. We have some choices to make, and we are being prevented from making them by the choices that were already made by this House on the tax bill.

We also have the question about whether or not WIC is being funded adequately. It certainly appears to me that the funding level in this bill is not adequate. Yet we are not, under the rule, going to be allowed to do anything about that.

And then, thirdly, we have the effort that we tried to make in the full committee to take surplus food which we have in this country and make it available to children around the world. We have a program at USDA that did that last year; and we have been urged by Senator George McGovern and Senator Bob Dole, two people, who in the history of this Congress on a bipartisan basis have forgotten more about nutrition programs than most of us have ever learned, they both urge us to continue this program. USDA will not get off the dime and make up their mind one way or another. We tried to get that done as well in this bill and were blocked procedurally from doing so.

□ 1315

So for these reasons, it seems to me that we ought to vote down this rule and bring back a rule that will allow us to recognize a legitimate crisis with respect to public confidence in the safety of our food supply, and also allow us to address the other two issues that I have mentioned here today.

So I would urge a no vote on the rule so that we can get a better rule under which to debate this otherwise fairly constructive bill.

Mr. HASTINGS of Washington. Madam Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. LATHAM), a member of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies.

Mr. LATHAM. Madam Speaker, I thank the gentleman from Washington (Mr. HASTINGS) and very much appreciate him yielding me the time.

Madam Speaker, first of all, I want to thank the Committee on Rules for a fair, open rule and for their work. This will bring this bill to the floor in a manner that will open debate and bring out a lot of different points of view. I appreciate it very much.

I also want to thank the chairman of the subcommittee, the gentleman from Texas (Mr. BONILLA), for a great job that he has done and the ranking member, the gentlewoman from Ohio (Ms. KAPTUR), for all the work and cooperation that we have seen on both sides. The staff on this bill has done a tremendous job and their efforts are very much appreciated.

This is a bipartisan bill and it is brought to the floor with, I think, agreement that the real needs of the agriculture community, of the people who are needing assistance for food, is met and that it is a bill that I think we can all support in the House.

There are a couple items that I am very pleased that were included. One is funding for the National Animal Disease Center in Ames. This is in response to real concerns that we have with foot and mouth disease; mad cow disease; those types of problems that can be devastating to our livestock industry; and also for food safety for Americans. Also, they have increased the funding for the AgrAbility program, something that is very dear to me. What this program does is help people continue to farm even with disabilities, and the level of $4.6 million in this bill for this very important program is very much appreciated.

This bill funds our research in a manner that agriculture is desperately in need of, new opportunities, new ways of adding value to our products. The way to do that is through research. So I am very pleased with the emphasis that the chairman has put on research.

Also, a key element for the Department is food safety. I am very pleased that the FDA has increased funding of $115 million to a level of $1.18 billion. That is the largest increase in history. The Food Inspection Service has an increase of $25.4 million, raising that total to $720 million, also a very substantial increase to meet the needs that we have to provide not only the best quality food but the safest food anywhere to be found in the world.

So, again, I ask Members to support this rule, support this bill. It is good for agriculture. It is good for all of our citizens.

Mr. HALL of Ohio. Madam Speaker, I yield 5 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Madam Speaker, I rise in opposition to the rule. It busts the budget caps. There has been a double standard applied to some programs within this bill, and I was fully supportive of the assistance to apple growers in this country, because I think it is the right thing to do to help an industry out when they need that help.

On the other hand, what they have done here with the Committee on Rules is they have made an exception for one emergency and have said no to all other emergencies that face American families. Whether it is family farmers facing the loss of their family farms, whether it is biodiesel fuels, Meals on Wheels, low-income nutrition assistance, we have emergencies that we need to address. We just cannot pick and choose which ones we want and which ones are politically advantageous.

Specifically, this rule blocks an amendment that I brought to the committee to provide urgent emergency

funds to address the food safety crisis. Americans are more likely to get sick from what they eat today than they were a half century ago, and the outbreak of food sickness is expected to go up by as much as 15 percent over the next decade. Each year, some of my colleagues have mentioned this already, 5,000 Americans die from foodborne illnesses, 76 million get ill and 325,000 are hospitalized. Just 2 days ago, the Excel Corporation recalled 190,000 pounds of ground beef and pork because of the possible contamination by deadly E. Coli in Kentucky, in Tennessee, in Georgia. Sara Lee pled guilty to selling tainted meat that was linked to a nationwide listeriosis in 1998 that killed 15 people. Grocery stores are afraid that their fruit is unsafe to sell.

Lest one thinks that these are things that I just made up, we have a number of headlines from recent news: A Big Recall of Meat Amid E. Coli Fears; Sara Lee Fined in Meat Recall Linked to 15 Deaths; USDA Blamed in Slaughter Violations; Grocers Demand Produce Inspections; Contaminated Food Makes Millions Ill Despite Advances.

Experts like Joe Levitt from the FDA are telling the press that, quote, we do have a real problem. To address this problem, I asked the committee to allow an amendment to provide $213 million in emergency funds, $90 million to increase inspection of imported foods from 1 to 10 percent, $73 million for over 600 new inspectors to inspect all high-risk and domestic firms twice a year and all other domestic firms every 2 years, and $50 million for the food safety and inspection service to ensure the implementation of new food safety procedures to strengthen our food safety efforts.

The Food and Drug Administration inspects all food except meat, poultry, and eggs. They inspect fruit juices, vegetables, cheeses, and seafood. These foods are the sources of 85 percent of food poisoning; and last year, recalls of FDA-regulated products rose to 315, the most since the mid-1980s, and 36 percent above the average.

FDA inspects less than 1 percent of imported food that comes into the United States, and this is a market that has expanded from 2.7 million items coming in to our country to 4.1 million items, and that increase has happened in just the last 3 years.

In the domestic market, the FDA inspects high risk firms no more than once a year and other firms are inspected only once in 7 years.

The FDA has only 400 people to inspect all domestic food, and we have 30,000 domestic food producers and food plants in the United States. They have less than 120 people to inspect imported food. Food Safety and Inspection Service has held public hearings on a wide range of issues: procedures for imported food, risk management, emergency outbreaks. We know what has happened in Europe with foot and mouth. We know about the threat of mad cow. It is vital that the FSIS has the resources it needs. American families should be able to go out to dinner, to buy food, and not be fearful that they or their children or their families are going to be in jeopardy.

In the 1920s, Upton Sinclair wrote in a novel, The Jungle, he highlighted the abuses of the meat packaging industry. It brought a wave of reform in this country. We need to move forward on food safety, not to move backward to the days that Sinclair wrote about. This is about providing the agency that was responsible for protecting our food supply, give them the resources to have the inspectors that they need in order that Americans will be safe.

I urge my colleagues to oppose this rule.

Mr. HASTINGS of Washington. Madam Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. NUSSLE), the distinguished chairman of the Committee on the Budget.

Mr. NUSSLE. Madam Speaker, I rise to support the rule and to speak in favor of H.R. 2330, providing appropriations for agriculture and related agencies. As reported by the Committee on Appropriations, this bill is technically consistent with the budget resolution and complies with the Congressional Budget Act. As the chairman of the Committee on the Budget, I wish to report to my colleagues that H.R. 2330 provides $15.7 billion in budget authority and $15.97 billion in outlays for fiscal year 2002. The bill does not provide any advanced appropriations.

As reported, the bill also designates $150 million in emergencies, which increased both the levels of the budget resolution and the caps by the same amount. It also rescinds $3.7 billion, but this rescission produces no savings in outlays. As reported by the Committee on Appropriations on June 27, the bill does exceed the Subcommittee on Agriculture, Rural Development, Food and Drug's 302(b) allocation. Therefore, it does not violate section 302(f) of the Budget Act, which prohibits the consideration of appropriation legislation that exceeds the reporting subcommittee's 302(b) allocation.

Members may be aware that I am concerned and have been concerned that the reported bill designates $150 million as an emergency for the purpose that is already accommodated in the budget resolution. This designation had the effect of increasing the levels of the budget resolution and the statutory caps by the same amount. The budget resolution clearly anticipated the need for additional agricultural assistance by increasing the Committee on Agriculture's allocation by $5.5 billion in fiscal year 2001.

Indeed, earlier this same week, the House passed a bill that provided that same $5.5 billion in agricultural emergency assistance. That bill provided $169 million for the producers of specialty crops. In addition, the budget resolution provided another $7.3 billion of agriculture spending in fiscal year 2002 and included a procedure that could increase the total to as much as $63 billion. The Committee on Agriculture is free to use that portion and allocation as it sees fit for specialty crops.

While I continue to have concerns about the emergency designation, the chairman of the Committee on Appropriations and I have agreed, and we just shared that colloquy on the floor a moment ago, that the designation would be stricken by this rule and that the bill would be protected from resulting points of order.

Furthermore, the gentleman from Florida (Mr. YOUNG) agreed that the Committee on Appropriations would revise its 302(b) allocations and reflect the fact that the bill would be offset by other appropriation bills. It was further agreed that the offsets would not come out of the bills that have already passed the House or bring Defense below the levels of the President's budget submission. The gentleman from Florida (Mr. YOUNG) is a man of his word. He has done his best in bringing this bill to the floor, as has the gentleman from Texas (Mr. BONILLA).

In view of the good faith comments of the gentleman from Florida (Mr. YOUNG) and commitments in this regard, I urge Members not only to support the bill but to support the rule.

Mr. HALL of Ohio. Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. LAHOOD), my distinguished colleague and classmate.

Mr. LAHOOD. Madam Speaker, I thank the gentleman from Washington (Mr. HASTINGS) for yielding me the time.

Madam Speaker, I want to pay my compliments to the chairman of the committee, the gentleman from Texas (Mr. BONILLA) and his staff and also to the gentlewoman from Ohio (Ms. KAPTUR) and the staff on the Democratic side for putting together a good bill. I think there is no doubt that every Member that is on the subcommittee, of which I am the newest Member, believes that this is a good bill. Even though there are some who believe that the rule did not allow for some consideration of opportunities to solve some problems, many of those problems were discussed in the subcommittee and many amendments were offered. As many amendments as people wanted to offer were able to be offered, thanks to the chairman. I know that the ranking member, the gentlewoman from Ohio (Ms. KAPTUR) offered many amendments, some of which were adopted, some of which were not. Other Members had the same opportunity.

So this notion that this is not a good rule because some people do not have the opportunity, those opportunities were provided to the subcommittee Members, and there was a full debate on many of these issues. Although I am

a new member of the subcommittee, I am certainly not new to the issues of agriculture. During the last 6 years, and I have been a member of the agricultural authorization committee and I have worked very hard with many Members, including some who are in the Chamber today, on agricultural issues, in trying to solve agricultural problems.

Agriculture is in a recession. This bill helps agriculture in solving many of the problems that we have with respect to the recession that currently exists.

□ 1330

A big piece of this bill has to do with research. I agree with the gentleman from Iowa when he says that research is about the future of agriculture. It is also about the future of how we get agriculture out of the recession that agriculture is currently in.

I have an agriculture research lab in my hometown of Peoria. They do marvelous work. The people there are very professional chemists and professional people who do the work that really helps us plan for the future uses of commodities and other fruits and vegetables and specialty crops that we grow in this country.

So the emphasis on research in this bill is extraordinary. The amount of money dedicated to research in this bill is extraordinary. It makes an awful lot of sense, I think, to pass the rule and certainly pass the bill. There will be some opportunities for some people to make modifications or offer amendments, and then there will be additional time, obviously later on, when there is a conference.

But today I think is the day to pass the rule, pass this good bill, keep things moving, and really assist those in agriculture who need the kind of assistance and help and research funds that this bill provides.

Mr. HASTINGS of Washington. Madam Speaker, I am pleased to yield such time as he may consume to the gentleman from Texas (Mr. SESSIONS), a colleague on the Committee on Rules.

Mr. SESSIONS. Madam Speaker, I thank the gentleman from Washington, my colleague on the Committee on Rules, for yielding me time.

Madam Speaker, my colleagues understand what we are talking about today is the rule. That is what we are debating right now, about whether we are going to move forward on the rule, an opportunity to put this on the floor, an opportunity to vote on this and get the appropriations bill done before we go home.

I think it is important to understand that what this rule provides for is an incredible amount of money for some very important projects, to some things that sustain America, to some things that we have, how we deal with people in our country.

We should not go too far from understanding that this bill provides $22 billion for food stamps. This bill provides $1.2 billion for the Food and Drug Administration. They know how to administer their business. They know what they are doing, and $1.2 billion will cover that. Child nutrition programs, $10.1 billion. The Supplemental Nutritional Program for Women, Infants and Children, known as WIC, $4.1 billion.

What we are doing with this bill and with this rule is to make sure that the agriculture of this country is not only safe and the food they produce is reliable, but we are also trying to make sure that we look at the resources and assets that we have in this country and say that we believe that conservation programs are important; we think people who are engaged in agriculture are important.

We are making sure that our Federal Crop Insurance Corporation is funded, $3 billion. We are trying to prepare ourselves to make sure that people who live in rural areas and who are in agriculture know that Washington will deal fairly with them.

But we also recognize that part of the argument we are going to hear today is we are not spending enough money. Well, I might remind my colleagues that we can never spend enough money to make sure that some people in this body will always be happy, but that we do go back to the budget that we set in place earlier in the year, and that this program that we are doing for the 2002 agriculture appropriations act falls in line with what this body said it would do. Then, through the leadership of the gentleman from Texas (Mr. BONILLA), we have had an opportunity to craft through many discussions and through many votes a policy of this country that is good on a moving-forward basis.

So I support what we are doing here today. This rule is important for us to continue the process, not only on this appropriations bill, but to make sure that we finish in time and move forward on the commitment that we have to the country, to make sure that the public policy of this Republican Congress and, yes, one that the President will sign, to make sure that people who are involved in agribusiness and consumers and, yes, women and children and people who are on food stamps, will make sure that the system is there and reliable and works properly.

So I applaud the gentleman from Texas (Mr. BONILLA) for his hard work, and our chairman, the gentleman from Florida (Mr. YOUNG), and also the gentleman from Washington (Mr. HASTINGS), a member of the Committee on Rules who has worked carefully to make sure that this rule is fair and open. Lastly, I would like to give accolades to the gentleman from California (Mr. DREIER), who is our chairman, who has worked very diligently to make sure that the rule that was crafted not only exemplified what this body would be in favor of, but would also be something that people in his home State of California would be proud of.

Mr. HALL of Ohio. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I think this is a good rule. It is an open rule that we typically have for appropriations bills.

As was mentioned earlier, there was some criticism by members of the Committee on Rules not allowing some amendments to be made in order. I think what the Committee on Rules really did was protect the product of the Committee on Appropriations.

Yes, there were some waivers in this; but essentially the will of the Committee on Appropriations was such that they went through their process and added some issues to this bill that required waivers. We gave them, and protected the product that they desired.

Madam 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 (Mrs. BIGGERT). The question is on the resolution.

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

Mr. HALL of Ohio. Madam 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 222, nays 194, not voting 18, as follows:

[Roll No. 207]

YEAS—222

Aderholt	Crane	Graham
Akin	Crenshaw	Granger
Armey	Cubin	Graves
Bachus	Culberson	Green (WI)
Baker	Cunningham	Greenwood
Baldacci	Davis, Jo Ann	Grucci
Ballenger	Davis, Tom	Gutknecht
Barr	Deal	Hall (TX)
Bartlett	DeLay	Hansen
Bass	DeMint	Hart
Bereuter	Diaz-Balart	Hastert
Biggert	Doolittle	Hastings (WA)
Bilirakis	Dreier	Hayes
Blunt	Duncan	Hayworth
Boehlert	Dunn	Hefley
Boehner	Ehlers	Herger
Bonilla	Ehrlich	Hilleary
Bono	Emerson	Hinchey
Boyd	English	Hobson
Brady (TX)	Everett	Hoekstra
Brown (SC)	Ferguson	Holden
Bryant	Flake	Horn
Burr	Fletcher	Hostettler
Buyer	Foley	Hulshof
Callahan	Forbes	Hunter
Calvert	Fossella	Hutchinson
Camp	Frelinghuysen	Hyde
Cannon	Gallegly	Isakson
Cantor	Ganske	Issa
Capito	Gekas	Istook
Castle	Gibbons	Jenkins
Chabot	Gilchrest	Johnson (CT)
Chambliss	Gillmor	Johnson (IL)
Coble	Gilman	Johnson, Sam
Collins	Goode	Jones (NC)
Cooksey	Goodlatte	Keller
Cox	Goss	Kelly

Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Maloney (NY)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NAYS—194

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Borski
Boswell
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Combest
Condit
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinojosa
Hoeffel
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wynn

NOT VOTING—18

Barton
Bonior
Boucher
Burton
Conyers
Dingell
Houghton
Largent
Meek (FL)
Owens
Platts
Putnam
Rahall
Ros-Lehtinen
Slaughter
Smith (TX)
Thomas
Weldon (PA)

□ 1401

Mrs. TAUSCHER, Ms. ESHOO, Mr. WAXMAN, and Mr. RUSH changed their vote from ''yea'' to ''nay.''

Messrs. MANZULLO, TAYLOR of North Carolina, and BALDACCI changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

The motion to reconsider was laid on the table.

Stated against:

Ms. SLAUGHTER. Madam Speaker, I was unavoidably detained due to emergency dental work during rollcall vote No. 207. Had I been present, I would have voted "no" on rollcall vote No. 207.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ed Thomas, one of his secretaries.

ANNUAL REPORT OF THE CORPORATION FOR PUBLIC BROADCASTING—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mrs. BIGGERT) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Energy and Commerce:

To the Congress of the United States:

In accordance with the Public Broadcasting Act of 1967, as amended (47 U.S.C. 396(i)), I transmit herewith the Annual Report of the Corporation for Public Broadcasting for Fiscal Year 2000.

GEORGE W. BUSH.

THE WHITE HOUSE, *June 28, 2001*.

GENERAL LEAVE

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and that I may include tabular and extraneous material on H.R. 2330.

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

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to House Resolution 183 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2330.

□ 1402

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2230) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes, with Mr. GOODLATTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Texas (Mr. BONILLA) and the gentlewoman from Ohio (Ms. KAPTUR) each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. BONILLA).

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

Mr. Chairman, we are delighted today to be presenting the Agricultural Appropriations bill for fiscal year 2002. I want to acknowledge the good work of the gentlewoman from Ohio (Ms. KAPTUR), my ranking member, who has contributed to this process over the last few weeks.

It has been a pleasure working with her and all the members of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies on both sides of the aisle.

I believe we have produced a good bipartisan bill that deals with a lot of the specific issues that Members are concerned about in their districts around the country, ranging from research projects to inspection issues, to FDA issues, to just any possible issue that has come up. There have been 2500-plus requests from individual Members, and we have done our best to accommodate that.

Mr. Chairman, I am just delighted that we have seen good, strong bipartisan support for the effort we have undertaken in putting this bill together.

Mr. Chairman, I am pleased to bring before the House today the fiscal year 2002 appropriations bill for Agriculture, Rural Development, the Food and Drug Administration and Related Agencies.

My goal this year has been to produce a bipartisan bill, and I believe we have done a good job in reaching that goal.

The subcommittee began work on this bill in early March, before the administration produced its budget. We had 6 public hearings

beginning on March 8. The transcripts of these hearings, the administration's official statements, the detailed budget requests, several thousand questions for the record and the statements of members and the public are all contained in six hearing volumes.

In order to expedite action on this bill, we completed our subcommittee's hearings on May 6.

The subcommittee and full committee marked up the bill on June 6 and June 13 respectively.

We have tried very hard to accommodate the requests of Members, and to provide increases for critical programs. We received 2,532 individual requests for specific spending, from almost every Member of the House. Reading all of the mail I received, I can confirm to you that the interest in this bill is completely bipartisan.

This bill does have significant increases over fiscal year 2001 for programs that have always enjoyed strong bipartisan support. Those increases include:

Agricultural Research Service, $79 million;

Animal and Plant Health Inspection Service, $55 million;

Food Safety and Inspection Service, $25 million;

Farm Service Agency, $201 million;

Natural Resources Conservation Service, $77 million; and

Food and Drug Administration, $120 million.

I would like to say that I am very happy that we were able to provide significant increases for the Food and Drug Administration. I think it is vitally important for that agency to have the resources to perform its public health mission. We are able to provide FDA the following increases above last year's level:

$15 million to prevent outbreak of BSE, or Bovine Spongiform Encephalopathy, which is commonly known as ''Mad Cow disease'';

$10 million to increase the number of domestic and foreign inspections, and to expand import coverage in all product areas;

$10 million to reduce adverse events related to medical products;

$10 million to better protect volunteers who participate in clinical research studies;

$9 million to provide a safer food supply;

$23 million to complete construction of the replacement facility in Los Angeles that we initiated last year;

And full funding of increased pay costs for existing employees.

I want to stress how important this is. In the past, FDA and all other agencies in this bill were forced to reduce the level of services provided to the public, in order to absorb legislated payroll increases. This year, we want to be sure that does not happen. I am sure that we all want to see that there is no slippage in research, application review, inspections, loan servicing, and all the other payroll-intensive operations that are financed through our bill. We worked hard to find these resources. I am glad we were able to do it, and I am sure the agencies will put them to good use.

Mr. Chairman, we all refer to this bill as an agriculture bill, but it does far more than assisting basic agriculture. It also supports human nutrition, the environment, and food, drug, and medical safety. This is a bill that will deliver benefits to every one of our constituents every day no matter what kind of district they represent.

I would say to all Members that they can support this bill and tell all of their constituents that they voted to improve their lives while maintaining fiscal responsibility.

The bill is a bipartisan product with a lot of hard work and input from both sides of the aisle. I would like to thank the gentleman from Florida, (Chairman YOUNG), and the gentleman from Wisconsin, (Mr. OBEY), who serve as the distinguished chairman and ranking member of the Committee on Appropriations. I would also like to thank all my subcommittee colleagues: the gentleman from New York (Mr. WALSH); the gentleman from Georgia (Mr. KINGSTON); the gentleman from Washington (Mr. NETHERCUTT); the gentleman from Iowa (Mr. LATHAM); the gentlewoman from Missouri (Mrs. EMERSON); the gentleman from Virginia (Mr. GOODE); the gentleman from Illinois (Mr. LAHOOD); the gentlewoman from Connecticut (Ms. DELAURO); the gentleman from New York (Mr. HINCHEY) the gentleman from Florida (Mr. BOYD).

In particular, I want to thank the gentlewoman from Ohio (Ms. KAPTUR), the distinguished ranking member of the subcommittee, for all her good work on this bill this year and the years in the past.

Mr. Chairman, I would like to include at this point in the RECORD tabular material relating to the bill.

Mr. Chairman, I include the following Comparative Statement of Budget Authority for the RECORD:

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 2002 (H.R. 2330)
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - AGRICULTURAL PROGRAMS					
Production, Processing, and Marketing					
Office of the Secretary	2,908	2,992	3,015	+107	+23
Executive Operations:					
Chief Economist	7,446	7,648	7,704	+258	+56
National Appeals Division	12,394	12,766	12,869	+475	+103
Office of Budget and Program Analysis	6,750	6,978	7,041	+291	+63
Office of the Chief Information Officer	10,029	10,261	10,325	+296	+64
Common computing environment	39,912	59,369	59,369	+19,457	.....
Office of the Chief Financial Officer	5,160	5,335	5,384	+224	+49
Total, Executive Operations	81,691	102,357	102,692	+21,001	+335
Office of the Assistant Secretary for Administration	628	647	652	+24	+5
Agriculture buildings and facilities and rental payments	182,345	187,581	187,647	+5,302	+66
Payments to GSA	(125,266)	(130,266)	(130,266)	(+5,000)	.....
Building operations and maintenance	(31,136)	(31,372)	(31,438)	(+302)	(+66)
Repairs, renovations, and construction	(25,943)	(25,943)	(25,943)	.....	.....
Hazardous materials management	15,665	15,665	15,665	.....	.....
Departmental administration	35,931	37,079	37,398	+1,467	+319
Outreach for socially disadvantaged farmers	2,993	2,993	2,993	.....	.....
Office of the Assistant Secretary for Congressional Relations	3,560	3,684	3,718	+158	+34
Office of Communications	8,604	8,894	8,975	+371	+81
Office of the Inspector General	68,715	70,839	71,429	+2,714	+590
Office of the General Counsel	31,012	32,627	32,937	+1,925	+310
Office of the Under Secretary for Research, Education and Economics	555	573	578	+23	+5
Economic Research Service	66,891	67,200	67,620	+729	+420
National Agricultural Statistics Service	100,550	113,786	114,546	+13,996	+760
Census of Agriculture	(14,967)	(25,350)	(25,456)	(+10,489)	(+106)
Agricultural Research Service	896,835	915,591	971,365	+74,530	+55,774
Buildings and facilities	74,037	30,462	78,862	+4,825	+48,400
Total, Agricultural Research Service	970,872	946,053	1,050,227	+79,355	+104,174
Cooperative State Research, Education, and Extension Service:					
Research and education activities	505,079	407,319	507,452	+2,373	+100,133
Native American Institutions Endowment Fund	(7,100)	(7,100)	(7,100)	.....	.....
Extension activities	432,475	413,404	436,029	+3,554	+22,625
Integrated activities	41,849	41,849	43,355	+1,506	+1,506
Total, Cooperative State Research, Education, and Extension Service	979,403	862,572	986,836	+7,433	+124,264
Office of the Under Secretary for Marketing and Regulatory Programs	634	654	660	+26	+6
Animal and Plant Health Inspection Service:					
Salaries and expenses	529,397	702,925	587,386	+57,989	-115,539
AQI user fees	(84,813)	(84,813)	(84,813)	.....	.....
Buildings and facilities	9,848	5,189	7,189	-2,659	+2,000
Total, Animal and Plant Health Inspection Service	539,245	708,114	594,575	+55,330	-113,539
Agricultural Marketing Service:					
Marketing Services	65,191	71,430	71,774	+6,583	+344
Standardization user fees	(4,000)	(5,000)	(5,000)	(+1,000)	.....
(Limitation on administrative expenses, from fees collected)	(60,596)	(60,596)	(60,596)	.....	.....
Funds for strengthening markets, income, and supply (transfer from section 32)	13,438	13,874	13,995	+557	+121
Payments to states and possessions	1,347	1,347	1,347	.....	.....
Total, Agricultural Marketing Service	79,976	86,651	87,116	+7,140	+465
Grain Inspection, Packers and Stockyards Administration:					
Salaries and expenses	31,350	32,907	33,117	+1,767	+210
Inspection and weighing services	(42,463)	(42,463)	(42,463)	.....	.....
Office of the Under Secretary for Food Safety	459	476	481	+22	+5
Food Safety and Inspection Service	695,171	715,542	720,652	+25,481	+5,110
Lab accreditation fees 1/	(998)	(1,000)	(1,000)	(+2)	.....
Total, Food Safety and Inspection Service	695,171	715,542	720,652	+25,481	+5,110
Total, Production, Processing, and Marketing	3,899,158	3,999,886	4,123,529	+224,371	+123,643
Farm Assistance Programs					
Office of the Under Secretary for Farm and Foreign Agricultural Services	588	606	611	+23	+5
Farm Service Agency:					
Salaries and expenses	826,563	939,030	945,993	+119,430	+6,963
(Transfer from export loans)	(588)	(790)	(797)	(+209)	(+7)
(Transfer from P.L. 480)	(813)	(972)	(980)	(+167)	(+8)
(Transfer from ACIF)	(264,731)	(272,595)	(274,769)	(+10,038)	(+2,174)
Subtotal, Transfers from program accounts	(266,132)	(274,357)	(276,546)	(+10,414)	(+2,189)
Total, salaries and expenses	(1,092,695)	(1,213,387)	(1,222,539)	(+129,844)	(+9,152)
State mediation grants	2,993	2,993	2,993	.....	.....
Dairy indemnity program	450	100	100	-350	.....
Subtotal, Farm Service Agency	830,006	942,123	949,086	+119,080	+6,963

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 2002 (H.R. 2330)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Agricultural Credit Insurance Fund Program Account:					
Loan authorizations:					
Farm ownership loans:					
Direct	(127,722)	(128,000)	(128,000)	(+278)	
Guaranteed	(868,086)	(1,000,000)	(1,000,000)	(+131,914)	
Subtotal	(995,808)	(1,128,000)	(1,128,000)	(+132,192)	
Farm operating loans:					
Direct	(522,891)	(600,000)	(600,000)	(+77,109)	
Unsubsidized guaranteed	(1,075,468)	(1,500,000)	(1,500,000)	(+424,532)	
Subsidized guaranteed	(369,100)	(500,000)	(500,000)	(+130,900)	
Subtotal	(1,967,459)	(2,600,000)	(2,600,000)	(+632,541)	
Indian tribe land acquisition loans	(2,002)	(2,000)	(2,000)	(-2)	
Emergency disaster loans	(24,947)	(25,000)	(25,000)	(+53)	
Boll weevil eradication loans	(100,000)	(100,000)	(100,000)		
Total, Loan authorizations	(3,090,216)	(3,855,000)	(3,855,000)	(+764,784)	
Loan subsidies:					
Farm ownership loans:					
Direct	13,756	3,366	3,366	-10,390	
Guaranteed	4,427	4,500	4,500	+73	
Subtotal	18,183	7,866	7,866	-10,317	
Farm operating loans:					
Direct	47,251	53,580	53,580	+6,329	
Unsubsidized guaranteed	14,738	52,650	52,650	+37,912	
Subsidized guaranteed	30,119	67,800	67,800	+37,681	
Subtotal	92,108	174,030	174,030	+81,922	
Indian tribe land acquisition	322	118	118	-204	
Emergency disaster loans	6,120	3,363	3,363	-2,757	
Total, Loan subsidies	116,733	185,377	185,377	+68,644	
ACIF expenses:					
Salaries and expense (transfer to FSA)	264,731	272,595	274,769	+10,038	+2,174
Administrative expenses	4,130	8,000	8,000	+3,870	
Total, ACIF expenses	268,861	280,595	282,769	+13,908	+2,174
Total, Agricultural Credit Insurance Fund	385,594	465,972	468,146	+82,552	+2,174
(Loan authorization)	(3,090,216)	(3,855,000)	(3,855,000)	(+764,784)	
Total, Farm Service Agency	1,215,600	1,408,095	1,417,232	+201,632	+9,137
Risk Management Agency	65,453	74,752	75,142	+9,689	+390
Total, Farm Assistance Programs	1,281,641	1,483,453	1,492,985	+211,344	+9,532
Corporations					
Federal Crop Insurance Corporation:					
Federal crop insurance corporation fund	2,804,660	3,037,000	3,037,000	+232,340	
Commodity Credit Corporation Fund:					
Reimbursement for net realized losses	25,264,441	23,116,000	23,116,000	-2,148,441	
Operations and maintenance for hazardous waste management (limitation on administrative expenses)	(5,000)	(5,000)	(5,000)		
Total, Corporations	28,069,101	26,153,000	26,153,000	-1,916,101	
Total, title I, Agricultural Programs	33,249,900	31,636,339	31,769,514	-1,480,386	+133,175
(By transfer)	(266,132)	(274,357)	(276,546)	(+10,414)	(+2,189)
(Loan authorization)	(3,090,216)	(3,855,000)	(3,855,000)	(+764,784)	
(Limitation on administrative expenses)	(108,059)	(108,059)	(108,059)		
TITLE II - CONSERVATION PROGRAMS					
Office of the Under Secretary for Natural Resources and Environment	709	730	736	+27	+6
Natural Resources Conservation Service:					
Conservation operations	712,545	773,454	782,762	+70,217	+9,308
Watershed surveys and planning	10,844	10,960	11,030	+186	+70
Watershed and flood prevention operations	99,224	100,413	105,743	+6,519	+5,330
Resource conservation and development	41,923	43,048	48,361	+6,438	+5,313
Forestry incentives program	6,311			-6,311	
Agricultural Conservation Program (rescission)			-45,000	-45,000	-45,000
Total, Natural Resources Conservation Service	870,847	927,875	902,896	+32,049	-24,979
Total, title II, Conservation Programs	871,556	928,605	903,632	+32,076	-24,973
TITLE III - RURAL DEVELOPMENT PROGRAMS					
Office of the Under Secretary for Rural Development	604	623	628	+24	+5

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 2002 (H.R. 2330)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rural Development:					
Rural community advancement program	760,864	692,125	767,465	+6,601	+75,340
RD expenses:					
Salaries and expenses	130,084	133,722	134,733	+4,649	+1,011
(Transfer from RHIF)	(408,333)	(419,741)	(422,910)	(+14,577)	(+3,169)
(Transfer from RDLFP)	(3,632)	(3,733)	(3,761)	(+129)	(+28)
(Transfer from RETLP)	(34,640)	(35,604)	(36,322)	(+1,682)	(+718)
(Transfer from RTB)	(2,993)	(3,082)	(3,107)	(+114)	(+25)
Total, RD expenses	(579,682)	(595,882)	(600,833)	(+21,151)	(+4,951)
Total, Rural Development	890,948	825,847	902,198	+11,250	+76,351
Rural Housing Service:					
Rural Housing Insurance Fund Program Account:					
Loan authorizations:					
Single family (sec. 502)	(1,071,628)	(1,064,650)	(1,064,650)	(-6,978)	
Unsubsidized guaranteed	(3,136,429)	(3,137,968)	(3,137,968)	(+1,539)	
Subtotal, Single family	(4,208,057)	(4,202,618)	(4,202,618)	(-5,439)	
Housing repair (sec. 504)	(32,324)	(32,324)	(32,324)		
Rental housing (sec. 515)	(114,070)	(114,068)	(114,068)	(-2)	
Site loans (sec. 524)	(5,152)	(5,090)	(5,090)	(-62)	
Multi-family housing guarantees (sec. 538)	(99,780)	(99,770)	(99,770)	(-10)	
Multi-family housing credit sales	(1,779)	(1,778)	(1,778)	(-1)	
Single family housing credit sales	(10,000)	(10,000)	(10,000)		
Self-help housing land development fund	(4,998)	(5,000)	(5,000)	(+2)	
Total, Loan authorizations	(4,476,160)	(4,470,648)	(4,470,648)	(-5,512)	
Loan subsidies:					
Single family (sec. 502)	176,371	140,108	140,108	-36,263	
Unsubsidized guaranteed	7,384	40,166	40,166	+32,782	
Subtotal, Single family	183,755	180,274	180,274	-3,481	
Housing repair (sec. 504)	11,456	10,386	10,386	-1,070	
Rental housing (sec. 515)	56,202	48,274	48,274	-7,928	
Site loans (sec. 524)		28	28	+28	
Multi-family housing guarantees (sec. 538)	1,517	3,921	3,921	+2,404	
Multi-family housing credit sales	872	750	750	-122	
Self-help housing land development fund	278	254	254	-24	
Total, Loan subsidies	254,080	243,887	243,887	-10,193	
RHIF administrative expenses (transfer to RD)	408,333	419,741	422,910	+14,577	+3,169
Rental assistance program:					
(Sec. 521)	672,604	687,604	687,604	+15,000	
(Sec. 502(c)(5)(D))	5,900	5,900	5,900		
Total, Rental assistance program	678,504	693,504	693,504	+15,000	
Total, Rural Housing Insurance Fund	1,340,917	1,357,132	1,360,301	+19,384	+3,169
(Loan authorization)	(4,476,160)	(4,470,648)	(4,470,648)	(-5,512)	
Mutual and self-help housing grants	33,925	33,925	33,925		
Rural housing assistance grants	43,903	38,914	38,914	-4,989	
Farm labor program account	29,934	28,431	31,431	+1,497	+3,000
Subtotal, grants and payments	107,762	101,270	104,270	-3,492	+3,000
Total, Rural Housing Service	1,448,679	1,458,402	1,464,571	+15,892	+6,169
(Loan authorization)	(4,476,160)	(4,470,648)	(4,470,648)	(-5,512)	
Rural Business-Cooperative Service:					
Rural Development Loan Fund Program Account:					
(Loan authorization)	(38,172)	(38,171)	(38,171)	(-1)	
Loan subsidy	19,433	16,494	16,494	-2,939	
Administrative expenses (transfer to RD)	3,632	3,733	3,761	+129	+28
Total, Rural Development Loan Fund	23,065	20,227	20,255	-2,810	+28
Rural Economic Development Loans Program Account:					
(Loan authorization)	(14,969)	(14,966)	(14,966)	(-3)	
Direct subsidy	3,902	3,616	3,616	-286	
Rural cooperative development grants	6,486	6,486	7,500	+1,014	+1,014
Rural empowerment zones and enterprise community grants		14,967	14,967	+14,967	
Total, Rural Business-Cooperative Service	33,453	45,296	46,338	+12,885	+1,042
(Loan authorization)	(53,141)	(53,137)	(53,137)	(-4)	

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 2002 (H.R. 2330)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rural Utilities Service:					
Rural Electrification and Telecommunications Loans Program Account:					
Loan authorizations:					
Electric:					
Direct, 5%	(121,128)	(121,107)	(121,107)	(-21)	
Direct, Municipal rate	(294,358)	(294,358)	(794,358)	(+500,000)	(+500,000)
Direct, FFB	(1,600,000)	(1,600,000)	(2,600,000)	(+1,000,000)	(+1,000,000)
Direct, Treasury rate	(500,000)	(500,000)	(500,000)		
Guaranteed electric	(100,000)	(100,000)	(100,000)		
Subtotal, Electric	(2,615,486)	(2,615,465)	(4,115,465)	(+1,499,979)	(+1,500,000)
Telecommunications:					
Direct, 5%	(74,835)	(74,827)	(74,827)	(-8)	
Direct, Treasury rate	(300,000)	(300,000)	(300,000)		
Direct, FFB	(120,000)	(120,000)	(120,000)		
Subtotal, Telecommunications	(494,835)	(494,827)	(494,827)	(-8)	
Total, Loan authorizations	(3,110,321)	(3,110,292)	(4,610,292)	(+1,499,971)	(+1,500,000)
Loan subsidies:					
Electric:					
Direct, 5%	12,064	3,609	3,609	-8,455	
Guaranteed electric	10	80	80	+70	
Direct, Municipal rate	20,458			-20,458	
Subtotal, Electric	32,532	3,689	3,689	-28,843	
Telecommunications:					
Direct, 5%	7,753	1,736	1,736	-6,017	
Direct, Treasury rate		300	300	+300	
Subtotal, Telecommunications	7,753	2,036	2,036	-5,717	
Total, Loan subsidies	40,285	5,725	5,725	-34,560	
RETLP administrative expenses (transfer to RD)	34,640	35,604	36,322	+1,682	+718
Total, Rural Electrification and Telecommunications Loans Program Account	74,925	41,329	42,047	-32,878	+718
(Loan authorization)	(3,110,321)	(3,110,292)	(4,610,292)	(+1,499,971)	(+1,500,000)
Rural Telephone Bank Program Account:					
(Loan authorization)	(174,615)		(174,615)		(+174,615)
Direct loan subsidy	2,584		2,584		+2,584
RTB administrative expenses (transfer to RD)	2,993	3,082	3,107	+114	+25
Total, Rural Telephone Bank Program Account	5,577	3,082	5,691	+114	+2,609
High energy costs grants (by transfer)		(24,000)	(24,000)	(+24,000)	
Distance learning and telemedicine program:					
(Loan authorization)	(400,000)	(300,000)	(300,000)	(-100,000)	
(Loan authorization) (proposal)		(100,000)	(100,000)	(+100,000)	
Grants	26,941	26,941	26,941		
Total, Rural Utilities Service	107,443	71,352	74,679	-32,764	+3,327
(Loan authorization)	(3,684,936)	(3,510,292)	(5,184,907)	(+1,499,971)	(+1,674,615)
Total, title III, Rural Economic and Community Development Programs	2,481,127	2,401,520	2,488,414	+7,287	+86,894
(By transfer)	(449,598)	(486,160)	(490,100)	(+40,502)	(+3,940)
(Loan authorization)	(8,214,237)	(8,034,077)	(9,708,692)	(+1,494,455)	(+1,674,615)
TITLE IV - DOMESTIC FOOD PROGRAMS					
Office of the Under Secretary for Food, Nutrition and Consumer Services	569	587	592	+23	+5
Food and Nutrition Service:					
Child nutrition programs	4,407,445	4,729,490	4,746,038	+338,593	+16,548
Transfer from section 32	5,127,579	5,357,256	5,340,708	+213,129	-16,548
Discretionary spending	6,486	2,000	2,000	-4,486	
Total, Child nutrition programs	9,541,510	10,088,746	10,088,746	+547,236	
Special supplemental nutrition program for women, infants, and children (WIC)	4,043,086	4,137,086	4,137,086	+94,000	
Food stamp program:					
Expenses	18,618,228	19,556,436	19,556,436	+938,208	
Reserve	100,000	1,000,000	1,000,000	+900,000	
Nutrition assistance for Puerto Rico	1,301,000	1,335,550	1,335,550	+34,550	
The emergency food assistance program	100,000	100,000	100,000		
Total, Food stamp program	20,119,228	21,991,986	21,991,986	+1,872,758	
Commodity assistance program	139,991	139,991	152,813	+12,822	+12,822
Rescission		-5,300			+5,300
Food donations programs:					
Needy family program	1,081	1,081	1,081		
Elderly feeding program	149,670	149,668	149,668	-2	
Total, Food donations programs	150,751	150,749	150,749	-2	

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	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Food program administration	116,550	125,546	126,656	+10,106	+1,110
Total, Food and Nutrition Service	34,111,116	36,628,804	36,648,036	+2,536,920	+19,232
Total, title IV, Domestic Food Programs	34,111,685	36,629,391	36,648,628	+2,536,943	+19,237
TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS					
Foreign Agricultural Service:					
Salaries and expenses, direct appropriation	115,170	121,563	122,631	+7,461	+1,068
(Transfer from export loans)	(3,224)	(3,224)	(3,224)	.....	.....
(Transfer from P.L. 480)	(1,033)	(1,033)	(1,033)	.....	.....
Total, Program level	(119,427)	(125,820)	(126,888)	(+7,461)	(+1,068)
Public Law 480 Program and Grant Accounts:					
Program account:					
Loan authorization, direct	(159,327)	(139,399)	(150,000)	(-9,327)	(+10,601)
Loan subsidy	113,935	113,935	122,600	+8,665	+8,665
Ocean freight differential	20,277	20,277	20,277	.....	.....
Title II - Commodities for disposition abroad:					
Program level	(835,159)	(835,159)	(835,159)	.....	.....
Appropriation	835,159	835,159	835,159	.....	.....
Salaries and expenses:					
Foreign Agricultural Service (transfer to FAS)	1,033	1,033	1,033	.....	.....
Farm Service Agency (transfer to FSA)	813	972	980	+167	+8
Subtotal	1,846	2,005	2,013	+167	+8
Total, Public Law 480:					
Program level	(835,159)	(835,159)	(835,159)	.....	.....
Appropriation	971,217	971,376	980,049	+8,832	+8,673
CCC Export Loans Program Account (administrative expenses):					
Salaries and expenses (Export Loans):					
General Sales Manager (transfer to FAS)	3,224	3,224	3,224	.....	.....
Farm Service Agency (transfer to FSA)	588	790	797	+209	+7
Total, CCC Export Loans Program Account	3,812	4,014	4,021	+209	+7
Total, title V, Foreign Assistance and Related Programs	1,090,199	1,096,953	1,106,701	+16,502	+9,748
(By transfer)	(4,257)	(4,257)	(4,257)	.....	.....
TITLE VI - FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and expenses, direct appropriation	1,066,173	1,173,673	1,180,623	+114,450	+6,950
Prescription drug user fee act	(149,273)	(161,716)	(161,716)	(+12,443)	.....
Subtotal	(1,215,446)	(1,335,389)	(1,342,339)	(+126,893)	(+6,950)
Export and certification	(5,992)	(6,181)	(6,181)	(+189)	.....
Payments to GSA	(104,736)	(105,116)	(105,116)	(+380)	.....
Drug reimportation	.....	2,950	2,950	+2,950	.....
Buildings and facilities	31,281	34,281	34,281	+3,000	.....
Total, Food and Drug Administration	1,097,454	1,210,904	1,217,854	+120,400	+6,950
INDEPENDENT AGENCIES					
Commodity Futures Trading Commission	67,850	70,400	70,700	+2,850	+300
Farm Credit Administration (limitation on administrative expenses)	(36,719)	(36,700)	(36,700)	(-19)	.....
Total, title VI, Related Agencies and Food and Drug Administration	1,165,304	1,281,304	1,288,554	+123,250	+7,250
TITLE VII - GENERAL PROVISIONS					
Hunger fellowships	1,996	1,996	4,000	+2,004	+2,004
National Sheep Industry Improvement Center revolving fund	5,000	.....	1,000	-4,000	+1,000
FDA drug reimportation	22,949	.....	.....	-22,949	.....
CCC Apple market loss (contingent emergency appropriations)	.....	.....	150,000	+150,000	+150,000
Total, title VII, General provisions	29,945	1,996	155,000	+125,055	+153,004
TITLE VIII - FY 2001					
NATURAL DISASTER ASSISTANCE AND OTHER					
EMERGENCY APPROPRIATIONS					
CHAPTER 1					
DEPARTMENT OF AGRICULTURE					
Office of the Chief Information Officer:					
Common computing environment (contingent emergency appropriations)	19,457	.....	.....	-19,457	.....
Departmental administration (contingent emergency appropriations)	200	.....	.....	-200	.....

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	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Farm Service Agency					
Salaries and expenses (contingent emergency appropriations)	49,890			-49,890	
Emergency conservation program (contingent emergency appropriations)	79,824			-79,824	
Federal Crop Insurance Corporation					
Federal crop insurance corporation fund (emergency appropriations)	12,971			-12,971	
Natural Resources Conservation Service					
Watershed and flood prevention operations (contingent emergency appropriations)	109,758			-109,758	
Rural Development					
Rural community advancement program (contingent emergency appropriations)	199,560			-199,560	
Total, Department of Agriculture	471,660			-471,660	
General Provisions					
Conservation technical assistance (contingent emergency appropriations)	34,923			-34,923	
CCC Disease loss compensation (contingent emergency appropriations)	19,000			-19,000	
Dairy assistance (contingent emergency appropriations)	473,000			-473,000	
CCC Livestock assistance program (contingent emergency appropriations)	488,922			-488,922	
WRP Additional acreage enrollments (contingent emergency appropriations)	117,000			-117,000	
CCC Sheep loss assistance (contingent emergency appropriations)	2,395			-2,395	
CCC Citrus canker compensation (contingent emergency appropriations)	57,872			-57,872	
CCC Apple/potatoes market loss and quality (contingent emergency appropriations)	137,696			-137,696	
CCC Honey assistance (contingent emergency appropriations)	20,000			-20,000	
CCC Livestock indemnity program (contingent emergency appropriations)	9,978			-9,978	
CCC Wool/mohair assistance (contingent emergency appropriations)	19,956			-19,956	
CCC Crop loss disaster assistance (contingent emergency appropriations)	1,622,000			-1,622,000	
CCC Cranberry assistance (contingent emergency appropriations)	19,956			-19,956	
Shared appreciation loan arrangements (contingent emergency appropriations)	2,000			-2,000	
SC grain dealer's guarantee fund (contingent emergency appropriations)	2,495			-2,495	
Puerto Rico food stamp block grant	-5,000			+5,000	
Hawaii sugar transportation cost assistance (contingent emergency appropriations)	7,184			-7,184	
Rural development cooperative grants (contingent emergency appropriations)	9,978			-9,978	
Business and industry loans:					
(Loan authorization)	(1,160,232)			(-1,160,232)	
Loan subsidy (contingent emergency appropriations)	9,978			-9,978	
CCC Tobacco quota compensation (contingent emergency appropriations)	3,000			-3,000	
CCC Cooperative assistance (contingent emergency appropriations)	19,956			-19,956	
CCC Burley tobacco (contingent emergency appropriations)	50,000			-50,000	
CCC LDP delinquent borrower (contingent emergency appropriations)	5,000			-5,000	
Food stamp excess shelter allowance (contingent emergency appropriations)	15,000			-15,000	
Food stamp vehicle allowance (contingent emergency appropriations)	25,000			-25,000	
Total, General Provisions	3,167,289			-3,167,289	
Total, title VIII, FY 2001	3,638,949			-3,638,949	
TITLE X - ANTI-DUMPING					
Anti-dumping	39,912			-39,912	
Grand total:					
New budget (obligational) authority	76,678,577	73,976,108	74,360,443	-2,318,134	+384,335
Appropriations	(73,034,628)	(73,981,408)	(74,210,443)	(+1,175,815)	(+229,035)
Rescission		(-5,300)			(+5,300)
Emergency appropriations	(12,971)			(-12,971)	
Contingent emergency appropriations	(3,630,978)		(150,000)	(-3,480,978)	(+150,000)
(By transfer)	(719,987)	(764,774)	(770,903)	(+50,916)	(+6,129)
(Loan authorization)	(11,463,780)	(12,028,476)	(13,713,692)	(+2,249,912)	(+1,685,216)
(Limitation on administrative expenses)	(144,778)	(144,759)	(144,759)	(-	
RECAPITULATION					
Title I - Agricultural programs	33,249,900	31,636,339	31,769,514	-1,480,386	+133,175
Title II - Conservation programs	871,556	928,605	903,632	+32,076	-24,973
Title III - Rural economic and community development programs	2,481,127	2,401,520	2,488,414	+7,287	+86,894
Title IV - Domestic food programs	34,111,685	36,629,391	36,648,628	+2,536,943	+19,237
Title V - Foreign assistance and related programs	1,090,199	1,096,953	1,106,701	+16,502	+9,748
Title VI - Related agencies and Food and Drug Administration	1,165,304	1,281,304	1,288,554	+123,250	+7,250
Title VII - General provisions	29,945	1,996	155,000	+125,055	+153,004
Title VIII, FY 2001	3,638,949			-3,638,949	
Title X, Anti-dumping	39,912			-39,912	
Total, new budget (obligational) authority	76,678,577	73,976,108	74,360,443	-2,318,134	+384,335

1/ In addition to appropriation.

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

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

Mr. Chairman, let me rise to say that this is a good bill that, in fact, is getting better at every stage of the legislative process.

The gentleman from Texas (Mr. BONILLA), chairman of the Subcommittee, and our committee staff have worked to draft a fair bill within tight budget allocations; but the underlying amounts in different sections of the bill are far from what is necessary, given many of the needs of rural America and our food assistance programs.

This is the first bill managed by our new chairman, the gentleman from Texas (Mr. BONILLA). Let me congratulate him on his maiden voyage as chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies and thank the gentleman for his cooperation throughout.

What we all learn together, hopefully, will put us in a position to continue to work towards the best possible bill for America's future.

I want to thank the subcommittee staff: Hank Moore; Martin Delgado; Maureen Holohan; Joanne Orndorff; Jim Richards; Roger Szemraj; and our detailee, Leslie Barrack.

I also want to thank our new minority staff member, Martha Foley, very much for her hard work.

Mr. Chairman, let us put this bill in perspective. To begin with, overall we have a spending level for 2002 of $74,360 billion of which $15,669 billion is discretionary spending, plus an additional $150 million for the Hinchey apple disaster provisions.

Several times today already, each of us have been touched by agriculture and other agencies in this bill: the food that we have eaten; some of the fabrics we are wearing; perhaps, even the blended fuels that were used in the vehicles that brought us to work; or the medications or vitamins that we take on any day.

We have been benefited by the research in this bill, by education and training, by inspection services that are operating at red alert levels now to keep hoof and mouth disease and mad cow disease out of this country, and by marketing services that take the bounty of this land around the world.

Truly, this is the committee that is concerned about food, fiber, the fuels of the future, and the condition of our forests.

Mr. Chairman, nearly 80 percent of the spending in this bill is mandatory spending, including our farm price support programs. Only one-fifth of the bill, 20 percent, is discretionary. Half of the spending in the bill is for food programs which keep America's people the best-fed people on Earth.

The bill, as reported, is about $260 million in discretionary spending above the President's request, but a little more than $3 billion below this year's level due to the absence of natural disaster and other emergency farm provisions.

Earlier, during the discussion on the rule, we discussed several improvements that should be included in this bill that amendments could make possible, but amendments that were denied in the Committee on Rules.

There was an amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) that would recognize that we need more money for the WIC program, the Women, Infants, and Children feeding program, due to the fact that participation is running 80,000 people more per month than the administration had expected predominantly due to higher unemployment levels.

The amendment of the gentleman from New York (Mr. HINCHEY) and others makes room for helping small specialty crop producers who are facing hard times. He has been successful in dealing with one sector, the apple sector, in this bill.

My own effort adopted by the full committee insists that the integrity of producer votes is protected in the pork checkoff program. It directs funds be spent only on those programs that the producers have approved and this directive has been included in the final bill.

Mr. Chairman, there are also other elements that we still need to work through as we amend here on the floor and then as we move to the Senate: one is the Global Food for Education program, which the gentleman from Massachusetts (Mr. MCGOVERN) and the gentlewoman from Missouri (Mrs. EMERSON) have championed here in the House; improved food safety and increased food inspection need more attention; also new biofuels funding, including ethanol, biodiesel, and biomass-related fuel production to help move America toward energy independence.

There are six titles in this bill, and I just want to highlight a couple major points in each of those.

In Title I, Agricultural Programs, we have been able to take the first steps to fund relocation of some of our important laboratories in Arizona, as well as consolidating and modernizing our key agricultural research facilities in Ames, Iowa.

We are just so happy to be able to make progress there, the most important labs in our country that protect the entire livestock production in our Nation, as well as maintain the best veterinary service that the world knows.

In the APHIS, Animal Planned Health Inspection Service, we have been able to improve by $2 million and increase the buildings account for a facility at the Miami International Airport.

In our conservation programs, the NRCS has scored below the administration request by $25 million.

In rural development in title III, the bill increases these important programs by $87 million over the research request, in the important account of water and wastewater disposal grants funding is included at a level of $75 million over the request.

There is a million dollars included for rural cooperative development grants beyond the request, and $3 million to restore the rural telephone loan program that the administration proposed to end.

In Title IV, Domestic Food Programs, the $18 million in increases above the request will help us to expand the TEFAP program, Temporary Emergency Food Assistance Program, and the Commodity Supplemental Food Program, looking at five new States, Wisconsin, Washington, Pennsylvania, South Dakota, and Missouri.

I mentioned the sufficiency of the WIC program level a little bit earlier. We have to keep our eye on that particularly as we move towards conference with the Senate.

In title V, we have provided a level of 9 million additional dollars in the PL480 title I program above the request level.

In title VI in the Food and Drug Administration, we have provided more than $100 million over the 2001 enacted level. In addition, the bill includes a contingent appropriation of $2.9 million for continued funding of last year's prescription drug importation provision.

Finally, I mentioned the pork checkoff and the apple programs as being included in the final bill that is coming to the floor.

Overall, this bill is a good one and is getting better. It should be one that truly embraces the needs and the challenges of the 21st century.

I will support it and encourage our colleagues to support it. But I also will definitely vote for a number of amendments being offered here on the floor today that can make this bill a hallmark of the best America can do when we as a Congress have the will to do.

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

Mr. BONILLA. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG), the Chairman of the Committee on Appropriations, my friend.

Mr. YOUNG of Florida. Mr. Chairman, I first want to congratulate the gentleman from Texas (Mr. BONILLA). This is the gentleman's first year as a chairman of a Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies, and he has done an outstanding job.

The gentleman came as a seasoned Member. The gentleman took over this very important role as chairman of the subcommittee, and he not only has produced a good bill, but he produced it in record time.

Although, he is a new chairman, he was the first one with a markup, and I congratulate the gentleman.

Mr. Chairman, I also congratulate the gentlewoman from Ohio (Ms. KAPTUR), the ranking minority member,

who worked very well in partnership to produce a pretty good bipartisan bill.

As usual, there will be some differences, as we proceed, and proceed we will, but I will urge Members to support the bill and be very logical and realistic as we approach the issue of amendments.

Now, on the subject of amendments. We are trying to accommodate Members, as I announced yesterday, to assess where we were in the afternoon and see if there was some way to get Members out of here at a reasonable time this evening.

It is pretty obvious we cannot complete consideration of this bill today, so I see no reason to go on into the late hours of the night or the wee hours of the morning.

However, in order to arrive at a reasonable adjournment time today, it is going to be necessary for Members to be willing to limit some debate, to agree to some time limits, which the gentleman from Wisconsin (Mr. OBEY) and I are working on this very minute.

Also, I would like for the Members to know that if Members have an amendment that they would like to have considered on this bill, it would be a good idea if they would advise the gentlewoman from Ohio (Ms. KAPTUR) or the gentleman from Wisconsin (Mr. OBEY) on that side or myself and the gentleman from Texas (Mr. BONILLA) on this side so that we can put those potential amendments into the list of the universe of amendments that we have to deal with.

We will be better able to manage this bill if we can do that. I put Members on notice that it would be a good idea to do that as soon as possible.

□ 1415

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

Mr. YOUNG of Florida. I am happy to yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I would simply like to repeat what the gentleman just said. For the benefit of all Members on the floor or all Members whose staff may be watching in their offices, every Member is coming up and telling us they want to get out of here early tonight. It is my understanding that the leadership intends to try to make that happen. But we need to know which Members intend to offer their amendment and which Members do not intend to offer their amendments.

So I would ask every single Member on our side of the aisle, if they are contemplating an amendment or a colloquy, because yesterday we took almost 2 hours on colloquies, if they are contemplating any of that, they need to let us know immediately, because we need to do two things.

We need, first of all, to try to establish which amendments are going to be offered today and how much time is going to be taken on them. We have had the cooperation of five or six Members who have told us that they will be happy to settle for 10 minutes a side, for instance. We need to fill out the rest of that. We need to know how far we are going to get in the bill today. Then if we can reach agreement on that, then that enables us to have some idea, perhaps, of what we can package so that we know what we are facing when we get back.

But what I would urge Members not to do to us is to neglect to contact us now, then see their point in the bill passed, so their amendment is not in order, and then try to redraft their amendment as a look-back at the end of the bill. We will not save any time that way.

If Members have amendments, we need them to be prepared now to bring them up today in the regular order on the bill so that we can get out of here at a reasonable time.

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

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for those comments. We are working hard. Now, if we get the cooperation of the membership, we can accomplish quite a bit of consideration on this bill today and still get us out of here at a reasonable time, and we will talk about that time a little later once we see what the universe of amendments will be for today.

With that, again, I want to congratulate the gentleman from Texas (Chairman BONILLA).

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the gentlewoman from Connecticut (Mrs. DELAURO), a very hard-working and able member of our subcommittee.

Ms. DELAURO. Mr. Chairman, I want to thank the gentleman from Texas (Chairman BONILLA) and to the gentlewoman from Ohio (Ms. KAPTUR), the ranking member of the committee. I thank them for their leadership.

Given the kind of budget constraints that we have, there was a lot of hard work and a good bill that has been produced, though there are a few critical issues that remain that we need to continue to work on.

I also want to say thank you to this subcommittee and the associate staff for all of their help.

The bill addresses many of the urgent needs of American families. Let me just take a moment to focus on the crisis in agriculture today. America's economy and security relies on the strength of agriculture. Yet America's farmers are facing the toughest times since the Great Depression.

Connecticut is a leader in New England's agriculture, in eggs, peaches, milk production per cow. The Nation's oldest agriculture experiment station is just up the street from my home in New Haven. Like other farmers, Connecticut farmers face plunging commodity prices and soaring gas prices. Urban sprawl puts it in the top 10 States in lost farmland. This spring, record low temperatures eliminated almost 40 percent of our peach, pear, grape and apple crops.

I am proud of the funding for programs that reach out and help our farmers: rural development, conservation, pest management, commodity marketing assistance.

This bill also funds food safety efforts, but in my view, as I have expressed before in the House today, does not go far enough. It needs to do more. Americans are more likely to get sick from what they eat today than they were a half century ago, and outbreaks of food sickness are expected to go up by more than 15 percent over the next decade.

Each year 5,000 Americans die from food-borne illnesses, 76 million get ill, and 325,000 are hospitalized. Just 2 days ago, the Excel Corporation recalled 190,000 pounds of ground beef and pork because of possible contamination by deadly E. coli.

The Food and Drug Administration inspects all food except meat, poultry and eggs. Yet to cover the 30,000 U.S. companies that make this food, the FDA has only 400 inspectors. For the 4.1 million imported food items entering the country, the FDA has less than 120 inspectors. To address this crisis facing the families, I will offer an amendment to increase the funds for inspections and other food safety initiatives.

As we move toward the conference, I also would like to work with the chairman to address the funding shortage that threatens WIC. If the administration's unemployment predictions come true, this essential nutrition program for low-income families, which yields more than $3 in savings to the government in reduced spending on programs such as Medicaid, will, in fact, not have enough funds to serve all who are eligible, all eligible women, infants and children.

I look forward to working with the gentleman from Texas (Chairman BONILLA) and the gentlewoman from Ohio (Ms. KAPTUR) to address these important issues and others as we debate the bill.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I, too, want to rise in, in a way, admiration of the committee for their work on this particular piece of legislation, on this bill. It is truly commendable in a situation where profligate spending in this body is the norm, it is commendable to have a bill coming here that is only 1.5 percent above last year's spending and only 1.7 percent above the President's request.

There is no particular program in the bill with which I rise to take issue. I do wish, however, to just briefly discuss a point of concern that I have with the general tenor of our agricultural support payments. It is the fact that welfare, whether it is provided for able-bodied individuals or large corporate farmers, has a corrupting influence on both. The welfare farm subsidies keep land prices high, makes it harder for

small farmers to enter into the market. Farm subsidies decrease the incentive for efficiency, which would greatly benefit the agricultural sector.

This is a list, by States, I have a list here from CBO of those States that receive a percentage of their net farm income as a result of government payments. It is quite astounding. In 1999, the State of Illinois had 112 percent of its net farm income a government check; Indiana, 93 percent; North Dakota, 93 percent; Iowa, 87 percent; Missouri, 78 percent; Montana, 77. At least 12 States have government checks representing more than 50 percent of their net farm income. This is an unsustainable activity, and I urge the committee to think carefully about it in the future.

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY), a member of our subcommittee who single-handedly turned this bill on end and was able to get language to deal with specialty crop producers across our country, a very, very hard-working and distinguished member of our subcommittee.

Mr. HINCHEY. Mr. Chairman, I thank the gentlewoman from Ohio (Ms. KAPTUR), ranking member, for her leadership on this committee and on this issue. I also want to express my appreciation to the chairman of the subcommittee. I think that the gentleman from Texas (Mr. BONILLA), in his first year as chairman of the subcommittee, has produced a very good bill, and it has been a pleasure working with him in this endeavor.

This bill adds $260 million to the President's request for the U.S. Department of Agriculture. It increases funding for farm programs, conservation, rural development, education and research, nutrition, and food safety. When you add in the $5.5 billion in emergency agricultural spending that the House passed earlier this week, total funding for these programs is substantially increased over last year.

As with any of these bills, of course, it could be even better. I think we should have made in order the amendment of the gentlewoman from Connecticut (Ms. DELAURO) to increase funding for food safety as well as the amendment of the gentlewoman from Ohio (Ms. KAPTUR) to fund the Global School Lunch Initiative.

But the gentleman from Texas (Chairman BONILLA) has written a balanced bill that addresses important priorities for rural America.

The bill also includes $150 million for a market loss assistance program for apple growers. I offered this provision in committee with the gentleman from New York (Mr. WALSH) and the gentleman from New York (Mr. SWEENEY), and it was adopted by a strong bipartisan vote of 34 to 24.

I appreciate everything that the gentleman from Texas (Chairman BONILLA), the gentleman from Florida (Chairman YOUNG) and the gentleman from California (Chairman DREIER) have done to protect this funding.

I also would like to thank the gentleman from Washington (Mr. HASTINGS) and the gentleman from New York (Mr. REYNOLDS) for their parts in writing the rule as well.

The U.S. apple industry is suffering serious financial hardships for the fifth straight year as a result of low prices, bad weather, and plant diseases. During this time, the total value of U.S. apple production fell more than 25 percent, and losses from the 2000 crop alone will probably top $500 million. This is a nationwide figure and includes losses, not only in New York, but also in Massachusetts, Michigan, Washington State, Pennsylvania, and every other place where apples are grown as a commodity crop.

Some of the apple losses can be blamed on foreign competition, the Chinese, for example, who were found guilty of dumping apple juice concentrate into the United States at prices below production costs. Increased tariffs have not significantly improved the price of apple juice in the last year.

Apple producers in New York and the Northeast watched the value of their crop decline as a result of severe hail damage. In Michigan, growers suffered a crippling epidemic of fire blight that destroyed thousands of acres of orchards.

Compared with the billions of dollars that Congress routinely sends to commodity producers, $150 million is a drop in the bucket. This payment, however, will mean the difference between life and death for many growers across the country.

Mr. Chairman, apple growers face the same market, regulatory, trade and weather conditions that make the double AMTA payments necessary for row crop farmers. It is preposterous that our foreign policy differentiates so radically between them.

This is a good bill, Mr. Chairman. I am happy to support it.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. RILEY).

Mr. RILEY. Mr. Chairman, I have an amendment at the desk that I intend to withdraw, but first I would like to engage the chairman in a colloquy.

Mr. Chairman, I rise to acknowledge a job well done by the chairman and the ranking member. Agricultural programs are often arcane and seem to benefit only the agricultural community, but through the chairman's leadership, the committee has produced a sound bill that benefits not only the agricultural community, but the Nation as a whole.

It is my understanding that the constraints placed upon the committee prevented funding for nearly all new research projects. One such unfunded project would have been undertaken by researchers at Auburn University, one of the leading agricultural research institutions in the country. This project sought to ensure public health through the development of improvements in poultry.

Mr. Chairman, this study, which I strongly support, will continue safely and efficiently producing poultry, and in an effort to address the environmental, human and animal concerns, I ask for your immediate consideration of a $1.3 million human health, poultry-byproduct study at Auburn University. This study will determine the risks associated with poultry production and the contributions the poultry community can make to environmental stewardship and food safety through the development of innovative techniques documenting the presence of pathogens in the various phases of the production cycle and instituting techniques to eliminate them. This study, Mr. Chairman, will safeguard public health, the end-use consumer and the environment, all at minimal taxpayer expense.

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

Mr. RILEY. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, first, I want to acknowledge that the gentleman from Alabama (Mr. RILEY) has worked very hard on this issue that is very important to Auburn University, and I would be pleased to work with the gentleman as we go to conference on this issue. It is going to be a difficult issue, and the gentleman and I have had discussions about that before, but we are going to give it our best shot. Again, I know how significant and how important it is to the folks in Alabama.

Mr. RILEY. Mr. Chairman, I thank the gentleman from Texas (Chairman BONILLA) for his time and his consideration. I look forward to working with him.

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. BOYD), a member of our subcommittee, a rancher, and one of the most knowledgeable members of our subcommittee.

Mr. BOYD. Mr. Chairman, I want to thank the gentlewoman from Ohio for yielding me this time. I want to commend the gentleman from Texas (Mr. BONILLA), my chairman, and the gentlewoman from Ohio (Ms. KAPTUR), my ranking member, and their staff for their good work they have done on this bill.

□ 1430

Is it perfect? No, it is not perfect, but few things are. I believe this bill is as fair and as balanced a bill as is possible given the 302(b) allocations that we are working with.

The committee has produced a bill that is less than the committee appropriated last year but slightly more than the President requested for discretionary spending. We provide an additional $60 million for the Animal and Plant Health Inspection Service, that is APHIS, which is responsible for conducting inspections and quarantine activities to protect animals and plants from disease and pests. Personally, I

believe we need to invest even more resources in this area. As we continue to enter trade agreements, making our borders more vulnerable to pests and diseases, and more and more people are traveling to and from our country, we put our farmers in a vulnerable situation.

Many of my colleagues have heard me talk about Citrus Canker in Florida time and again. In 1995, it was reintroduced through the Miami Airport and has now spread throughout the urban areas into the commercial groves and is threatening a $9 billion industry, a $9 billion industry, in Florida. We are spending hundreds of millions of dollars to fight this disease. If it is not eradicated, it could spread to other citrus States like Texas and California. It just makes more sense to invest the resources on the front end to make sure we are able to stop it at the borders.

Also, the threat of hoof and mouth disease entering our country is very real. We need to make sure APHIS has the resources to keep this terrible disease from spreading through our country.

The bill also provides an additional $75 million for ag research, which is of utmost importance to our farmers and consumers and to all the Nation.

More and more we see soil and water conservation linking groups that never before could seem to agree on anything. I am pleased that this is an area that the committee recognizes as being critical and has provided an additional $70 million over last year for a total of $783 million for conservation operations.

There is additional funding for rural housing and development, programs that are important to all of rural America.

Mr. Chairman, I am pleased to rise in support of this bill and encourage my colleagues to support the bill also.

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

Ms. KAPTUR. Mr. Chairman, I would like to inquire as to our remaining time on both sides, please.

The CHAIRMAN. The gentlewoman from Ohio (Ms. KAPTUR) has 13½ minutes remaining, and the gentleman from Texas (Mr. BONILLA) has 21 minutes remaining.

Ms. KAPTUR. Could I ask the gentleman if he has any additional speakers.

Mr. BONILLA. Not at this time, but there may be more coming.

Ms. KAPTUR. Mr. Chairman, I yield 1½ minutes to the gentleman from Georgia (Mr. BISHOP), a distinguished member of the authorizing committee.

Mr. BISHOP. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Mr. Chairman, this Congress can make historic progress in making agricultural programs that enable farm producers to survive in today's markets and to continue providing the highest quality commodities at the lowest cost to consumers.

The House has already passed a bill providing immediate farm relief, and the Committee on Agriculture has moved aggressively to draft a new multiyear farm bill to secure greater long-term stability. Today, we are considering a bill for the next fiscal year that provides $260 million more than the President's budget; more for research, including some $7 million more in Georgia; more for crop insurance; more in rural electric and communications loans; more for child nutrition and WIC programs; and sets aside more than $79 billion over 10 years in new emergency aid, including $7.4 billion for next year.

While I support a higher overall agriculture budget, it is time to move the process forward and resolve any differences in House and Senate negotiations. Our goal is to save our agricultural system at a time of crisis, and today we can take another step in that direction.

Mr. Chairman, while I am concerned that the bill does not give enough help to small and disadvantaged farmers and research and capacity grants for the 1890 Land Grant Universities, I support the amendment of the gentlewoman from North Carolina (Mrs. CLAYTON) to do that.

Today, Mr. Chairman, we can move the process forward to bring more help to American agriculture. I urge my colleagues to join in support of this bill. It is a good bill, it moves the process forward, takes drastic steps in the right direction; and, hopefully, we can do what we need to do for America's agriculture.

Mr. BONILLA. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, I thank the distinguished chairman, the gentleman from Texas (Mr. BONILLA), for yielding me this time; and I rise for the purpose of a brief colloquy.

As I am sure the chairman is aware, a serious threat has sprung up in wheat growing areas making the lives of our already-struggling farmers even more difficult. A fungus called Karnal bunt has been found in my district as well as in the district of our colleague, the gentleman from Texas (Mr. STENHOLM). While Karnal bunt poses no threat to humans or animals, it can make wheat kernels and flour ground from them unpalatable. At this time, a few counties have been quarantined. It appears it has been well contained, but we will have issues of compensation and appropriate action before us.

I have been working with the chairman and ranking member of the full committee, the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM), as well as the chairman of the Subcommittee on Conservation, Credit, Rural Development and Research, the gentleman from Oklahoma (Mr. LUCAS), but I would request the distinguished gentleman's continued assistance in working with USDA and the administration to deal with this issue appropriately and to deal with those who have been affected fairly.

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

Mr. THORNBERRY. I yield to the gentleman from Texas.

Mr. STENHOLM. I thank my friend for yielding to me, and I would like to say that the situation the gentleman has described is accurate, but here are the facts to date:

Seven producers affected, 10 elevator operators affected, 17 fields tested positive, 1.4 million bushels contaminated, and 21 bushels yet to be tested. An elevator operator in my district first discovered the fungus and bunted kernels in a load of grain delivered to his facility.

For these and many other reasons, I join my colleagues in working with USDA to contain this outbreak and ensuring the critical assistance provided to producers, elevator operators, and others in agribusiness who have seen their livelihoods put on hold.

So we look forward to working with my colleague, with the chairman, and with USDA, who are on top of this, and APHIS, to make sure that we contain it. It is extremely important to our industry.

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

Mr. THORNBERRY. I yield to the gentleman from Texas.

Mr. BONILLA. I thank my friend for yielding, and I would be more than happy and enthusiastic about helping my friend work on this problem. This is not a new problem for wheat producers. Accordingly, we will work to do everything possible to get USDA to act in a proper way, not only with the problem but to assist producers with whatever ramifications may occur.

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

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

Ms. KAPTUR. Mr. Chairman, I would like to thank my chairman for generously yielding that minute, and I just want to say that I share the gentleman's deep concern about what this particular condition can do to our export market.

We had a situation a couple of years ago where we had USDA officials up before our committee and we asked where on the continent does Karnal bunt exist. I said was it Canada? No, we do not have it in Canada. Is it in the United States? No, it is not in the United States. I said, how about Mexico? Absolutely. I said, How did it get over the border? And this goes back to NAFTA and these inspection issues. They could not say whether it came in seed in a car trunk or whether some bird carried it over. But, honestly, we have to work together to try to deal with the conditions that can come in here from other countries.

I would just express to the chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies, to

the ranking member on the authorizing committee, and to the gentleman from Texas (Mr. THORNBERRY) that this Member is vitally interested in that problem, and he has my full cooperation on it.

Ms. KAPTUR. Mr. Chairman, I yield myself 30 seconds to say, however, that the costs of remediating that should not only be borne by the public sector. That is, if we are going to have problems related to trade, those participating in trade ought to bear the costs of what goes wrong in the transaction. What has been happening within USDA is we have been transferring the cost of trade to the public sector, and the private entities that benefit have not been carrying their fair share of the load.

So let us hope we can find a solution to that that is fair to all.

Mr. Chairman, I yield 3 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON), a very, very esteemed member of the authorizing committee, and one of the hardest-working Members of this Congress.

Mrs. CLAYTON. Mr. Chairman, I thank the gentlewoman for yielding me this time. I want to commend both the chairman and the ranking member for their time and effort. They have been given a very difficult task of meeting the ever-demanding needs of the agricultural sector in the face of a difficult economy for agriculture, but also in the face of a number of environmental threats and trying to move us into the 21st century. They also have been given a very tight allocation, and I understand they are trying to work within the budget. I am on the Committee on the Budget, so I know the constraints that were imposed upon them.

There are many things they did very, very well; and I want to commend them on that. Indeed, they did increase allocations for APHIS, which I will talk a little more about, and that is desperately needed. Those are some current threats that they are trying to provide sufficient funds to address those issues. They also recognized the ever-demanding need for research for agricultural communities and our institutions. Again, I think we have an opportunity to make sure as we increase those research dollars that there is some equity and parity among the institutions that we have. I will have a chance to discuss that a little later.

So I want to commend them for all the things they have done. However, I do want to point out a couple of areas that I think we should give consideration to in the future. Although there were new dollars for APHIS, there is still environmental impact issues that we just heard about, the issue of the wheat. The funding in the bill is certainly to be commended. I had raised an amendment in the supplemental that was not approved, although in the notes that went forward, they acknowledged there was a need; and I want to say that we need to at least make the case to our Senator friends that we need to do even more. And as we write the farm bill, hopefully, we will be mindful of that fact.

Nutrition, which is very dear to my heart, I want to commend the Committee on Appropriations for what they have done in increasing those areas. However, I would be remiss if I did not mention that WIC has identified that there is a need for 100,000 more eligible pregnant women and their children who may not receive basic needs. This is an issue I think we can do better on. I do not have an amendment for it, do not propose to have an amendment on it; but I just wanted to acknowledge that it is an area where I think we all would acknowledge we need to do more.

In conclusion, Mr. Chairman, I plan to vote for this bill. I also plan to try to make this bill even better. It is a good bill that could be better.

My final point is that I had hoped that the Kaptur amendment for the global lunch program would have been in order by the Committee on Rules. That is not the problem of the agriculture appropriation, but it is an issue for this Congress to recognize that we have an opportunity here to not only feed our children but to respond to hungry children across the world.

Mr. BONILLA. Mr. Chairman, I yield myself 4 minutes.

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

Mr. BONILLA. I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, I thank the gentleman for agreeing to this colloquy.

I want to address the pressing need of adequate funding for the WIC program. At current funding levels, States may be unable to serve approximately 200,000 low-income mothers, infants and children. From my State of Connecticut alone, 1,300 people would not be served.

We know that the WIC program currently serves about 47 percent of all infants born in the United States, and we know the WIC dollars are excellent investments. Every dollar spent on WIC yields more than $3 in savings to the government in reduced spending on programs such as Medicaid.

WIC has contributed to better birth outcomes and reduction in childhood anemia, key indicators of the health of American children. The program provides mothers, infants, and children with nutritious supplemental food packages, nutrition education and counseling, and a gateway to pre- and post-natal health care. The program also reduces fetal deaths and infant mortality and reduces low birth-weight rates.

I might just say we have an average participation rate for this fiscal year at about 7.2 million. That reflects the average participation for the first half of the year through March. That historically is the kind of participation that we have seen in the past. December and February are always the lowest participation months. Last year, average participation for the first half of the year was nearly 50,000 below average participation for the year as a whole. According to the Center for Budget and Policy Priorities, average WIC participation for the first 8 months of fiscal year 2001 was 80,000 higher than average participation for the first 6 months of the year.

Mr. Chairman, I have a concern that when unemployment increases, as it is doing, so does the poverty rate. And we need to understand that the WIC participation cannot increase as unemployment rises if none of the families that are eligible for WIC as a result of increased unemployment enroll.

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I think if we are looking at the kinds of unemployment rates where there is the view that that unemployment rate is going to rise, then we are going to see an additional number of people who need to take advantage of the WIC program. We should do this now. State WIC programs make their decisions this fall about how to run their programs. As we move toward conference, and there are 302(b) reallocations, I would like to work with the chairman to address the potential funding shortage for the WIC program. If the administration's unemployment predictions come true, we will see that this very essential program will not have enough funds to serve all eligible women, infants and children.

Mr. BONILLA. Mr. Chairman, reclaiming my time, I would be pleased to work with the gentlewoman from Connecticut (Ms. DELAURO) on this issue. This program has widespread support of the Members in the whole House. As a result of the gentlewoman's efforts, the subcommittee has placed a priority on the program. We are aware that WIC participation levels can fluctuate above and below those forecast in administration budgets.

I look forward to continuing my work with the gentlewoman to address the changes that may be brought on by adjustments in caseloads, and I thank the gentlewoman from Connecticut (Ms. DELAURO) for her efforts.

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, even the New York Yankees sometimes lose, and it has been known that on occasion the Los Angeles Lakers lose a ballgame. But, Mr. Chairman, one organization never loses, and that organization has hundreds of victories to its credit and zero defeats in the United States Congress, and that is the pharmaceutical industry.

For decades now, good people in the House and Senate, Democrats and Republicans, have attempted to do something about lowering the cost of prescription drugs in this country so that Americans do not have to pay by far the highest prices in the world for the medicine they need. And year after year with lies, distortions, well-paid

lobbyists, massive amounts of advertising, and millions in campaign contributions, the pharmaceutical industry always wins. Americans die and suffer because they cannot afford the outrageous cost of prescription drugs, and we remain the only country in the industrialized world that does not in one way or another regulate the cost of prescription drugs.

As part of this bill, the gentlewoman from Connecticut (Ms. DELAURO), the gentleman from New York (Mr. CROWLEY), the gentleman from California (Mr. ROHRABACHER) and the gentleman from Texas (Mr. PAUL) and I will be introducing an amendment which is exactly the same as the Crowley amendment that 363 Members of this House voted for last year. This amendment will serve as a placeholder so we can move the reimportation bill forward that was passed overwhelmingly last year, but was not implemented.

In a globalized economy, prescription drug distributors and pharmacists should be able to purchase and sell FDA safety-approved medicines at the same prices as in other countries. The passage of reimportation will lower the cost of medicine by 30 to 50 percent and enable Americans to pay the same prices as people in Canada, Europe, Mexico and all over the world.

Mr. Chairman, this amendment is supported by the Alliance for Retired Americans; the Children's Foundation; Church Women United; The Communication Workers of America; Families U.S.A.; The National Education Association; Network, a national Catholic social justice lobby; the Presbyterian Church; Public Citizen; The Service Employees International Union, SEIU; and the Universal Health Care Action Network.

Mr. Chairman, every time anyone comes up here to take on the pharmaceutical industry, their disinformation campaign goes forward; and this time in opposition to this amendment the issue is, quote/unquote, ''safety.'' Every Member here should understand that this amendment does nothing to compromise safety, it only makes it possible to move the reimportation bill that we passed last year forward.

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), who has fought so hard for the Global Food and Education Initiative.

Mr. MCGOVERN. Mr. Chairman, I rise in support of this bill; and like many of my colleagues, I hope more funds may become available as we move forward in the appropriations process for critical programs that protect American farmers, conserve our soil and water, provide food aid abroad, and address hunger at home.

I would like to speak for a few moments about one such program. The Global Food for Education Initiative began last year as a pilot program. I want to make clear based on the report language accompanying this bill that the committee expects this program to continue through fiscal year 2002, and in turn this program will provide approximately 9 million hungry children in 38 countries with at least one nutritious meal each day and a chance to go to school.

The report accompanying H.R. 2330 contains strong and explicit language in support of this program saying, ''The committee expects the Secretary of Agriculture shall continue in fiscal year 2002 the Global Food for Education Initiative program implemented in 2001 at the level implemented in fiscal year 2001. The assistance provided under this section shall be in addition to other demands for section 4169(b) and Public Law 480 title II commodities.''

Mr. Chairman, I thank the gentleman from Texas (Mr. BONILLA), the gentlewoman from Ohio (Ms. KAPTUR), and the gentlewoman from Missouri (Mrs. EMERSON) for their leadership. This program, first proposed last year by former Senators George McGovern and Bob Dole, needs to be permanently established and authorized. Nothing illustrates this more than the difficult debates in the Committee on Appropriations and the Committee on Rules, where Members of both parties who support this initiative were faced with a difficult scoring issue because the program is funded under CCC authority.

The gentlewoman from Missouri (Mrs. EMERSON), the gentlewoman from Ohio (Ms. KAPTUR), and the gentleman from Ohio (Mr. HALL) have introduced H.R. 1700 to make this pilot initiative a permanent program so that this debate never happens again. I call upon my colleagues to join the broad bipartisan coalition of Members who have cosponsored H.R. 1700.

Mr. Chairman, I respectfully ask Secretary of Agriculture Ann Veneman to use her executive authority to extend funding for this program for fiscal year 2002. I also call upon the Secretary to provide immediately the basic administrative funding requested by such organizations as Catholic Relief Services and CARE so that they may carry out the pilot program in an efficient and productive manner. For the past 50 years, these organizations have implemented many of our best food and development programs. They are proven partners, and they guarantee that our food aid programs have an American face and character on the ground. Along with our farmers, they are among our best ambassadors abroad, and they deserve our support.

Mr. Chairman, I thank the chairman and ranking member for their work on this bill, and I urge my colleagues to support it.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to myself.

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

Mr. BONILLA. I yield to the gentleman from New Jersey.

Mr. ANDREWS. Mr. Chairman, the Repaupo Creek watershed in my district in New Jersey is in urgent need of a replacement tide gate and dike restoration project. The project is needed for several reasons, the most important of which is to provide flood protection for the residents of Logan and Greenwich Townships in Gloucester County. The Department of Agriculture's Natural Resource Conservation Service has the authority to undertake projects on watersheds that are smaller than 250,000 acres. This project meets that requirement.

Although the Repaupo Creek is a small watershed, the tide gate sits on the Delaware River, and there is some question whether a waiver will be required to do this project.

Given the urgent need for this work to be completed, and given that New Jersey officials of the Department of Agriculture have expressed a desire and willingness to work on this project, I ask the chairman on behalf of the subcommittee to agree that there is jurisdiction under present law for USDA to do the work repairing the Repaupo tide gate.

Mr. BONILLA. Mr. Chairman, reclaiming my time, while I have not examined this issue in particular in detail, I assure the gentleman from New Jersey that I will work with him on this and will consider inserting language into the final report regarding this matter.

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

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

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

Ms. KAPTUR. Mr. Chairman, as we close down general debate, I want to state my sincere thanks to the gentleman from Texas (Mr. BONILLA) for his openness in working through this bill. He has been responsive to all of our Members. We have had some testy moments at the subcommittee and full committee levels, but we have managed to keep walking forward; and I congratulate the gentleman on this first bill that he has brought to the full House.

Mr. Chairman, regarding the issue of Karnal bunt and the wheat supply in Texas, a couple of years ago post-NAFTA, we had a situation in Arizona and in Texas, and I believe even in parts of California, where it was suspected that this fungus had moved into our wheat supply. This is a really serious issue. It essentially can make our wheat product unexportable. Already we are having trouble in our wheat markets as China now exports to us more wheat than PNTR ever anticipated. Now we have this real contamination inside our country.

We need USDA's attention to this issue. I am going to enter into the RECORD a Sunday, June 24 article from the Associated Press on this question. It explains one of the reasons we fought so hard in this budget and in this bill for additional help for the inspector general, additional help for the

Animal, Plant Health Inspection Service so we could have timely inspections and also avoid of these problems in the first place.

Mr. Chairman, this bill is not perfect. Let us hope as we move toward the Senate it can be made even better. But we ask for the membership's support. In closing down this general debate period, I would hope that we can move through the amendments in a very expeditious manner so Members can catch airplanes late tonight in order to get home.

[From the Washington Post, June 24, 2001]

USDA WHEAT DISEASE REACTION FAULTED

GROWERS SAY THE SPREAD OF KARNAL BUNT FUNGUS COULD BE CRIPPLING

(By Roxana Hegeman)

ANTHONY, KAN.—Bureaucratic bungling by the U.S. Department of Agriculture has allowed the spread of a plant disease that could prove as devastating to wheat exports as foot-and-mouth disease has been to European livestock, farm groups said.

Wheat growers in Kansas, Oklahoma and Texas say the USDA responded too slowly to an outbreak of Karnal bunt at the southernmost edge of the nation's wheat belt just as harvest season was getting underway.

Karnal bunt is a fungus that is harmless to people but sours the taste and smell of flour made from infected kernels. It also slightly cuts production in infected fields. The disease's main impact is economic: 80 countries ban imports of wheat grown in infected regions.

That could be as crippling for American growers, who last year produced nearly $6 billion of wheat, as would be the discovery of foot-and-mouth disease in U.S. livestock, said Brett Myers, executive vice president of the Kansas Wheat Growers Association.

Europe's foot-and-mouth outbreak has cost millions of dollars for the slaughter of some 3 million animals and a ban on exports.

The suspected Karnal bunt contamination was first reported to the USDA on May 25, and Michael Bryant, co-owner of the elevator in Olney, Tex., that found it.

But it was seven days before the USDA's Animal and Plant Health Inspection Service (APHIS) confirmed the finding, and 15 days passed before it quarantined the first affected counties.

''Their reaction to the situation was not as timely as we would have liked,'' said Kansas Agriculture Secretary Jamie Clover Adams.

Charles P. Schwalbe, deputy director of APHIS's plant protection and quarantine program, said his agency sent the sample away for testing at a national lab instead of using a local one to make sure it had accurate and legally defensible information before taking action.

''The decisions that emerge . . . mean livelihood to people from time to time,'' Schwalbe said.

The Karnal bunt found in Throckmorton and Young counties in Texas were the first confirmed cases in the nation's wheat belt, an area extending from central Texas to Alberta, Canada.

On June 19, concern grew as the USDA added neighboring Archer County to the quarantined area, followed by Baylor County the next day. One elevator has also been quarantined in Fort Worth, about 150 miles southeast.

Karnal bunt, which originated in India, was first detected in the United States in 1996 in Arizona and California. It has since spread to southern Texas and New Mexico.

In Arizona the amount of land used to grow wheat dropped almost 50 percent after a quarantine was imposed in 1996 in four counties, according to the Arizona Agricultural Statistics Service.

But Arizona is a minor durum wheat producer, and U.S. wheat growers have reassured overseas buyers that the disease was far from the nation's major winter wheat producing region. Winter wheat, which is planted in the fall and harvested in the spring, accounts for about two-thirds of U.S. wheat and is used primarily for bread. Durum wheat is used for pasta.

With half the winter wheat going to the export market, the discovery of the disease at the southernmost edge of the nation's breadbasket just as the wheat harvest was moving north sent shock waves through the wheat belt.

State regulators feared that custom harvesters—cutters who follow the ripening wheat harvest from Texas to the Canadian border—would spread the fungus.

Oklahoma, just 50 miles from the two Texas counties where the disease was first discovered, immediately closed its borders and ordered combines coming into the state to be blocked and inspected. Harvesters from infected areas without a USDA certification of cleanliness were turned back.

''We need to preserve our heritage and our wheat industry. The spread of Karnal bunt in Texas should be considered a threat to Kansas wheat,'' said Kansas Gov. Bill Graves (R). Kansas is the nation's biggest wheat producer, with a $1 billion crop and nearly 10 million planted acres.

Rep. Frank D. Lucas (R-Okla.) has been pursuing the issue after a request from growers for a congressional investigation into the USDA's handling. His office said he has not decided whether to ask for an inquiry.

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

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. NETHERCUTT), a very distinguished member of the subcommittee.

Mr. NETHERCUTT. Mr. Chairman, I thank the gentleman for yielding me this time and for his kind remarks.

Mr. Chairman, I am delighted to stand in support of this bill. We have had a lively and valuable discussion on both sides of the aisle on various issues.

Mr. Chairman, I think the subcommittee chairman has done a wonderful job to put this bill together in essentially record fashion. I am grateful to him for his leadership.

I am supportive of this bill because it has a strong research component for agriculture, production agriculture, to be sure that it has the tools and the information and the technology necessary to compete in a world market. That is what we need for our farmers.

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I also am pleased that this bill under the chairman's leadership has increased food safety and inspection. We have the safest food supply in the world and we must make sure that we acknowledge that and do not denigrate it in debate on the issue, because we have a very safe system. We need to keep it safe. We will keep it safe with the resources that are available in this bill.

At the subcommittee and the full committee level, I had raised the issue of ecoterrorism. When we spend multimillions of dollars on agriculture research but yet some of that research gets destroyed by extremists, ecoextremists who seek to destroy agriculture research, then we need to make sure we, as taxpayers and as Members of this body, protect that research.

This is not the place or the time for that issue and the discussion surrounding it, but it is an issue that we need to attend. My expectation is that we will attend to it as we go through the legislative process later in this year. But I think those of us who care deeply about agriculture need to be critically aware that ecoterrorism is a reality in this country. We need to protect the research and the researchers.

I urge my colleagues to support this bill.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Chairman, I want to thank the gentleman for this opportunity to express my strong support for his bill and point out a small provision of it that is extremely important to the farmers of the northeastern part of the Nation, particularly to those in Connecticut. I strongly support the increase in funding for the EQIP program, the Environmental Quality Incentives Program, because it will help us achieve our national attainment goals in the area of clean water.

The AFO/CAFO regulations are expensive. My State has adopted all of the implementing policy to assure compliance with the AFO/CAFO regulations; and the only reason frankly, the only possible way that small farmers can survive these costly regulations is through the technical assistance that the EQIP funds provide to them to help them determine what projects will, in fact, contain runof. These funds give them some help in offsetting the costs of developing manure management programs and other modern approaches that will enable them to make a significant contribution to the cleanliness of our waterways and also, in the long run, to the revitalization of Long Island Sound.

In New England, we have very steep, hilly farms. We also have more rainfall than other parts of the country. So the burden on us is, frankly, far higher than the burden on other parts of the country. We are not a part of the country that benefits much from the farm bill through its crop assistance and other programs, but so some of its conservation dollars, and these EQIP dollars, are extremely important to us. I thank the chairman for uncapping them and making more resources available for compliance with the AFO/CAFO requirements.

Mr. BONILLA. Mr. Chairman, our Committee has worked hard to bring a good bill to the House. We have made prudent recommendations for the use of the budgetary allocation available to us, and we have done yeoman

work in keeping the bill free of contentious issues such as trade policy, that have caused concern in prior years. I think we have a very good bill, and I know that we will have a good debate. In closing, I would certainly hope that everyone would support this bill on final passage.

Mr. KIND. Mr. Chairman, today the House is considering funding for the fiscal year 2002 Agriculture appropriations bill. This bill provides funding for U.S. Department of Agriculture and the Food and Drug Administration.

As a Member of Congress from a large agricultural district who is also concerned about this Nation's long-term fiscal health, I am concerned that this measure is yet another repeat of past agriculture spending packages—where Congress is providing fewer-and-fewer farmers with financial assistance.

The failure of this Congress to make fundamental changes to existing agriculture policy, which had led to many farmers being driven off their land due to the perverse financial incentives, is beyond reasonable belief.

It is my hope that future agriculture policy will be equitable, providing federal assistance—when needed—to all producers. It is my hope that future agriculture policy respects the broad diversity of rural America. It is my hope that future agriculture policy provides for clean and safe drinking water, along with improved soil and air quality.

Mr. Chairman, this measure obviously covers more than just financial assistance to American farmers. In addition, it provides important funding for nutrition programs, food inspection, and safety. For these reasons, it is very important that this measure is passed.

Mrs. MALONEY of New York. Mr. Chairman, in January 1997, when the Asian Longhorned Beetle was first spotted in the United States right in the heart of Brooklyn, I called on the Department of Agriculture to do everything in its power to eradicate this tree-killing beetle before it devastated the Northeast urban forestry network. The strong efforts from the Agriculture Department, in close coordination with State and city agencies, slowed the beetles spread significantly, but sadly, New York has lost more than 5,000 trees in less than 6 years from beetle infestation.

In recent years, I have held numerous community forums on the issue to raise awareness about the beetle's devastating effects and to discuss strategies to prevent the spread of beetle infestation.

I have also worked closely with my colleagues in the New York delegation to secure adequate funding to stop the beetle before it spreads deeply throughout the Northeast region and into the rest of the country.

My aim has always been the protection of our farmlands, our trees and our forests through the containment and complete eradication of the Asian Longhorned Beetle.

This year's Agriculture Budget provides crucial resources toward that end, with $35 million appropriated to fight the Asian Longhorned Beetle, citrus canker, and the plum pox virus. This is a significant increase in funding for a very significant problem. Unchecked, costs from the spread of the Asian Longhorned Beetle could rise as high as $41 billion nationwide.

I want to thank Congressman BONILLA and Congresswoman KAPTUR for including these significant funds to battle the beetle.

I also want to note that the Interior budget currently includes almost $24 million for the U.S. Forest Service for the Cooperative Land Forest Health Management program specifically to fight the spread of the gypsy moth and the Asian Longhorned Beetle.

Resources for the fight against beetle infestation are especially important to New York City. Just this month, 60 trees from Calvary Cemetery in my district in Queens were cut down, chipped, and burned to the root because of beetle infestation. Additional trees were recently cut down in Astoria and Woodside Queens.

In fact, since the beginning of this year, the Brooklyn, Queens region has lost close to 300 more trees to beetle infestation. Manhattan has lost more than 50 tress and the Bayside area lost more than 150 trees. The total loss for the New York City, Long Island area is up to 5,300 trees.

The beetle is simply devastating large portions of the region. With new resources, we will be able to fund areas where there have been significant shortfalls. We will be able to train our residents to identify the beetle and respond appropriately if they spot one. We will be able to increase funds for tree inspections, removal, and reforestation efforts.

Also, we will continue to move forward with new treatments for healthy trees that help prevent beetle infestation. In short, we will battle this menace on all fronts to protect our trees, our environment, and our quality of life.

Mr. BEREUTER. Mr. Chairman, this Member rises in support of H.R. 2330, the Agriculture appropriations bill for fiscal year 2002.

This Member would like to commend the distinguished gentleman from Texas (Mr. BONILLA), the chairman of the Agriculture Appropriations Subcommittee, and the distinguished gentlewoman from Ohio (Ms. KAPTUR), the ranking member of the subcommittee, for their hard work in bringing this bill to the floor.

Mr. Chairman, this Member certainly recognizes the severe budget constraints under which the full Appropriations Committee and the Agriculture Appropriations Subcommittee operated. In light of these constraints, this Member is grateful and pleased that this legislation includes funding for several important projects of interest to the State of Nebraska.

First, this Member is pleased that H.R. 2330 provides $461,000 for the Midwest Advanced Food Manufacturing Alliance (MAFMA). The alliance is an association of 12 leading research universities and corporate partners. Its purpose is to develop and facilitate the transfer of new food manufacturing and processing technologies.

The MAFMA awards grants for research projects on a peer review basis. These awards must be supported by an industry partner willing to provide matching funds. During the seventh year of competition, MAFMA received 39 proposals requesting a total of $1,382,555. Eleven proposals were funded for a total of $348,147. Matching funds from industry for these funded projects total $605,601 with an additional $57,115 from in-kind funds. These figures convincingly demonstrate how successful the alliance has been in leveraging support from the food manufacturing and processing industries.

Mr. Chairman, the future viability and competitiveness of the U.S. agricultural industry depends on its ability to adapt to increasing worldwide demands for U.S. exports of intermediate and consumer good exports. In order to meet these changing worldwide demands, agricultural research must also adapt to provide more emphasis on adding value to our basic farm commodities. The Midwest Advanced Food Manufacturing Alliance can provide the necessary cooperative link between universities and industries for the development of competitive food manufacturing and processing technologies. This will, in turn, ensure that the U.S. agricultural industry remains competitive in an increasingly competitive global economy.

This Member is also pleased that this bill includes $200,000 to fund the National Drought Mitigation Center (NDMC) at the University of Nebraska-Lincoln. This project is in its fourth year and has assisted numerous States and cities in developing drought plans and developing drought response teams. Given the nearly unprecedented levels of drought in several parts of our country, this effort is obviously important.

Furthermore, this Member is also pleased that the measure provides $700,000 for efforts at the University of Nebraska-Lincoln to improve biomass for feedstocks. The research will benefit the environment and the agricultural economy. It also holds the potential to greatly reduce the nation's dependence on foreign sources of energy.

Another important project funded by this bill is the Alliance for Food Protection, a joint project between the University of Nebraska and the University of Georgia. The mission of this alliance is to assist the development and modification of food processing and preservation technologies. This technology will help ensure that Americans continue to receive the safest and highest quality food possible.

This Member is also pleased that the legislation funds the following ongoing Cooperative State Research, Education, and Extension Service (CSREES) projects at the University of Nebraska-Lincoln: Food Processing Center: $42,000; non-food agricultural products: $64,000; sustainable agricultural systems: $59,000; Rural Policy Research Institute (RUPRI) (a joint effort with Iowa State University and the University of Missouri): $1,300,000.

In addition, this Member is pleased that the bill directs the Agriculture Research Service to collect and focus $300,000 at the University of Nebraska-Lincoln to address sorghum fungal plant pathology concerns. This funding will fill a critical need for fungal pathology research for sorghum in the central Great Plains and the United States.

This Member would also note that H.R. 2330 includes $99.77 million for the section 538, the rural rental multifamily housing loan guarantee program. The program provides a Federal guarantee on loans made to eligible persons by private lenders. Developers will bring 10 percent of the cost of the project to the table, and private lenders will make loans for the balance. The lenders will be given a 100 percent Federal guarantee on the loans they make. Unlike the current section 515 direct loan program, where the full costs are borne by the Federal Government, the only costs to the Federal Government under the 538 Guarantee Program will be for administrative costs and potential defaults.

Mr. Chairman, this Member certainly appreciates the $3.1 billion appropriation for the Department of Agriculture's Section 502 Unsubsidized Loan Guarantee Program. The program has been very effective in rural communities by guaranteeing loans made by approved lenders to eligible income households in small communities of up to 20,000 residents in nonmetropolitan areas and in rural areas. The program provides guarantees for 30-year fixed-rate mortgages for the purchase of an existing home or the construction of a new home.

Mr. Chairman, in conclusion, this Member supports H.R. 2330 and urges his colleagues to approve it.

Mr. LARGENT. Mr. Chairman, I rise today to express my support for H.R. 2330, the FY 2002 Agriculture appropriations bill. I am pleased that the Appropriations Committee has both supported our farmers and displayed fiscal discipline by remaining close to the President's budget request. This responsible bill addresses the needs of our nation's farmers and ranchers while keeping in mind the desire of American consumers to buy affordable and safe agriculture products.

I want to commend the full committee for passing a number of important amendments. Specifically, I am pleased that employees of the Farm Service Agency will be better able to deliver farm ownership, farm operating, and disaster loans through improved salary and expense funding and through additional resources for agricultural credit programs. This assistance will come as a welcome relief as the workload of this vital agency has grown in response to a weakening farm economy.

I am also pleased with the investment this bill makes in the future safety and health of our citizens and our environment. The research that will be facilitated and advanced through this bill will ensure the continued quality of our food supply by improving safeguards. The conservation programs within the bill also reflect foresight. The desire of farmers to preserve American soil exemplifies the respect and attachment they have for the land in which they are invested.

Lastly, I am encouraged by the Distance Learning and Telemedicine Program which will link rural Americans with resources and opportunities previously available only in urban areas. As we seek a prosperous future for our rural residents, we must find ways to stimulate local economies. This bill advances that goal through education and enhanced services that will enable individuals and families to stay in their hometowns while receiving education and health services. Using technology to provide useful links between rural and urban areas will slow the flight to cities and preserve smaller towns and municipalities, which are vital pieces of the American fabric.

I commend the chairman and all of the members of the committee for crafting this responsible bill.

Mr. TANCREDO. Mr. Chairman, I rise in opposition to H.R. 2330, the Agriculture Appropriations Act, a bill considered on the floor today which makes appropriations for the Department of Agriculture and related agencies. But more specifically, I rise in strong opposition to the increase provided in the bill for the Food and Drug Administration (FDA) and would like to call the House's attention to a problem that one of my constituents has been having with the agency and one that I believe deserves careful consideration by the oversight committees in this chamber.

Recently, the FDA gave final approval of my constituent's Pre-Market Application for both total and partial joint implants after an exhaustive and blatantly biased 2-year review, but not before costing his company over $8 million in legal fees, lost wages, and profits.

In April 1999, I received a phone call and letter from TMJ Implants, a company located in Golden Colorado, in my district, which had been having problems with the review of its Premarket Approval Application of the TMJ Total and Fossa-Eminence Prosthesis. Up until last year, the company was the premier market supplier of temporomandibular joint prosthesis.

Over the last 2 years, I have taken an active interest and an active role in monitoring the progress of TMJ Implants' application, which was finally approved in February. On numerous occasions, I met with Dr. Bob Christensen, president of TMJ Implants, to find out information about the approval of the partial and total joint, and personally talked to FDA Commissioner Jane Henney and to members of the Agency about the status of the company's applications. I was also, and continue to be, in contact with the House Commerce Subcommittee on Oversight, which has sole jurisdiction over the FDA and issues relating to abuse and the internal operations of the agency.

Specifically, I closely followed this case since my office's first contact with Dr. Christensen and TMJ Implants in early May 1999, after a meeting of the FDA's Dental Products Panel of the Medical Devices Advisory Committee was held to review the company's PMA and recommended approval of the PMA by a 90 vote. From this point onward, the FDA engaged in an obvious pattern of delay and deception and even went as far as to remove TMJ Implants' Fossa-Eminence Prosthesis from the market, which had been available for almost 40 years. This had done nothing more than to cause harm to patients and cost the company millions of dollars.

This was done at the same time that the application for TMJ Concepts, a competitor of TMJ Implants, sailed through the process. Several allegations have come to light over the last two years detailing the fact that several Agency employees have worked under the direction of TMJ Concepts' associates.

The agency went so far as to reconvene a new Medical Devices Advisory Committee late last year, with a clear majority of its members lacking the required expertise, which denied the company's application.

It was not until Mr. Bernard Statland, the new Director of the Office of Device Evaluation (ODE) was brought in that the logjam was broken the PMA was quickly approved.

As the above demonstrates, several concerns remain about the process that has taken place over the last two years. It is no secret that everyone involved in this case believes that there have been significant question raised about the process—the sluggish pace of the review of the engineering data for both the total and partial joint and, more importantly, the constant ''moving of the goal posts'' during the review of both PMAs.

Over the last 2 years, my office has received numerous letters from physicians all across the country—from the Mayo Clinic to the University of Maryland—each describing the benefit of the partial joint and the fact that the partial and total joint results in immediate and dramatic in pain, an increase in range of motion and increased function.

While I am, of course, pleased that the application has been approved by the FDA after much delay, the circumstances of the last 2 years calls into question the integrity of the agency and, it is for this reason that I bring it to the House's attention.

Dr. Christensen is a true professional and a pioneer in his field and holder of the first patents. His implants are widely accepted as effective and safe throughout the dental and surgery community—indeed, several of my constituents have literally had their lives changed by the procedure. I am convinced that the work of TMJ is and always has been based on solid, scientific principles and the removal of the implants work of TMJ is and always has been on solid, scientific principles and the removal of the implants from the market had been erroneous, contrary to the Agency's earlier findings and the statutory standard that should be applied. This was devastating to thousands in the general public and devastating to the financial status of the company.

Later this year, the House of Representatives will consider legislation reauthorizing the Food and Drug Administration and I would like to urge the House Commerce Committee to hold hearings on the TMJ Implant case and to conduct a thorough investigation into the FDA's review of the Premarket Approval Application of the TMJ Fossa-Eminence Prosthesis.

I would like to take this opportunity to submit into the RECORD two articles from FDAWebview which shed light on the TMJ Implant case.

[From FDAWebview, Feb. 28, 2001]

''FULL DISCLOSURE'' STANDARD IN TMJ APPROVAL OPENS NEW FDA ERA

Instead of FDA tying itself in knots trying to guarantee no inappropriate patient exposures to implanted devices—and stalling a product in mid-review as a result—yesterday's approval of the TMJ Implants Fossa-Eminence Prosthesis set a new ''full disclosure'' labeling standard that lifts that self-imposed burden from the agency and should expedite other product reviews. TMJ Implants' pre-1976 jaw joint devices was stalled for 20 months in a classification PMA review until new Office of Device Evaluation (ODE) director Bernard Statland broke the logjam. In doing this, he was implementing one stage of a bold new Center policy on innovative public use of clinical device information articulated last year by Center director David Feigal—placing such FDA-held information in the hands of physicians and patients.

According to one of the two attorneys who steered the TMJ Implants submission through its FDA ordeal, Mike Cole (Bergeson & Campbell), yesterday's approval is the first he's seen in 25 years of dealing with ODE where the agency stepped back from its ''appropriate use'' worries and left them to physicians and patients to decide, based on full disclosure in labeling of the device's real-world limitations—including the availability of no-device alternative therapies.

Under the Fossa-Eminence labeling's Warnings section is a boxed statement headed, ''The medical literature reports,'' with four bulleted statements:

That many cases of Internal Derangement resolve after non-surgical treatment, or, in some cases, with no treatment at all.

That the complexity of contributing factors in this patient population must be considered in the diagnosis and decision to surgically treat patients.

That replacement surgery, therefore, should be utilized only as a last resort after other treatment options are exhausted or determined not to be warranted in the medical judgment of the physician/dentist in consultation with the patient.

That the Wilkes classification is a guide in determining the severity of the disease. This classification should not be relied on as a sole criterion for surgical treatment.

''It really is a striking difference in philosophy,'' Cole told FDA Webview. ''It discloses that a lot of patients have responded without surgery . . . It describes situations where the doctor arrives at the diagnosis that surgery may be appropriate, but it doesn't prejudge it. Over the years, there have been all these notable instances of concern about off-label use of products and misuse of products, and part of it comes, I think, from a mentality that we have to be 100% sure that it will be used appropriately. As a result, manufacturers have started submitting applications with more and more restricted indications statements in them because that can get through system.''

Cole and colleague David Rosen (McDermott, Will & Emery) believe the TM) Implants devices had been logjammed at FDA for so long simply because reviewers were afraid the products would be used inappropriately—an FDA syndrome that has effected many other products over the years. ''A lot of times, what it really comes down to is demands for more data, more data, more data,'' Cole explained, ''because the reviewers are not comfortable with the idea that the device ought to be on the market, or available. The way out of that is to keep asking for more information.''

In TMJ Implants' case, he said, review leader Susan Runner ''held what I think was a very honest and sincere concern about the device being used in cases where patients might respond without surgical treatment. Because the studies hadn't been set up to prove exactly what I think we had demonstrated, she had this really deep-seated concern about the product being used, and it just went round and round in circles. We had no apparent instances of misuse of the device, but we were getting nowhere.

''When we had this meeting with Dr. Statland, he got up with a whiteboard and started talkng abut the data, and he said to his people, 'You know, we've got a lot of information here; what we need to do is figure out how we're going to present this information to the doctor so that the doctor and the patient understand exactly where surgery fits in this and make sure we discuss the limitations of the data.' For the first time that I've heard this in 25 years dealing with Center, he said: 'We'll discuss this information in the labeling and we'll let the doctors and the patients decide whether they want to use the device—we won't decide for them.''

Statland, Cole said, stopped the reviewers' agonizing at the point where reasonable assurance of safety and efficacy had been demonstrated, thus preventing the agency from continuing to stray into attempts to secure an absolute guarantee that the product would not be used improperly. ''In a way it's a kind of subtle point, but in a way it's also a sledgehammer point. When Dr. Statland said 'This is what we're going to do,' it was over.''

[From the FDAWebview, Feb. 27, 2001]

TOUGHEST DEVICE APPROVAL CLEARS LAST OF EMBATTLED FIRM'S IMPLANTS

Ending a 20-month, $6 million ordeal for Colorado-based TMJ Implants Inc., CDRH Office of Device Evaluation director Bernard Statland 2/27 approved the last and most important of the company's two PMAs—for the TMJ Fossa-Eminence Prosthesis. Without his personal involvement in the review—including private discussions with several oral surgeons, it would still be bogged down, observed TMJ Implants' attorney, former FDAer David Rosen (McDermott, Will & Emery) who with Mike Cole (Bergeson & Campbell) helped propel the tortured review to its successful conclusion; Rosen ranks this approval at the top of the toughest FDA approvals he has experienced, inside or outside the agency, including both generic drugs and medical devices.

At one point, FDA reviewers allegedly predicted the Fossa-Eminence, or partial jaw joint, would never be approved. The only device of its type every marketed, it attracted heavy reviewer skepticism. Then, last month, the company's two-part total joint, of which the Fossa-Eminence is a component, was approved. This seemed like a consolation prize, because the total had been only a small part of the company's business. TMJ Implants CEO Robert Christensen recalls an FDA manager asking whether the company could not be satisfied just with the total while the agency continued to consider the partial. ''I told them we could not survive on the total,'' he said.

In 1998, as it was moving against his pre-1976 devices pending classification and PMA submission, FDA approved a new competitor's total joint, indicating agency satisfaction with that technology, especially the competitor's plastic cup (Christensen's devices are all-metal).

The final labeling of the Christensen Fossa-Eminence now actually gives his partial device more indications than he originally asked for, and effectively restores the device to all of its marketed uses before FDA's classification process removed it from commerce 20 months ago (the company had reduced the indications it was requesting based on FDA and advisory panel suggestions). The new approval lists these indications:

Internal derangement confirmed to be pathological in origin by both clinical observation and radiographic findings, where the patient has moderate to severe pain and/or disabling dysfunction and has not responded to less invasive, conventional therapy;

Inflammatory arthritis involving the temporomandibular joint not responsive to other modalities of treatment; Recurrent fibrosis and/or bony ankylosis not responsive to other modalities of treatment;

Failed tissue graft;

Failed alloplastic joint reconstruction.

These indications all had to be justified by a prospective clinical study that Christensen and oral surgeons using these devices had provided, but that CDRH's Division of Dental, Infection Control and General Hospital Devices had difficulty evaluating. Statland told FDA Webview he injected himself into the review because it was ''stuck.'' It helped that his wife once had a TMJ condition that did not require surgery—he learned as much as he could about ''this very complex problem, which has many causes and many different treatments.''

As he got into the TMJ Implants controversy, he discovered that the parties' positions had hardened through communication breakdowns, which he was able to soften. ''There was venting on both sides,'' Statland said.

''The message is,'' he told us, ''that those companies that are very conscientious in prospective studies, that have the data, find that that speaks much louder than anything else. Anecdotal information is fine, opinions of various people and declarations are fine, but we have to look at the numbers. I think that's the take-home lesson.''

With TMJ Implants, Statland said, FDA played ''a consultative role,'' although he would not address Christensen's complaints that the early stages of the review were far from consultative. ''I'm pro-technology,'' he stressed. ''I want good devices to be out there. Those things are going to help people. At the same time, I want full disclosure, so people can make good decisions.''

Rosen acknowledged that after Statland began opening up the issues dividing the company from reviewers, there were holes in the data (e.g., patients lost to follow-up) that the company had provided and that reviewers apparently didn't know how to assess. After one round-table discussion, on 2/9, he and Mike Cole worked through the weekend to extract from the company's prospective clinical study data a subset analysis of patients who had at least three years' experience with the Fossa-Eminence implant. On 2/13, he presented this to the reviewers, and it answered all of their questions. That left only the labeling, which then moved quickly to completion.

Christensen, who had enlisted legal, political and media help in his frustration with the process, told us 2/27 he is now ''very pleased'' with the result, although he thinks FDA owes him for some of his extraordinary costs in restoring his two devices to the market. He has resumed full marketing efforts. By his calculations, he has $6 million to $8 million in losses to make up.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule and the amendment printed in House Report 107–118 is adopted.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2330

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

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, $3,015,000: *Provided*, That not to exceed $11,000 of this amount 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.

AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. KAPTUR:

In title I, under the heading ''OFFICE OF THE SECRETARY'' insert after the first dollar amount the following: ''(reduced by $1,700)''.

In title V, under the heading ''FOREIGN AGRICULTURAL SERVICE''–''SALARIES AND EXPENSES'' insert after the second dollar amount the following: ''(increased by $1,700)''.

Ms. KAPTUR (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Ms. KAPTUR. Mr. Chairman, throughout the consideration of our bill at the subcommittee level and full committee level, we very, very much wanted to have a straightforward appropriation for continuation of the Global Food for Education program. Thus far we have been unable to achieve that in the base bill and have only been able to achieve report language that essentially says that we, as the Congress, expect that the Secretary of Agriculture will continue a program begun last year that is moving our surplus commodities and food commodities around the world to 38 countries, feeding over 9 million needy children. This program is a win-win for America's farmers and ranchers and definitely a win-win for hungry children around the world, including young girls who are encouraged to go to school and receive a decent ration in whatever country they might live.

Unfortunately, in the base bill, there is not $300 million appropriated to continue this program straightforwardly. Rather, all we have is some language that says to the Secretary, ''We think it's a great idea; we hope you can figure out a way to continue the program; and we expect you to continue the program.''

The purpose of this amendment as drafted would be to symbolically take $1,700 from the Secretary's own accounts and to make those available to the Foreign Agricultural Service. Now, we know $1,700 is not a whole lot, you might be able to buy some stationery with that, but the number 1700 happens to be the number of the McGovern-Emerson bill, which is the bill that would permanently authorize this program for which we would appropriate necessary funds in any fiscal year.

Now, the program as it currently operates is having a tremendous impact around the world. In fact, there are some countries where organizations are now building schools, albeit humble schools, maybe thatched roof schools, where children are coming to receive this food. It has gotten tremendous support from so many of our nongovernmental organizations, like Catholic Charities, like ACDI/VOCA, like Mercy Corps, like CARE, the very organizations that the World Food Program works through all across the world to feed those who are most in need.

So the purpose of this amendment as drafted really is to say, look, why are we involved in this budget charade of saying to the Congress: if we directly appropriate $300 million, we can't do that because we break some sacrosanct budget rule here and, therefore, we can't appropriate real dollars. So we'll just put report language in the bill. Compare this to the other option that, well, if it goes over to the Secretary, she can spend the dollars out of the Commodity Credit Corporation and it doesn't score.

I do not think there is a person in my district that would understand this kind of budget charade. So the purpose of this amendment is really to draw attention to what is happening here and to say that a large number of our Members on this side of the aisle really want this program to have permanently appropriated dollars. We want to be able to do that as a House. We are handcuffed in the procedures allowed through subcommittee and full committee in order to achieve that.

It is not my intention to move forward with this amendment because I do not want to do a fig leaf. I want to do a real appropriation. But I want to use this amendment as a mechanism to allow others who support this program to speak and to, in the strongest language possible, let the administration know that we are serious. Quite frankly, as this bill moves to conference, it is my intention, working with some of my other colleagues, to bring this up in the other body.

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to enter into a colloquy with the gentleman from Texas (Mr. BONILLA) as well as the gentleman from Massachusetts (Mr. MCGOVERN) and the gentlewoman from Ohio (Ms. KAPTUR) with regard to the continuation of the Global Food for Education Initiative.

Mr. Chairman, the Global Food for Education Initiative was implemented as a pilot program during fiscal year 2001. The Department of Agriculture used $300 million of discretionary funds from the Commodity Credit Corporation to start this pilot program.

I have joined with the gentleman from Massachusetts (Mr. MCGOVERN) and others in introducing the George McGovern-Robert Dole International Food for Education and Child Nutrition Act of 2001 so that we actually can authorize this program for a 5-year period. However, it is unlikely that this authorizing legislation will be approved in time to provide a seamless transition from the pilot to the authorized program for fiscal year 2002.

An amendment was offered to continue the pilot program at the current level of funding during our markup in the agriculture appropriations subcommittee, but we determined that, for lots of reasons, it would not be part of our bill today. However, I was pleased at the efforts of the gentleman from Texas to include language explaining that the House of Representatives expects the Department of Agriculture to continue the GFEI pilot program in the fiscal year 2002.

Mr. Chairman, it is my hope that the committee supports the international school feeding programs. I would like to see the GFEI continued for the next fiscal year. Is it the gentleman from Texas' expectation that the Department of Agriculture will continue to fund this program at its current level in fiscal year 2002?

Mr. BONILLA. Mr. Chairman, will the gentlewoman yield?

Mrs. EMERSON. I yield to the gentleman from Texas.

Mr. BONILLA. It is hard to speculate as to what the Department is going to do, but I can assure her that this is something that we are all concerned about. I know the gentlewoman from Ohio (Ms. KAPTUR) has worked on this as well, along with the gentleman from Massachusetts (Mr. MCGOVERN), the gentleman from New York (Mr. WALSH), and others. The subcommittee included report language that encourages the Secretary to continue this program at the same level as the current fiscal year. Accordingly, I will be pleased to work with the gentlewoman to see that USDA continues a program they initiated administratively.

Mrs. EMERSON. I thank the gentleman.

Mr. MCGOVERN. Mr. Chairman, will the gentlewoman yield?

Mrs. EMERSON. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. First of all, I want to thank the gentlewoman from Missouri for yielding and for her incredible leadership on this issue; and I want to thank the gentleman from Texas for his work on this issue and for the strong language included in the fiscal year 2002 agriculture appropriations report. I appreciate the gentleman's words and his dedication to the continuation of this important program. I look forward to working with him and others on this committee to try to persuade Secretary Veneman to make sure that she does continue this program at the current level.

Mr. Chairman, I include for the RECORD a letter of support for this program co-signed by former Senators Bob Dole and George McGovern.

WASHINGTON, DC,
June 12, 2001.

Hon. C.W. YOUNG,
Chairman, House Appropriations Committee, Washington, DC.

DEAR MR. CHAIRMAN: We would like to encourage you to ensure that funding continues for fiscal year 2002 for the President's Global Food for Education Initiative.

It would be tragic to initiate school feeding programs that benefit 9 million children, only to have those programs abruptly terminated.

We hope that you will support continuing funding for this program in fiscal year 2002 at the same levels as fiscal year 2001 when you consider the FY02 Agriculture Appropriations Bill in Committee this week.

Sincerely,

GEORGE MCGOVERN.
BOB DOLE.

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

Mrs. EMERSON. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I wanted to thank the gentlewoman from Missouri for her tremendous leadership on this issue and also the gentleman from Massachusetts, Mr. MCGOVERN. The two of them have been vigilant all through our efforts in subcommittee and full committee. I want to thank the gentleman from Texas, Mr. BONILLA, for trying to do as much as he could do. I would hope that we might even consider doing a joint letter to the Secretary as we move toward conference, if that is possible, in order that this program be given the serious attention that it demands at the Department of Agriculture. I want to thank all my colleagues for their tremendous efforts.

Also, I understand Senator Dole has gone through a bit of a procedure at the Cleveland Clinic recently. If he is watching this, I hope our remarks make him feel better. I also want to thank Senator MCGOVERN who has been such a stalwart supporter and innovator, a genius really on this program. We thank him for traveling up here recently to join us in a press conference in front of the Capitol. We hope in their stead here today that we do what is necessary to continue this program.

Mrs. EMERSON. I thank the gentlewoman from Ohio. The gentleman from Massachusetts and I thank the gentleman from Texas for his clarification on this issue.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to make a few observations about the conversation that we have just heard with respect to this proposal. I think the key words that Members ought to keep in mind were the words of the subcommittee chairman. When he was asked whether or not he did expect the Department to, in fact, continue this program, he correctly pointed out that it is always difficult to predict what any agency, including USDA, will do. That is precisely why, in my view, the committee should have adopted the amendment that we tried to have attached in full committee and why this House should have voted on it today.

□ 1515

Here is the situation that we face on this issue. We have had, for the past year, a pilot program going on which in essence takes the value of surplus food in this country and uses it to provide nutrition for young children abroad.

We have been asked by former Senator George McGovern and former Senator Bob Dole, who each on occasion was honored with the nomination of his party to the Presidency of the United States, we have been asked by both of them to continue the program and to make it a long-term commitment. That is something we ought to do.

I would submit that no one in the history of the Congress knows more about child nutrition than George McGovern and Bob Dole. They devoted a good deal of their life to seeing to it that children in this country were adequately nourished, and they are trying to also do something to recognize that we have responsibilities to people around the world who are not as fortunate as we are.

The problem we have is that when the gentlewoman from Ohio (Ms. KAPTUR) and others sought to offer the amendment, we were told if we offer the amendment and if we do that in this bill, then this bill will be scored and that will hurt us vis-a-vis the Budget Act.

I would simply say I think this is a sad example of how we have been tied up by some of the ludicrous accounting rules that get in the way of our achieving needed policy goals.

We are stuck in a battle of accountants and the lawyerly interpretation of what accountants tell us and, as a result, we are prevented from doing something which we obviously ought to do.

We have one problem. The agency has not decided to proceed. This Congress had a choice. It could tell the agency to get off the dime and proceed or it could pass the buck. For bookkeeping reasons, this Congress has decided to pass the buck. I think that is unfortunate. It seems to me that if the Congress had indicated today, through an amendment on this legislation, that we were directing them to proceed, the agency would have proceeded. We would then have not had the accounting problem and we could have, in fact, delivered on this program.

We have a simple choice. We have surplus commodities in this country. The question is, will the taxpayers be asked to pay money in order to store them or will they be asked to pay money in order to ship them so they can be used to provide nutrition for young children abroad who need them?

That is a win-win proposition, both for those kids and our farmers. It ought to also help our consciences as well, and I think it is indeed unfortunate that we have been prevented from offering the amendment today.

Ms. KAPTUR. Mr. Chairman, if the gentleman will yield, I reserve the right, as we move toward conference, to reinject this issue into the debate as we further perfect this bill.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, 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, $7,704,000.

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, $12,869,000.

Ms. LEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to enter into a colloquy with the chairman of the committee. I had intended to offer an amendment today to provide funding to make it easier for students to purchase organic and whole foods in the school breakfast and lunch programs, but I will not offer my amendment today. I want to thank the gentleman from Texas (Mr. BONILLA), and the ranking member, the gentlewoman from Ohio (Ms. KAPTUR) for their support of my intention to assist schools in purchasing healthy foods for their school breakfast and lunch programs.

This would include organic, locally grown and fresh produce. At a time when our children's health is threatened by such conditions as obesity and type II diabetes, it is more important than ever to ensure that they have healthy options when they eat at school.

Currently, our tax dollars buy a high fat, high caffeine, fast food diet, which is turning into an extremely expensive public health problem. According to the Centers for Disease Control and Prevention, youth nutrition and obesity are an epidemic in the United States. The Healthy Farms and Healthy Kids Report states that the awful irony is that our multibillion dollar investment is yielding a multibillion dollar public health crisis in school-aged children while at the same time 85 percent of family farmers who are perched precariously on the edge of urban sprawl are threatened with extinction. In many school districts in my State of California and around the Nation, urban, rural, and suburban, it is a real challenge to serve fresh, ethnically diverse meals prepared on-site from whole ingredients obtained by local farms.

With the commitment from the schools and the community, things can be better. In my district, for example, in Berkeley, California, they are facilitating a district-wide food systems-based curriculum supporting garden classrooms and cooking programs in every school.

In Berkeley, local funding has allowed the schools to have a garden in every school, and they are opening fresh salad bars with organic and other fresh foods. So this will help our schools and our local farmers and, of course, our students. With large purchasers like schools, we believe we will

demonstrate that we can bring more healthy foods into our schools while lowering the costs but still supporting our farmers. So I would just like to ask the gentleman from Texas (Mr. BONILLA) for his help really in the future to secure funds to make it easier to get healthy foods from our farms to our children and to our schools, of course. I look forward to working with him and our ranking member, the gentlewoman from Ohio (Ms. KAPTUR), to ensure that this provision could possibly be contained in the final version of the fiscal year 2002 Agricultural Appropriations Act.

Mr. BONILLA. Mr. Chairman, will the gentlewoman yield?

Ms. LEE. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, I would be happy to work with the gentlewoman from California (Ms. LEE) and the folks at USDA to provide some positive direction in this area. There is not a parent out there that is not concerned about good nutrition for children so I thank the gentlewoman for bringing this up and would look forward to again trying to direct USDA, somehow working with the gentlewoman on this issue of organic foods.

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

Ms. LEE. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I just wanted to say to the gentlewoman from California (Ms. LEE) that I fully support her efforts. I think she has raised an exceedingly important issue for our country. Without question, the nutrition of our children will yield the health of the future generation. The high use of sugar and high fats in the diets of our youth are creating an untenable, extremely unhealthy situation in this country that even the Surgeon General has recognized.

One of the hardest challenges we face within the U.S. Department of Agriculture is to get the nutrition part of the agency, which has over half of its budget, to talk to the production side, which is the part the gentlewoman is talking about. That is producers, organic producers, small farmers, must be linked to our local school districts. This has been a tough job.

I really support the gentlewoman on her efforts. Her goals of helping our children, I think, are commendable and also getting the Department of Agriculture to see its responsibilities toward our youth by working with farmers who can provide that fresh product in fruits and vegetables, with ethnic and racial sensitivity at the most local of levels, which is where we all live.

So I look forward to working with the gentlewoman as we move the bill in the other body and hopefully we can strengthen this measure as we move forward. I thank the gentlewoman so very much for bringing up this very important issue today.

Ms. LEE. Mr. Chairman, I want to thank the chairman and our ranking member for their colloquy and for their assistance and look forward to working with them. I come from an urban community. I look forward to working with our rural and suburban and urban legislators on this.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

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, $7,041,000.

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, $10,325,000.

COMMON COMPUTING ENVIRONMENT

For necessary expenses to acquire a Common Computing Environment for the Natural Resources Conservation Service, the Farm and Foreign Agricultural Service and Rural Development mission areas for information technology, systems, and services, $59,369,000, to remain available until expended, for the capital asset acquisition of shared information technology systems, including services as authorized by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–28: *Provided*, That obligation of these funds shall be consistent with the Department of Agriculture Service Center Modernization Plan of the county-based agencies, and shall be with the concurrence of the Department's Chief Information Officer.

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, $5,384,000: *Provided*, That the Chief Financial Officer shall actively market and expand 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, $652,000.

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 alterations and other actions needed for this Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings, $187,647,000, to remain available until expended: *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 an agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to an agency's appropriation to cover the costs of new or replacement space for such agency, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601 et seq., and the Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq., $15,665,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials 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, $37,398,000, 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), $2,993,000, 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, $3,718,000: *Provided*, That these funds may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry out 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, $8,975,000, 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

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,

$71,429,000, 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 not to exceed $50,000 for employment under 5 U.S.C. 3109; and including not to exceed $125,000 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.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $32,937,000.

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, $578,000.

ECONOMIC RESEARCH SERVICE

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, $67,620,000: *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).

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 7 U.S.C. 1621–1627, Public Law 105–113, and other laws, $114,546,000, of which up to $25,456,000 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

SALARIES AND EXPENSES

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, $971,365,000: *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 $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 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 $375,000, 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 2002, 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.

AMENDMENT NO. 24 OFFERED BY MR. TIERNEY

Mr. TIERNEY. Mr. Chairman, I offer amendment No. 24.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 24 offered by Mr. TIERNEY:

In title I, under the heading ''AGRICULTURAL RESEARCH SERVICE-SALARIES AND EXPENSES'', insert at the end the following:

SEC. ___. REPORT REGARDING GENETICALLY ENGINEERED FOODS.

(a) IN GENERAL.—Not later than one year after funds are made available to carry out this section, the Secretary of Agriculture, acting through the National Academy of Sciences, shall complete and transmit to Congress a report that includes recommendations for the following:

(1) DATA AND TESTS.—The type of data and tests that are needed to sufficiently assess and evaluate human health risks from the consumption of genetically engineered foods.

(2) MONITORING SYSTEM.—The type of Federal monitoring system that should be created to assess any future human health consequences from long-term consumption of genetically engineered foods.

(3) REGULATIONS.—A Federal regulatory structure to approve genetically engineered foods that are safe for human consumption.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Agriculture $500,000 to carry out this section.

Mr. BONILLA. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. The point of order is reserved.

Mr. TIERNEY. Mr. Chairman, there is probably no more important responsibility for a government than to protect the well-being of its citizens. For this reason, it is essential that we properly assess the best way to ensure the health safety of genetically engineered foods.

This amendment presented at the desk seeks a National Academy of Sciences study to examine three important health-related aspects of genetically engineered foods. One, whether or not the tests being performed on genetically engineered foods really ensure their health safety and whether or not they are adequate and relevant; two, what type of monitoring system is needed to assess future health consequences from genetically engineered foods; and, lastly, what type of regulatory structure should be in place to approve genetically engineered foods for humans to eat.

In the year 2000, more than 100 million acres of land around the world were planted with genetically engineered crops. This is 25 times as much as was planted just 4 years before. In fact, genetically engineered food crops planted and marketed by United States farmers include 45 kinds of corn, canola, tomatoes, potatoes, soybeans, and sunflowers.

Today, genetically engineered ingredients are found in virtually all of our foods that are sold on supermarket shelves; and that includes baby foods, potato chips, soda, and vegetables.

Despite the growing presence of genetically engineered foods and despite industry assertions that the foods are safe to eat, the public remains unconvinced. The discovery last year of genetically engineered Starlink corn that was not approved for humans to eat in taco shells was a wake-up call. Now that the cat is out of the bag, Starlink's manufacturers want the Environmental Protection Agency to declare Starlink safe for human consumption.

Mr. Chairman, that is no way to protect our health. As the Centers for Disease Control noted earlier this month, we need to properly evaluate genetically engineered foods before they get into the food supply. In my home State of Massachusetts, the State legislature is considering legislation that would impose a 5-year moratorium on the growing of genetically engineered foods. Similar legislation is pending in New York. In fact, according to the Grocery Manufacturers of America, as of March this year there were eight bills in six States that would ban or put a moratorium on the planting of genetically engineered crops.

We cannot afford to bury our heads in the sand and let the public's concerns continue to grow. We need to develop a standard of tests that can be applied to all genetically engineered food to ensure that it is safe for our children and ourselves to eat.

□ 1530

The Food and Drug Administration does not conduct its own testing of genetically engineered products. Instead, the Food and Drug Administration provides guidelines and then relies upon the companies who produce genetically engineered products to test their safety. Companies voluntarily share the results of the tests on genetically engineered products with the Food and Drug Administration.

Under new rules proposed on January 17 by the last administration, companies in the future will have to give 120 days' notice to the Food and Drug Administration before producing new genetically engineered products on the market. But even with these new rules, it remains the responsibility of the companies that create the market and market these products to test for their safety. We need to be sure that these companies are doing the right tests in the right way.

In addition to ensuring that testing methods are adequate, we need to ensure that our regulatory system is also sufficient to protect our health. The National Academy of Sciences has said, ''A solid regulatory system and scientific base are important for acceptance and safe adoption of agricultural biotechnology, as well as for protecting the environment and public health.''

Our current regulatory system, in which the Food and Drug Administration, the Environmental Protection Agency, and the United States Department of Agriculture share jurisdiction over genetically engineered food, may not be the best way to ensure the health and safety of the foods we eat. We need to be certain that testing, regulation and monitoring of genetically engineered foods over the long term are effective and appropriate in determining the potential health effects of eating genetically engineered foods.

Even the center for Science in the Public Interest, an organization devoted to improving the safety and nutritional quality of our food supply, has said that the National Academy of Sciences study would provide regulators with a scientific road map of tests to ensure the safety of genetically engineered foods so the consumers would feel secure when they consume them and farmers would be confident that they have a market for their products.

I think that is what we are looking for, Mr. Chairman. We want consumers to feel secure when they eat, and we want farmers to be confident when they market their products. We should heed the words from that study, and we should fund the study proposed in this amendment.

Mr. Chairman, I thank the chairman for his attention.

The CHAIRMAN. Does the gentleman from Texas (Mr. BONILLA) insist upon his point of order?

Mr. BONILLA. I continue to reserve my point of order, Mr. Chairman.

The CHAIRMAN. The gentleman continues to insist on his point of order.

Mr. KUCINICH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Tierney amendment. I think the gentleman from Massachusetts raises an excellent point about the need for further study. The truth is that in 1999, over 100 million acres of genetically engineered crops were planted in this country, and the consumption of genetically engineered crops is happening. Yet we really do not have much information about the effects; we really do not know much about how this might have some implications for public health. That is why many States are starting to look at this quite critically, and the issues that are raised here certainly merit more study.

I think the gentleman from Massachusetts (Mr. TIERNEY) should be congratulated for raising this issue and for asking for a more thorough review of this. I can say that I think most people in this country would support such a call. People are concerned about the food they eat, and they are certainly concerned about any new technology which may, in one way or another, change the functional characteristics of the food, as well as the properties of the food and the way in which the food interacts in the human medium.

So I want to thank the gentleman from Massachusetts (Mr. TIERNEY) for his work.

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

Mr. KUCINICH. I yield to the gentleman from Massachusetts.

Mr. TIERNEY. Mr. Chairman, I would hope that the chairman would just know, this is the second year we have presented this motion; and I think it is a pretty balanced motion.

We are seeking here to both give consumers confidence, that the gentleman from Ohio points out very clearly is a very big concern for people; but we also are trying to make sure that farmers know that they can go to the market with confidence. It is going to do us no good in terms of the economics of our society to have a bunch of farmers that are creating a product in which the consumers have no confidence, so there is no market there.

This particular amendment was a hope to strike the point where we get the National Academy of Science to determine for us what is the best testing regime, what is the best way to monitor this as it goes through, and what is the best way to make sure that we have a regulatory structure to give the confidence at both of those levels.

Mr. KUCINICH. Mr. Chairman, reclaiming my time, the gentleman is correct on that. As a matter of fact, American farmers are quite concerned about the impact of genetically engineered products on their markets, because if their markets begin to dry up, as they have in some countries, then American farmers are not able to sell what we know is the best agriculture in the world, here from America. But if the products are genetically engineered, if there has not been much study and there is concern about quality, safety and other things, then our farmers can endure economic loss.

So I want to again thank the gentleman from Massachusetts (Mr. TIERNEY) for raising this issue, and I hope that the gentleman would respectfully consider his amendment as being in order.

The CHAIRMAN. Does the gentleman from Texas (Mr. BONILLA) still insist on his point of order?

Mr. BONILLA. Mr. Chairman, I continue to reserve my point of order.

The CHAIRMAN. The gentleman continues to reserve his point of order.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I commend the gentlemen for their interest in providing wholesome food. It is important. I would like to point out, however, that regarding the Starlink corn question, it has now been certified that there has been no ill effects to humans. That is good news.

I would like to also point out that, because we have been cross-breeding for 1,000 years, every food item that we buy in a store, except a couple varieties of fish, have been genetically modified. This has happened simply because farmers have been looking for ways to improve the quality and cost of food.

I think it is very important that we continue our scientific effort with this new technology of genetic modification. We must also consider the importance of its tremendous potential in developing better food products and more healthy products. We can develop food products that have vaccines. Also, especially in the developing countries of this world, we now have the potential of developing the kind of plants and seeds that can grow in those arid soils or those other types of climatic conditions where they could not grow food before. So we need to proceed in our scientific research.

Just a point before I yield for a comment. We have the best regulatory system in the world in terms of our oversight of genetically engineered products. Between the United States Department of Agriculture, the Food and Drug Administration and the Environmental Protection Agency, we now have the ability to review, regulate and test these products that are coming to market to assure safety.

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

Mr. SMITH of Michigan. I yield to the gentleman from Massachusetts.

Mr. TIERNEY. I might respectfully just disagree with the gentleman on the last point, as I think the National Academy of Science does, when they indicated that they think this idea of having three different agencies with overlapping and different responsibilities would be better served to look at what other kind of regulatory structure we could put in place that would give us more confidence.

Also I want to draw a point on the study the gentleman talked about on Starlink. One, I think we want that kind of information before the problem arises, and that is partly why I filed this bill; and, secondly, there is still some controversy swirling around the study the gentleman talked about and the results of it.

I suspect from the gentleman's comments and the importance he puts on genetically engineered foods that he favors my bill, which would be a confidence building measure, if we set up the right kinds of test that people could have confidence in, if we set up the right kind of monitoring system that people would know would be something we could rely on, and if we had the right kind of regulatory structure, it would benefit people that take the gentleman's position, as well as people that might be skeptical or more on that.

The idea is to follow the advice of the National Academy and do just that. Let them give us the advice through this study that I propose, to tell us what would be the best testing regime, how would you monitor it, and how would you regulate it.

Mr. SMITH of Michigan. Mr. Chairman, reclaiming my time, I think it is important, and I hope everyone agrees, that we have to depend on scientific information and testing, and not emotions, to be the basis of the decisions we make.

Mr. TIERNEY. Mr. Chairman, at this point in time I understand the gentleman's objections on technical matters on this, and I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

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, $78,862,000, 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, $507,452,000, as follows: to carry out the provisions of the Hatch Act (7 U.S.C. 361a–i), $180,148,000; for grants for cooperative forestry research (16 U.S.C. 582a–a7), $21,884,000; for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222), $32,604,000, of which $998,000 shall be made available to West Virginia State College in Institute, West Virginia; for special grants for agricultural research (7 U.S.C. 450i(c)), $82,409,000; for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)), $15,721,000; for competitive research grants (7 U.S.C. 450i(b)), $105,767,000; for the support of animal health and disease programs (7 U.S.C. 3195), $5,098,000; for supplemental and alternative crops and products (7 U.S.C. 3319d), $950,000; 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), $639,000, to remain available until expended; for the 1994 research program (7 U.S.C. 301 note), $998,000, to remain available until expended; for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), $2,993,000, to remain available until expended (7 U.S.C. 2209b); for higher education challenge grants (7 U.S.C. 3152(b)(1)), $4,340,000; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), $998,000, to remain available until expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), $3,492,000; for a program of noncompetitive grants, to be awarded on an equal basis, to Alaska Native-serving and Native Hawaiian-serving Institutions to carry out higher education programs (7 U.S.C. 3242), $2,993,000; for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(h)), $1,000,000; for aquaculture grants (7 U.S.C. 3322), $3,991,000; for sustainable agriculture research and education (7 U.S.C. 5811), $12,000,000; 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, $9,479,000, to remain available until expended (7 U.S.C. 2209b); for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103–382, $1,549,000; and 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, $18,399,000.

AMENDMENT NO. 22 OFFERED BY MR. SMITH OF MICHIGAN

Mr. SMITH of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 22 offered by Mr. SMITH of Michigan:

In title I under the heading ''COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE''–''RESEARCH AND EDUCATION ACTIVITIES'' insert after the dollar amount relating to ''competitive research grants (7 U.S.C. 450i(b))'' the following: '', including grants for authorized competitive research programs regarding enhancement of the nitrogen-fixing ability and efficiency of plants''.

Mr. SMITH of Michigan. Mr. Chairman, briefly, what this amendment does is to include research to increase the efficiency of nitrogen fixation from plants.

We have a situation where the nitrogen fertilizer of this country is made out of natural gas. It is estimated that 3 to 6 percent of the natural gas produced in the United States is used to produce nitrogen. Farmers use that nitrogen fertilizer and therefore natural gas. If plants could do a better job of fixing ''N'' in the soil, we would save energy and reduce the cost to farmers.

This simply says let us include in our research effort research into the fixation of nitrogen. We now have plants that can put nitrogen back into the soil. We have started on this research. We need to move ahead. It is part of the whole renewable energy effort that we need to consider.

I thank the chairman and ranking member for supporting the amendment.

Mr. Chairman, I have an amendment today that would address the challenge of increased farm input costs due to continued high energy prices. Specifically, the amendment would direct the Cooperative State Research, Education, and Extension Service (CSREES) Competitive Grants Program, better known as the National Research Initiative, to include grants for research into improving nitrogen-fixation ability of crop plants.

As we are aware, higher energy costs over the last two crop years have further stressed farmers facing an extended period of low commodity prices. From 1999 to 2000, U.S. producers incurred an additional $2.4 billion in fuel costs. In the 2001 crop year, energy costs are expected to increase an additional $1.5 billion for farmers. As a result, agricultural bottom lines continue to suffer, and many farmers have gone out of business, despite increasing government support.

While we work to accomplish the larger goals set forth in the President's comprehensive energy plan, I think we should also be sure that no stone is left uncovered with respect to finding new ways to improve our energy usage and consumption. One area where I believe there is great potential for improvements is the reduction of fertilizer input costs on farms through greater nitrogen fixation ability.

In the United States, nitrogen fertilizer production and use requires 3 to 6 percent of the country's natural gas production. Natural gas prices and nitrogen fertilizer prices are closely related, with over 70 percent of the cost of N fertilizer attributable to natural gas. The tripling of natural gas prices last winter highlights this relationship, as nitrogen fertilizer costs skyrocketed over 350 percent. This huge increase obviously left farmers scrambling to modify planting decisions and find other ways to cut fertilizer input costs.

One way that we can do this is by developing plants that put nitrogen in the soil. For example, in a typical soybean-corn rotation—if we can develop new varieties of soybeans that fix greater amounts of nitrogen, more residual nitrogen would remain for the following corn crop, lessening the amount of nitrogen fertilizer that would need to be purchased by the producer.

Recent research indicates that significant potential for improvements exist in this area, but currently, a very limited amount of research is being done on these issues. My amendment would ensure that USDA's National Research Initiative Competitive Research Grants support research into enhancing the nitrogen fixing ability and efficiency of plants.

I believe that making this type of agricultural research a priority will pay great and lasting dividends to farmers facing continued challenges of high energy input costs, and I urge the members to support my amendment.

Note: Currently, USDA–ARS is spending $3.05 million in FY'01 to fund N-fixing projects. USDA–CSREES/NRI is also funding N-fixing projects, but have not reported back the total amount being spent.

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

Mr. SMITH of Michigan. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, we support the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. Smith).

The amendment was agreed to.

Mr. HANSEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I come to the floor today on behalf of all the farmers and ranchers in Utah and other western States who are dealing with the devastating outbreaks of Mormon Crickets and grasshoppers. This outbreak, now under declaration of emergency by the Governor of Utah, is considered to be the worst in over 60 years and is spreading over 1.5 million acres.

These insects, which breed undisturbed and untreated on the vast acres of BLM and Forest Service land and then spread to neighboring State and private land, are devouring the crops and rangeland to the tune of what is expected to be at least $25 million worth of damage.

However, this is not all. In Oak City, Utah, for example, the mayor informs me that the crickets have now inundated the community water system at the sealed collection boxes and tanks. They are now moving into towns, where people are attempting to burn their fruit trees to keep them away from their homes, and children are kept indoors.

Line-item funding has been eliminated, and formerly available funds from previous years have all been expended in battling these insects. The plight of these lands has become such a critical concern, that I have asked our Subcommittee on Public Lands to hold oversight hearings on this issue next month. Timely and adequate funding has been a continual issue for us.

While I understand there are not any line-item funds for Mormon Cricket and grasshopper treatment in this bill as it stands today, I understand the chairman is aware of the problem we are facing and has committed to ensure there is sufficient APHIS funds for the 2002 fiscal year specific to Mormon Cricket and grasshopper treatment, as well as working with us to ensure the Secretary addresses our emergency problems with contingency funds.

I thank the chairman and look forward to working with him and obtaining emergency funds.

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

Mr. HANSEN. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, I thank my friend for yielding. I appreciate the hard work that the gentleman has undertaken on this issue. I know it is a very serious problem.

The committee and this chairman are aware of the emergency conditions that exist in Utah and throughout the Great Basin region caused by the Mormon Crickets. The gentleman from Utah has my commitment to ensure that proper funding for this problem is obtained in a timely manner this year and that specific funding for addressing the Mormon Cricket and grasshopper problem is identified to meet future needs in the FY 2002 bill.

Mr. HANSEN. Mr. Chairman, reclaiming my time, I thank the chairman and appreciate his help on this critical matter and look forward to addressing this issue in conference and with the Secretary's help.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the last word.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in support of ensuring that all warm-blooded animals used in research receive the protection for which the Animal Welfare Act entitles them, and therefore oppose the language that has been included in the bill before us which will continue to deny those protections to those species that constitute the majority of the animals used in research.

In 1970, the Congress specifically amended the Animal Welfare Act to provide for the protections of all warm-blooded animals used in experiments. Since then, however, the U.S. Department of Agriculture has unfairly and illegally denied those modest safeguards to a majority of the research animals, over 20 million birds, rats, and mice used each year.

When Congress amended the law, we certainly did not intend to exclude 95 percent of the animals used in research. This is confirmed by our esteemed former colleague from the other body, Senator Bob Dole, who, along with my great friend, the late Congressman George Brown, further improved the treatment of lab animals in 1985.

□ 1545

I wish to enter into the RECORD the letter from Senator Dole on this subject.

To correct this 30-year-old wrong, USDA committed the beginning of the rulemaking process to extend the Animal Welfare Act regulations to these animals. I am disappointed that the Agriculture Appropriations Subcommittee chose to add language that prohibits USDA from going forward with this rulemaking which is long overdue. The scientific community must be held accountable to the public for its treatment of animals. The American public expects animal research to be conducted as humanely as possible. We in Congress cannot assure them that if we not only allow, but also encourage, USDA to exclude the majority of research animals from this law's protection.

Mr. Chairman, I urge that this language be stricken in the conference committee between the House and the Senate.

The letter referred to previously follows:

WASHINGTON, DC,
March 19, 2001.

JOHN MCARDLE,
Director, Alternatives Research and Development Foundation, Eden Prairie, MN.

DEAR DR. MCARDLE: Thank you for your letter of March 1st regarding the current status of laboratory animals under the Animal Welfare Act (AWA).

I support the use of animals in research but firmly believe that there is a responsibility incumbent upon researchers to provide basic protections to the animals they use. It is obvious that good animal care is essential to ensuring good quality research. Through good animal treatment and minimizing painful tests, biomedical research gains in both accuracy and humanity.

As someone deeply involved with the process of revising and expanding the provisions of the AWA, I assure you that the AWA was meant to include birds, mice, and rats. When Congress stated that the AWA applied to ''all warm-blooded animals,'' we certainly did not intend to exclude 95 percent of the animals used in biomedical research laboratories. Although the National Institutes of Health and the Association for Assessment and Accreditation of Laboratory Animal Care International provide oversight for some of the birds, mice, and rats used for experimentation, many research institutions fall outside their purview. With AWA regulations soon extended to these animals, I believe USDA, with its substantial experience in enforcement, is best suited to ensuring humane care for all laboratory animals. Moreover, neither NIH's policy nor voluntary accreditation includes legal consequences for failure to perform. The Animal Welfare Act does. That is the heart of the law.

I am aware of efforts by opponents of animal welfare to prevent coverage of birds, mice, and rats as detrimental to research. This notion is preposterous. A similar strategy was employed by opponents of my 1985 amendments to the Act. I am happy to observe that none of their predications about the dire consequences for research ever materialized.

Indeed, those amendments have facilitated significant improvements in laboratory animal care and use, which in turn have benefited research. In fact, I understand that those members of the research community best informed about laboratory animals support the inclusion of birds, mice, and rats. From their work on the front lines, they recognize, as you and I do, that uniform protections not only are humane, but also ensure consistent experimental results and level the playing field in vital scientific research. Those who oppose USDA's efforts to fulfill its court settlement with your organization, I believe, are overlooking the long-term benefits to crafting better science.

We owe much to laboratory animals—that were true in 1985 and is truer today. I would hope that the Bush Administration and Members of the present Congress, some of whom stood with me in 1985 in advancing my amendments, will recognize that all animals used in experimentation deserve the benefit of the modest requirements of the Animal Welfare Act. I would urge them to allow USDA to achieve this end by pursuing a full and fair rulemaking as provided in the settlement agreement.

I wish you the best of luck not only in defending the Animal Welfare Act, but also in your ongoing efforts to advance humane methods of biomedical research.

Let me add that I am writing to you as a volunteer. I am not being paid by any persons or group for stating my views.

Sincerely,

BOB DOLE.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

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: *Provided*, That this paragraph shall not apply to research on the medical, biotechnological, food, and industrial uses of tobacco.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $7,100,000.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, $436,029,000, as follows: 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, $275,940,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $3,273,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $58,566,000; payments for the pest management program under section 3(d) of the Act, $10,759,000; payments for the farm safety program under section 3(d) of the Act, $5,800,000; 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), $12,173,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, $906,000; payments for youth-at-risk programs under section 3(d) of the Act, $8,481,000; for youth farm safety education and certification extension grants, to be awarded competitively under section 3(d) of the Act, $499,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, $3,185,000; payments for Indian reservation agents under section 3(d) of the Act, $1,996,000; payments for sustainable agriculture programs under section 3(d) of the Act, $5,000,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101–624 (7 U.S.C. 2661 note, 2662), $2,622,000; 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, $28,181,000, of which $998,000 shall be made available to West Virginia State College in Institute, West Virginia; 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, $18,648,000: *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.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension competitive grants programs, including necessary administrative expenses, as authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626), $43,355,000, as follows: payments for the water quality program, $12,971,000; payments for the food safety program, $14,967,000; payments for the national agriculture pesticide impact assessment program, $4,531,000; payments for the Food Quality Protection Act risk mitigation program for major food crop systems, $4,889,000; payments for the crops affected by Food Quality Protection Act implementation, $1,497,000; payments for the methyl bromide transition program, $2,500,000; and payments for the organic transition program, $2,000,000.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under 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; $660,000.

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 Acts of March 2, 1931 (46 Stat. 1468) and December 22, 1987 (101 Stat. 1329–1331) (7 U.S.C. 426–426c); and to protect the environment, as authorized by law, $587,386,000, of which $4,096,000 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 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 2002 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 2002, $84,813,000 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, $7,189,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry out 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, $71,774,000, 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 $60,596,000 (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 Committees on Appropriations of both Houses of Congress.

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 $13,995,000 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)), $1,347,000.

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, $33,117,000: *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.

INSPECTION AND WEIGHING SERVICES

Not to exceed $42,463,000 (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 Committees on Appropriations of both Houses of Congress.

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, $481,000.

Mr. BONILLA (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 25, line 1, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

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, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $720,652,000, 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 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.

AMENDMENT OFFERED BY MS. DELAURO

Ms. DELAURO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. DELAURO:

In title I, in the item relating to ''FOOD SAFETY AND INSPECTION SERVICE'', insert at the end the following:

In addition, for the Food Safety and Inspection Service to improve food safety and reduce the incidence of foodborne illnesses, $50,000,000: *Provided*, That such 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: *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, is transmitted by the President to the Congress.

In title VI, in the item relating to ''FOOD AND DRUG ADMINISTRATION—SALARIES AND EXPENSES'', insert at the end the following:

In addition, for the Food and Drug Administration to improve food safety and reduce the incidence of foodborne illnesses, $163,000,000: *Provided*, That such 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: *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, is transmitted by the President to the Congress.

Ms. DELAURO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BONILLA. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. A point of order is reserved.

Mr. BONIOR. Mr. Chairman, I ask unanimous consent that all debate on this amendment be limited to 30 minutes and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The time will be equally divided between the proponent of the amendment, the gentlewoman from Connecticut (Ms. DELAURO), and a Member opposed.

Mr. BONILLA. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentlewoman from Connecticut (Ms. DELAURO) is recognized for 15 minutes.

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

Mr. Chairman, my amendment provides emergency funds to address the food safety crisis that faces our Nation today. Today more American are getting sick from the food that they eat. Outbreaks of food sickness are expected to go up by as much as 15 percent over the next 10 years. The outbreaks are reported across the spectrum: fish, eggs, beef and lettuce, to name a few. The statistics are staggering. Five thousand Americans die every year from food-borne illness, and 76 million get ill and 325 are hospitalized. Medical expenses and lost productivity cost us every year $5.6 billion and $9.4 billion respectively.

Two days ago the Excel Corporation recalled 190,000 pounds of ground beef and pork because of possible contamination by deadly E. coli. Sara Lee pled guilty to selling tainted meat linked to a nationwide outbreak of listeriosis in 1998, and 15 people were killed.

Grocery stores are afraid that their food is unsafe. Slaughterhouses are killing cattle before the animals are unconscious because there are not enough inspectors to ensure that the law is enforced.

George Grob, Deputy Director and Inspector General of Health and Human Services states that, and I quote, ''Any reasonable person would worry about it. If the inspection process worked really well, there would be fewer recalls.''

To address the problem I asked the committee to allow an amendment that would provide a total of $213 million in emergency funds, $90 million for more inspections of imported foods, $73 million for additional inspections of domestic food products, and $50 million for the Food Safety Inspection Service to ensure that it has the resources that it needs to implement food safety procedures and regulations.

The Food and Drug Administration inspects all food except meat, poultry and eggs. This food, which includes fruit juices, vegetables, cheeses, seafood, is the source of 85 percent of food poisoning in this country. In the United States alone, there are 30,000 companies that produce these food items, and last year recalls of FDA-regulated products rose to 315, the most since the 1980s and 36 percent above average.

Mr. Chairman, FDA inspects less than 1 percent of imported food, and that market has expanded from 2.7 million items to 4.1 million items in just 3 years. In the domestic market, the FDA does not inspect all high-risk firms more than once a year; other firms are visited only once in 7 years. The FDA employs 400 people to inspect domestic food and recall. There are 30,000 food plants to look into and less than 120 people to inspect imported food. According to their own testimony, the FDA says to conduct annual inspections of every domestic food firm, it would need 3,400 employees. To increase its inspection of imported food from 1 percent to 10 percent would require 1,600 employees.

The FDA needs resources in order to begin to meet its goal, and that is what this amendment does, is to begin the process of increasing the number of inspectors in order to look at imported foods and take the 1 percent of the inspections to 10 percent, and it would add 630 inspectors to guarantee that all high-risk firms are inspected twice a year, all other firms every 2 years, and all food warehouses every 3 years.

The last part of the amendment says, let us have $50 million for the Food

Safety Inspection Service to allow it to reach its goal of looking at reducing food-borne illnesses that are carried by meat and poultry by 25 percent.

The FSIS has held public hearings to look at how we deal with imported food and procedures, risk management, and emergency outbreaks. We only have to look at our European friends to see what they have gone through with foot and mouth and with mad cow illness to understand that what we need to do is to be able to meet any kind of emergency. We need to move forward on food safety, not backwards. If we continue to not provide the kinds of inspection services that are needed, in fact, we will move backwards and jeopardize the health of this country.

Mr. Chairman, I ask for support of this amendment and to provide emergency assistance for food safety.

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

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

The CHAIRMAN. Does the gentleman insist upon his point of order?

Mr. BONIOR. I continue to reserve the point of order, Mr. Chairman.

Ms. DELAURO. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Question: How many times have we all heard; ''The government is too blasted big. Get the government out of our lives.'' I bet my colleagues have heard it a lot. Yet the first time that we have an outbreak of disease someplace, the first time that people die from contaminated food, all of a sudden people say, ''Where is the government? What are they doing? Why don't they get off their duffs? Why aren't they protecting the public interest?''

Well, there is very good reason for that. It is because we are not providing the resources necessary to provide an absolutely safe source of food in this country.

The purpose of this amendment is to, over a 3-year period of time, bring us to where the FDA says we should be in protecting the public health of this country.

When we had subcommittee hearings earlier in the year, here is what FDA said in response to questions: ''The inspection coverage of food manufacturers, particularly high-risk manufacturers, has been inadequate over the past several years.'' FDA estimated we would need at least $220 million for an optimum inspection schedule of domestic food facilities under our jurisdiction. This would provide inspection of high-risk firms twice each year, warehouses every 3 years, and all other food firms every 2 years.

Now, people can argue all day long about government priorities, but the fact is that we are here today unable to offer this amendment because the budget limitations under which we are operating prevents us from even getting a vote on the amendment offered by the gentlewoman.

Why are we in this position? Because the majority party and the White House insisted early on to take virtually every dime of the surpluses that we were hoping to have over the next 10 years and pour all of those monies into tax cuts. They put the lion's share of those tax cuts into the pockets of the very wealthiest people in this country.

So this Congress decided it was more important to give the wealthiest 1 percent of people in this country, who, over the last 20 years, have seen an after-tax rise in their income of $414,000 per family, that it was more important to give those people an additional tax cut of $53,000 a year than it is to meet our primary obligations to strengthen Social Security, to strengthen education, to strengthen Medicare, and to do all of these other little things that we need to do if we are going to protect the food supply of this country and the environment in which we all live.

So I simply take the well today, knowing full well that this amendment will not receive a vote because of the rule under which the bill is being considered, to suggest that this again is another example of how we are neglecting our responsibilities of stewardship in order to do the easy political thing and throw all of the money that we were expecting to accumulate in those surpluses to tax cuts for the most prosperous people in this society.

Mr. Chairman, I cannot believe this Congress could not achieve a better balance in priorities. I cannot believe that intelligent people on both sides of the aisle cannot figure out a way to guarantee that we do provide at least the minimum coverage that the Agency itself says we ought to provide in order to protect the health of the American people.

Mr. Chairman, 5,000 Americans are going to die this year because of contaminated food, and millions are going to become sick. I do not believe that we cannot do better.

Mr. BONILLA. Mr. Chairman, I continue to reserve my point of order, and I reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, I yield 5 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank the gentlewoman for yielding to me, and I want to commend her for her terrific efforts in subcommittee and in full committee, and now on the floor, to get appropriate attention to the important question of food safety in our country. It really is staggering to think that 76 million Americans every year have some type of food-borne illness.

□ 1600

As modern a society as we are, we question, why does this happen? Part of the reason for it is because our food system, in many ways, is moving very far away from home.

It used to be that you knew the farmer where your eggs came from. You knew the farmer who grew your strawberries. There was local accountability. You knew where your chickens came from. You knew where your beef for your sausage came from, because the people lived in your community and you went to the stores and the outlets that they operated.

Mr. Chairman, today we live in a very industrialized food system, and industrialized food processing has not necessarily brought with it a safer food system. In fact, last year, 315 Food and Drug Administration regulated food products were recalled, the most recalls in 1 year since the mid-1980s.

It was a 36 percent increase above the average, and part of the reason for that is, even though we have certain scientific methods in place, the way in which our food is processed actually encourages food-borne illness.

For example, in the area of beef, if you go into some of our slaughter houses and meat-packing plants now, which are very, very mechanized, often, an intestine will be pierced and E. coli will be driven into flesh in the animal that is ultimately then cut up and sold on the supermarket shelf.

Mr. Chairman, some of that is not detected by the human eye. Industrial slaughtering is different than when animals were cut by hand and there were not so many animals slaughtered per day and there was closer oversight.

It has never been easy to work in a meat processing facility. At the beginning of the 20th century, books were written about what was going on inside these meat-packing plants, and through the 20th century, we tried to improve the situation.

In poultry, for example, if you look at the USDA inspectors who are on a line, the rate at which birds move by them has become so fast, the human eye cannot necessarily detect the different types of salmonella and pfiesteria and other bacterial microbes that can infect the meat product.

In spite of the fact that we seem to be so modern, some of the very procedures that we have as well as the fact that food is grown and processed very far from home has made the system in some ways extremely vulnerable.

It is surprising to us also that in a country as bountiful as ours that we have increasing amounts of food imports.

Over the last 4 years alone, imported foods sold in the United States have increased by 50 percent, from 2.7 million items in 1997 to 4.1 million last year alone. But of all the foreign imports coming in here, as the gentlewoman from Connecticut (Ms. DELAURO) has accurately described, only 1 percent are inspected.

When most people get sick from food poisoning, they do not report it to the Centers for Disease Control. A lot of times they do not really realize what is wrong with them until a couple of days later. At the local level, there is not an automatic reporting upstream to the CDC. So a lot of the food poisoning

goes unreported. The DeLauro amendment would provide additional funds for food inspection.

There is $98 million more for imported food inspection, which we so desperately need at our borders; $73 million for more FDA inspections of domestic food processors. Many processors do not even get inspected once a year; sometimes it takes up to 2 years.

The FDA actually is the agency where 75 percent of the problem is, 75 percent of the outbreaks and problems relate to FDA-inspected facilities. This means inspection is inadequate.

The DeLauro amendment also would provide $50 million for USDA food safety and inspection service to carry out new procedures and regulations for meat and poultry food products. For example, USDA is currently addressing port of entry procedures and the development of contingency plans for emergency breakouts. Remember, we had that problem of strawberries in Michigan causing children to become so ill. To this day, we were never actually able to track back where the problem with those strawberries came from. We knew they were processed in southern California. Their origin was Mexico, but we just could not track it back.

So I think the DeLauro amendment is more than worthy; it is essential. She has my full support on this. I hope she has the attention of the membership. Let us get this DeLauro amendment incorporated in the final bill that we bring back from the other body.

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

Mr. Chairman, this is simply an effort to try to build the infrastructure of the agencies that we charge with protecting our food, our food supply, which is ultimately about the food, but it is about the safety of every man, women and child in this country. That is all that we are asking about here.

Given the statistics, which are staggering, 5,000 deaths, 73 million people ill, 325,000 people hospitalized, it is unconscionable that we do not recognize this as a crisis and as an emergency.

We cannot allow this to continue. We can do something about it.

PARLIAMENTARY INQUIRY

Mr. BONILLA. Mr. Chairman, I have a parliamentary inquiry. Is the gentlewoman from Connecticut (Ms. DELAURO) withdrawing her amendment?

The CHAIRMAN pro tempore (Mr. WHITFIELD). Is the gentlewoman from Connecticut withdrawing her amendment, or does she continue to want to move forward on her amendment?

Ms. DELAURO. Mr. Chairman, I would like to continue to move forward with my amendment.

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from Texas (Mr. BONILLA) insist on his point of order?

Mr. BONILLA. Mr. Chairman, I do.

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

Mr. BONILLA. Mr. Chairman, I make a point of order against the amendment, because it proposes to change existing law and constitutes legislation in an appropriations bill, and, therefore, violates clause 2 of rule XXI. The rule states, in pertinent part, an amendment to a general appropriation bill shall not be in order if changing existing law.

The amendment includes an emergency designation under section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, and, as such, constitutes legislation in violation of clause 2 of rule XXI.

I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does the gentlewoman from Connecticut want to be heard on the point of order?

Ms. DELAURO. No, Mr. Chairman.

The CHAIRMAN pro tempore. Then the Chair is prepared to rule on the gentleman's point of order.

The Chair finds that this amendment includes an emergency designation under section 251(b)(2)(a) of the Balanced Budget and Emergency Deficit Control Act of 1985, the amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The amendment is not in order.

The CHAIRMAN pro tempore (Mr. WHITFIELD). The Committee will rise informally.

The SPEAKER pro tempore (Mr. LATHAM) assumed the Chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The Committee resumed its seating.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

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, $611,000.

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, $945,993,000: *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, as amended (7 U.S.C. 5101–5106), $2,993,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, $100,000, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–12).

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, $1,128,000,000, of which $1,000,000,000 shall be for guaranteed loans and $128,000,000 shall be for direct loans; operating loans, $2,600,000,000, of which $1,500,000,000 shall be for unsubsidized guaranteed loans, $500,000,000 shall be for subsidized guaranteed loans, and $600,000,000 shall be for direct loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $2,000,000; 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, $7,866,000, of which $4,500,000 shall be for guaranteed loans and $3,366,000 shall be for direct loans; operating loans, $174,030,000, of which $52,650,000 shall be for unsubsidized guaranteed loans, $67,800,000 shall be for subsidized guaranteed loans, and $53,580,000 shall be for direct loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $118,000; and for emergency insured loans, $3,363,000 to meet the needs resulting from natural disasters.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $282,769,000, of which $274,769,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

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), $75,142,000: *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 2002, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, 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 2002, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance 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.

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, $736,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–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, $782,762,000, to remain available until expended (7 U.S.C. 2209b), of which not less than $7,137,000 is for snow survey and water forecasting, and of which not to exceed $30,500,000 is for technical assistance activities in conjunction with the Conservation Reserve Program authorized by subchapter B, chapter 1, title XII of the Food Security Act of 1985, and of which not less than $9,349,000 is for operation and establishment of the plant materials centers, and of which not less than $20,000,000 shall be for the grazing lands conservation initiative: *Provided*, That $8,500,000 of the funds authorized for allotments or transfers under 15 U.S.C. 714i shall be available for Conservation Reserve Program technical assistance: *Provided further*, 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 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), $11,030,000: *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, $105,743,000, to remain available until expended (7 U.S.C. 2209b) (of which up to $10,000,000 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 $45,514,000 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), $48,361,000, 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.

AGRICULTURAL CONSERVATION PROGRAM

(RESCISSION OF FUNDS)

Of the funds appropriated for ''Agricultural Conservation Program'' under Public Law 104–37, $45,000,000 is hereby rescinded.

TITLE III

RURAL 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, $628,000.

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, 1926d, and 1932, except for sections 381E–H, 381N, and 381O of the Consolidated Farm and Rural Development Act, $767,465,000, to remain available until expended, of which $34,503,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $658,994,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act; and of which $73,968,000 shall be for the rural business and cooperative development programs described in sections 381E(d)(3) and 310B(f) of such Act: *Provided*, That of the total amount appropriated in this account, $24,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes, including grants for drinking water and waste disposal systems pursuant to section 306C of such Act, of which $4,000,000 shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of the Consolidated Farm and Rural Development Act, and of which $250,000 shall be 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 of the amount appropriated for rural community programs, $6,000,000 shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, 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; and $2,000,000 shall be for grants to Mississippi Delta Region counties: *Provided further*, That of the amount appropriated for

rural utilities programs, not to exceed $20,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico borders, including grants pursuant to section 306C of such Act; not to exceed $20,000,000 shall be for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such Act, of which one percent to administer the program and to improve interagency coordination may be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''; not to exceed $16,215,000 shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act; and not to exceed $11,000,000 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 $37,624,000 shall be available through June 30, 2002, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which $1,163,000 shall be for the rural community programs described in section 381E(d)(1) of such Act, of which $27,431,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act, and of which $9,030,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: *Provided further*, That any prior year balances for high cost energy grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 901(19)) shall be transferred to and merged with the ''Rural Utilities Service, High Energy Costs Grants'' account.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $134,733,000: *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 $1,000,000 may be used for employment under 5 U.S.C. 3109: *Provided further*, That not more than $10,000 may be expended to provide modest nonmonetary awards to non-USDA employees: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this account.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER 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: $4,202,618,000 for loans to section 502 borrowers, as determined by the Secretary, of which $1,064,650,000 shall be for direct loans, and of which $3,137,968,000 shall be for unsubsidized guaranteed loans; $32,324,000 for section 504 housing repair loans; $114,068,000 for section 515 rental housing; $99,770,000 for section 538 guaranteed multi-family housing loans; $5,090,000 for section 524 site loans; $11,778,000 for credit sales of acquired property, of which up to $1,778,000 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, $180,274,000 of which $140,108,000 shall be for direct loans, and of which $40,166,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $10,386,000; section 515 rental housing, $48,274,000; section 538 multi-family housing guaranteed loans, $3,921,000; section 524 site loans, $28,000; multi-family credit sales of acquired property, $750,000; and section 523 self-help housing land development loans, $254,000: *Provided*, That of the total amount appropriated in this paragraph, $11,656,000 shall be available through June 30, 2002, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $422,910,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

AMENDMENT OFFERED BY MRS. CLAYTON

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

The Clerk read as follows:

Amendment offered by Mrs. CLAYTON:

In title III, in the item relating to ''Rural Housing Insurance Fund Program Account'' add at the end the following:

Of the amounts made available under this heading in chapter 1 of title II of Public Law 106–246 (114 Stat. 540) for gross obligations for principal amount of direct loans authorized by title V of the Housing Act of 1949 for section 515 rental housing, the Secretary of Agriculture may use up to $5,986,197 for rental assistance agreements described in the item relating to ''Rental Assistance Program'' in such chapter: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Control Act of 1985, as amended.

In making available for occupancy dwelling units in housing that is provided with funds made available under the heading referred to in the preceding paragraph, the Secretary of Agriculture may give preference to prospective tenants who are residing in temporary housing provided by the Federal Emergency Management Agency as a result of an emergency.

Mrs. CLAYTON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BONILLA. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN pro tempore. The gentleman from Texas reserves a point of order.

Mrs. CLAYTON. Mr. Chairman, I ask unanimous consent to offer my amendment at a later time.

The CHAIRMAN pro tempore. Does the gentlewoman want to withdraw her amendment?

Mrs. CLAYTON. This is a housing amendment, and I thought it was appropriate at this point, but if there is a question about appropriateness of the government at this time.

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

Mrs. CLAYTON. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, just so we understand what is occurring here. I just want to make sure that the gentlewoman from North Carolina will have the opportunity to bring up her amendment at a later time, even if it might be out-of-page order, and it may not be able to come up later today, but maybe when we come back from the 4th of July.

Mr. Chairman, we just want to reserve her rights to bring this up and work out whatever needs to be done with the majority.

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Mr. BONILLA. Mr. Chairman, if the gentlewoman will yield, we would have no objection to that, and she would be allowed to do that.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman.

The CHAIRMAN pro tempore (Mr. WHITFIELD). Without objection, the gentlewoman from North Carolina (Mrs. CLAYTON) withdraws her amendment and, without prejudice, will be able to reoffer at an appropriate time.

There was no objection.

Mrs. CLAYTON. At a later time?

The CHAIRMAN pro tempore. At a later point in the reading, the gentlewoman from North Carolina will be able to reoffer her amendment.

Mrs. CLAYTON. Do I need further instruction from the Chair? I just want to make sure, have I reserved my right? Is my amendment protected? All right.

The CHAIRMAN pro tempore. The gentlewoman will be allowed to at a later point in the reading to offer her amendment notwithstanding having passed the appropriate point in the reading.

The Clerk will read.

The Clerk read as follows:

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, $693,504,000; 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 2002 shall be funded for a 5-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), $33,925,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That of the total amount appropriated, $1,000,000 shall be available through June 30, 2002, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for 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), 1490e, and 1490m, $38,914,000, to remain available until expended: *Provided*, That of the total amount appropriated, $1,200,000 shall be available through June 30, 2002, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $31,431,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), $38,171,000.

For the cost of direct loans, $16,494,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $1,724,000 shall be for Federally Recognized Native American Tribes and of which $3,449,000 shall be for Mississippi Delta Region counties (as defined by Public Law 100–460): *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 $38,171,000: *Provided further*, That of the total amount appropriated, $2,730,000 shall be available through June 30, 2002, for the cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, $3,761,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION 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, $14,966,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $3,616,000.

Of the funds derived from interest on the cushion of credit payments in fiscal year 2002, as authorized by section 313 of the Rural Electrification Act of 1936, $3,616,000 shall not be obligated and $3,616,000 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), $7,500,000, of which $2,500,000 shall be available for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $1,497,000 of the total amount appropriated shall be made available to cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, minority producers.

RURAL EMPOWERMENT ZONES AND ENTERPRISE COMMUNITY GRANTS

For grants in connection with a second round of empowerment zones and enterprise communities $14,967,000, to remain available until expended, for designated rural empowerment zones and rural enterprise communities as authorized in the Taxpayer Relief Act of 1997.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER 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 $121,107,000; municipal rate rural electric loans, $794,358,000; loans made pursuant to section 306 of that Act, rural electric, $2,600,000,000; Treasury rate direct electric loans, $500,000,000; and guaranteed electric loans, $100,000,000; 5 percent rural telecommunications loans, $74,827,000; cost of money rural telecommunications loans, $300,000,000; and rural telecommunications loans, $120,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of rural electric loans, $3,689,000, and the cost of telecommunication loans, $2,036,000: *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, $36,322,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

(INCLUDING TRANSFER 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 2002 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be $174,615,000.

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), $2,584,000.

In addition, for administrative expenses, including audits, necessary to carry out the loan programs, $3,107,000 which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

For the principle amount of direct distance learning and telemedicine loans, $300,000,000; and for the principle amount of broadband telecommunication loans, contingent upon the enactment of authorizing legislation, $100,000,000.

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., $26,941,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas: *Provided*, That, contingent upon the enactment of authorizing legislation, $1,996,000 may be available for a loan and grant program to finance broadband transmission and local dial-up Internet service in areas that meet the definition of ''rural area'' used for the Distance Learning and Telemedicine Program authorized by 7 U.S.C. 950aaa: *Provided further*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

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, $592,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFER 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; $10,088,746,000, to remain available through September 30, 2003, of which $4,748,038,000 is hereby appropriated and $5,340,708,000 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 except as specifically provided under this heading, none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That up to $4,507,000 shall be available for independent verification of school food service claims: *Provided further*, That of the funds provided under this heading, $2,000,000 shall be available for new activities to enhance integrity in the National School Lunch Program.

AMENDMENT OFFERED BY MRS. DAVIS OF CALIFORNIA

Mrs. DAVIS of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. DAVIS of California:

In title IV under the heading ''CHILD NUTRITION PROGRAMS'', insert before the period at the end the following: ''*Provided further*, That the Secretary of Agriculture may not take into account the availability of a basic allowance for housing for members of the Armed Forces when determining the eligibility of persons for free or reduced-price lunch programs''.

Mr. BONILLA. Mr. Chairman, I reserve a point of order. We have not seen this amendment.

The CHAIRMAN pro tempore. The point of order is reserved.

Mrs. DAVIS of California. Mr. Chairman, I realize this amendment will most likely not be ruled in order, but I offer it to raise awareness to a critical problem.

In an effort to leverage its limited quality-of-life resources, the armed services are privatizing military family housing. I support this effort. In fact, we have some wonderful projects online

in San Diego. But as you know, obviously there are unintended consequences of a good program. I would like to point out two in particular.

This is creating a loss of income to school districts, and it is affecting the eligibility for free and reduced school lunch programs for the children of military families.

Let me give my colleagues some background. When a family lives in a military family housing community, they basically forfeit their basic housing allowance. But when that community housing becomes privatized, this basic allowance for housing is included on the servicemembers' pay statement. That is called an LES. Servicemembers do not actually receive this income, however. It is basically pass-through.

Unfortunately, under the Department of Agriculture rules, this amount is included as income in determining eligibility for free and reduced school lunches.

The Department of Defense adds the allowance to the pay statement to assist them in accounting, but the servicemember is not getting any additional pay for the family, and certainly not for food for their children.

This could happen. Perhaps, on a Sunday, the military housing community is owned and operated by the military. But on Monday, that housing community is operated by a private company, still on the Federal land, but the servicemember has never moved, but has less money really in his pocket if his child does not become eligible for free and reduced lunch. They had that eligibility before.

So families are losing some assistance, children are losing their free lunches, and school districts are losing Federal funds. It is the smaller school districts particularly that are especially affected by this. So we need to take a look at this issue, and I think we need to change the rules. This is no way, I believe, to treat the men and women who sacrifice so much in service to our country. So what my amendment would do would be to prevent the housing allowance from being used when determining eligibility for child nutrition programs.

There is another issue that we are going to face as well. I hope that we can increase the basic housing allowance for all servicemembers regardless of where they live. I know in my community of San Diego, people are paying far greater than they should out of pocket.

As we increase that need and keep pace with rising housing costs, we need to be certain that it is indexed at the end of the day so that there is still more money for the families to feed their children. We do not want to cause them to lose this valuable assistance that they receive, the children receive at school, if it looks as if their incomes have increased when, in fact, we know they really have not.

So I asked the assistance of my colleagues on this issue and the commitment of the chairman to work with me to resolve this issue.

The CHAIRMAN pro tempore. Does the gentleman from Texas (Mr. BONILLA) insist on his point of order?

Mr. BONILLA. Mr. Chairman, I would ask the Chair if the gentlewoman from California (Mrs. DAVIS) is going to withdraw her amendment.

The CHAIRMAN pro tempore. Does the gentlewoman from California intend to withdraw her amendment?

Mrs. DAVIS of California. Mr. Chairman, yes. I hope that we can work together on this, and I certainly will ask to withdraw my amendment.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would just like to say to the gentlewoman from California (Mrs. DAVIS) and to the chairman of the subcommittee that I do believe the gentlewoman has really brought up an issue that we never have considered, never were asked to consider during our regular hearings and so forth.

I think this does involve also the authorizing of the Committee on Education and the Workforce since they have jurisdiction over the school lunch program, the free and reduced lunch program, although we have jurisdiction over the expenditures for that.

Knowing that some of our military personnel are extremely pressed, even some eligible for food stamps when serving the Government of the United States at points around the world, it would seem to me that we should find a way to encourage the Department of Education, the Department of Agriculture to treat our military personnel with the respect that they deserve.

I want to compliment the gentlewoman for bringing this issue to the attention of our subcommittee and pledge my own cooperation with her in resolving this in the weeks and months ahead, and certainly also encourage her to testify before the Committee on Education and the Workforce as well as the authorizing Committee on Agriculture.

We here on the Committee on Appropriations will continue to work with the gentlewoman from California (Mrs. DAVIS) as we move to conference with the other body.

The CHAIRMAN pro tempore. Does the gentlewoman from California (Mrs. DAVIS) intend to withdraw her amendment?

Mrs. DAVIS of California. Yes, Mr. Chairman, I will do that. I know that there are colleagues on the other side of the aisle as well who have confronted this problem in their community, and I appreciate their help and support on this as well.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mr. SCHROCK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to take this opportunity to speak on behalf of this amendment that was introduced by the gentlewoman from California (Mrs. DAVIS). At a time when retention in the military is down, we need to find as many ways as possible to support our sailors, soldiers, airmen, marines and their families.

The Department of Agriculture's current policy of counting the basic allowance for housing as part of income is unfair to the young men and women of the military who have dedicated their lives in service to our country.

Many military families, many new military families are finding it difficult just to make ends meet. Many are living just above the poverty level. The long hours, the months away from loved ones and low-paying jobs for spouses is often the norm for these families. When military communities introduced privatized housing to help military bases save on operating costs, it, unfortunately, does not always save money for the servicemembers.

When a member lives on base, they forfeit their basic allowance for housing. When a member lives in a privatized community, the Department of Defense adds the allowance to their pay statement, but this is money they never see.

When the Department of Agriculture includes this amount as income, it affects many families' eligibility for free or reduced school lunches. Schoolchildren lose their free lunches, families lose their assistance, and school districts lose Federal funds that receive this money to assist for free and reduced school lunch programs.

At the Naval Amphibious Base Little Creek in Virginia Beach, they were working with the Department of Housing Authority to plan for privatized housing in Virginia Beach and Norfolk, which I represent. I do not want to see what is happening in the district of the gentlewoman from California (Mrs. DAVIS) happen to the military families in our area.

I urge my colleagues to support this amendment. I thank the gentlewoman from California (Mrs. DAVIS) for introducing it.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

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

(INCLUDING TRANSFERS OF FUNDS)

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), $4,137,086,000, to remain available through September 30, 2003: *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 may obligate up to $25,000,000 for the farmers' market nutrition program and up to $15,000,000 for senior farmers' market activities from any funds not needed to maintain current caseload levels: *Provided further*, That notwithstanding section 17(h)(10)(A) of such Act, up to $10,000,000 shall be available

for the purposes specified in section 17(h)(10)(B), no less than $6,000,000 of which shall be used for the development of electronic benefit transfer systems: *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 such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), $21,991,986,000, of which $1,000,000,000 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 heading shall be used for studies and evaluations: *Provided further*, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act: *Provided further*, That funds provided under this heading may be used to procure food coupons necessary for program operations in this or subsequent fiscal years until electronic benefit transfer implementation is complete.

COMMODITY ASSISTANCE PROGRAM

(INCLUDING TRANSFER OF FUNDS)

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, $152,813,000, to remain available through September 30, 2003: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That of the total amount available, the Secretary may obligate up to $15,000,000 for senior farmers' market activities from any funds not needed to maintain current caseload levels: *Provided further*, That notwithstanding section 5(a)(2) of the Agriculture and Consumer Protection Act of 1973 (Public Law 93–86; 7 U.S.C. 612c note), $21,820,000 of this amount shall be available for administrative expenses of the commodity supplemental food program.

FOOD DONATIONS PROGRAMS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973; special assistance for the nuclear affected islands as authorized by section 103(h)(2) of the Compacts of Free Association Act of 1985, as amended; and section 311 of the Older Americans Act of 1965, $150,749,000, to remain available through September 30, 2003.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, $126,656,000, of which $5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp benefit delivery, and assisting in the prevention, identification, and prosecution of fraud and other violations of law and of which not less than $4,500,000 shall be available to improve integrity in the Food Stamp and Child Nutrition programs: *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

SALARIES AND EXPENSES

(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 $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $122,631,000: *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. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That none of the funds appropriated in this account may be used to pay the salaries and expenses of personnel to disburse funds to any rice trade association under the market access program or the foreign market development program at any time when the applicable international activity agreement for such program is not in effect.

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 ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of agreements under the Agricultural Trade Development and Assistance Act of 1954, and the Food for Progress Act of 1985, including the cost of modifying credit arrangements under said Acts, $122,600,000, to remain available until expended.

In addition, for administrative expenses to carry out the credit program of title I, Public Law 83–480, and the Food for Progress Act of 1985, to the extent funds appropriated for Public Law 83–480 are utilized, $2,013,000, of which $1,033,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $980,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS

(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, $20,277,000, to remain available until expended, for ocean freight differential costs for the shipment of agricultural commodities under title I of said Act: *Provided*, That funds made available for the cost of title I agreements and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

PUBLIC LAW 480 GRANTS—TITLES II AND III

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, $835,159,000, to remain available until expended, for commodities supplied in connection with dispositions abroad under title II of said Act.

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, $4,021,000, 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 $3,224,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $797,000 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; $1,342,339,000, of which not to exceed $161,716,000 to be derived from prescription drug user fees authorized by 21 U.S.C. 379(h), including any such fees assessed prior to the current fiscal year but credited during the current year, in accordance with 21 U.S.C. 379h(g)(4), and shall be credited to this appropriation and remain available until expended: *Provided*, That of the total amount appropriated $6,000,000 for costs related to occupancy of new facilities at White Oak, Maryland, shall remain available until September 30, 2003.

AMENDMENT OFFERED BY MR. BROWN OF OHIO

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio:

In title VI, in the item relating to ''DEPARTMENT OF HEALTH AND HUMAN SERVICES-FOOD AND DRUG ADMINISTRATION-SALARIES AND EXPENSES'', insert before the period at the end of the first paragraph the following:

: *Provided further*, That of the total amount appropriated, $2,500,000 is available for the purpose of carrying out the responsibilities of the Food and Drug Administration with respect to abbreviated applications for the approval of new drugs under section 505(j) of the Federal Food, Drug, and Cosmetic Act, and $250,000 is available under section 903(d)(2)(D) of such Act for the purpose of

carrying out public information programs regarding drugs with approved such applications, in addition to other allocations for such purposes made from such total amount

Mr. BROWN of Ohio (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

□ 1630

Mr. BONILLA. Mr. Chairman, I ask unanimous consent that all debate on this amendment be limited to 20 minutes and that the time be equally divided.

The CHAIRMAN pro tempore (Mr. WHITFIELD). The time equally divided between the proponent and an opponent?

Mr. BONILLA. Yes, Mr. Chairman.

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

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Chairman, I yield myself 3 minutes and 15 seconds.

Within the next 5 years, patents on brand-name drugs with combined U.S. sales approaching $20 billion will expire. Given the tremendous cost savings with generic competition, it has never been more important to reduce unnecessary delays in FDA approval of generic drugs.

The amendment I am offering today, along with the gentleman from California (Mr. WAXMAN), the gentleman from Michigan (Mr. DINGELL), the gentleman from Arkansas (Mr. BERRY), and the gentleman from New Jersey (Mr. PALLONE), would increase funding for the Office of Generic Drugs by $2.5 million. Our amendment builds on the $1.5 million increase already allocated to this office under the leadership of the chairman, the gentleman from Texas (Mr. BONILLA), and the ranking member, the gentlewoman from Ohio (Ms. KAPTUR).

I am pleased the gentlewoman from Ohio (Ms. KAPTUR) supports this amendment. While I understand how difficult it is to allocate limited FDA resources, this amendment will pay for itself many times over. Additional dollars committed to the Office of Generic Drugs will generate enormous returns for American consumers, for Federal and State governments, and for employer-sponsored health plans.

Prescription drug spending increased by 18.8 percent last year, accounting for half the increase in national health spending and a third of the increase in employer-sponsored health coverage. Generic drugs cost on average 40 to 80 percent less than their brand name counterparts. Sometimes they are 90 percent cheaper.

To get a sense of the savings inherent in approving these drugs more rapidly: brand-name drug companies receive 6 additional months of market exclusivity when they conduct pediatric clinical trials. That 6 months, on the average, represents $695 million in lost consumer savings each year. It takes 6 to 12 months, on average, to review a new drug application. It takes 18 months, on average, to review a generic drug application. Multiply that $695 million, Mr. Chairman, times the full universe of generic drugs, and the 6-month difference means tens of billions of dollars in lost savings.

There are 300 scientists on staff today to review generic drug applications. There are more than 2,100 scientists on staff to review new drug applications. By giving the Office of Generic Drugs the resources it needs, we can make a tangible difference in easing the prescription drug spending burden. Opportunities to reduce both public and private spending on prescription drugs without sacrificing access or quality are very hard to come by.

Our amendment provides an additional $250,000 to fully fund a national campaign to raise public awareness about generic drugs. Generic drugs are as safe and as effective as brand-name drugs; they are just cheaper. But there is clearly an information gap when it comes to generics. Eighty-three percent of Americans report no bias against generic drugs, but only 54 percent fill prescriptions with the generics. There is a misperception that as conditions become more serious, the use of generic drugs becomes more risky. The greatest bias against generic drugs exists when cost savings, unfortunately when cost savings are potentially the greatest for serious conditions requiring expensive long-term treatment.

If we can get generic drugs to market on a more timely basis and encourage more widespread use of these products, the public and private sector savings will quickly dwarf our investment. I ask the Members of this Congress to support the amendment.

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

Mr. Chairman, I rise in opposition to the amendment. The bill that the committee has presented to the House includes a very carefully balanced recommendation for funding for the Food and Drug Administration. The $39 million provided in this bill for generic drug activities includes a 17 percent increase for generic drug review, generous by any standard.

I should also note that the funding for generics includes the only FDA program increase above the President's budget, which certainly demonstrates our commitment to affordable, effective, and safe generic drugs. So, again, I rise in opposition to the amendment.

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

Mr. BROWN of Ohio. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. BERRY), who has fought for low-cost prescription drugs for several years in this body.

Mr. BERRY. Mr. Chairman, I want to thank the distinguished gentleman from Ohio for his leadership in this effort.

The American people, Mr. Chairman, are continuing to be robbed by the brand-name prescription drug manufacturers in this country. The reason that happens is because they have patent protection, they have trade barriers to protect them, and they have limited access to generic medicine. It is time that we do something about that. It is time that we make reasonably priced prescription medicine available to the American people. We know that they could be saving $20 billion a year today if they had access to generic medicine that is not available to them today.

What we are asking in this amendment is that we provide $2.5 million to the FDA so they can have the ability to approve more generic medicine to the American people that would be offered at a much more reasonable price and create competition in the prescription medicine market that we have to deal with today. Generic drugs cost, on the average, 75 percent less than brand names.

As I said, we know that we can save the American people $20 billion a year if we do this. It takes 6 to 12 months to review a new drug application, but it takes 18 months today, because of FDA's limited ability, to approve a generic drug application. This does not make any sense that this would be the case.

So I urge the Members of this House to vote for this amendment and support the effort of the gentleman from Ohio to provide the American people with reasonably priced prescription medicine.

Mr. BROWN of Ohio. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. PALLONE), who has been very involved in health care issues, especially prescription drug and managed care issues.

Mr. PALLONE. Mr. Chairman, I rise in support of the Brown amendment. There is a need for statutory or legislative initiatives that allow timely access and availability of generic drugs once the patent on a brand-name drug expires. Brand-name companies have become proficient in manipulating Hatch-Waxman law and aggressive campaigns to block or delay generic alternatives from reaching the market.

One way of alleviating this problem is to provide more funding to the FDA's Office of Generic Drugs. Currently, the agricultural appropriation bill includes a $1.75 million increase in funding for this office, and I would like to see an additional $2.5 million for the Office of Generic Drugs. In addition, I would like to see an investment of an additional $250,000 on top of the $250,000 already in the bill for a national campaign to raise public awareness about the safety and cost effectiveness of generics.

The tactics used by the brand-name industry to delay generic drugs from

coming on the market are widespread and well known. By giving the FDA Office of Generic Drugs the appropriate levels of funding, it will have the resources to help move generic drugs to the market more quickly, to run an education campaign, and to overall significantly bring down the cost of prescription drugs.

We need more money for this office so we can reduce the cost of prescription drugs, which is so important to our seniors and to so many Americans. I commend the gentleman from Ohio (Mr. BROWN) for bringing this up, and I urge all my colleagues to support the amendment.

Mr. BROWN of Ohio. Mr. Chairman, I yield 1 minute to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Chairman, I would like to speak in favor of this amendment. This is a very critical allocation of funds, primarily because we are having such a difficult time in getting generic drugs to the market.

Let me just point out that I am the sole person who is responsible for my mother-in-law. I just wrote a check to Bill's Pharmacy in Cape Girardeau, Missouri, $636 for four different medicines last month. The month before that I wrote a check for $572. The month before that I wrote a check for $835. And these are for brand-name drugs because it is very difficult to get a generic equivalent to market. It is atrocious.

Now, my mother-in-law has a supplemental Blue Cross/Blue Shield policy. It only goes up to $1,500, so my colleagues can imagine how quickly she uses that, because of the money that I have had to spend on her behalf.

So, Mr. Chairman, I think this is an absolutely important and critical amendment, and I hope that the chairman will allow it to be considered.

Mr. BROWN of Ohio. Mr. Chairman, I thank the gentlewoman from Missouri.

Mr. Chairman, I yield 30 seconds to my friend, the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Chairman, I am proud to stand in support the bill. I want to thank both the chairman of the subcommittee and also the ranking member because this amendment actually builds on the $1.5 million increase they have in the bill. This would help move generic drugs to the market quicker. We are talking about $2.5 million. It typically takes 6 to 12 months to review a new drug application, but 18 months for the generic drugs.

This will help all our people, but particularly our seniors, who take more prescription drugs and spend billions every year on prescription drugs. Let us see if we can get generics there to save our seniors some dollars.

Mr. BROWN of Ohio. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Ohio has 2 minutes remaining.

Mr. BROWN of Ohio. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding me this time, and I thank him so very much for bringing up this important amendment.

I think it is important for the membership to know this does not involve any new money but merely a reallocation of funds within the Food and Drug Administration itself. So this is a very, very worthy amendment.

We have had to try to fight in this bill and the bill last year to try to get more attention to the approval of generic drugs, which so many Americans obviously need. They are a lot less expensive. I can remember when Claude Pepper used to stand on this floor trying to get generic drug incentives put into the law.

So I want to thank the gentleman from Ohio, as always, taking the leadership on health questions and certainly trying to get medicine to people who need it. In my neighborhood, there are many citizens who make a choice between food and medicine every weekend when they shop at the local supermarket. This will help families like them.

We need to get FDA working more quickly. And I am so happy that the gentleman from the Committee on Energy and Commerce has brought this to our attention and has given us additional drive to get additional generic drugs approved. So I fully support his amendment. It is within the budget resolution and within our allocation, and I would urge the membership to support him.

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

Mr. Chairman, I thank the gentlewoman from Toledo.

In summary, Mr. Chairman, this amendment increases funding for the Office of Generic Drugs, to speed the approval process for generic drugs, to get them on the market more quickly, because generic drugs save money; always 40 to 60 to 80 percent over the price of a name-brand drug, sometimes as much as 90 percent. Consumers deserve access to generic drugs as quickly as possible. It will save money for America's consumers; it will save money for all levels of government that provide prescription drugs to employees and to citizens of this country; it will save money for employer health care plans.

Mr. Chairman, I ask for support of the Brown amendment on generics.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. BROWN).

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

Mr. BROWN of Ohio. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio (Mr. BROWN) will be postponed.

AMENDMENT OFFERED BY MR. BROWN OF OHIO

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio:

In title VI, in the item relating to ''DEPARTMENT OF HEALTH AND HUMAN SERVICES-FOOD AND DRUG ADMINISTRATION-SALARIES AND EXPENSES'', insert before the period at the end of the first paragraph the following:

: *Provided further*, That of the total amount appropriated, $5,000,000 is available for the purpose of carrying out the responsibilities of the Food and Drug Administration with respect to antibiotic drugs, in addition to other allocations for such purpose made from such total amount

Mr. BROWN of Ohio (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BONILLA. Mr. Chairman, I ask unanimous consent that all debate on this amendment be limited to 20 minutes and that the time be equally divided.

The CHAIRMAN. The Chair would seek clarification. The time divided is between the gentleman from Ohio (Mr. BROWN) and the gentleman from Texas (Mr. BONILLA)?

Mr. BONILLA. The Chair is correct.

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

There was no objection.

The CHAIRMAN. The gentleman from Ohio (Mr. BROWN) and the gentleman from Texas (Mr. BONILLA) each will control 10 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BROWN).

□ 1645

Mr. BROWN of Ohio. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, this amendment allocates funds to carry out the FDA's antibiotic resistance plan. On January 18, 2001, the FDA, the Centers for Disease Control and Prevention, and the National Institutes of Health unveiled an action plan developed by an interdepartmental task force that provides the United States with a comprehensive approach to combat the emerging threat of antimicrobial resistance. The plan designated 13 near-term priorities to deal with the problem of antibiotic resistance.

The introduction of antibiotics in the 1940s gave the medical community an overwhelming advantage in its fight against infectious diseases, against TB and pneumonia, against cholera and typhoid, against many other long-time killers. But as bacteria have been exposed to antibiotics, resistant strains have emerged as a real threat to the efficacy of antibiotic drugs and to human health. The recent experience of the

global medical community with tuberculosis is an excellent example of what can happen when an infectious disease develops antibiotic-resistant strains, and the threat that this poses to public health in the United States and around the world.

Mr. Chairman, multidrug-resistant TB is as a result of antibiotic overuse, incorrect or interrupted treatment, and an inadequate supply of effective drugs. While outpatient treatment for standard TB costs a few thousand dollars, treatment of multidrug-resistant TB, MDRTB, costs as much as $250,000, and it may not be successful.

Mr. Chairman, we do not want to see this scenario of increased costs and increased mortality repeated with other infectious diseases. The first step in addressing the problem of antibiotic resistance is to identify the true scope of the problem. We know that AR infections are seen more often in emergency rooms. We know that antibiotic resistance occurs wherever antibiotics are used, and we know that overuse and misuse of antibiotics exacerbates the problems of antibiotic resistance.

But we need to know which drugs are being affected most, and when, how and why antibiotic drugs are being prescribed. We must educate the American public on the proper use of antibiotics, and we must encourage the development of new antimicrobial therapies.

The amendment I am proposing today does not seek to ban the use of any antibiotics, it would simply appropriate the funds necessary to implement those near-term priorities of the government's action plan that would take place at FDA. These priorities were not set by me. They were not set by my colleagues. They were not set by any special interest groups. They were established by doctors and scientists and public health officials from FDA, CDC, NIH and other Federal agencies.

The Committee on Appropriations has recommended a $126 million budget increase for FDA over last year. This $5 million set aside would allow FDA to begin to execute the portions of the antibiotic resistance action plan within its responsibility and would leave the decision on the sources of the offset to the Agency.

Mr. Chairman, I ask for Members to support the Brown amendment on antibiotic resistance.

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

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

Mr. Chairman, I rise in opposition to the amendment. The bill that the committee has presented to the House includes a very carefully balanced recommendation for funding for the Food and Drug Administration, including $27 million for antimicrobial resistance activities. This is an increase of over 70 percent from just 2 years ago, which clearly demonstrates our commitment in this area.

The gentleman's amendment proposes to increase funding for certain purposes, but it makes no proposal on where the money should come from. I would like to say that I am very happy that we were able to provide significant increases for the FDA. It is vitally important for that agency to have the resources to perform its public health mission. We were able to provide them the following increases above last year's level: $15 million to prevent BSE, or bovine spongiform encephalopathy, which is commonly known as mad cow disease; $10 million to increase the number of domestic and foreign inspections, and to expand import coverage in all product areas; $10 million to reduce adverse events related to medical products; $10 million to better protect volunteers who participate in clinical research studies; $9 million to provide a safer food supply; $1.75 million to improve the timeliness of generic drug application review and to provide generic drug education; and full funding of increased payroll costs for existing employees.

I want to stress how important this is. In the past, FDA and all other agencies in this bill were forced to reduce the level of services provided to the public in order to absorb payroll increases. This year we want to be sure that does not happen. I am sure that we all want to see that there is no slippage of activities at FDA involving research, application review, inspections, and all of the other payroll-intensive operations that are financed through our bill. We worked hard to find these resources. I am glad we were able to do it, and I am sure FDA will put them to good use.

Now here is my point. In the real world, when we go to conference with the other body, the increase that the gentleman's amendment proposes would have to come out of other increases that the committee provided. So where should it come from? Should we reduce FDA's food safety activities? We have heard a number of speeches today that told us not to do that. Should we reduce protection for people participating in clinical trials, or reduce resources for blood safety or BSE prevention?

Mr. Chairman, I ask all Members to support the committee's recommended increases in FDA. I oppose the gentleman's amendment, and I ask for its defeat.

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

Mr. BROWN of Ohio. Mr. Chairman, I yield 3 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Chairman, I rise in strong support of the Brown-Slaughter amendment. This amendment would set aside $5 million in the FDA's budget for the purpose of implementing FDA's portion of the public health action plan to combat antimicrobial resistance. As a former microbiologist with a master's degree in public health, I am profoundly concerned over the rising number of infections that do not respond to the majority of antibiotics in our medical arsenal.

In my judgment, the resistance of bacterial infections to antibiotics represents a major public health crisis in the Nation today. According to the Centers for Disease Control and Prevention, in some parts of the country more than 40 percent of streptococcus pneumonae infections are highly resistant to penicillin. Moreover, approximately 70 percent of the bacterial infections acquired in a hospital setting are resistant to at least one antimicrobial drug. As long ago as 1997, at least one strain of staphylococcus developed resistance against the last and strongest antibiotic available: vancomycin.

These facts have a real impact on patients. According to the WHO, 1 American dies every 38 minutes because of a drug-resistant infection. When first-line drugs against these infections are not effective, patients are sicker for longer periods of time. In the case of patients with suppressed immune systems, or those recovering from surgery or injury, a delay in effective treatment of infection can be fatal. Children are particularly susceptible. In 1999, the CDC reported that four otherwise healthy children had died of drug-resistant staphylococcus aureus infections.

If we fail to slow the rise of resistance to these infections, we could find ourselves returning to a day when common infections like tuberculosis and salmonella could become untreatable, and potentially fatal.

A wide range of factors are contributing to the rise of resistance of antimicrobial agents. They include the overprescription of antibiotics, viral infections which do not respond to antibiotics; the misuse of antibiotics, such as the use of a newer, broad-range antibiotic when a less recent version would be equally effective; and the decline in simple sanitation measures, like effective hand-washing.

The various agencies responsible for the many aspects of the antimicrobial resistance issue have come together and issued a comprehensive plan of attack against this problem. ''A Public Health Action Plan to Combat Antimicrobial Resistance'' was developed in partnership by the FDA, the CDC, and the National Institutes of Health, with input and assistance from the Agency for Health Care Research and Quality, the Department of Agriculture, Department of Defense, Department of Veterans Affairs, the Environmental Protection Agency, the Health Care Financing Administration, and the Health Resources and Services Administration.

This was an exhaustive and overarching effort to show the advance of antimicrobial resistance. As one of the lead agencies in developing this plan, the FDA has a crucial role to play in its implementation. The Brown-Slaughter amendment would set aside $5 million for the FDA to begin to stem

the rising tide of antimicrobial resistance. This modest investment has the potential to save untold numbers of lives.

I urge my colleagues in the strongest possible terms to support the Brown-Slaughter amendment. Antimicrobial resistance is a quiet crisis growing in the United States, and we ignore it at our own risk.

Mr. BROWN of Ohio. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I thank the gentleman for yielding me this time, and thank him for his leadership on this issue.

Mr. Chairman, how many times have Americans gone to a doctor, been prescribed an antibiotic only to find out it did not work, that it was not effective for them? This vignette of a patient taking medication, hoping it is going to be of value to fight infection is something that is repeated many times around the world. Yet we know for some reason antibiotics are not effective because of certain resistance. What the gentleman from Ohio (Mr. BROWN) is doing is trying to get an additional $5 million to fund components of the action plan to combat antimicrobial resistance.

Mr. Chairman, this money will be money well spent because this is not only a health problem in this country, this is a world health problem. I thank the gentleman for his dedication.

Mr. BROWN of Ohio. Mr. Chairman, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR), who is the ranking member of the subcommittee.

Ms. KAPTUR. Mr. Chairman, I want to compliment the gentleman from Ohio (Mr. BROWN) for taking leadership on this important issue of antimicrobial research.

Mr. Chairman, it has been amazing to me among families and friends, staff members and their families back home, how many individuals go into a hospital and are the victims of an infection. In spite of some of the best knowledge we have with modern medicine, yet we find that there is this antimicrobial resistance that in some ways is as a result of the technologies that we brought on board in the 20th century.

As we now embark on the 21st century, this research to add funding to help to expedite the action plan to combat antimicrobial resistance is essential. We know that life transforms and that every action has an equal and opposite reaction. I am sure that is the case, that scientists note every day, whether we are talking about HIV-AIDS or whether we are talking about some type of staphylococcus infection which becomes resistant to antibiotics which have been brought on board in years past.

We need to know which drugs are being affected most; how, when and why antibiotic drugs are being prescribed. We must educate physicians and the public on the proper use of antibiotics. I have been amazed at people who have taken antibiotics and find their systems having to readjust anywhere from 6 months to a year.

Mr. Chairman, I want to compliment the gentleman. The amendment would simply authorize funding for priorities already set by the health agencies of this government. I urge my colleagues for a ''yes'' vote on this important amendment on antimicrobial research. It provides $5 million to the FDA to expedite the carrying out of priority action items designated under an adopted action plan.

□ 1700

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

I ask my colleagues to speak to a physician or to a nurse or to a hospital administrator or to a medical researcher about this problem of antibiotic resistance. Every one of them will tell you that they know of cases, they have seen cases, they have seen the damage done by cases where antibiotic resistance is very real. Antibiotics are not as effective as they were a year ago or 5 years ago or 10 years ago. They also will tell you that we need action, we need to begin to recognize the problem, we need to anticipate the problem of growing resistance to antibiotics, and we need to do something about the problem.

This amendment does not ban any antibiotics. It simply carries out the action plan that our government has suggested. I ask for support for the Brown-Slaughter amendment.

The CHAIRMAN pro tempore (Mr. BASS). The question is on the amendment offered by the gentleman from Ohio (Mr. BROWN).

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

Mr. BROWN of Ohio. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio (Mr. BROWN) will be postponed.

AMENDMENT OFFERED BY MR. ENGEL

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

The Clerk read as follows:

Amendment offered by Mr. ENGEL:

In title VI, in the item relating to ''DEPARTMENT OF HEALTH AND HUMAN SERVICES-FOOD AND DRUG ADMINISTRATION-SALARIES AND EXPENSES'', insert before the period at the end of the first paragraph the following:

: *Provided further*, That of the total amount appropriated, $250,000 is available for the purpose of carrying out the responsibilities of the Food and Drug Administration with respect to food labeling within the meaning of section 403 of the Federal Food, Drug, and Cosmetic Act, in addition to other allocations for such purpose made from such total amount

Mr. LATHAM. Mr. Chairman, I ask unanimous consent that all debate on this amendment be limited to 30 minutes and that the time be equally divided between the proponent and an opponent.

The CHAIRMAN pro tempore. Without objection, the gentleman from New York (Mr. ENGEL) will be recognized for 15 minutes and the gentleman from Iowa (Mr. LATHAM) will be recognized for 15 minutes.

There was no objection.

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

Mr. Chairman, my amendment sets aside $250,000, which in the totality of this budget is very, very small, for the FDA to develop labeling requirements indicating that no child slave labor was used in the growing and harvesting of cocoa.

Forty-three percent of the world's cocoa beans come from small scattered farms in the Ivory Coast. The beans are prized for their quality and abundance. In the first 3 months of 2001, more than 47,300 tons of them were shipped to the United States to be processed by U.S. cocoa processors.

There are more than 600,000 small farms and no corporate or government agency in the Ivory Coast is monitoring them for slave trade. The United Nations estimates that approximately 200,000 slaves are working in various trades in West Africa and the State Department has estimated that about 15,000 children between the ages of 9 and 12 have been sold into forced labor in northern Ivory Coast in recent years. Let me repeat that. The State Department has estimated that about 15,000 children between the ages of 9 and 12 have been sold into forced labor in northern Ivory Coast in recent years.

On many of the farms, the fields are cleared and the crops are harvested by boys between the ages of 12 and 16 who were sold or tricked into slavery. Some are even as young as 9. These boys come from neighboring countries, including Mali, Burkina Faso, Benin, and Togo and do not speak the most common language used in the Ivory Coast, French. They are children, who, out of respect, will do anything to help their parents. The boys are uneducated, come from poor countries and are wooed by offers of money, bicycles, and trade jobs. ''Locateurs'' offer them work as welders or carpenters, and they are told falsely that they will be paid $170 a year. As soon as they accept the offer, they are sold into slavery and are forced to clear the fields and harvest the cocoa crop. They live on corn paste and bananas, work 12 to 14 hours a day for no pay, suffer from whippings, are locked up at night in small, windowless rooms, and are given cans to urinate in.

One of these boys, Aly Diabate, was sold into slavery when he was barely 4 feet tall. He said, ''Some of the bags were taller than me. It took two people to put the bag on my head. And when you didn't hurry, you were beaten. The beatings were a part of my life. Anytime they loaded you with bags and you fell while carrying them, nobody

helped you. Instead, they beat you and beat you until you picked it up again.''

Mr. Chairman, this must be stopped. Just like we cannot accept slave labor in factories in Asia, we must not accept products being sold in this country that are made by enslaved child labor. In 1999, former President Clinton issued an executive order prohibiting Federal agencies from purchasing products made by enslaved children. However, cocoa products were not included on this list.

Americans spend $13 billion a year on chocolate. I love chocolate. But most of them are ignorant of where the cocoa beans come from. And a lot of the cocoa beans come from the Ivory Coast. We must change that. This amendment provides funding for the FDA to develop a label indicating that enslaved child labor was not used to harvest the cocoa beans. That is all this does. We want to ensure that when people of this country eat chocolate, they are not eating chocolate that was processed by child slavery.

I urge my colleagues to support this amendment.

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

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

I rise in opposition to the amendment. As with the prior two amendments, we have fully funded FDA's budget request for this activity. Additional money for food labeling will come from other vital areas.

I ask rhetorically, from which priority would the gentleman prefer to delete the $250,000? From blood safety, from developing methods to detect food pathogens, or even generic drug review?

I oppose this amendment and urge my colleagues to do the same.

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

Mr. ENGEL. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I hope that the Members will take this amendment seriously, because it is in fact a very serious matter. It is, in some measure, a result of this global trading pattern that we have engaged in without really examining closely and understanding fully the consequences of this system.

A recent report by our own State Department estimated that there are currently some 15,000 children working on cocoa and similar plantations in the Ivory Coast alone. That is the source of about 43 percent of the cocoa that is imported into this country. I think that if people in this country knew that they were buying products that were the result of slave labor, particularly the labor of children as young as 8 or 9 years old, they would not buy it. And I think that this amendment which proposes a simple labeling mechanism to indicate where this cocoa is coming from and the slave conditions under which it is being farmed and harvested is a good amendment and it ought to be adopted.

Mr. ENGEL. Mr. Chairman, I yield 3 minutes to the gentlewoman from Ohio (Ms. KAPTUR), the ranking member on the agriculture subcommittee.

Ms. KAPTUR. Mr. Chairman, I thank my esteemed colleague the gentleman from New York for yielding me this time and rise in support of his amendment which is a very straightforward and simple amendment to ask FDA to engage itself in the proper labeling of goods that come into this country. In the area of cocoa beans and chocolate, I think we do not often think of where a product's ingredients come from.

Mr. Chairman, I include for the RECORD an article that was published in the St. Paul Pioneer Press on June 24 of this year that talks about the cocoa beans that come here to America blended into our product from places like the Ivory Coast.

[From the St. Paul Pioneer Press, June 24, 2001]

DALOA, IVORY COAST

There may be a hidden ingredient in the chocolate cake you baked, the candy bars your children sold for their school fund-raiser or that fudge ripple ice cream cone you enjoyed on Saturday afternoon. Slave labor. Forty-three percent of the world's cocoa beans, the raw material in chocolate, come from small, scattered farms in the poor West African country of Ivory Coast. And on some of the farms, the hot, hard work of clearing the fields and harvesting the crop is done by boys who were sold or tricked into slavery. Most of them are 12 to 16 years old. Some are as young as 9. The slaves live on corn paste and bananas. Some are whipped, beaten and broken like horses to harvest the almond-size beans.

The State Department's human rights report last year concluded that some 15,000 children ages 9 to 12 have been sold into forced labor on cotton, coffee and cocoa plantations in northern Ivory Coast in recent years.

Aly Diabate was almost 12 when a slave trader promised him a bicycle and $150 a year to help support his poor parents in Mali. He worked for a year and a half for a cocoa farmer who is known as ''Le Gros'' (''The Big Man'') but he said his only rewards were the rare days when Le Gros' overseers or older slaves didn't flog him with a bicycle chain or branches from a cacao tree.

Cocoa beans come from pods on the cacao tree. To get the 400 or so beans it takes to make a pound of chocolate, the boys who work on Ivory Coast's cocoa farms cut pods from the trees, slice them open, scoop out the beans, spread them in baskets or on mats and cover them to ferment. They they uncover the beans, put them in the sun to dry, bag them and load them onto trucks to begin the long journey to America or Europe.

Aly said he doesn't know what the beans from the cacao tree taste like after they've been processed and blended with sugar, milk and other ingredients. That happens far away from the farm where he worked, in places such as Hershey, Pa., Milwaukee and San Francisco.

''I don't know what chocolate is,'' said Aly. The chocolate chain Americans spend $13 billion a year on chocolate, but most of them are as ignorant of where it comes from as the boys who harvest cocoa beans are about where their beans go.

More cocoa beans come from Ivory Coast than from anyplace else in the world. The country's beans are prized for their quality and abundance, and in the first three months of this year, more than 47,300 tons of them were shipped to the United States through Philadelphia and Brooklyn, N.Y., according to the Port Import Export Reporting Service. At other times of the year, Ivory Coast cocoa beans are delivered to Camden, N.J., Norfolk, Va., and San Francisco.

From the ports, the beans are shipped to cocoa processors. America's biggest are ADM Cocoa in Milwaukee, a subsidiary of Decatur, Ill.-based Archer Daniels Midland; Barry Callebaut, which has its headquarters in Zurich, Switzerland; Minneapolis-based Cargill; and Nestle USA of Glendale, Calif., a subsidiary of the Swiss food giant.

But by the time the beans reach the processors, those picked by slaves and those harvested by free field hands have been jumbled together in warehouses, ships, trucks and rail cars. By the time they reach consumers in America or Europe, free beans and slave beans are so thoroughly blended that there is no way to know which chocolate products taste of slavery and which do not.

Even the Chocolate Manufacturers Association, a trade group for American chocolate makers, acknowledges that slaves are harvesting cocoa on some Ivory Coast farms.

And a 1998 report from UNICEF, the United Nations Children's Fund, concluded that some Ivory Coast farmers use enslaved children, many of them from the poorer neighboring countries of Mali, Burkina Faso, Benin and Togo. A report by the Geneva, Switzerland-based International Labor Organization, released June 15, found that trafficking in children is widespread in West Africa.

SOME OF THE BAGS WERE TALLER THAN ME

Aly Diabate and 18 other boys labored on a 494-acre farm, very large by Ivory Coast standards, in the southwestern part of the country. Their days began when the sun rose, which at this time of year in Ivory Coast is a few minutes after 6 a.m. They finished work about 6:30 in the evening, just before nightfall, trudging home to a dinner of burned bananas. A treat would be yams seasoned with saltwater ''gravy.''

After dinner, the boys were ordered into a 24-by-20-foot room, where they slept on wooden planks. The window was covered with hardened mud except for a baseball-size hole to let some air in. ''Once we entered the room, nobody was allowed to go out,'' said Mamadou Traore, a thin, frail youth with serious brown eyes who is 19 now. ''Le Gros gave us cans to urinate. He locked the door and kept the key.''

''We didn't cry, we didn't scream,'' said Aly. ''We though we had been sold, but we weren't sure.'' The boys became sure one day when Le Gros walked up to Mamadou and ordered him to work harder. ''I bought each of you for 25,000 francs'' (about $35), the farmer said, according to Mamadou. ''So you have to work harder to reimburse me.''

Aly was barely 4 feet tall when he was sold into slavery, and he had a hard time carrying the heavy bags of cocoa beans. ''Some of the bags were taller than me,'' he said. ''It took two people to put the bag on my head. And when you didn't hurry, you were beaten.'' You can still see the faint scars on his back, right shoulder and left arm. ''They said he wasn't working very hard,'' said Mamadou.

''The beatings were a part of my life,'' Aly said. ''Anytime they loaded you with bags and you fell while carrying them, nobody helped you. Instead, they beat you and beat you until you picked it up again.

Le Gros, whose name is Lenikpo Yeo, denied that he paid for the boys who worked for him, although Ivory Coast farmers often

pay a ''finder's fee'' to someone who delivers workers to them. He also denied that the boys were underfed, locked up at night or forced to work more than 12 hours a day without breaks. He said they were treated well, and that he paid for their medical treatment. ''When I go hunting, when I get a kill, I divide it in half—one for my family and the other for them. Even if I kill a gazelle, the workers come and share it.''

He denied beating any of the boys. ''I've never, ever laid hands on any one of my workers,'' Le Gros said. ''Maybe I called them bad words if I was angry. That's the worst I did.'' Le Gros said a Malian overseer beat one boy who had run away, but he said he himself did not order any beatings.

A BOY ESCAPES

One day early last year, a boy named Oumar Kone was caught trying to escape. One of Le Gros' overseers beat him, said the other boys and local authorities. A few days later, Oumar ran away again, and this time he escaped. He told elders in the local Malian immigrant community what was happening on Le Gros' farm. They called Abdoulaye Macko, who was then the Malian consul general in Bouake, a town north of Daloa, in the heart of Ivory Coasts's cocoa- and coffee-growing region. Macko went to the farm with several police officers, and he found the 19 boys and young men there. Aly, the youngest, was 13. The oldest was 21.

''They were tired, slim, they were not smiling.'' Macko said. ''Except one child was not there. This one, his face showed what was happening. He was sick; he had (excrement) in his pants. He was lying on the ground, covered with cacao leaves because they were sure he was dying. He was almost dead. . . . He had been severely beaten.''

According to medical records, other boys had healed scars as well as open, infected wounds all over their bodies. Police freed the boys, and a few days later the Malian consulate in Bouake sent them all home to their villages in Mali. The sick boy was treated at a local hospital, and then he was sent home, too.

Le Gros was charged with assault against children and suppressing the liberty of people. The latter crime carries a five- to 10-year prison sentence and a hefty fine, said Daleba Rouba, attorney general for the region. ''In Ivorian law, and adult who orders a minor to hit and hurt somebody is automatically responsible as if he has committed the act,'' said Rouba. ''Whether or not Le Gros did the beatings himself or ordered somebody, he is liable.'' Le Gros spent 24 days in jail, and today he is a free man pending a court hearing that is scheduled for Thursday.

He said the case against Le Gros is weak because the witnesses against him have all been sent back to Mali. ''If the Malian authorizes are willing to cooperate, if they can bring two or three of the children back as witnesses, my case will be stronger,'' Rouba said. Mamadou Diarra, the Malian consul general in Bouake, said he would look into the matter.

OFFICIAL RESPONSES

Child trafficking experts say inadequate legislation, ignorance of the law, poor law enforcement, porous borders, police corruption and a shortage of resources help perpetuate the problem of child slavery in Ivory Coast. Only 12 convicted slave traders are serving time in Ivorian prisons. Another eight, convicted in absentia, are on the lam.

Ivorian officials have found scores of enslaved children from Mali and Burkina Faso and sent them home, and they have asked the International Labor Organization, a global workers' rights agency, to help them conduct a child-labor survey that's expected to be completed this year. But they continue to blame the problem on immigrant farmers from Mali and on world cocoa prices that have fallen almost 24 percent since 1996, from 67 cents a pound to 51 cents, forcing impoverished farmers to use the cheapest labor they can find.

Ivory Coast Agriculture Minister Alfonse Douaty calls child slavery a marginal ''clandestine phenomenon'' that exists on only a handful of the country's more than 600,000 cocoa and coffee farms. ''Those who do this are hidden, well hidden,'' said Douaty. He said his government is clamping down on child traffickers by beefing up border patrols and law enforcement, and running education campaigns to boost awareness of anti-slavery laws and efforts.

Douaty said child labor is Ivory Coast should not be called slavery, because the word conjures up images of chains and whips. He prefers the term ''indentured labor.''

Ivory Coast authorities ordered Le Gros to pay Aly and the other boys a total of 4.3 million African Financial Community francs (about $6,150) for their time as indentured laborers. Aly got 125,000 francs (about $180) for the 18 months he worked on the cocoa farm.

Aly bought himself the very thing the trader who enslaved him promised: a bicycle. It has a light, a yellow horn and colorful bottle caps in the spokes. he rides it everywhere.

I cannot read the entire article, but I will just read a few sentences, where it indicates 43 percent of the world's cocoa beans come from small scattered farms in poor West African countries like Ivory Coast where harvesting of the crop is done by boys who were sold or tricked into slavery. They talk about 15,000 children ages 9 to 12 sold into forced labor and that it takes 400 or so beans to make one pound of chocolate. The boys who pick these beans do not know what chocolate tastes like because they never have a chance to eat the final product.

The beans that they harvest go to places like Hershey, Pennsylvania; Milwaukee, Wisconsin; and San Francisco. America's biggest users of these beans are ADM Cocoa in Milwaukee, a subsidiary of Illinois-based Archer Daniels Midland; Barry Callebaut, which has its headquarters in Zurich, Switzerland; Minneapolis-based Cargill; and Nestle USA of Glendale, California, a subsidiary of the Swiss food giant.

It talks about these boys being beaten and held, being tired, slim with no smiles, and many boys having healed scars as well as open infected wounds all over their bodies. It talks about the reasons that there is no law enforcement in the countries which are the suppliers. And it talks about the amount of money being made by the firms that use this kind of indentured servitude.

I think $250,000 out of a multibillion-dollar budget is almost nothing to ask to have proper labeling of a product. If we can have happy faces on carpets that come from the Indian subcontinent, we can certainly have proper labeling of chocolate products that come into this country from places like Ivory Coast. I really want to thank the gentleman from New York (Mr. ENGEL), who is a member of the Committee on International Relations, for bringing this issue to us.

It is always difficult for us to get labeling legislation passed by this subcommittee and full committee, but, my goodness, do we not have a moral responsibility to do this? It is within budget, what he is asking to do. It is asking FDA to meet not only its scientific responsibilities to this country but its moral responsibilities.

Mr. Chairman, I rise in strong support of the Engel amendment and commend the gentleman for bringing this again to the House floor so the American people can understand what is going on.

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

I think that the gentlewoman from Ohio made two very, very good points at the end. Throughout her speech she made good points, but I want to raise two that she made at the end. This is only $250,000. It is a very, very small amount, and such a small amount to ensure that the cocoa and the chocolate in this country has not come to be by slave labor of children. I think that is a very, very small price to pay.

There is a moral responsibility as the gentlewoman points out, a moral responsibility for us not to allow slavery, child slavery, in the 21st century. This is a small amount of money, it is in the budget, it will not do any harm whatsoever; and I think that it will certainly bring us to the point that this Congress can look with pride and say that we are making an attempt to stop something that we thought did not exist anymore and only now are we being made aware of the fact that slavery is continuing to rear its ugly head in the year 2001.

I want to just again urge my colleagues to support this. This should have bipartisan support because again we are talking about children and we are talking about slavery. I do not think the American people would want to knowingly eat chocolate or cocoa that was harvested by children who have been tricked into slavery.

□ 1715

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

The CHAIRMAN pro tempore (Mr. BASS). The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

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

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

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. ENGEL) will be postponed.

Mr. BONILLA. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ISAKSON) having assumed the chair, Mr.

BASS, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2330, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 2330 in the Committee of the Whole pursuant to House Resolution 183, no further amendment to the bill may be offered except the following amendments, each of which shall be debatable for 10 minutes:

An amendment offered by Mrs. CLAYTON related to rental assistance, which may be offered at any time during consideration; an amendment offered by Mr. TRAFICANT related to Buy American; an amendment offered by Mr. ALLEN related to total cost of research and development and approvals of new drugs; an amendment offered by Ms. KAPTUR related to the biofuels; an amendment offered by Ms. KAPTUR related to BSE; an amendment offered by Ms. KAPTUR related to 4–H Program Centennial; an amendment offered by Mr. LUCAS of Oklahoma related to watershed and flood operations; an amendment offered by Mrs. MINK of Hawaii related to the Hawaii Agriculture Research Center; an amendment offered by Mrs. MINK of Hawaii related to the Oceanic Institute of Hawaii; an amendment offered by Mr. BLUMENAUER related to price supports; an amendment offered by Mr. ROYCE related to allocations under the market access program; an amendment offered by Mr. SMITH of Michigan related to the Food Security Act; an amendment offered by Mr. SMITH of Michigan related to the Agriculture Market Transition Act; an amendment offered by Mr. SMITH of Michigan related to the nitrogen-fixing ability of plants; an amendment offered by Mr. BACA related to Hispanic-serving institutions; an amendment offered by Ms. PELOSI related to HIV.

Two, the following additional amendments, each of which shall be debatable for 20 minutes:

An amendment offered by Mr. BROWN related to abbreviated applications for the approval of new drugs under section 505(j) of the Food, Drug and Cosmetic Act; an amendment offered by Mr. STUPAK or Mr. BOEHLERT related to elderly nutrition; an amendment offered by Mrs. CLAYTON related to socially disadvantaged farmers.

Three, the following additional amendments, each of which shall be debatable for 30 minutes:

An amendment offered by Mr. HINCHEY related to American Rivers Heritage; an amendment offered by Mr. KUCINICH related to transgenic fish; an amendment offered by Mr. GUTKNECHT related to drug importation.

Four, the following additional amendments, each of which shall be debatable for 40 minutes:

An amendment offered by Mr. SANDERS related to drug importation; an amendment offered by Mr. WEINER related to mohair.

Five, the following additional amendment, which shall be debatable for 60 minutes, and which may be brought up at any time during consideration:

An amendment offered by Mr. OLVER or Mr. GILCHREST related to Kyoto.

Each additional amendment may be offered only by the Member designated in this request, or a designee; shall be considered as read; shall be debatable for the time specified equally divided and controlled by the proponent and an opponent; shall not be subject to amendment; and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

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

Mr. YOUNG of Florida. Mr. Speaker, reserving the right to object, I only do so to advise the House what we are doing.

After the approval of this unanimous consent request, we will go back to the Committee of the Whole and we will have the votes that were rolled to this time. At the conclusion of that time, I believe we are to deal with the amendment of the gentlewoman from North Carolina (Mrs. CLAYTON) briefly. At that point then, the subcommittee chairman will move to rise; and we will have concluded the business for the day. We will return to this bill the day after we return from our July 4, Independence Day recess.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. OBEY. Mr. Speaker, reserving the right to object, I would just like to clarify what that means is that after the disposition of the Clayton amendment, we will have the three votes, that will be it for the evening. And then when we return after the July 4 recess, this bill will be the first order of business. We will take it up on Wednesday, and we will debate it to its conclusion?

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Speaker, this bill would be considered on the day after we return from the recess.

Mr. OBEY. We mean Wednesday by that; do we not?

Mr. YOUNG of Florida. Yes.

Mr. OBEY. That will be the first bill up, and it will be debated to its conclusion?

Mr. YOUNG of Florida. I would expect that it would be first, and I know of no reason why it will not be first.

Mr. OBEY. If I could also clarify the language of the unanimous consent request, the last paragraph reads, ''Each additional amendment may be offered only by the Member designated in this request.'' By that word ''additional,'' you mean the amendments previously cited, does not the gentleman?

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

Mr. OBEY. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Speaker, that is correct.

Mr. OBEY. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 183 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2330.

□ 1724

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes, with Mr. BASS (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment by the gentleman from New York (Mr. ENGEL) had been postponed and the bill was open for amendment from page 49 line 9 through page 57 line 15.

AMENDMENT OFFERED BY MRS. CLAYTON

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

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

The text of the amendment is as follows:

Amendment offered by Mrs. CLAYTON:

In title III, in the item relating to ''Rural Housing Insurance Fund Program Account'' add at the end the following:

Of the amounts made available under this heading in chapter 1 of title II of Public Law 106–246 (114 Stat. 540) for gross obligations for principal amount of direct loans authorized

by title V of the Housing Act of 1949 for section 515 rental housing, the Secretary of Agriculture may use up to $5,986,197 for rental assistance agreements described in the item relating to ''Rental Assistance Program'' in such chapter: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Control Act of 1985, as amended.

In making available for occupancy dwelling units in housing that is provided with funds made available under the heading referred to in the preceding paragraph, the Secretary of Agriculture may give preference to prospective tenants who are residing in temporary housing provided by the Federal Emergency Management Agency as a result of an emergency.

The CHAIRMAN pro tempore. The Chair would inquire of the gentlewoman from North Carolina (Mrs. CLAYTON), is this the amendment that the Committee of the Whole permitted the gentlewoman to offer?

Mrs. CLAYTON. Mr. Chairman, yes.

Mr. Chairman, the amendment I have offered amends title III of the Rural Housing Insurance Act. Mr. Chairman, this is an amendment that allows us to speak to the issue of rural housing, particularly rental housing, that are not available in our area. What this particular amendment does, it allows for monies that were not spent, that were allocated by this Congress during the floods, on the rental housing. It provides the opportunity to redirect some balance of dollars available. It simply gives authority of those monies to use up to $5.9 million of the balance it has. Originally in the year 2000, the Supplemental Appropriation Act provided $32 million to section 515 and $13.6 million for 1,000 units in section 521.

At the end of this year, they spent $20 million. There remains $12 million unspent.

Mr. BONILLA. Mr. Chairman, will the gentlewoman yield?

Mrs. CLAYTON. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, I apologize for the confusion that we had a few minutes ago, and we would be delighted to accept the amendment of the gentlewoman from North Carolina.

Mrs. CLAYTON. Without me explaining it, the gentleman will accept it? I like that.

Mr. Chairman, I shall not go further as I understand that he is willing to accept my amendment, which gives the opportunity for the five States to now have rental assistance so senior citizens and single family members can have an apartment. I am delighted.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from North Carolina (Mrs. CLAYTON).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment by the gentleman from Ohio (Mr. BROWN); amendment by the gentleman from Ohio (Mr. BROWN); amendment by the gentleman from New York (Mr. ENGEL).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. BROWN OF OHIO

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. BROWN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 324, noes 89, not voting 20, as follows:

[Roll No. 208]

AYES—324

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Calvert
Camp
Cannon
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Duncan
Edwards
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frank
Frost
Gallegly
Ganske
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Graham
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hansen
Harman
Hart
Hastings (FL)
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pomeroy
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Wamp
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOES—89

Akin
Armey
Ballenger
Barr
Biggert
Blunt
Boehner
Bonilla
Brown (SC)
Bryant
Burr
Buyer
Cantor
Chabot
Chambliss
Coble
Collins
Combest
Crane
Crenshaw
Cubin
Culberson
Deal
DeLay
DeMint
Doolittle
Dreier
Dunn
Ehlers
Ferguson
Flake
Frelinghuysen
Gekas
Gibbons
Goss
Granger
Graves
Greenwood
Grucci
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Herger
Hostettler
Isakson
Issa
Istook
Johnson, Sam
Keller
Kerns
Knollenberg
Latham
Lewis (CA)
Linder
Lucas (OK)
McInnis
Miller (FL)
Miller, Gary
Myrick
Nethercutt
Norwood
Osborne
Otter
Oxley
Pence
Pitts
Pombo
Portman
Radanovich
Riley
Ryun (KS)
Scarborough
Schrock
Sessions
Shadegg
Shuster
Simpson
Skeen
Souder
Spence
Stump
Sweeney
Thornberry
Vitter
Walsh
Watkins (OK)
Watts (OK)
Young (FL)

NOT VOTING—20

Barton
Bonior
Burton
Callahan
Diaz-Balart
Everett
Fossella
Gordon
Hall (OH)
Houghton
Largent
Meehan
Platts
Putnam
Ros-Lehtinen
Roukema
Schaffer
Smith (TX)
Thomas
Weldon (PA)

□ 1753

Mr. BARR of Georgia changed his vote from ''aye'' to ''no.''

Messrs. SENSENBRENNER, JOHNSON of Illinois, WAMP, HYDE, KINGSTON, QUINN, HEFLEY, JENKINS,

TANCREDO, HOEKSTRA, BASS, DUNCAN, ROGERS of Kentucky, GALLEGLY, KIRK, TIBERI, McCRERY, TAUZIN, GOODLATTE, and TERRY, and Ms. PRYCE of Ohio changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. BASS). Pursuant to clause 6 of rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MR. BROWN OF OHIO

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. BROWN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 271, noes 140, not voting 22, as follows:

[Roll No. 209]

AYES—271

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Ehrlich
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frank
Frost
Ganske
Gephardt
Gilchrest
Gilman
Gonzalez
Goodlatte
Gordon
Graham
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall (TX)
Hansen
Harman
Hastings (FL)
Hefley
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hoyer
Hyde
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pomeroy
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (MI)
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Shimkus
Shows
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Wilson
Woolsey
Wu
Wynn

NOES—140

Aderholt
Akin
Armey
Bachus
Ballenger
Barr
Bereuter
Biggert
Bilirakis
Blunt
Boehner
Bonilla
Brady (TX)
Brown (SC)
Bryant
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Chabot
Chambliss
Coble
Collins
Combest
Crane
Crenshaw
Cubin
Culberson
Deal
DeLay
DeMint
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
Ferguson
Flake
Frelinghuysen
Gallegly
Gekas
Gibbons
Gillmor
Goode
Goss
Granger
Graves
Greenwood
Grucci
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Isakson
Issa
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kelly
Kerns
Kingston
Knollenberg
Kolbe
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
McCrery
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Northup
Norwood
Osborne
Otter
Oxley
Pence
Peterson (PA)
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Rehberg
Riley
Rogers (KY)
Rohrabacher
Ryun (KS)
Scarborough
Schrock
Sessions
Shadegg
Sherwood
Shuster
Simpson
Skeen
Smith (MI)
Souder
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—22

Baker
Barton
Bonior
Burton
Callahan
Diaz-Balart
Engel
Everett
Fossella
Hall (OH)
Houghton
Largent
McInnis
Meehan
Platts
Putnam
Ros-Lehtinen
Roukema
Schaffer
Smith (TX)
Thomas
Weldon (PA)

□ 1801

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ENGEL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. ENGEL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 291, noes 115, not voting 27, as follows:

[Roll No. 210]

AYES—291

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Borski
Boswell
Boucher
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Calvert
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Costello
Cox
Coyne
Cramer
Crowley
Culberson
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Duncan
Edwards
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Frank
Frost
Ganske
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Graham
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (TX)
Harman
Hart
Hastings (FL)
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hyde
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez

Millender-McDonald	Riley	Spence
Miller, George	Rivers	Spratt
Mink	Rodriguez	Stark
Mollohan	Roemer	Stearns
Moore	Rogers (KY)	Stenholm
Moran (KS)	Rogers (MI)	Strickland
Moran (VA)	Rohrabacher	Stupak
Morella	Ross	Sununu
Murtha	Rothman	Tanner
Myrick	Roybal-Allard	Tauscher
Nadler	Royce	Taylor (MS)
Napolitano	Rush	Terry
Neal	Ryan (WI)	Thompson (CA)
Ney	Sabo	Thompson (MS)
Nussle	Sanchez	Thune
Oberstar	Sanders	Thurman
Obey	Sandlin	Tiahrt
Olver	Sawyer	Tiberi
Ortiz	Saxton	Tierney
Owens	Scarborough	Toomey
Pallone	Schakowsky	Towns
Pascrell	Schiff	Traficant
Pastor	Scott	Turner
Payne	Sensenbrenner	Udall (CO)
Pelosi	Serrano	Udall (NM)
Pence	Shaw	Velazquez
Petri	Shays	Visclosky
Phelps	Sherman	Waters
Pickering	Sherwood	Watson (CA)
Pitts	Shimkus	Watt (NC)
Pomeroy	Shows	Waxman
Price (NC)	Simmons	Weiner
Quinn	Skelton	Weldon (FL)
Rahall	Slaughter	Wexler
Ramstad	Smith (NJ)	Whitfield
Rangel	Smith (WA)	Wolf
Reyes	Snyder	Woolsey
Reynolds	Solis	Wu
	Souder	Wynn

NOES—115

Armey	Gallegly	Otter
Ballenger	Gibbons	Oxley
Barr	Gillmor	Paul
Bereuter	Goode	Peterson (MN)
Biggert	Goodlatte	Peterson (PA)
Bilirakis	Goss	Pombo
Blunt	Granger	Portman
Boehlert	Graves	Pryce (OH)
Boehner	Greenwood	Radanovich
Bonilla	Hansen	Regula
Boyd	Hastings (WA)	Rehberg
Brown (SC)	Hayes	Ryun (KS)
Bryant	Hayworth	Schrock
Burr	Herger	Sessions
Buyer	Hunter	Shadegg
Camp	Hutchinson	Shuster
Cannon	Isakson	Simpson
Cantor	Issa	Skeen
Castle	Istook	Smith (MI)
Chabot	Jenkins	Stump
Chambliss	Johnson, Sam	Sweeney
Coble	Keller	Tancredo
Collins	Kerns	Tauzin
Combest	Kingston	Taylor (NC)
Cooksey	Knollenberg	Thornberry
Crane	Kolbe	Upton
Crenshaw	Latham	Vitter
Cubin	Linder	Walden
Cunningham	Lucas (OK)	Walsh
Deal	McCrery	Wamp
DeLay	McKeon	Watkins (OK)
DeMint	Mica	Watts (OK)
Doolittle	Miller (FL)	Weller
Dreier	Miller, Gary	Wicker
Dunn	Nethercutt	Wilson
Ehlers	Northup	Young (AK)
Emerson	Norwood	Young (FL)
Flake	Osborne	
Frelinghuysen	Ose	

NOT VOTING—27

Baker	Farr	Meehan
Barton	Fattah	Platts
Bonior	Fossella	Putnam
Bono	Hall (OH)	Ros-Lehtinen
Burton	Houghton	Roukema
Callahan	Jefferson	Schaffer
Conyers	John	Smith (TX)
Diaz-Balart	Largent	Thomas
Everett	McInnis	Weldon (PA)

□ 1809

Ms. HART and Mr. SHAYS changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. BONILLA. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having resumed the chair, Mr. GOODLATTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 176. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

HEARTFELT THANKS TO ANNE HOLCOMBE, CINDY SEBO, AND VICKY STALLSWORTH

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

Mr. EHLERS. Mr. Speaker, I hope you will be kind on the time allotted, because I want to take a few moments to recognize a very special person who has worked in this Chamber for some time, who has graced this Chamber and has helped us a great deal, and she will soon be leaving, and that is Ms. Anne Holcombe, who is seated at the front desk.

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

Mr. EHLERS. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank the gentleman from Michigan (Mr. EHLERS), my friend, for yielding to me.

I join today in recognizing Anne Holcombe. This is her last day as the senior legislative clerk, so I, along with my colleagues, thought it appropriate that we take a 1 minute, since you enjoy them so much, Anne, a special order.

I know that you enjoy sitting here through special orders. If you had a chance of a 1 minute or a special order, I suspect that you might prefer a 1 minute.

Anne is moving to Charlotte, North Carolina to be closer to her family and to start a new chapter in her life.

I want to wish her well. Our colleague, the former Mayor of Charlotte, North Carolina, a distinguished member of the Committee on Rules, Sue Myrick, will become your representative here in the House.

Anne's professionalism on the dais has been a steady source of confidence that the records of the House will always be in order, that is why we are all very sad to see her leave.

I cannot imagine why Anne would want to leave the House. I know that you greatly enjoy sitting here waiting until 3 o'clock in the morning until the committee that I am privileged to Chair reports a rule down here.

As I said, I know how much you enjoy special orders that often extend up to, under our great reform process, midnight we know, but you do, obviously, grace the dais extraordinarily well.

You have worked here for many years. Anne started in September of 1996, Mr. Speaker, as a legislative information specialist and was responsible for researching, editing, and maintaining the legislative database that we, in the House, as well as the general public, depend on for information about what is happening here in the Congress.

In October of 1997, Anne was promoted to assistant chief floor clerk, where she made sure that the words we spoke on the House floor were transposed into marvelous eloquence, of course, while still complying with the rules of the House.

Then in January of 2000, Anne was promoted again to senior legislative floor clerk. She has done a terrific job in serving this institution and her country very well.

Mr. Speaker, if the gentleman will continue to yield, I would also like to note that we also have two official reporters, one of whom is right here, who is actually finishing her last day, Cindy Sebo, who has worked long and hard, and also Vicky Stallsworth, who is also completing her last day here.

I guess the place is going to be empty when we come back. No one will be here to do any work. I hope very much that these positions are filled.

Let me say to all three that we wish them well in their future endeavors, and I thank my friend for yielding.

Mr. EHLERS. Mr. Speaker, reclaiming my time, I want to add my congratulations to all three of them and especially my heartfelt thanks. I have always made a point of trying to get to know the individuals who work in the front of this Chamber, who keep very long hours and transcribe everything we do and keep good order out of it.

□ 1815

I am delighted that both of the reporters who are leaving us are here present so we can thank both Cindy and Vicky as well. I hope you spell your names properly as you transcribe this.

They work tirelessly. They are going on to other things and other lands. I cannot imagine why Vicky, who is moving to Fort Collins, Colorado; and Anne, who is moving to North Carolina, if you are going to leave Washington to find a better place, I can understand that; but I would certainly recommend Grand Rapids, Michigan,

especially this time of year. So come up there and stop in and see us.

Cindy will be leaving for the private sector. She will remain in this area, and we hope we see her around here occasionally.

So from the bottom of my heart, thank you to all of you. Congratulations. God bless you in your future endeavors and employment.

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

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

Mr. HOYER. Mr. Speaker, I appreciate the gentleman yielding.

I did not rise to defend the Washington metropolitan area as a place to live, notwithstanding his observations. But I did rise to say thank you on behalf of all of us, not on a partisan sense, although I am on this side of the aisle, and there are others on the other side of the aisle, but to, again, remind ourselves how critically important to the operations of the people's House are those who never rise and speak. They also serve who stand and record, the poet might have said.

To Anne and Cindy and Vicky, we appreciate very much what you have done. You have at times been asked to spend long, long, long hours. You have fought fatigue; and I am sure, although you do not have to admit this, fought boredom as well in the operations that you have been responsible for.

You make it possible for the American public, even if they cannot see us on C–SPAN, even if they cannot be in the gallery, even if years later they are trying to find out what happened on the floor of the House, their House, doing their business, you make it possible for them to find out. You do so with incredible accuracy and efficiency. We thank you for that, and we acknowledge how critically important you are to the operations of this House.

I am not surprised that one of you is going into the private sector. Maybe both of you are going into the private sector, I am not sure, our two reporters, or Anne returning to North Carolina to be closer to her family, because there are, in my opinion, no more talented, no more highly motivated, no more productive people that could be hired by the private sector than those who work on this Hill and certainly, all those who work at the desk and who record our debates.

It is a hallmark of American democracy that we want to be open to the public. We want to have a historic and accurate record of proceedings. You have enabled us to continue to do that.

We thank you. We wish you Godspeed. We hope that you take with you very positive feelings about this House, that you know firsthand that, although there are fights and disagreements, and sometimes we are much smaller than we ought to be, that, at bottom, almost everybody, indeed everybody in this House, cares about their country and cares about their constituents. You have had the opportunity to see that firsthand. As I tell the pages, I hope you will tell that story wide and far.

We thank you, and we wish you the best of everything in the days ahead. Thank you for yielding.

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

Mr. EHLERS. I am happy to yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Speaker, I, too, would like to add my best wishes to Anne Holcombe as she leaves and also say farewell to Cindy and Vicky for the work that they have done.

Regarding Anne, I was sitting here thinking of the old Irish tune that has the melody of ''When Johnny Comes Marching Home.'' A phrase in there is ''Johnny, we hardly got to know you.'' It just seems like you came last week, and time flies so fast, and we hardly got to know you.

You have done so well. You have been very friendly. You have been very particularly kind to me in making sure the podium is at the right height. Your professionalism, your competency is beyond match. So we thank you for your efforts, your hard work. We wish you the very best in your next chapter of life, and do not forget us. God bless.

Mr. EHLERS. Mr. Speaker, reclaiming my time, I want to thank all three of the speakers, the gentleman from California (Mr. DREIER), the gentleman from Maryland (Mr. HOYER), and the gentleman from Missouri (Mr. SKELTON) for their eloquent comments.

Frankly, they stole my speech, and there is not much I can add to it other than to say, on behalf of all of those who use this Chamber and rely on you as well as the broader American public who sees your work constantly on the screen of their computer or in the journal, the CONGRESSIONAL RECORD, I want to thank all of you for your hard service here. I wish you well. God bless you wherever you go.

ELECTION OF MEMBER TO COMMITTEE ON ARMED SERVICES AND COMMITTEE ON SCIENCE

Mr. FOLEY. Mr. Speaker, I offer a resolution (H. Res. 184), and I ask unanimous consent for its immediate consideration.

The SPEAKER pro tempore (Mr. LAHOOD). The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 184

Resolved, That the following Member be and is hereby elected to the following standing committees of the House of Representatives:

Armed Services: Mr. Forbes.
Science: Mr. Forbes.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO HAVE UNTIL MIDNIGHT, FRIDAY, JULY 6, 2001 TO FILE REPORTS ON H.R. 2215, 21ST CENTURY DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT, AND H.R. 2137, CRIMINAL LAW TECHNICAL AMENDMENTS ACT OF 2001

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary have until midnight on Friday, July 6 to file the reports to accompany H.R. 2215 and H.R. 2137.

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

There was no objection.

AUTHORIZING THE SPEAKER, THE MAJORITY LEADER, AND THE MINORITY LEADER TO ACCEPT RESIGNATIONS AND MAKE APPOINTMENTS AUTHORIZED BY LAW OR THE HOUSE NOTWITHSTANDING ADJOURNMENT

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until Tuesday, July 10, 2001, the Speaker, Majority Leader, and Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, JULY 11, 2001

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, July 11, 2001.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1613

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent to remove my name from H.R. 1613.

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

There was no objection.

APPOINTMENT OF THE HONORABLE TOM DAVIS TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH JULY 10, 2001

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

WASHINGTON, DC,
June 28, 2001.

I hereby appoint the Honorable TOM DAVIS to act as Speaker pro tempore to sign enrolled bills and joint resolutions through July 10, 2001.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointment is agreed to.

There was no objection.

REPORT ON EMERGENCY REGARDING PROLIFERATION OF WEAPONS OF MASS DESTRUCTION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107–93)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Enclosed is a report to the Congress on Executive Order 12938, as required by section 204 of the International Emergency Economic Powers Act (50 U.S.C. 1703(c)) and section 401(c) of the National Emergencies Act (50 U.S.C. 1641(c)).

GEORGE W. BUSH.
THE WHITE HOUSE, *June 28, 2001.*

PRESIDENT'S COMPREHENSIVE NATIONAL ENERGY POLICY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Energy and Commerce, the Committee on Science, the Committee on Resources, the Committee on Ways and Means, the Committee on Transportation and Infrastructure, and the Committee on Education and the Workforce:

To the Congress of the United States:

One of the first actions I took when I became President in January was to create the National Energy Policy Development Group to examine America's energy needs and to develop a policy to put our Nation's energy future on sound footing.

I am hereby transmitting to the Congress proposals contained in the National Energy Policy report that require legislative action. In conjunction with executive actions that my Administration is already undertaking, these legislative initiatives will help address the underlying causes of the energy challenges that Americans face now and in the years to come. Energy has enormous implications for our economy, our environment, and our national security. We cannot let another year go by without addressing these issues together in a comprehensive and balanced package.

These important legislative initiatives, combined with regulatory and administrative actions, comprise a comprehensive and forward-looking plan that utilizes 21st century technology to allow us to promote conservation and diversify our energy supply. These actions will increase the quality of life of Americans by providing reliable energy and protecting the environment.

Our policy will modernize and increase conservation by ensuring that energy is used as efficiently as possible. In addition, the National Energy Policy will modernize and expand our energy infrastructure, creating a new high-tech energy delivery network that increases the reliability of our energy supply. Further, it will diversify our energy supply by encouraging renewable and alternative sources of energy as well as the latest technologies to increase environmentally friendly exploration and production of domestic energy resources.

Importantly, our energy policy improves and accelerates environmental protection. By utilizing the latest in pollution control technologies to cut harmful emissions we can integrate our desire for a cleaner environment and a sufficient supply of energy for the future. We will also strengthen America's energy security. We will do so by reducing our dependence on foreign sources of oil, and by protecting low-income Americans from soaring energy prices and supply shortages through programs like the Low Income Housing Energy Assistance Program.

My Administration stands ready to work with the Congress to enact comprehensive energy legislation this year.

GEORGE W. BUSH.
THE WHITE HOUSE, *June 28, 2001.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain 1 minute requests.

CONSERVATION IS CRITICAL PIECE OF PUZZLE

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

Mr. REHBERG. Mr. Speaker, while we all know we cannot conserve our way out of the energy crunch, conservation is a critical piece of the puzzle if we are going to solve this problem. In times like these, each and every American must do their part. This means turning out the lights when leaving a room, walking more often instead of driving, and investing in new technologies and alternative renewable energy sources.

While some in this Chamber merely talk about conservation, President Bush is actually doing something about it.

Today, President Bush announced $77 million in Federal conservation grants which will help accelerate the development of fuel cells in new technology for tomorrow's cars and buildings. These grants will play a critical role in lowering emissions and improving energy efficiency.

Mr. Speaker, instead of throwing rocks and using America's energy problems for political gain, President Bush is providing leadership and solutions.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, 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 Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO 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 New York (Mr. MCHUGH) is recognized for 5 minutes.

(Mr. MCHUGH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HERGER) is recognized for 5 minutes.

(Mr. HERGER 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 New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HIGH COST OF PRESCRIPTION DRUGS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

Mr. GUTKNECHT. Mr. Speaker, today I rise to talk about an issue that is of great concern to all Americans, but is of particular concern to the 53

million Americans that have no health insurance and to the 14 million American seniors that do not have prescription drug coverage under their Medicare benefit. What I am talking about is the high cost of prescription drugs.

I want to show a chart for the benefit of the Members that begins to illustrate just how serious this problem is.

The first chart I want to show my colleagues begins to talk about the differentials or the difference between what we pay in the United States and what they pay in Europe for some of the most commonly prescribed drugs.

We have heard a lot over the last several years about how much difference there is between Canada and the United States and how much difference there is between Mexico and the United States. But many Americans do not realize there are enormous differences between what we pay for exactly the same drugs made in the same plants here in the United States compared to what they pay in Europe.

For example, the first drug on this list is a drug called Allegra, 120 milligrams. It is triple in the United States what they pay in Europe for the same drug. Some people will say, well, they have price controls in Europe. In some countries in Europe, that is true. But in Germany and Switzerland, it is not true.

Take a look at the drug Coumadin, which is a drug that my father takes. In the United States, it is quadruple the $8.22, which they charge for the average price in Europe.

Glucophage, which is a very commonly prescribed drug for people who have diabetes. In the United States, it sells for $30.12 on average for a 1-month supply. In Europe, it is only $4.11. That is seven times more than Americans are required to pay.

Mr. Speaker, my colleagues need to understand that, once a person is diagnosed, it is likely that they will stay on that drug for the rest of their lives. So we are talking about an enormous difference over the life-span of a patient who needs that.

Take a look at a drug Zithromax down here at the bottom. It is a new wonder drug in terms of being an antibiotic. It is a marvelous drug. But I wonder whether Americans should really have to pay triple what consumers in Europe have to pay.

As my colleagues can see, it is $486 for a month's supply here in the United States on average. In Europe, it is only $176.19.

□ 1830

The next chart I want to show is really one of the most troubling charts of all. Last year the average senior got in their cost of living adjustment in the United States a 3.5 percent increase in their Social Security. At the same time, prescription drugs went up 19 percent. My colleagues, this is unsustainable.

Now, I intend to offer an amendment to the ag appropriations bill that will at least clarify that law-abiding citizens have a right, if they have a legal prescription, to buy drugs in Europe. And we are trying to work out the language right now. That is all I want to do.

Some say that the FDA lacks the resources to inspect mail orders. The truth is the FDA is focusing its inspections in the wrong places. Instead of stopping illegal drugs reported by illicit traffickers, the FDA concentrates on approved drugs being brought in by law-abiding citizens. So far this year the FDA has detained 18 times more packages from Canada than they have from Mexico. This is outrageous. They are spending all of their resources chasing law-abiding citizens.

One of the biggest arguments of the people who oppose my amendment is that they say, well, we are going to ultimately have a Medicare benefit, a prescription drug benefit, that will eliminate the need to open the markets so that we get competition in prescription drugs. Well, the truth is simply shifting the burden from those people who currently do not have insurance to the taxpayers will not solve this problem. The problem is there is no real competition.

But the biggest concern that a lot of people raise is what will this do in terms of public safety. Let me say this. More people have been killed in the United States from unsafe tires being brought into the United States from other countries than by bringing legal drugs into the United States by law-abiding citizens. As a matter of fact, there is no known scientific study that demonstrates that there is a threat of injury to patients importing medications, legal medications, with a prescription, from an industrialized country.

What is more, millions of Americans have no prescription drug coverage. Stopping importation of FDA-approved drugs only threatens their safety. Remember, Members, a drug that an individual cannot afford is neither safe nor effective, and too many Americans are put in the position where they simply cannot afford the drugs that they need.

Mr. Speaker, I am not asking for the world. The amendment I intend to offer is very narrowly focused. It simply says that the FDA cannot stand between law-abiding citizens who have legal prescriptions and allowing them to bring into the country drugs which are otherwise approved by the FDA. In fact, we even go further. We say it cannot be a controlled substance. It cannot even be codeine. The drugs we are talking about are drugs that are commonly prescribed. I will appreciate my colleagues' support on that amendment.

Mr. Speaker, I submit herewith for the RECORD a few fact sheets regarding the Medicare drug benefit argument.

Some say a Medicare drug benefit will eliminate the need for importation. The truth is—Simply shifting high drug prices to the government only transfers the burden to American taxpayers. Moreover, Medicare coverage won't help the millions of Americans without health insurance.

Some say importation is merely an indirect way of enacting price controls. The truth is—''Importing prescription drugs to the United States will lower prices here and, in the long run, force Europe to pay more drug research and development costs. The best way to break down price controls is to open up markets.''—Stephen W. Schondelmeyer, Pharm.D., Ph.D., Professor and Director, PRIME Institute, Head, Dept. of Pharmaceutical Care & Health Systems, College of Pharmacy, University of Minnesota.

Some say the FDA lacks the resources to inspect mail orders. The truth is—The FDA is focusing its inspection resources in the wrong places. Instead of stopping illegal drugs imported by illicit traffickers, the FDA concentrates on approved drugs imported by law-abiding citizens. So far this year, the FDA detained 18 times more packages coming from Canada than from Mexico. Last year, the FDA detained 90 times more packages from Canada than Mexico. Worse, last year Congress appropriated $23 million for border enforcement, but the Secretary of Health and Human Services refused to use the funds.

Some say importation jeopardizes consumer safety. The truth is—No known scientific study demonstrates a threat of injury to patients importing medications with a prescription from industrial countries. What's more, millions of Americans have NO prescription drug coverage. Stopping importation of FDA-approved drug threatens their safety. A drug you can't afford is neither safe nor effective.

REVISIONS TO ALLOCATION FOR HOUSE COMMITTEE ON APPROPRIATIONS

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentleman from Iowa (Mr. NUSSLE) is recognized for 5 minutes.

Mr. NUSSLE. Mr. Speaker, pursuant to Sec. 314 of the Congressional Budget Act and Sec. 221(c) of H. Con. Res. 83, the concurrent resolution on the budget for fiscal year 2002, I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the allocations for the House Committee on Appropriations.

As reported to the House, H.R. 2330, the bill making appropriations for Agriculture and Related Agencies for fiscal year 2002, includes an emergency-designated appropriation providing $150,000,000 in new budget authority and $143,000,000 in new outlays. Under the provisions of both the Budget Act and the budget resolution, I must adjust the 302(a) allocations and budgetary aggregates upon the reporting of a bill containing emergency appropriations.

Accordingly, I increase the 302(a) allocation to the House Appropriations Committee contained in House Report 107–100 by $150,000,000 in new budget authority and $143,000,000 in new outlays. This changes the 302(a) allocation for fiscal year 2002 to $661,450,000,000 for budget authority and $683,103,000,000 for outlays. The increase in the allocation also requires an increase in the budgetary aggregates to $1,626,638,000,000 for

budget authority and $1,590,801,000,000 for outlays.

The rule providing for consideration of H.R. 2330 strikes the emergency designation from the appropriation. Upon adoption of the rule, Sec. 314 of the Congressional Budget Act provides that these adjusted levels are automatically reduced by the amount that had been designated an emergency. Should the rule (H. Res. 183) not be adopted, these adjustments shall apply while the legislation is under consideration and shall take effect upon final enactment of the legislation. Questions may be directed to Dan Kowalski at 67270.

MICROBICIDES DEVELOPMENT ACT OF 2001

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

Mrs. MORELLA. Mr. Speaker, I rise today to introduce the Microbicides Development Act of 2001. I am pleased that so many of my good friends and colleagues have signed on as original cosponsors of this legislation which I am dropping in this evening. My thanks go to them.

Mr. Speaker, this week the United Nations convened a special session of the U.N. General Assembly to address how to combat the spreading HIV and AIDS epidemic. We have entered the third decade in the battle against HIV and AIDS. June 5, 1981, marked the first reported case of AIDS by the Centers for Disease Control, and since that time 400,000 people have died in the United States, and globally 21.8 million people have died of AIDS.

Tragically, women now represent the fastest growing group of new HIV infections in the United States, and women of color are disproportionately at risk. In the developing world, women now account for more than half of the HIV infections, and there is growing evidence that the position of women in developing societies will be a critical factor in shaping the course of the AIDS pandemic.

So what can women do? Women need and deserve access to a prevention method that is within their personal control. Women are the only group of people at risk who are expected to protect themselves without any tools to do so. We must strengthen women's immediate ability to protect themselves, including providing new women-controlled technologies; and one such technology does exist, called microbicides.

The Microbicides Development Act, which I am introducing, will encourage Federal investment for this critical research with the establishment of programs at the National Institutes of Health and the Centers for Disease Control and Prevention. Through the work of NIH, nonprofit research institutions, and the private sector, a number of microbicide products are poised for successful development. But this support is no longer enough for actually getting microbicides through the development pipeline and into the hands of millions who could benefit from them. Microbicides can only be brought to market if the Federal Government helps support critical safety and efficacy testing.

Health advocates around the world are convinced that microbicides could have a significant impact on HIV and AIDS and sexually transmitted diseases. Researchers have identified almost 60 microbicides, topical creams and gels that could be used to prevent the spread of HIV and other sexually transmitted diseases, such as chlamydia and herpes. But interest in the private sector in microbicides research has been lacking.

According to the Alliance for Microbicide Development, 38 biotech companies, 28 not-for-profit groups, and seven public agencies are investigating microbicides, and phase III clinical trials have begun on four of the most promising compounds. The studies will evaluate the compounds' efficacy and acceptability and will include consumer education as part of the compounds' development. However, it will be at least 2 years before any compound trials are completed.

Currently, the bulk of funds for microbicides research comes from NIH, nearly $25 million per year, and the Global Microbicide Project, which was established with a $35 million grant from the Bill and Melinda Gates Foundation. However, more money is needed to bring the microbicides to market. Health advocates have asked NIH to increase the current budget for research to $75 million per year.

Mr. Speaker, today the United States has the highest incidence of STDs in the industrialized world. Annually, it is estimated that 15.4 million Americans acquired a new sexually transmitted disease. STDs cause serious, costly, even deadly conditions for women and their children, including infertility, pregnancy complications, cervical cancer, infant mortality, and higher risk of contracting HIV.

This legislation has the potential to save billions of dollars in health care costs. Direct cost to the U.S. economy of sexually transmitted diseases and HIV infection is approximately $8.4 billion. When the indirect costs, such as lost productivity, are included, that figure will rise to an estimated $20 billion. With sufficient investment, a microbicide could be available around the world within 5 years. Think of the difference that would make.

I urge my colleagues to lend their support to this vital legislation.

Mr. GANSKE. Mr. Speaker, will the gentlewoman yield?

Mrs. MORELLA. I yield to the gentleman from Iowa.

Mr. GANSKE. Mr. Speaker, I just want to commend the gentlewoman from Bethesda, Maryland, for her longtime concern on issues related to women's health.

I think this is a vitally important bill. It is something that this Congress should pass. It will affect millions and millions of women in a positive way. Sexually transmitted disease is a tremendous problem in this country. My hat is off to the gentlewoman, and I am happy to be a cosponsor of her bill.

Mrs. MORELLA. Mr. Speaker, I was just going to thank the gentleman from Iowa (Mr. GANSKE) for being a cosponsor and for his work in making sure that Americans have appropriate access to health care.

EDUCATION IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes as the designee of the minority leader.

Mr. OWENS. Mr. Speaker, we are about to enter our July recess for the 4th of July holiday, and it must be noted that this Congress has completed two major legislative developments to date. One of those, of course, has been fully completed: the tax bill. That is fully completed, signed into law, and checks will begin to move soon.

Those checks will be going to the people at the very bottom of the rung as a result of legislation which was first proposed by the Progressive Caucus that every American should get some benefit from this tax cut. That did not exactly happen, but every taxpayer is getting a small benefit as a result of the action taken early in the session by the Progressive Caucus. The idea got out there and kept moving until finally it was incorporated in another form in the tax bill. So people at the bottom are going to get some small amount of money from the tax bill. That is real. It is completed.

The other piece of legislation that has almost been completed is the education bill, the leave-no-child-behind legislation of the President. The new President, of course, made this a high priority; and we have moved in both Houses, with both parties cooperating extensively, to pass the leave-no-child-behind legislation separately in the House and in the Senate. But there has been no conference, and the bill is now on hold.

I think it should be noted that there are rumors that the bill will be held deliberately until we have a chance to negotiate the major question of financing for the education bill. Education is on the legislative back burner right now; but in the hearts of the people who are polled out there, legislation is still a number one concern.

Education has to remain on the front burner. The fact it is being held here is a good development in that the critical question in the legislation that passed the House versus the legislation that passed the Senate is the amounts of money that are appropriated to carry out the features of the bill. The amounts of money are critical.

We do state in the legislation that passed the House that there will be an increase in an authorization for an increase in title I funds of double the amount that exist now in 5 years. In 5 years, in other words, we will have twice as much funding for title I as we have today. It will move from the present amount to about $17.2 billion in 5 years under the authorization. Authorization is there. That does not guarantee that the appropriation, of course, will keep pace.

The Senate bill has even more money earmarked for increases, but they do not have a commitment from the White House that the appropriation is going to follow the authorization. The big question is will the authorizations be honored. We had a great deal of effort to get bipartisan agreements.

I reluctantly voted for the education legislation because of the fact it did two things: one, it got rid of the consideration of vouchers for private schools as a Federal policy. And I think to clear the board and have vouchers off the discussion table was good for Federal legislative policy. However, the critical question of will we have more resources was also addressed. And the fact that the bill does promise to double title I funds, which are the funds that go most directly to the areas of greatest need, impressed me to the point where I voted for the bill, even though there were some other features, which I will discuss later, which I do not consider to be desirable.

The critical point is, are there more resources? The need to have resources to maintain what I call opportunity-to-learn standards is a critical point that I have been trying to make for all these years. Opportunity to learn is the most important factor if we really want to improve education and have more youngsters who are attending our public schools benefit from the process. What we are trying to do, however, is force a process of accountability, insist that schools measure progress by the tests that are taken by the students and the scores on the tests, and that that is the way we should measure accountability. A school system is held accountable for improved test scores.

On the other hand, the opportunity-to-learn standards are ignored completely. Opportunity to learn means that before the test is given we must guarantee that the student will have an adequate place to learn; classrooms that are not overcrowded, libraries that have books that are up to date, laboratories that have science equipment. The opportunity to learn means that we have the right equipment, the right facilities. It means that we have certified teachers in the classroom. It means that all the resources that are needed are there before we start the testing.

□ 1845

But the process that we have pushed here is a process which tries to ignore the opportunity to learn as a major factor.

So we need to hold the education legislation because that vital component is missing. Let us hold it until we can negotiate an increase in the resources, an increase in the amount of money we use to purchase resources, and those resources will provide the opportunity to learn. It may be that it will be end-game negotiations all of the way to the end of the session. Education legislation has benefited greatly over the last few years through the end-game negotiation process, right down to the very last hours of the session. When the White House and the Congress came together and they had their priorities on the table, education has fared very well.

Mr. Speaker, I hope that by holding the legislation this time until we get to that end-game negotiation, we will get the kind of funding necessary to make the legislation that we have passed have some real significance. If we do not get some additional funding for the Leave No Child Behind funding, then it is a fraud. It has no substance if it is not going to provide additional resources.

There is a need to refresh ourselves and come back to an understanding of the fact that we have passed these two pieces of legislation in the House of Representatives and the Senate. There is no reason to rest on our laurels. We still have a basic problem of that bill that passed having great gaps in it, and those great gaps are not going to be closed in the end-game negotiation unless the people that we represent, our constituents, understand where we are and why there is a great need for more Federal involvement in the improvement of education.

I want to use as an example a series of articles that have appeared in the Daily News in New York City to talk about the New York City school system, and I want to use New York City as a negative model. It is not the way it should be, but it is the way that it is in most of our large cities. I would not bore my colleagues with a discussion of what is going on in New York City unless I did not think that it was applicable all over the country in other big cities, and it is also applicable in rural areas.

Yesterday we voted on a bill to establish a commission to plan for the anniversary, 50th anniversary, of the Brown v. Board of Education. That anniversary relates to the question of segregation in public schools and whether or not it was legal. The Supreme Court struck down the fact of segregation and clearly made it illegal. Our concerns with segregation have begun to fade as far as segregation by race is concerned. The phenomenon we face now is a more subtle phenomenon. We have segregation in another way; not by race, but segregation of the people who have no power away from those who do have power. It turns out in many cases that the people who do not have power in the big cities are people who happen to be minorities also.

In the rural areas there are large numbers of whites in scattered pockets throughout the country; these are poor people who are in the same position because they have poor schools as a result of having no power. Folks who have money, who have power, always guarantee that their children get the best schooling possible. People with money in larger and larger numbers are sending their children to private schools; and, of course, there are not enough private schools even if everybody had money to afford them. There are not enough private schools to accommodate 53 million children. Others who have power and are in control of their schools and of the budget-making processes of their counties or cities or their school districts, they make certain that they have good schools. Where they have the power to do that, they have done it for their children.

We have a problem, however, because many of the people who have power, who have control about the decision-making over the budget are not involved to the point where their children or grandchildren are in the schools. The people who have the power, the people who have the most influence do not care about public schools enough to follow through on guaranteeing that you have the best schools possible.

We have a serious situation where we have schools that are stuck in a time bind. One of the greatest problems of our schools is that physically so many of them are so old. When one looks at the physical age of the structures, one gets a good visible manifestation of the way in which education and schooling are viewed in that area as a whole. New York is in that kind of bind.

I am going to make it simple by reading from an excellent editorial that appeared in the Daily News which accompanied their series on the New York City school system. I think it was a magnificent series. It pinpointed the problem and was forthright in dealing with the exposure of rampant waste and corruption and inadequacies. At the same time every day this series sought out uplifting models that could be replicated, and it sought out models which contradicted the general notion that the poor cannot learn, the notion that poor neighborhoods cannot have good schools. There were examples all over New York City which prove this not to be true.

But in the end the Daily News pinpoints the fact that the school system is in great trouble. In terms of service to the majority of the children attending the schools of New York City, we are failing at a faster and faster rate, and it is likely that school systems in Los Angeles, Philadelphia, a number of big cities, are failing in the same way, at the same rate, for the same reason, and that is why I want to bring to your attention what this Daily News series has pointed out, and how the implications reach across the Nation.

Reading from their own editorial page, ''This week in a Daily News special report entitled Save Our Schools, you have been reading about the meltdown of the New York City educational system. As documented in chilling detail in more than 20 articles, the crisis has reached critical mass.''

Now, Daily News is not a radical newspaper. They very seldom use extreme words like ''meltdown.'' When they say ''meltdown,'' you have to consider that they have been shocked, and this is truly a serious situation.

''This laboratory of failure, this culture of catastrophe, puts 1.1 million school children at risk. It must end. That is why the Daily News has launched a campaign, no, a crusade, to rescue what was once a world-class system that created opportunities for millions.''

I think it is important to point out that the New York City school system was once considered a world-class system. It gave a lie to the notion that any big system, any bureaucratic system is automatically a wasteful system and a nonproductive system. The New York City school system produced the young people who went on to city colleges and who created a record of achievement and higher education in science and you name it; every scholarly endeavor that you can mention were the products of the New York City school system and of New York City publicly financed colleges. At one point City University had the highest percentage of Ph.D.s of any college in the Nation.

This was a system that was once a world-class system, and I submit it was a world-class system at a time when the people who were in charge of the system also had children who were attending the schools in the system; when the power, the power to make the system work was in the hands of the people whose children were attending the system. We have lost the kind of concerns and the kind of scrutiny and the kind of effective application of resources because of the fact that the people who are in charge and the people whose children are in the schools are not the same.

Continuing with the statement in the Daily News, ''How abysmal is the situation? Sixty percent of the students in public elementary and middle schools cannot read at grade level. A third are functionally illiterate, and 70 percent lack proficiency in math. Nearly 50 percent finish high school in 4 years. In the original class of 2000, 19.5 percent dropped out before graduation, a 12 percent leap from the class of 1999.'' This percentage who dropped out before graduation represents a 12 percent change from the class of 1999.

A mere 35 percent of the kids take the Scholastic Assessment Test required for college. A mere 35 percent take the SAT, versus 73 percent of the rest of the children in New York State who take that same test. Only a broken system produces such a rock bottom number. It is appalling.

Just 44 percent of teachers hired last year for city schools had credentials, down from 1999. Meanwhile, 16 percent of all teachers are uncertified, the most in a decade.

Ten percent of parents did not bother to pick up their kids' report card. Fifteen percent do not know what grade their child is in, and the PTA at one school has only two members.

Oh, yes, they say in passing, ''The buildings are falling down. Eighty-five percent of schools need major repairs.'' I am going to repeat that paragraph because herein lies the story of denial of opportunities to learn.

How can the children of the New York City school system score well on the series of tests that are being proposed? The Leave No Child Behind legislation pushed by the White House and now passed by both Houses has a testing regimen which starts in the third grade. From the third to the eighth grade, children will be tested. If you test children who are going to school under these conditions, I can tell you now without looking at the tests, most of them will fail.

Here are the conditions that the school, the children in the schools of New York will be facing as they take the tests. I am repeating this paragraph because herein is the story of the denial of opportunity to learn by the children in the schools of New York.

□ 1900

''Consider more numbers: Just 44 percent of teachers hired last year for city schools had State credentials, down from 59 percent in 1999.''

If you talk about meltdown, you are in a terrible situation at 44 percent hired last year, or only 44 percent have State credentials, are certified. The fact that that is increasing at a rapid rate lets you know that you are in a much worse situation than just the fact that only 44 percent hired were certified. That is down from 59 percent the previous year. If you look at the year before that, I am sure that we had many more who were certified. We are rapidly losing all the qualified teachers needed in schools where the best teaching is needed.

''Meanwhile, 16 percent of all teachers are uncertified, the most in a decade. As for parents, 10 percent didn't bother to pick up their kids' report cards. And 85 percent of schools need major repairs.''

What they do not tell you is that of this 85 percent, quite a number of these schools are 100 years old and should have been replaced a long time ago.

There are honeycomb success stories among the failures. They give examples of public schools that are doing a great job.

Continuing to read from the Daily News editorial statement of June 22:

''Unfortunately, such efforts are but seeds of real reform. To truly transform education, activist moms and dads must team up with better trained teachers and with principals who don't double as building managers. Schools must no longer be fettered by the United Federation of Teachers' crippling work rules and its lifetime protection program for inept instructors. Finally, the Board of Education must be abolished so that accountability—and mayoral control—can reclaim the system.

''Those 1.1 million kids deserve a genuine chance to become beacons for the city's future, a chance they will have only if New Yorkers unite to save our schools.''

I disagree with the remedies. The New York Daily News set of articles clearly states the problem and is to be applauded for that. It leaps to conclusions that have no basis in fact or experience as to remedies. To abolish the board of education is to throw away any opportunity for this generation of New York children to get an education. It would take more than a generation to rebuild anything that is half as good as what you have already. The board of education obviously has serious problems at present, but most of these problems are problems which are directly related to a lack of resources, the denial of the resources.

We have just gone through a situation where a clear statement was made by a judge after months of considering a case that was brought against the State of New York in terms of its allocation of resources to the City of New York. That case sums up the need for opportunity to learn in a way which is far simpler than I could state it elsewhere. But it is important that we understand that nothing would be more beneficial to the well being and progress of the Nation than the provision of the opportunity to learn that I am talking about.

Opportunity to learn for all would mean that we understand that brainpower is the greatest need of the Nation and the world. Education for all, including the least among us, is a vital investment in the future of the Nation. Economic power, technology power, the power of cultural influence and even military power is directly dependent on our reserve of brainpower. About 2 years ago, we launched the last super high-tech aircraft carrier that we launched and the Navy admitted at that time that it was about 300 crew members short because they did not have the necessary trained personnel. There was a lack of brainpower. There was a lack of young crewmen who had the aptitude to be trained to run the high-tech equipment on the aircraft carrier.

I am saying again that New York City schools are examples of what is happening all over the country. They are frozen in time in terms of providing a basic education. They do not even do as well as they were doing 50 years ago. But here is the challenge that faces us in terms of going into the future, where the challenges are much greater and the education system needs to be equipped to do a far better job. Brainpower is the key to where this Nation

is going. Unless we have a system that can educate all of the young people and guarantee that there are pools of trained personnel to draw from, then our entire society is in serious trouble. We do not just have a shortage of scientists, we do not just have a shortage of trained computer personnel, information technology personnel, we have shortages right across the board.

Half of the graduate students in our big universities are foreigners. More than half of the graduate students studying science at the highest levels are foreigners. Whether you focus on chemistry or physics or engineering, or all of the technical and scientific pursuits, more than half are foreigners, which means you have a problem in terms of theoretical and scientific know-how. When you come down to the next level of technicians, there is a great shortage. If you look at any area, whether you are talking about auto mechanics or sheet metal workers, even carpenters, there is a tremendous shortage of people who can do the ordinary jobs in our society because those jobs have become more and more complex. They need more and more skills.

I visited a sheet metal training facility in Queens more than a year ago, and I was surprised at the use of computers. They make extensive use of computers in the training of sheet metal workers. Obviously, sheet metal workers use computers a great deal. There is almost no area where the skills required, the knowledge required is not far greater now than it was 25, 50 years ago.

That is the other problem. The first problem is to have a basically sound school system that is functioning at minimum level. The bigger problem is to have a school system which is able to cope with the challenges of the 21st century. New York fails on the first rung and cannot continue to exist as a school system unless it moves rapidly to the second rung, because that is where the soul of the city lies, in the production of brainpower. To solve this brainpower crisis in the information technology industry, for example, corporations are using foreigners more and more. But we cannot use foreigners to run our aircraft carriers. We cannot use foreigners to run the armed services. We cannot use foreigners to vote intelligently for our elected leadership. The survival of our constitutional civilization is directly dependent on the pools of brainpower we develop and maintain inside the Nation.

Our complex society is doomed without adequate checks and balances. This goes far beyond the executive, judicial, and legislative units of government. The press and media, the nonprofit organizations, the private corporations, these are also vital parts of the system of checks and balances. Without constantly increasing brainpower reserves and replacements, these institutions will diminish and lose their potency in the collective decision-making process.

In other words, I pointed out the crisis in science. It is not only in the area of science but in the area of writers, in the area of social workers. Wherever you examine the need for trained people, there is a shortage; and the shortage is increasing. The police are having difficulty recruiting qualified candidates. The fire department is having difficulty recruiting qualified candidates. A more complex world demands people who are slightly better trained, and as a result we do not find them in the pools of manpower and brainpower that we have now.

We presently have a growing shortage of teachers and educated supervisors and administrators. That is the most critical shortage. This will greatly hamper any meaningful education reform. But similar shortages, as I said before, are appearing among numerous other categories of professionals.

Right now there is a great negotiation taking place in New York City in respect to teachers' salaries. It is seen as a collective-bargaining problem, and really it is far beyond a collective-bargaining problem. The salaries of New York City teachers is a major public policy issue. The kingpin of the school system is the leadership, the quality of the teachers and the principals, the assistant principals and the other personnel. If we do not get higher salaries for the people who are running that system, considering the fact that we are competing with salaries in all the surrounding suburbs and cities and towns who draw off the best personnel from New York City, then the rapidity, the speed with which we are losing the best teachers and administrators, will greatly increase and it will be totally impossible to change the system. When you talk about meltdown, nothing will speed the meltdown of the system faster than the failure of the present negotiations to greatly increase the salaries of the teachers and the education personnel in New York City in order to allow it to keep pace with the personnel salaries in the surrounding areas.

We have pinpointed that one of the most important opportunity-to-learn standards, opportunity-to-learn factors, is the provision of qualified and trained teachers. That is number one. Without the leadership, without qualified trained teachers, without principals and administrators, the system does not go anywhere. No study and experimentation will be necessary to understand what maximum opportunity to learn means. To provide an adequate and basic elementary and secondary education, we already know what works. There is no need for a great deal of discussion and controversy. There is a need for more resources. We need the money to pay the teachers decent salaries, we need to raise the standards, raise the morale, stop the brain drain and improve in all the other opportunity-to-learn areas, like the physical facilities, the equipment, the books, et cetera.

Before we begin to search for the most suitable pedagogical approaches, we must first put in place this set of opportunity-to-learn standards. The physical environment of the class, the building, the library, the cafeteria, laboratories, all of these must be safe and conducive to learning. The first negative by-product of overcrowded classrooms and hallways is usually an exacerbated discipline problem. Constantly we hear complaints about discipline problems. There are no silver bullet solutions for discipline problems; but one thing is certain, if you have overcrowded classrooms and overcrowded schools, the hallways, the cafeteria, the auditorium, then certainly you are going to have greater discipline problems. And, of course, you cannot honestly lower the pupil-teacher ratio unless you have more classrooms.

Right now we have a situation in New York City where we cannot honestly make use of the funds that were appropriated by the efforts of the last administration. We did get some movement in terms of funds to lower the pupil-teacher ratio in each class. We got a movement in the right direction, many teachers were employed; but the honest truth is that in New York City, instead of them having a lower pupil-to-teacher ratio in the classroom, they put another teacher in a crowded classroom because there were no classrooms.

If you do not build additional classrooms, then you cannot have a lower pupil-teacher ratio in the classroom. They added a teacher to a crowded classroom which is not what the legislation was all about in the first place. We have done some creative maneuvers to get the money and use the money; but actually the benefit sought, a classroom where you had fewer pupils per teacher in order to be able to maintain greater order and give more attention to the students at a younger age, that did not happen and it is not happening in many cases.

This is a self-evident requirement, that you have trained teachers and you have trained supporting personnel. We refuse to take our children to untrained, uncertified dentists or pediatricians, so why not pay and seek the best teachers? Why should any child be subjected to the fumbling, makeshift efforts of an untrained teacher? We do not normally expect successful outcomes when unqualified staff are in charge. It is an unfortunate factor in big-city school systems that the substitute teacher, the unqualified teacher who could not pass the test, who is not regularly on the rolls, who is not paid fully and who does not get full benefits, that substitute teacher becomes the teacher that children see the most often in the worst neighborhoods. In other words, in the poorest neighborhoods where other teachers do not want to teach, it is the substitute teacher, the unqualified teacher, that is usually brought in to fill the classrooms.

In one of my sections of my district, District 23, at one point they had more

than half of the teachers who were not certified, who were substitutes, teaching in the schools. This was an area where the reading scores were very low and they needed the very best teachers.

What I am attempting to explain is summarized with shocking simplicity at the end of the court order just handed down several months ago by Supreme Court Judge DeGrasse in New York State. The New York State civil judge heard the case that was brought which challenged the fact that the State of New York had been shortchanging the City of New York in terms of education funds. The court case went on for almost a year, testimony was heard, and the judge finally made a decision.

□ 1915

I will read just a few excerpts from that decision. Quote, and this is Judge Leland DeGrasse, New York State Supreme Court, this court has held that a sound basic education, mandated by the education article, that is the education article of the constitution, consists of the foundational skills that students need to become productive citizens capable of civic engagement and sustaining competitive employment.

In order to ensure that public schools offer a sound basic education, the State must take steps to ensure at least the following resources which, as described in the body of this opinion, are, for the most part, currently not given to New York City public school students.

Number one, sufficient numbers of qualified teachers, principals and other personnel; two, appropriate class sizes; three, adequate and accessible school buildings with sufficient space to ensure appropriate class size and implementation of a sound curriculum; four, sufficient and up-to-date books, supplies, libraries, educational technology and laboratories; five, suitable curricula including an expanded platform of programs to help at-risk students by giving them more time on task; six, adequate resources for students with extraordinary needs; and seven, a safe, orderly environment.

Now, these items laid out by Judge Leland DeGrasse, in the opinion of the New York State Supreme Court against the State of New York, accusing the State of not supplying these items, there is an exact parallel to the opportunity-to-learn standards, which I have been discussing. These are statements in another way of what opportunity to learn means. You are not provided sufficient teachers, qualified teachers and principals. You do not have appropriate class sizes. You do not have adequate school buildings. You do not have sufficient supply of up-to-date books, libraries, educational technology and laboratories, and as a result, your curriculum is not suitable. You do not have a safe, orderly environment. All of these are stated in the court decision.

I might add that the judge gave the State of New York until the first of June, I think, to come forward with some kind of plan to respond to his decision. That has not happened.

I might also add that the Governor of New York appealed the decision of the court, and the Governor in essence stated what the lawyers had been arguing for the Governor all along, and that is that in New York City the children are too poor to learn. The poverty is the reason they cannot learn.

There is a condemnation out of which there can be no solution; that is to say, children cannot learn because they are too poor, and, therefore, we should not put resources in to try to teach children who are too poor to learn dooms the children forever. It is like condemning slaves for being illiterate, nonfunctional when they came out of slavery after having a series of laws in every confederate State which made it a crime to teach a slave to read. It is a crime to teach you to read. At the same time, of course, there was a big contradiction there because slaves were considered inferior, not quite human, and, therefore, why did they have to worry about teaching them to read? Evidently they were human enough, smart enough to learn how to read, so much so that laws were made. In every Confederate State there was a law that said it is a crime to teach a slave to read.

Now we have a situation where a Governor of one of the most advanced States of the Union, the great Empire State of New York, is arguing that the problem of education in New York City is that the children are too poor to learn, and, therefore, do not expect the State to solve the problem by providing more resources because they are too poor to learn; more resources will not help the situation. It is a State where we spend $25,000 per year for an inmate to be kept in prison. In New York City we spend only $7,000 per year to educate each student. You can see the direction of the reasoning of the Governor. If you cannot educate them, and most of them end up in prison, they are going to cost far more later on, but I suppose there are some profits to be made in the prisons that we do not know about.

Anyway, I can think of no more confused and hopeless reasoning than for a Governor of a State to say we cannot solve the problem because the children are too poor to learn.

In the course of reforming the school finance system, a threshold task that must be performed by the State to the extent possible, the actual costs of providing a sound basic education in districts around the State has to be decided, but certainly you are going to have to ensure that every school district has resources necessary to provide opportunity for a sound, basic education. Taking into account variations in local costs and all the other things, the State should be in a position to provide what is necessary.

The New York Daily News article does not pinpoint the Governor's position, the fact that the Governor is now spending State funds to appeal the decision of the court, which called upon the Governor to provide more funding for New York City. The New York Daily News article does not finger that as one of the great reasons why we have the problem.

We have a meltdown in New York City schools. A meltdown is taking place right now, and the meltdown is primarily due not to the fact that children are too poor to learn. If that was the case, then New York City would not have produced some of the greatest scholars in our Nation.

The City College, the city universities, would not have turned out so many Ph.Ds. They are spread all over the world. Poor youngsters who came out of the ghettos of New York in the past have learned and performed well. The poverty is not the problem. The problem is that the people in charge of the system have allowed the system to degenerate and not provide the opportunities to learn that should be provided.

One great controversy raging right now is around the opportunity-to-learn standard as reflected in school construction. School construction and the provision of adequate facilities is a major part of the problem. It is highly visible, and when you provide for adequate school facilities, you make a statement about the importance that you attach to education. If you refuse to provide for adequate facilities, you are also making a statement, and the continuing refusal to provide adequate schools is a statement that the people who are in power have made over the last 10 years. The Daily News recognizes the problem, but they do not pinpoint the fact that the mayor of the city of New York has been a major problem.

The decision-making process at city hall has been a major problem in the provision of adequate school facilities. We have a problem now where it is another Catch-22. They are saying that the high cost of construction in the year 2001 is so great that we cannot go ahead to begin to remedy the problem of overcrowded schools. We have to wait. We have run into a situation where the money projected to build schools would not go as far as anticipated because the cost has gone up. Some people are proposing that we call a halt and not build any more schools, not repair any more schools because the costs are too great.

Eight years ago there was a major confrontation between the present mayor and the chancellor of schools at that time because he proposed a $7 billion capital funding program. He proposed $7 billion, and the mayor said that was unreal, and there was such a clash until they drove that chancellor out of town.

A few years later a second chancellor proposed an $11 billion capital expenditure program, and there was a clash with the mayor, who said that was

unreal, and the clash became so heated until that chancellor was forced to resign.

Now we are at a point where we are finding that because of all of these delays and all of the roadblocks that have been placed in the way of the decisionmakers at the board of education in terms of going forward with a meaningful capital expenditure program and building the schools at a time when it probably would have cost less, we now have a logjam, and the prices are going up.

The cost of construction has gone up. Well, is the cost of construction really up all over the Nation? Are we in a recession? Are we going toward a recession? Has the economy not slowed down? If they want to solve the problem of school construction in New York and keep the costs from rising, can we not appeal for some Davis-Bacon unionized contractors from all over the country to come in? We have no problem if they are willing to abide by Davis-Bacon. They can come into New York City and take the contracts and go ahead and build schools there.

There are a dozen ways to solve the problem, yet there seems to be a willingness to point the finger at the board of education, at the current chancellor, and to play the kind of game that city hall has played all along; in other words, poor decision-making, incompetent decision-making, decision-making by people whose motives are questionable. After all, this is a mayor who has said that the school system, the board of education, should be blown up. The best way to get better education in New York City is to destroy the board of education. If you want to take that attitude, then it would be a contradiction for you to provide money for the board of education to build schools.

The mayor has been consistent. The question is why have the leaders of New York allowed him to be so consistent? Why have the members of the city council not challenged the mayor? We at one point had $3 billion; just 3 years ago we had $3 billion in surplus. New York City had a $3 billion surplus. Not a single penny of the surplus funds were used to repair schools or build schools or to do anything else for education, for that matter.

So we have a situation again which has clearly been delineated by the Daily News. If you live in New York City and you are interested in education, then I urge you to read the Daily News articles. If you do not live in New York City and you want to see what big cities all over America are facing, you might want to read the same series of articles. It is a magnificent series of articles that pinpoint all of the things that have gone wrong and can go wrong and what the consequences are.

Sixty percent of elementary and secondary middle school students cannot read at grade level. That is quite an indictment. Seventy percent are not proficient in math. Thirteen percent of this year's high school seniors, that is about 4,100 students, failed the math Regents test. More than 13,000 students from the class of 2000 dropped out between the 9th and the 12th grades. That is 19.5 percent of the class. Between 1996 and 1999, 30 percent of New York City students took Scholastic Aptitude Tests, a standardized exam for admission to most colleges. Seventy-three percent passed statewide and scored 40 to 50 points higher than the New York City students.

Sixty percent of elementary schools and 67 percent of high schools are overcrowded. Sixty percent of elementary schools and 67 percent of high schools are overcrowded, and the board of education's master plan for the year 2003 concedes that 85 percent of the schools need major repairs. Deterioration is occurring at a rate faster than we can save the systems, the board documents revealed.

I think that that physical deterioration is the best visible manifestation of what is happening in general. When you talk about meltdown, look at the physical deterioration. I quote: Deterioration in the actual school buildings is occurring at a rate faster than we can save systems, the board documents reveal.

In recent years about half of public school students have completed high school in 4 years; 9 percent have graduated later, by the age of 21; and the rest have been lost completely. Is this an example, a model for where we dare go in terms of education in America?

I am using the New York City school system because it is an example of where our big cities are. Now, there was a lot of praise for Chicago, and Chicago was being used as some kind of magic model for the improvement of big-city school systems. Now, I understand the tests have shown that Chicago is again in serious trouble, that there has been a lot of hype and a lot of public relations, but underneath the improvements have been minimal, and the improvements have been minimal because, again, the opportunity-to-learn standards have not been addressed sufficiently.

They have not provided the kinds of quality facilities, trained teachers, adequate supplies and equipment, laboratories for science, library books and libraries. It is so simple, the opportunity-to-learn standards, but it is the area where nobody wants to engage in a discussion.

Yes, we have two new pieces of legislation, one in the Senate, one in the House, which are professing to be the last word on education reform. A lot of people are already applauding the legislation before it is finalized, and before the President signs it. It is not the final word, I hope. If that is the final word, we are in serious trouble.

□ 1930

The final word has to be dictated by the insistence of the American people out there, who have made education the number one priority for the last 5 or 6 years. When you ask the question, what should Federal dollars be used for, where is the most Federal assistance needed, education continues to score right up there with other concerns like crime and Medicare and Medicaid. Usually education is ahead of them all.

So the public is way ahead of the leadership. We must run to catch up with the leadership. What is happening right now gives us an opportunity to do that. As long as the bill is being held, as long as we do not go to conference, as long as we do not have a final signature by the President, then there is room for negotiation, as long as we are dealing with the appropriation process and it is understood that the glaring inadequacy of the present education legislation is in the area of resources, there is not enough money being guaranteed.

Oh, yes, the money is authorized. There is a reasonable amount authorized. If you are going to double the title I funding from the present amount to $17.2 billion in 5 years, that is a great increase. That is an increase worth voting for. But at the same time the authorizing legislation says we can do that, the appropriation and budget process says there is no money.

I started by saying we have had two great legislative developments up to now in this session of Congress. One was the passage of the tax legislation, and the other was the passage of education legislation by both Houses, although the education legislation is not complete.

They do relate to each other. The passage of the tax legislation has put us in a situation where, despite the fact we have authorized more money for education, and the other body, the Senate bill authorizes even more than the House bill, we cannot actually get the money and the resources unless there is a change in the appropriation process.

Somehow between now and the end of this session, more money has to be found in that budget; some new device has to be developed to increase the revenue; some changes have to be made, decreases in expenditures and other areas that are less important. Somehow we have to continue to press forward and make the case that brain power is the number one need for this Nation at this time. Brain power and the pools of people produced to qualify to run a more and more complex society are at the heart of where we are going. Nothing else is going to move forward unless we have the appropriate brain power. Therefore, brain power should be number one.

If budget cuts have to be made somewhere else, we should make those budget cuts, or if we have to find some new source of revenue dedicated to education, then that has to be the case. We must save our schools, not only in New York City, from a growing meltdown; but we must understand that the same

process, the meltdown process, is occurring elsewhere, and only Federal funds can be utilized to stop it.

HMO REFORM

The SPEAKER pro tempore (Mr. LAHOOD). Under the Speaker's announced policy of January 3, 2001, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes as the designee of the majority leader.

Mr. GANSKE. Mr. Speaker, I especially want to thank you for the time that you are spending in the Chair tonight, as you have many evenings with your spare time. The Members of this House of Representatives who come to the floor to give Special Orders are especially appreciative as, over the years, other Members have volunteered their time to sit in the Chair so that we could do our Special Orders.

This is the beginning of our July 4th recess, and I will try to be somewhat briefer than the hour time that I am allotted for this.

Well, we have had, Mr. Speaker, a great debate going on in the Senate this week on the Patients' Bill of Rights; and I have been watching this with great interest, because for the past 5 years I have been working on this issue, and I have been coming to the floor frequently, just about every week, in order to give a Special Order talk on the status of legislation to help protect patients from abuses by HMOs.

I am looking forward to the day when we pass a strong Patients' Bill of Rights piece of legislation on this floor to go along with what I think will be a strong Patients' Bill of Rights coming out of the Senate, that we marry those two bills together, that we add some important access provisions, such as an expansion of medical savings accounts, tax deductibility for the self-employed, and we move that down to the President's desk.

I strongly encourage the President to sign that, because there have been some significant compromises over the past few years on this legislation that I believe meet the President's principles, and yet retains principles that he enunciated during the Presidential campaign, such as allowing for important State laws on patient protection to continue to function, laws like those in Texas, which appear to be working pretty well.

Mr. Speaker, why are we continuing to talk about this? Well, we have had gridlock here in Washington for several years on this; and it has been a shame, because every day the HMOs make millions and millions of decisions that can significantly affect the well being of the patients they are supposed to be serving.

Remember a few years ago, there was a movie, ''As Good as It Gets.'' It had Helen Hunt, who had a child with asthma, talking to a friend, Jack Nicholson, in the movie; and her little boy was being denied needed treatment for his asthma, which prompted Ms. Hunt to run a string of expletives together about that HMO. And I saw something I never saw happen before in a movie theater or seen since: I saw people stand up and clap in agreement with Ms. Hunt on that.

Then we saw a few years ago a large number of jokes and cartoons about HMOs. You do not see it so much any more because, you know what? Everybody knows that this is a problem. In order for something to be humorous, there needs to be some element of surprise. But it is not surprising anymore that people have problems. You talk to your friends, family members, colleagues, and practically everyone can come up with a story about how an HMO has inappropriately denied treatment to a patient.

Remember the problem that we had a few years ago when one of the HMOs said, well, you know what? We do not think you need to stay in the hospital if you deliver a baby. Our plan guidelines say outpatient deliveries.

So you had this type of cartoon. The maternity hospital, drive-through window: ''Now only 6-minute stays for new moms.'' The person at the window saying, ''Congratulations. Would you like fries with that,'' as the mom holds a crying baby, and she looks more than a little frazzled.

Well, it was not so funny when you started to see headlines on major newspapers around the country, like this one from the New York Post which said ''What his parents didn't know about HMOs may have killed this baby.'' Or this headline from the New York Post that says ''HMO's cruel rules leave her dying for the doc she needs.''

Some of these cartoons were pretty hard hitting, and I would say the humor was black humor at a minimum. Here was a cartoon about HMOs that appeared a couple of years ago: ''Cuddly-care HMO. How can I help you?'' This is an operator at the end of one of those 1–800 numbers. She is repeating what she is hearing on the telephone, and she says, ''Oh, you are at the emergency room and your husband needs approval for treatment.''

Then she repeats what the person is saying. ''He is gasping, writhing, eyes rolled back in his head? That doesn't sound all that serious to me.''

Over on there it says, ''Clutching his throat, turning purple? Um-hum.''

Then she says, ''Well, do you have an inhaler?''

Then she says, ''He is dead?''

And then she says, ''Well, then he certainly doesn't need emergency treatment, does he?''

And finally the HMO reviewer says, ''Gee, people are always trying to rip us off.''

Well, that was not too funny to this young lady. She fell off a 40-foot cliff about 60 miles west of Washington, D.C. She broke her pelvis, her arm and had a concussion; nearly was dead. Fortunately, her boyfriend had a cellular phone. He phoned in the helicopter. They loaded her up, got her to the hospital, she was admitted through the emergency room, in the ICU on intravenous narcotics, and she got better.

But then do you know what the HMO did? They would not pay her bill. They said that she had not phoned ahead for prior authorization.

Does that strike you as a little funny? How was she supposed to know she was going to fall off a cliff and break her leg and have a concussion? Was she supposed to be able to read the tea leaves?

Oh, and this was an issue. This was one of the first issues we talked about on HMOs. Back in 1995 I had a bill called the Patient Right to Know Act, because it became known that HMOs were requiring doctors to phone them in order to get permission to tell the patient about all of their medical treatments that might be possible. So you would have a situation, for instance, where a woman comes in to see a doctor; she has a lump in her breast. Before the doctor tells her her three options, he says, ''Oh, excuse me,'' goes out in the hallway, gets on the phone and says, ''HMO, can I tell this lady all about her treatment options?''

So here we have a doctor saying, ''Your best option is cremation; $359, fully covered.'' And the patient is saying, ''This is one of those HMO gag rules, right?''

That HMO gag rule was not so funny to this woman. Her HMO tried to gag the doctors treating her. She needed treatment for breast cancer. She did not get it, and she died. And, do you know what? Under the current Federal law, if you receive your insurance from your employer and the HMO makes a decision like that, under Federal law, current Federal law, they are liable for nothing except the cost of care denied. And if the patient is dead, then they are not responsible for anything. Now this little girl and boy and the woman's husband, they do not have their mom, because of what that HMO did.

Here is another cartoon. The doctor is taking care of a patient on the operating table. The doctor says ''scalpel.'' The HMO bean counter says ''pocket knife.'' The doctor says ''suture.'' The HMO bean counter says ''band-aid.'' The doctor says, ''Let's get him to intensive care.'' The HMO bean counter says, ''Call a cab.''

Let me tell you about a real case that was sort of a call-a-cab response. Down in Texas, after they passed the patient protection bill down in Texas, there was a fellow named Mr. Palosika. He was suicidal. He was in the hospital. His doctor thought he needed to stay in the hospital because, if he left, he might commit suicide. But the HMO said, no, we do not think he needs to stay in the hospital, and we are not going to pay for it. If he wants to stay, fine. The family can pay for it themselves.

Well, when an HMO says that to most families, they do not have the money to pay for it up front themselves, so they just took him home.

□ 1945

That night, Mr. Palosika drank half a gallon of antifreeze and committed suicide.

Now, under Federal law, that HMO was supposed to, if they disagreed with the treating doctor's advice, they were supposed to go to an expedited, independent review panel, but they did not do that, they just ignored the law. And that is why it is very important when we are dealing with patient protection legislation that we have a strong enforcement mechanism; not to create new lawsuits, but to prevent those lawsuits by making sure that the HMOs know that they will be responsible at the end of the day so they do not make decisions or so that they do not follow the rules, or, I should say, in order to ensure that they do follow the rules.

Here is another one of those cartoons. This is the HMO claims department. The claims reviewer is saying, ''No, we don't authorize that specialist; no, we don't cover that operation; no, we don't pay for that medication,'' and then apparently somebody says something to the operator, and she says, ''No, we don't consider this assisted suicide.''

Mr. Speaker, I hope I do not have to talk about this case much longer. I hope we really do pass a strong Patients' Bill of Rights soon, the Ganske-Dingell bill, on this floor. This is a little boy that I know. He is now about 8 years old, but when he was 6 months old, he had a fever of about 104, and he was sick one night, and his mom phoned the HMO, a 1–800 number, probably thousands of miles away, and said, my baby is sick, we need to go to the emergency room. And the medical reviewer said, well, under our contract, I will only authorize you to take little James to this one emergency room. That is all we have a contract with. Mom and Dad lived way on the outside of Atlanta, Georgia. Mom said, well, where is it? This voice over the phone said, I don't know, find a map. Made a medical decision, medical judgment, that reviewer did, that he was healthy enough to withstand a very long drive through Atlanta and bypass three hospitals with emergency rooms.

So Mom and Dad wrap him up. It is the middle of the night. They start their trek, they pass those emergency rooms where they could have stopped if they had authorization, but they were not health care professionals, they did not know how sick little James was, but he then suffered a cardiac arrest. Fortunately, they were able to keep him going until they pulled into the emergency room. Mom leaped out of the car screaming, save my baby, save my baby. A nurse ran out. She started an IV, they started mouth-to-mouth resuscitation, they gave him medicines, they saved his life, but they did not save all of this little boy. Because of that cardiac arrest, he ended up with gangrene in both hands and both feet, and, consequently, both hands and both feet had to be amputated.

Under current Federal law, an employer health plan that makes that kind of medical judgment that results in that kind of injury to this patient is liable for nothing except the cost of his amputations.

I will tell my colleagues something. Once in a while I read an article, an editorial in a newspaper, and I hear opponents to our legislation saying, oh, those are just anecdotes. Those are just anecdotes. That girl that fell off the cliff, that was just an anecdote. The young mother who died because she did not get the care from the HMO, that is just an anecdote. A little boy who loses both hands and both feet, that is just an anecdote.

Mr. Speaker, do you know what I say to those people? I say, you know what? If this little anecdote had a finger, and if you pricked it, it would bleed. I say, this anecdote has to pull his leg prostheses with his arm stumps every day. This anecdote needs help putting on both bilateral prostheses. This anecdote will never be able to touch the face of the woman that he loves with his hand. He will never be able to play basketball. Now, he is a pretty well-adjusted kid, considering everything. He is a great kid. But I tell my colleagues, I want those people who write those op-ed pieces to meet this little anecdote and look him in the eye and tell him that we do not need a Patients' Bill of Rights.

I will tell my colleagues this: There are not just a few anecdotes around the country. I get phone calls and letters from people all over the country. Just recently in Des Moines, Iowa, a woman came up to me and she said, I tell you what. I am fed up with our HMO. I have breast cancer. I have been battling this for a while. The treatments have made me worn out. But my doctor told me that I needed a test to see if the cancer had come back, and the HMO would not authorize it. Other doctors said the same thing, that I needed the test. It did not matter. The HMO would not authorize it. Finally, after a long fight, they authorized it, and then the day I was supposed to get it, they said no.

And she said, Congressman, I went to my husband and I said to him, you know, Bill, I am going to ask you to do something I have never asked you to do for me before. That HMO has worn me out. I cannot fight them anymore. You are going to have to carry this for me. You are going to have to fight that HMO.

Mr. Speaker, there is a real need to pass this. People pay a lot of money and their employers contribute a lot of money for their health care. They work a lot of hours to earn that health care. When they finally get sick, it ought to mean something. They ought to be treated with justice and human compassion and not by green eyeshades looking at the bottom line and coming up with some arbitrary definition of medical necessity.

Mr. Speaker, under this Federal law I am talking about that passed 25 years ago, an employer health plan can define medical necessity as anything they want to. Some health plans have defined medical necessity as the cheapest, least expensive care, quote/unquote. Well, before coming to Congress, I was a reconstructive surgeon. I took care of children with cleft lips and palates. More than 50 percent of the surgeons in this country that do that kind of work in the last several years have had cases denied for kids with cleft lips and palates by the HMO saying, oh, that is not medically necessary. And under Federal law, they can define it any way they want.

That is why they had a big debate on this yesterday in the Senate, and they have managed to preserve language that says, if there is a dispute, an independent panel will make that decision and not be bound by the plan's arbitrary and unfair guidelines, so that if there is a denial of care, you get an honest-to-God chance that you will get the treatment you need.

I commend the Senators who voted to preserve that very, very important issue of letting an independent panel determine medical necessity and not be bound by a plan's guidelines. That does not mean that our law says, our bill says that employers cannot set up their own benefits package. We are very clear on that. We do not change that for ERISA at all. If an employer wants to purchase a plan where the plan says explicitly in the contract language, we do not provide heart-lung transplants, that is fine. It is not what I would recommend, but they can do that, and we do not change that. If a patient came along and needed that, then they would have to come up with that financing themselves because it has been made explicitly clear. But if it has not been made clear that that is an explicit exclusion, and if the patient does need that and believe that they would get that under that type of agreement, then they should, they should.

We say in our bill, the Ganske-Dingell bill, the Bipartisan Patient Protection Act of 2001, we say that businesses are protected from liability. We have a standard in our bill that says, businesses will not be liable unless they enter into direct participation in the HMO's decision that would result in injury. That is a standard that many of my Republican colleagues agreed with 2 years ago, and we adopted it.

I had a good friend who is a businessman from Des Moines, Iowa, phone me today, and he wanted to know whether he would be liable under our bill, and I said, how do you provide your health insurance for your employees? He said, well, we hire BlueCross BlueShield. We take one of their plans or another plan. I said, do you ever get involved in BlueCross BlueShield's decisions? He said, oh, no. Oh, no. That is a matter of personal privacy for our employees. We do not want to know what is happening to their personal lives, and, quite frankly, they do not want us to know

what is going on, and we do not want to know, if only for the reason that maybe we would have an employee at some time that is not performing up to par, and we might have to let that employee go, and we do not want that employee coming in and saying, well, you are just letting me go because you found out that I have diabetes or that I had to see a psychiatrist.

Under our bill, the Ganske-Dingell bill, employers are protected from liability, unless, unless they directly participate. Furthermore, there has been additional protective language now adopted on the Senate side on this issue, and we think that that is a positive. We just want to make sure, not that there will be a lawsuit at the end of the day, but that if there is a dispute on care where the HMO says no, but the patient's doctors say yes, that there is a mechanism for resolving that dispute before anyone is injured, if necessary, going to an independent panel whose decision would be binding on the health plan, an independent panel where the decision would be binding on the health plan.

In that circumstance, in the Ganske-Dingell bill, you know what? We give total punitive damages relief to the health plan. We say, if this dispute goes to an independent panel, and a health plan follows the decision, then they cannot be held liable at all for punitive damages. That has been one of the major concerns, large punitive damage awards by the business community.

Some people attack our bill by saying, oh, it is going to increase the costs for health insurance premiums. We hear that a lot in the debate that has been going on in the Senate. My answer to that is that the Congressional Budget Office has looked at our bill, the McCain-Edwards bill is the companion bill that is being debated in the Senate, they have looked at our bill and they say that the total cost would be 4 percent increase in premiums over 5 years, so less than 1 percent per year. The alternative, Frist-Breaux bill, the GOP bill in the Senate, would increase premiums by about 3 percent over the same period of time. But the provision on the liability would result in a total increase in premiums of only .8 percent over 5 years. That is less than two-tenths of a percent. The analysis of that would show in practical terms that the cost of our bill would be about the cost of a Big Mac meal per month per employee.

Mr. Speaker, the surveys around the country show that people think that that would be well worth it to know that they would be treated fairly.

Now, just this week there has been a big roll-out of an opposition bill to the Ganske-Dingell bill. It is called the Fletcher bill, the Fletcher-Thomas bill.

□ 2000

It is called the Fletcher bill, the Fletcher-Thomas bill. As a doctor, I know that you do not do a complete physical exam without examining the body under the clothing. So there were a lot of good words said by the opponents to our bill about the Fletcher bill, but I have looked at the body of that Fletcher bill.

I will tell my colleagues something, it is not pretty, except to the HMOs. When the Fletcher bill is stripped of its spin, the bones, and the sinews look like the old HMO protection bills that the opponents to real patient protection have tried to confuse the public with for several years.

For example, in the Fletcher bill, there are significant constraints on the independence of the medical reviewer. The standards of review would actually codify negligent health plan practices. It would make them unreviewable.

The Fletcher bill's designated decisionmaker language could be gamed by the HMO. They are working on designated decisionmaker language on the Senate side right now. Senator SNOWE is working on that, and there is a way to write that language that is fine, it adds language that is protective for employers, but at the same time prevents that language from being used to deny patients the care they need.

Mr. Speaker, I am very pleased to see progress being made on that on the Senate side. The Fletcher bill, despite the plan's sponsor's contentions, reverses State law. It effectively federalizes State law by saying that the only allowance for State court is if an HMO does not comply with the review panel, which under the Fletcher bill, the HMO is able to stack in its own favor. Those are just a few of the diseases on the Fletcher bill.

I advise my fellow Republican House Members to become aware of being infected with the Fletcher bill. The real cure is the Ganske-Dingell bill.

Here are some statements from my great colleague, the gentleman from Georgia (Mr. NORWOOD), who has worked with me and the gentleman from Michigan (Mr. DINGELL) hand in hand on this for years.

Here is what the gentleman from Georgia (Mr. NORWOOD), a very conservative Republican, says about the Fletcher bill. He says a patient could suffer injury or death from improperly denied care and still be blocked from a just court remedy with the Fletcher bill.

Here is what the gentleman from Georgia (Mr. NORWOOD) says about the Fletcher bill. The design of this latest imposter bill is identical to previous attempts to derail patients' rights, create a technical right to sue an HMO with conditions that will disqualify the majority of cases quote unquote.

The gentleman from Georgia goes on to say the HMO chooses the external appeals panel, which then determines whether the patient can go to court and the patient has no right of appeal.

This alone is an insurmountable hurdle. It is just the tip of the iceberg. This bill, speaking about the Fletcher bill, imposes the responsibility of allowing a choice of the doctor on the employer instead of the HMO, and then it disqualifies the majority of employees from having the right to begin with. It contains nothing on adding prescription drug reform.

The list goes on and on so far, in fact, that patients would be better off with no bill than with the Fletcher bill, quote, unquote.

Mr. Speaker, my friend, the gentleman from Georgia, goes on in his press release and says the Fletcher bill further proposes that all suits over improperly denied care be removed to Federal court, with the exception of cases in which HMOs violate Federal law by refusing to comply with legally binding decisions of medical review panels.

If the injury or death of a patient occurred prior to the ruling or through the delay imposed by the ruling, the patient loses their legal rights under the Fletcher bill, even their current limited right to sue under State law gained through the recent fifth court decision, upholding a portion of the liability provisions in the Texas patient protection act.

The gentleman from Georgia continues in his press release, the new bill would accordingly preempt, preempt patient laws in Texas, Georgia, Arizona, California, Louisiana, Maine, Missouri, New Mexico, Oklahoma, Oregon, Washington, and West Virginia. Let me repeat that. My friend, the gentleman from Georgia, says the Fletcher bill would preempt patient protection laws in Texas, Georgia, Arizona, California, Louisiana, Maine, Missouri, New Mexico, Oklahoma, Oregon, Washington, and West Virginia.

Let us talk a little bit about the comparison of the Fletcher bill to the Ganske-Dingell-Norwood bill. Fletcher claims the plans face unlimited punitive damages in State court and $5 million punitive damages in Federal court, regardless of compliance with review process under the Ganske-Dingell bill.

Here is the fact. Under my bill, State level punitive damages awards are prohibited entirely if the plan follows the external appeals process. In addition, 33 States currently cap punitive and noneconomic damages. The law that would be in effect would be the law in those States.

Punitive damages are banned entirely in Federal court cases while $5 million in civil penalties are available in Federal court if the plan is proven by clear and convincing evidence to have acted in bad faith with flagrant disregard for the rights of the patients. That is what is in the Ganske-Dingell-Norwood bill.

Mr. Speaker, the opponents to our bill, the gentleman from Kentucky (Mr. FLETCHER) here, claims that our bill allows lawsuits, not only under ERISA, but also COBRA or HIPPA while the original Norwood-Dingell bill we debated a few years ago allowed ERISA cases only.

Here is the fact. The Ganske bill removes contractual disputes to Federal court. Why do we do that?

Number one, the Supreme Court has already said that is what should be done. We do it to preserve the ability of the Employee Retirement Income Security Acts uniform contract benefits. Our inclusion does not produce any additional causes of action under Ganske-Dingell. It does protect the ability of plans and employers to offer uniform health benefit plans Nationwide.

Let me repeat that. Our bill is not a bill that would prevent an employer who works in many States from devising his own uniform benefits health plan. That is the fact. Fletcher claims that the Ganske-Dingell-Norwood bill would allow patients to sue in both Federal and State courts for the same injury; that is not correct. Our bill, the Ganske-Dingell bill, assigns contract disputes to Federal court, medical disputes to State court, patients must specify the grounds of the dispute when they file. Under standard court procedure, suits cannot be filed in both courts over the same grounds.

Here is what the gentleman from Georgia (Mr. NORWOOD) said. The Fletcher bill appears designed for one goal, the confusion of the public and of Republican Members who want to vote for real patient protections.

The gentleman from Georgia (Mr. NORWOOD) goes on and says any Member who supports this package, i.e., the Fletcher bill, does so for the exclusive benefit of the HMO lobby, quote, unquote.

Let me give you five quick comparisons between the Ganske-Dingell bill and the Fletcher bill. Number one, the Ganske-Dingell bill enables every American to choose their own doctor. The Fletcher bill does not give Americans the right to choose the doctor and puts the requirement that employees get an option to choose their own doctor on the employer.

Number two, the Ganske-Dingell bill ensures a fair review process. The Fletcher bill allows health plans to choose the reviewer at external review.

Number three, the Fletcher bill forces the patient to get approval from an external reviewer before they can seek damages for injury in court. The Ganske-Dingell bill says that a reviewer's decision must be considered as evidence, but does not create an absolute bar from damages.

Number four, the Fletcher bill will preempt 12 State laws that have been passed that allows HMOs to be held liable in State courts. The Ganske-Dingell bill protects those State laws, and that is exactly one of the principles that President Bush said was essential on HMO reform during the campaign.

Number five, the Ganske-Dingell bill allows cases regarding medical decisions to be heard in State courts. The Fletcher bill allows patients to go to State court when a plan does not follow external review and erroneously causes a medical decision. We call that breaking the law.

Further, the Fletcher bill allows the patient to forum shop, the Fletcher bill allows the patient to forum shop between Federal and State court, not the Ganske-Dingell bill.

These are some of the important differences that we are talking about between the Ganske-Dingell bill and the Fletcher bill.

That is why over 500 health groups, consumer groups, professional groups have endorsed the Ganske-Dingell bill and very few have said much about the Fletcher bill, other than that in some cases, in some parts of the language, maybe it is okay. But if you look at the overall bill, the real patient protection bill is the Ganske-Dingell bill.

Mr. Speaker, I believe, we will see this in large part passed with the McCain-Edwards-Kennedy bill, which is the companion bill to our bill. I think in large part, it will pass in the Senate. I think with a pretty big vote.

Mr. Speaker, I applaud the hard work of the Senators who have worked on that and have shown a real concern for patient protections. I believe that will give us a big boost as we move into debate here on the House floor.

I am appreciative of the work that Senators like MIKE DEWINE and OLYMPIA SNOWE, LINCOLN CHAFEE, and others, who have put into this bipartisan bill as the Senate debate has moved forward. Those changes, as far as I have seen so far, look very acceptable to the gentleman from Georgia (Mr. NORWOOD) and myself and the gentleman from Michigan (Mr. DINGELL).

In the Senate, it would have been nice if they had added the expansion of medical savings accounts and the 100 percent deductibility for the self-insured. That is in our House bill, but under the rules in the Constitution, those types of provisions have to originate in the House so they did not debate those or pass those; but I believe they have wide bipartisan support.

Mr. Speaker, I think it showed that the Democrats were willing to move to a compromise on this bill. It is no secret, a lot of Democratic Members are not real keen on medical savings accounts, but under the Ganske-Dingell bill we expand those medical savings accounts. That is part of the compromised process. That is how you get things done here in Washington.

I will tell you what, a purely partisan vote in this House will not pass. The Fletcher bill is a partisan bill. There is one Democrat that supports it, maybe two, but what we have is a real core of Republicans who have been stalwarts for patient protection, who have withstood the blows of the $150 million campaign by the HMOs in this country trying to beat them down.

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They have shown independence and courage, and I salute them. I look forward to this debate when it comes to the House floor after the July 4th recess.

I know that the gentleman from Georgia (Mr. NORWOOD) is going to go off his diet and will eat a little bit of red meat steak before we hit the floor. I am looking forward to working with the gentleman from Michigan (Mr. DINGELL) as we work on this bill here on the floor.

I am convinced that, if the Members will truly look at the bills, look at the bones and the sinews and the muscles, not just the clothing and the nice words, they will see that there is a significant difference. They should listen to the American Medical Association, and they should look at all the other groups that have looked at these bills and have said in very strong words the real patient protection bill, the bill that will help prevent situations like happened to this poor little boy is the Ganske-Dingell bill.

I ask my colleagues over the July 4th recess to examine their consciences, to talk to some of the patients and the health care advocates and the health care professionals that have to deal with HMOs that make those types of arbitrary decisions that result in problems for patients.

Talk to them over the July 4th recess. Listen to them. They represent an awful lot of people in my colleagues' districts. I believe that if my colleagues do, they will come to the conclusion that it is time to get this off the congressional calendar. It is time to join the Senate, to pass a bipartisan and a bicameral bill.

Do not let it get hung up in committee, in a conference committee. Send it to the President's desk. I would love nothing better than for the President to look at the changes that we have done in the Senate debate and come to the conclusion that this bill, as I truly think it does, meets his principles and that he will sign it. That would be a very bright day for millions and millions of Americans.

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. MCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mrs. MORELLA) to revise and extend their remarks and include extraneous material:)

Mr. GUTKNECHT, for 5 minutes, today.

Mr. NUSSLE, for 5 minutes, today.

Mrs. MORELLA, for 5 minutes, today.

ADJOURNMENT TO TUESDAY, JULY 10, 2001

Mr. GANSKE. Mr. Speaker, pursuant to House Concurrent Resolution 176, I move that the House do now adjourn.

The SPEAKER pro tempore. Pursuant to House Concurrent Resolution 176

of the 107th Congress, the House stands adjourned until 10 a.m. on Tuesday, July 10, 2001.

Thereupon (at 8 o'clock and 19 minutes p.m.), pursuant to House Concurrent Resolution 176, the House adjourned until Tuesday, July 10, 2001, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2719. A communication from the President of the United States, transmitting requests for Fiscal Year 2002 budget amendments for the Department of Defense; (H. Doc. No. 107–92); to the Committee on Appropriations and ordered to be printed.

2720. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, transmitting the Office's final rule—Fiduciary Activities of National Banks [Docket No. 01–14] (RIN: 1557–AB79) received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2721. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, transmitting the Office's final rule—Investment Securities; Bank Activities and Operations; Leasing [Docket No. 01–13] (RIN: 1557–AB94) received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2722. A letter from the Deputy Assistant Secretary for Policy, Planning and Innovation, Department of Education, transmitting Final Regulations—Federal Work Study Programs, Federal Supplemental Educational Opportunity Grant Program, and Special Leveraging Educational Assistance Partenership Program, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

2723. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approvals Under the Paperwork Reduction Act; Technical Amendment [OPPTS–00310; FRL–6771–7] received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2724. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval of section 112(l) Authority for Hazardous Air Pollutants; Chemical Accident Prevention Provisions; Risk Management Plans; New Jersey Department of Environmental Protection [FRL–6996–7] received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2725. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; New Source Review Revision [NH018–01–7156a; A–1–FRL–6999–6] received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2726. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2727. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2728. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2729. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2730. A letter from the Inspector General, Federal Housing Finance Board, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2731. A letter from the Inspector General, National Science Board, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2732. A letter from the Acting Director, Office of Personnel Management, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2733. A letter from the Acting Director, Office of Personnel Management, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2734. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Disclosure and Amendment of Records Pertaining to Individuals Under the Privacy Act—received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2735. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 060801A] received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2736. A letter from the Assistant Attorney General, Department of Justice, transmitting the 2000 Annual Report of the Office of the Police Corps and Law Enforcement Education; to the Committee on the Judiciary.

2737. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—VISAS: Documentation of Nonimmigrants Under the Immigration and Nationality Act; Application for Nonimmigrant Visa: XIX Olympic Winter Games and VIII Paralympic Winter Games in Salt Lake City, Utah, 2002—received June 27,2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2738. A letter from the Attorney for National Council on Radiation Protection and Measurements, LeBoeuf, Lamb, Greene and MacRae, L.L.P., transmitting the 2000 annual report of independent auditors who have audited the records of the National Council on Radiation Protection and Measurements, pursuant to 36 U.S.C. 4514; to the Committee on the Judiciary.

2739. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Diamond Mountain District Viticultural Area (99R–223P) [T.D. ATF–456; Re: Notice No. 882] (RIN: 1512–AA07) received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2740. A letter from the Chief, Regulations Branch, Customs Service, Department of the Treasury, transmitting the Department's final rule—Time Limitation for Requesting Refunds of Harbor Maintenance Fees [T.D. 01–46] (RIN: 1515–AC64) received June 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2741. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco, and Firearms, Department of the Treasury, transmitting the Department's final rule—Recodification of Regulations on Tobacco Products and Cigarette Papers and Tubes [T.D. ATF–457] (RIN: 1512–AC41) received June 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2742. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, first-out inventories [Rev. Rul. 2001–35] received June 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follow:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1407. A bill to amend title 49, United States Code, to permit air carriers to meet and discuss their schedules in order to reduce flight delays, and for other purposes; with amendments (Rept. 107–77 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on International Relations. H.R. 2131. A bill to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2004; with amendments (Rept. 107–119). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1866. A bill to amend title 35, United States Code, to clarify the basis for granting requests for reexamination of patents; with an amendment (Rept. 107–120). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1886. A bill to amend title 35, United States Code, to provide for appeals by third parties in certain patent reexamination proceedings (Rept. 107–121). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CALVERT (for himself, Mr. HERGER, Mrs. BONO, Mr. FOLEY, Mr. RADANOVICH, Mr. FARR of California, Mr. THOMPSON of California, Mr. BAIRD, Mrs. THURMAN, and Mr. ISSA):

H.R. 2354. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of crops destroyed by casualty; to the Committee on Ways and Means.

By Mr. TOM DAVIS of Virginia:

H.R. 2355. A bill to amend subchapter III of chapter 83 of title 5, United States Code, to make service performed as an employee of a nonappropriated fund instrumentality after 1965 and before 1987 creditable for retirement purposes; to the Committee on Government Reform.

By Mr. SHAYS (for himself and Mr. MEEHAN):

H.R. 2356. A bill to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; to the Committee on House Administration, and in addition to the Committees on Energy and 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. JONES of North Carolina (for himself and Mr. HOSTETTLER):

H.R. 2357. A bill to amend the Internal Revenue Code of 1986 to permit churches and other houses of worship to engage in political campaigns; to the Committee on Ways and Means.

By Mr. BARTLETT of Maryland (for himself, Mr. UDALL of Colorado, Mr. BOEHLERT, Ms. JACKSON-LEE of Texas, Mr. SMITH of Texas, Mr. SMITH of Michigan, Mrs. MORELLA, Mr. EHLERS, Mr. DELAHUNT, and Mr. WAMP):

H.R. 2358. A bill to authorize appropriations for environmental research and development, scientific and energy research, development, and demonstration, and commercial application of energy technology bioenergy programs, projects, and activities of the Department of Energy, and for other purposes; to the Committee on Science.

By Mr. SMITH of New Jersey (for himself and Mr. EVANS):

H.R. 2359. A bill to amend title 38, United States Code, to authorize the payment of National Service Life Insurance and United States Government Life Insurance proceeds to an alternate beneficiary when the first beneficiary cannot be identified, to improve and extend the Native American veteran housing loan pilot program, and to eliminate the requirement to provide the Secretary of Veterans Affairs a copy of a notice of appeal to the Court of Appeals for Veterans Claims; to the Committee on Veterans' Affairs.

By Mr. NEY (for himself, Mr. WYNN, Mr. SWEENEY, Mr. MICA, Mr. REYNOLDS, Mr. LATOURETTE, Mr. PETERSON of Pennsylvania, Mr. HOBSON, Ms. DUNN, Mr. CUNNINGHAM, Mr. TAYLOR of North Carolina, Mr. TRAFICANT, Ms. PRYCE of Ohio, Mr. BLUNT, Mr. EHLERS, Mr. BALLENGER, and Mr. NORWOOD):

H.R. 2360. A bill to amend the Federal Election Campaign Act of 1971 to restrict the use of non-Federal funds by national political parties, to revise the limitations on the amount of certain contributions which may be made under such Act, to promote the availability of information on communications made with respect to campaigns for Federal elections, and for other purposes; to the Committee on House Administration.

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. SIMPSON, Mr. REYES, and Mr. SPENCE):

H.R. 2361. A bill to increase, effective as of December 1, 2001, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BORSKI (for himself, Mr. BRADY of Pennsylvania, Mr. COYNE, Mr. DOYLE, Mr. ENGLISH, Mr. FATTAH, Mr. GEKAS, Mr. GREENWOOD, Ms. HART, Mr. HOEFFEL, Mr. HOLDEN, Mr. KANJORSKI, Mr. MASCARA, Mr. MURTHA, Mr. PETERSON of Pennsylvania, Mr. PLATTS, Mr. SHERWOOD, Mr. SHUSTER, Mr. WELDON of Pennsylvania, and Mr. PITTS):

H.R. 2362. A bill to establish the Benjamin Franklin Tercentenary Commission; to the Committee on Government Reform.

By Mr. GREENWOOD (for himself, Ms. KAPTUR, Ms. LEE, Mr. STARK, Mr. BONIOR, Mr. WAXMAN, Mr. LANTOS, Mr. BALDACCI, Mrs. JONES of Ohio, Mrs. TAUSCHER, Mrs. JOHNSON of Connecticut, Mr. ENGLISH, Mr. HINCHEY, Mr. TOWNS, Ms. HART, Mr. SHOWS, Ms. MCCARTHY of Missouri, Mr. FROST, Mr. ANDREWS, Mr. DEFAZIO, and Mrs. ROUKEMA):

H.R. 2363. A bill to provide for the establishment of regional centers to assist State and local governments, health maintenance organizations, nonprofit organizations, and other organizations in the development of peer-support activities and other nonprofessional services to assist persons to cope with and overcome persistent mental illnesses; to the Committee on Energy and Commerce.

By Ms. KAPTUR (for herself, Mr. GREENWOOD, Ms. LEE, Mr. STARK, Mr. BONIOR, Mr. WAXMAN, Mr. LANTOS, Mr. BALDACCI, Mrs. JONES of Ohio, Mrs. TAUSCHER, Mrs. JOHNSON of Connecticut, Mr. ENGLISH, Mr. HINCHEY, Mr. TOWNS, Ms. HART, Mr. SHOWS, Ms. MCCARTHY of Missouri, Mr. FROST, Mr. ANDREWS, Mr. DEFAZIO, and Mrs. ROUKEMA):

H.R. 2364. A bill to amend title XIX of the Social Security Act to provide States with the option of covering intensive community mental health treatment under the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. COSTELLO (for himself, Mr. AKIN, Mr. WHITFIELD, Mr. MOLLOHAN, Mr. BOUCHER, Mr. SHIMKUS, Mrs. CAPITO, Mr. PHELPS, and Mr. LIPINSKI):

H.R. 2365. A bill to authorize Department of Energy programs to develop and implement an accelerated research and development program for advanced clean coal technologies for use in coal-based electricity generating facilities, so as to allow coal to help meet the growing need of the United States for the generation of clean, reliable, and affordable electricity; to the Committee on Science.

By Mrs. BIGGERT:

H.R. 2366. A bill to amend the Family and Medical Leave Act of 1993 to clarify the Act, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, and Government Reform, 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. SESSIONS (for himself and Mr. WELDON of Florida):

H.R. 2367. A bill to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to provide for accountability of health plans; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and 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. SMITH of New Jersey (for himself, Mr. TOM DAVIS of Virginia, Ms. SANCHEZ, Mr. ROHRABACHER, Ms. LOFGREN, Mr. ROYCE, Mr. WOLF, and Mr. GILMAN):

H.R. 2368. A bill to promote freedom and democracy in Viet Nam; to the Committee on International Relations, and in addition to the Committees on Financial Services, and Rules, 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. ISSA (for himself, Mr. BARTLETT of Maryland, Mr. LEWIS of California, Mr. MCGOVERN, Mr. EHLERS, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. BAIRD, Mrs. MORELLA, Mr. COX, Mr. HUNTER, and Mr. CUNNINGHAM):

H.R. 2369. A bill to amend title 23, United States Code, relating to the use of high occupancy vehicle lanes by hybrid vehicles; to the Committee on Transportation and Infrastructure.

By Mr. WELLER (for himself and Mr. NEAL of Massachusetts):

H.R. 2370. A bill to amend the Internal Revenue Code of 1986 to modify the exception from the treatment of welfare benefit funds for 10-or-more employer plans; to the Committee on Ways and Means.

By Mr. BALDACCI (for himself and Mr. ALLEN):

H.R. 2371. A bill to authorize the transfer and conveyance of real property at the Naval Security Group Activity, Winter Harbor, Maine, and for other purposes; to the Committee on Armed Services.

By Mr. BOSWELL:

H.R. 2372. A bill to direct the Secretary of the Army to convey the remaining water supply storage allocation in Rathbun Lake, Iowa, to the Rathbun Regional Water Association; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Texas (for himself, Mr. DOGGETT, Mr. SCARBOROUGH, Mr. TURNER, Mr. SESSIONS, Mr. SUNUNU, Mr. BASS, Mr. BARTON of Texas, Mr. SAM JOHNSON of Texas, Mr. GOODE, Mr. THORNBERRY, Ms. HART, Ms. GRANGER, Mr. CULBERSON, Mrs. NORTHUP, Mr. ENGLISH, Mr. HEFLEY, Mr. DOOLITTLE, Mrs. MYRICK, Mr. COMBEST, Mr. HOEKSTRA, Mr. TANCREDO, Mr. HUTCHINSON, Mr. GREEN of Wisconsin, Mr. RODRIGUEZ, Mr. ISTOOK, Mr. ROYCE, Mr. ISAKSON, Mr. COOKSEY, Mr. SCHAFFER, Mr. GOODLATTE, Mr. FLAKE, and Mr. TOOMEY):

H.R. 2373. A bill to provide for the periodic review of the efficiency and public need for Federal agencies, to establish a Commission for the purpose of reviewing the efficiency and public need of such agencies, and to provide for the abolishment of agencies for which a public need does not exist; to the Committee on Government Reform.

By Mr. CAMP:

H.R. 2374. A bill to amend the Internal Revenue Code of 1986 to treat certain motor vehicle dealer transitional assistance as an involuntary conversion, and for other purposes; to the Committee on Ways and Means.

By Mr. KIND (for himself, Mr. GILCHREST, Mr. BOEHLERT, Mr. DINGELL, Mrs. JOHNSON of Connecticut, Mr. LARSEN of Washington, Mr. GEORGE MILLER of California, Mr. PETRI, Mr. THOMPSON of California, Mr. BONIOR, Mr. QUINN, Mr. HOYER, Mr. WALSH, Mr. DICKS, Mr. EHLERS, Mr. OBERSTAR, Mr. BASS, Mr. BAIRD, Mr. KOLBE, Ms. WOOLSEY, Mrs. TAUSCHER, Mr. KING, Mr. UDALL of Colorado, Mr. GILMAN, Mr. MCDERMOTT, Mr. HINCHEY, Mrs. ROUKEMA, Mr. MCNULTY, Mr. BORSKI, Mr.

McHUGH, Mr. ETHERIDGE, Mrs. MORELLA, Mr. FARR of California, Mr. PALLONE, Mr. STUPAK, Mr. DELAHUNT, Mr. OLVER, Mr. GREENWOOD, Mr. KILDEE, Mr. BALDACCI, Mr. BLUMENAUER, Mr. ALLEN, Mr. KUCINICH, Mr. KENNEDY of Rhode Island, Mr. LANGEVIN, Ms. BALDWIN, Mr. BARRETT, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Ms. McCOLLUM, Mr. SMITH of Washington, Mr. INSLEE, Mr. LEWIS of Georgia, Mr. HOLT, Mr. WU, and Ms. HOOLEY of Oregon):

H.R. 2375. A bill to promote the conservation and preservation of working farms, ranches, and private forests; to the Committee on Agriculture.

By Mrs. CAPPS (for herself, Ms. HOOLEY of Oregon, Mr. DEFAZIO, Mr. THOMPSON of California, Mr. FARR of California, and Mr. WU):

H.R. 2376. A bill to expedite relief provided under the Magnuson-Stevens Fishery Conservation and Management Act for the commercial fishery failure in the Pacific Coast Groundfish Fishery, to improve fishery management and enforcement in that fishery, and for other purposes; to the Committee on Resources, and in addition to the Committees on Ways and Means, and Armed Services, 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. CASTLE (for himself, Mrs. McCARTHY of New York, Mr. KIRK, Mr. MOORE, Mrs. TAUSCHER, Mr. SHAYS, Mr. ABERCROMBIE, Mr. ANDREWS, Mr. BARRETT, Mr. BERMAN, Mr. BLUMENAUER, Mr. BORSKI, Mrs. CAPPS, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. COYNE, Mr. CROWLEY, Mrs. MORELLA, Mrs. DAVIS of California, Mr. DAVIS of Illinois, Mr. DOOLEY of California, Mr. ENGEL, Mr. FERGUSON, Mr. EVANS, Mr. FARR of California, Mr. FILNER, Mr. FRANK, Mr. GUTIERREZ, Ms. HARMAN, Mr. HOEFFEL, Ms. HOOLEY of Oregon, Mr. SMITH of New Jersey, Mr. HORN, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mrs. JOHNSON of Connecticut, Ms. SCHAKOWSKY, Mr. LANGEVIN, Mr. LANTOS, Mr. LARSON of Connecticut, Mr. LIPINSKI, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MARKEY, Ms. McCOLLUM, Mr. MEEHAN, Ms. MILLENDER-McDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MORAN of Virginia, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. PASTOR, Mr. PAYNE, Ms. RIVERS, Ms. SANCHEZ, Mr. SCHIFF, Mr. SHERMAN, Ms. SOLIS, Mr. TIERNEY, Mr. TOWNS, Mrs. JONES of Ohio, Ms. VELAZQUEZ, Mr. WEXLER, Ms. WOOLSEY, and Mr. WYNN):

H.R. 2377. A bill to require criminal background checks on all firearms transactions occurring at events that provide a venue for the sale, offer for sale, transfer, or exchange of firearms, and to provide additional resources for gun crime enforcement; to the Committee on the Judiciary.

By Mr. CLEMENT (for himself, Mr. FROST, Ms. NORTON, Ms. HART, Mr. FRANK, Mr. BONIOR, Mr. McNULTY, Mrs. THURMAN, Mr. GILLMOR, Mr. BALDACCI, Mr. HONDA, Mr. RANGEL, Mr. LATOURETTE, Mr. LANTOS, and Mr. PLATTS):

H.R. 2378. A bill to amend title II of the Social Security Act to increase the maximum amount of the lump-sum death benefit and to allow for payment of such a benefit, in the absence of an eligible surviving spouse or child, to the legal representative of the estate of the deceased individual; to the Committee on Ways and Means.

By Mr. CUMMINGS (for himself and Mr. DAVIS of Illinois):

H.R. 2379. A bill to amend title 5, United States Code, to ensure that the health benefits program for Federal employees covers screening for glaucoma; to the Committee on Government Reform.

By Mr. RUSH (for himself, Mr. TOWNS, Mr. WAXMAN, Mrs. CHRISTENSEN, Mr. HYDE, Mr. MANZULLO, Mr. COSTELLO, Mr. DAVIS of Illinois, Mr. PHELPS, Ms. SCHAKOWSKY, Mr. PALLONE, Ms. KAPTUR, Mr. BOEHLERT, Mr. ENGEL, Mr. BROWN of Ohio, Mrs. CAPPS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MILLENDER-McDONALD, Mr. BISHOP, Mr. WYNN, Mr. UDALL of Colorado, Mr. HINCHEY, Mr. SANDERS, Mrs. CLAYTON, Mr. EVANS, Mr. NADLER, Mr. HOLDEN, Mr. BURR of North Carolina, Ms. ESHOO, Mr. BARRETT, Mr. KIRK, Ms. PRYCE of Ohio, Mr. GREENWOOD, Mr. STUPAK, Mrs. MALONEY of New York, Ms. WATSON, Ms. LOFGREN, Ms. DUNN, Ms. DELAURO, Ms. PELOSI, and Mrs. KELLY):

H.R. 2380. A bill to provide for research on, and services for individuals with, postpartum depression and psychosis; to the Committee on Energy and Commerce.

By Mr. DEAL of Georgia:

H.R. 2381. A bill to amend the Internal Revenue Code of 1986 to provide that distributions from an IRA for higher education expenses are exempt from the 10-percent early distribution tax even after annuitization of account; to the Committee on Ways and Means.

By Mr. DOYLE:

H.R. 2382. A bill to extend the deadline for commencement of construction of a hydroelectric project in Pennsylvania; to the Committee on Energy and Commerce.

By Ms. DUNN (for herself, Mr. MATSUI, Mr. TOM DAVIS of Virginia, Mr. DREIER, and Mr. WELLER):

H.R. 2383. A bill to amend the Internal Revenue Code of 1986 to increase and modify the exclusion relating to qualified small business stock and to provide that the exclusion relating to incentive stock options will no longer be a minimum tax preference; to the Committee on Ways and Means.

By Mr. GREEN of Texas:

H.R. 2384. A bill to amend the National Flood Insurance Act of 1968 to provide a 50 percent discount in flood insurance rates for the first 5 years that certain low-cost properties are included in flood hazard zones; to the Committee on Financial Services.

By Mr. HANSEN:

H.R. 2385. A bill to convey certain property to the city of St. George, Utah, in order to provide for the protection and preservation of certain rare paleontological resources on that property, and for other purposes; to the Committee on Resources.

By Mr. HANSEN (for himself, Mr. OTTER, Mr. YOUNG of Alaska, Mrs. CUBIN, Mr. PICKERING, Mr. HAYES, Mr. SIMPSON, Mr. RADANOVICH, Mr. CANNON, Mr. GIBBONS, Mr. PETERSON of Pennsylvania, Mr. REHBERG, and Mr. DUNCAN):

H.R. 2386. A bill to establish terms and conditions for use of certain Federal lands by outfitters and to facilitate public opportunities for the recreational use and enjoyment of such lands; to the Committee on Resources, and in addition to the Committee on Agriculture, 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 Ms. HARMAN (for herself, Mr. LEWIS of California, Mr. SHERMAN, Mr. GARY G. MILLER of California, Mr. GEPHARDT, Ms. ESHOO, Mr. ROHRABACHER, Ms. PELOSI, Mr. DREIER, Ms. WATERS, Mr. CUNNINGHAM, Ms. SOLIS, Mr. GRAVES, Mr. FILNER, Mr. THOMPSON of California, Mrs. CAPPS, Mr. CONDIT, and Ms. LOFGREN):

H.R. 2387. A bill to amend title 49, United States Code, to preserve nonstop air service to and from Ronald Reagan Washington National Airport for certain communities in cases of airline bankruptcy; to the Committee on Transportation and Infrastructure.

By Mr. HEFLEY:

H.R. 2388. A bill to establish the criteria and mechanism for the designation and support of national heritage areas; to the Committee on Resources.

By Mr. HERGER (for himself and Mr. WALDEN of Oregon):

H.R. 2389. A bill to provide for the compensation of persons of the Klamath Basin who were economically harmed as a result of the implementation of the Endangered Species Act of 1973; to the Committee on the Judiciary.

By Mr. HOSTETTLER (for himself, Mr. LARGENT, Mr. SCHAFFER, Mr. TIAHRT, Mr. DEMINT, Mr. BARTLETT of Maryland, and Mr. AKIN):

H.R. 2390. A bill to prohibit the District of Columbia from using any funds to issue, implement, administer, or enforce any order invalidating the policy of the Boy Scouts of America regarding the employment or voluntary service of homosexual troop leaders; to the Committee on Government Reform.

By Mr. HOSTETTLER (for himself and Mr. YOUNG of Alaska):

H.R. 2391. A bill to prohibit any Federal agency from issuing or enforcing certain rules that may be applied to restrict the transportation or possession of a firearm on a public Federal road; to the Committee on Resources.

By Mr. INSLEE (for himself, Mr. SHAYS, Mr. UDALL of Colorado, Mr. WAMP, Mr. BAIRD, Mr. ALLEN, Mr. OLVER, Mr. SMITH of Washington, and Mr. HOLT):

H.R. 2392. A bill to amend the Internal Revenue Code of 1986 to provide, expand, or extend tax incentives for renewable and alternative electric energy, alternative fuels and alternative fuel vehicles, energy efficiency and conservation, and demand management and distributive energy generation; to the Committee on Ways and Means.

By Mr. ISRAEL (for himself and Mr. CROWLEY):

H.R. 2393. A bill to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax for energy conservation expenditures in residences and for purchases of energy efficient appliances; to the Committee on Ways and Means.

By Mr. KUCINICH (for himself, Mr. BROWN of Ohio, Mr. LATOURETTE, and Mrs. JONES of Ohio):

H.R. 2394. A bill to amend the Defense Production Act of 1950 to establish the National Defense Preparedness Domestic Industrial Base Board, and for other purposes; to the Committee on Financial Services.

By Mr. LAFALCE:

H.R. 2395. A bill to provide grants for FHA-insured hospitals; to the Committee on Financial Services.

By Mrs. MALONEY of New York:

H.R. 2396. A bill to amend the Communications Act of 1934 to require candidates for election for Federal office who refer to other candidates in their television or radio advertisements to include personal statements or images in the advertisements as a condition

for receiving the lowest unit charge available for advertisements broadcast immediately before the election; to the Committee on Energy and Commerce.

By Mrs. MALONEY of New York (for herself, Mr. TOM DAVIS of Virginia, Mr. WYNN, Mrs. MORELLA, Mr. HOYER, and Mr. MORAN of Virginia):

H.R. 2397. A bill to require the Office of Personnel Management to conduct a study to determine the approximate number of Federal employees and annuitants who are eligible to participate in the health benefits program under chapter 89 of title 5, United States Code, but who are covered neither by such program nor by any other health insurance, and for other purposes; to the Committee on Government Reform.

By Ms. MCCARTHY of Missouri (for herself and Mr. DREIER):

H.R. 2398. A bill to establish a grant program to provide assistance to States for modernizing and enhancing voting procedures and administration, and for other purposes; to the Committee on House Administration.

By Ms. MCCARTHY of Missouri (for herself and Mr. SHIMKUS):

H.R. 2399. A bill to require the General Services Administration to identify all potential electrical capacity at Federal facilities available from existing installed backup generators, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCHUGH:

H.R. 2400. A bill to provide job creation and assistance, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, the Judiciary, Agriculture, and Financial Services, 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. MCHUGH:

H.R. 2401. A bill to bridge the digital divide in rural areas; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Science, 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. MCHUGH:

H.R. 2402. A bill to provide for grants to assist value-added agricultural businesses, and to amend the Internal Revenue Code of 1986 to provide a tax credit for farmers' investments in value-added agriculture; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, 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 Ms. MILLENDER-MCDONALD (for herself and Mr. MANZULLO):

H.R. 2403. A bill to direct the head of each executive agency to conduct a study on the improvement of employment readiness in the respective agency; to the Committee on Government Reform.

By Mr. GEORGE MILLER of California:

H.R. 2404. A bill to authorize Federal agency participation and financial assistance for programs and for infrastructure improvements for the purposes of increasing deliverable water supplies, conserving water and energy, restoring ecosystems, and enhancing environmental quality in the State of California, and for other purposes; to the Committee on Resources.

By Mrs. MORELLA (for herself, Ms. ESHOO, Ms. PELOSI, Mr. GREENWOOD, Mr. GANSKE, Mrs. LOWEY, Mr. SAWYER, Ms. DEGETTE, Mr. UPTON, Mrs. THURMAN, Ms. SLAUGHTER, Mr. JACKSON of Illinois, Mr. WAXMAN, Ms. MILLENDER-MCDONALD, Mrs. MALONEY of New York, Ms. DELAURO, and Mr. GEORGE MILLER of California):

H.R. 2405. A bill to amend the Public Health Service Act with respect to facilitating the development of microbicides for preventing transmission of HIV and other sexually transmitted diseases; to the Committee on Energy and Commerce.

By Mr. NEAL of Massachusetts:

H.R. 2406. A bill to amend the Internal Revenue Code of 1986 to prevent the avoidance of gain recognition through swap funds; to the Committee on Ways and Means.

By Mr. OBERSTAR:

H.R. 2407. A bill to amend the Public Buildings Act of 1959 to direct the Administrator of General Services to provide for the procurement of photovoltaic solar electric systems for use in public buildings, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. OSBORNE:

H.R. 2408. A bill to provide equitable compensation to the Yankton Sioux Tribe of South Dakota and the Santee Sioux Tribe of Nebraska for the loss of value of certain lands; to the Committee on Resources.

By Mr. OTTER (for himself and Mr. SIMPSON):

H.R. 2409. A bill to amend the Endangered Species Act of 1973 to vest in the Secretary of the Interior functions under that Act with respect to species of fish that spawn in fresh or estuarine waters and migrate to ocean waters, and species of fish that spawn in ocean waters and migrate to fresh waters; to the Committee on Resources.

By Mr. PAUL (for himself, Mr. BARTLETT of Maryland, Mr. GRAHAM, Ms. HART, and Mr. TIAHRT):

H.R. 2410. A bill to amend the Internal Revenue Code of 1986 to allow the Hope Scholarship Credit to be used for elementary and secondary expenses; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. BARTLETT of Maryland, and Mr. TIAHRT):

H.R. 2411. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax to professional school personnel in grades K–12; to the Committee on Ways and Means.

By Mr. RAHALL (for himself, Mr. YOUNG of Alaska, Mr. GEORGE MILLER of California, Mr. KILDEE, Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Mr. PALLONE, Mr. SMITH of Washington, Mr. UDALL of Colorado, Ms. MCCOLLUM, and Mr. KENNEDY of Rhode Island):

H.R. 2412. A bill to establish programs to improve energy development on Indian lands, and for other purposes; to the Committee on Resources, and in addition to the Committees on Energy and Commerce, Ways and Means, Financial Services, and Agriculture, 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. RILEY (for himself, Mrs. TAUSCHER, Ms. MCKINNEY, Mr. KENNEDY of Rhode Island, Mr. FROST, Mr. MCGOVERN, Mr. EVANS, Mr. LANGEVIN, Mr. GIBBONS, Mr. SIMMONS, Mrs. JONES of Ohio, and Mr. FORBES):

H.R. 2413. A bill to amend title 10, United States Code, to establish a program of employment assistance, including employment-related tuition assistance, for military spouses; to the Committee on Armed Services.

By Mr. ROEMER (for himself, Mr. CLEMENT, Mr. GUTKNECHT, Mr. HILL, Mr. KIRK, Mr. LARGENT, Mrs. MCCARTHY of New York, Mr. MCHUGH, Mr. MOORE, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. NETHERCUTT, Ms. RIVERS, Mr. SHOWS, Mr. SIMMONS, Mrs. THURMAN, and Mr. TURNER):

H.R. 2414. A bill to require any amounts appropriated for Members' Representational Allowances for the House of Representatives for a fiscal year that remain after all payments are made from such Allowances for the year to be deposited in the Treasury and used for deficit reduction or to reduce the Federal debt; to the Committee on House Administration.

By Mr. ROHRABACHER:

H.R. 2415. A bill to amend title 35, United States Code, to direct the Director of the Patent and Trademark Office to adjust fees charged by the Office so that the fees collected in any fiscal year will equal, to the greatest extent practicable, the amount appropriated to the Office for that fiscal year; to the Committee on the Judiciary.

By Mr. ROHRABACHER (for himself, Mrs. BONO, Ms. MCKINNEY, Mr. CALVERT, Mr. EVANS, Mr. WELDON of Florida, Mr. PAUL, Ms. HART, Mr. COX, Mr. HORN, Mr. CONDIT, Ms. KAPTUR, Mr. ROYCE, Mr. SOUDER, and Mr. SANDERS):

H.R. 2416. A bill to amend the Internal Revenue Code of 1986 to provide incentives for the ownership and control of corporations by employees; to the Committee on Ways and Means.

By Mr. SHIMKUS (for himself and Mr. MARKEY):

H.R. 2417. A bill to facilitate the creation of a new global top-level Internet domain that will be a haven for material that will promote positive experiences of children and families using the Internet, to provide a safe online environment for children, and to help prevent children from being exposed to harmful material on the Internet, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SHIMKUS (for himself, Mr. RUSH, and Mr. LARGENT):

H.R. 2418. A bill to amend title X of the Energy Policy Act of 1992, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SIMMONS (for himself, Mrs. CHRISTENSEN, Mr. ABERCROMBIE, Mr. GRUCCI, Mr. ALLEN, Mr. BAIRD, Mr. JONES of North Carolina, Mr. FARR of California, Mr. GREEN of Wisconsin, and Mr. FRANK):

H.R. 2419. A bill to amend the Internal Revenue Code of 1986 to provide a business credit against income for the purchase of fishing safety equipment; to the Committee on Ways and Means.

By Mr. SOUDER (for himself, Mr. ENGLISH, Ms. MCKINNEY, Mrs. JONES of Ohio, Mrs. MINK of Hawaii, Mr. UNDERWOOD, Mr. ABERCROMBIE, and Mr. BALLENGER):

H.R. 2420. A bill to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes; to the Committee on Resources.

By Mr. STEARNS (for himself, Mr. TOWNS, Mr. BASS, Mr. DEAL of Georgia, and Mr. WALDEN of Oregon):

H.R. 2421. A bill to exercise authority under Article I, section 8, clause 3 of the Constitution of the United States to clearly establish jurisdictional boundaries over the commercial transactions of digital goods and services conducted through the Internet, and to foster stability and certainty over the treatment of such transactions; to the Committee on Energy and Commerce, and in addition to the Committee on 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. STRICKLAND:

H.R. 2422. A bill to amend the Public Health Service Act to establish an Office of Correctional Health; to the Committee on Energy and Commerce.

By Mr. THUNE (for himself, Mr. GUTKNECHT, Mr. OSBORNE, and Mr. GANSKE):

H.R. 2423. A bill to provide for the energy security of the United States and promote environmental quality by enhancing the use of motor vehicle fuels from renewable sources, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TRAFICANT:

H.R. 2424. A bill to amend the Fair Labor Standards Act of 1938 to increase the Federal minimum wage by $1.62 over 3 years; to the Committee on Education and the Workforce.

By Mr. TRAFICANT:

H.R. 2425. A bill to authorize assistance to establish a water treatment plant in Tirana, Albania; to the Committee on International Relations.

By Mr. UDALL of Colorado (for himself and Mr. GREENWOOD):

H.R. 2426. A bill to encourage the development and integrated use by the public and private sectors of remote sensing and other geospatial information, and for other purposes; to the Committee on Science.

By Mr. UDALL of New Mexico (for himself, Mrs. MINK of Hawaii, Mr. BALDACCI, Mr. MEEKS of New York, Mr. MCGOVERN, and Ms. SOLIS):

H.R. 2427. A bill to provide emergency assistance for families receiving assistance under part A of title IV of the Social Security Act and low-income working families; to the Committee on Ways and Means.

By Mr. UNDERWOOD (for himself, Mr. ACEVEDO-VILA, and Mrs. CHRISTENSEN):

H.R. 2428. A bill to require that the Director of the Office of Management and Budget explain any omission of any insular area from treatment as part of the United States in statements issued by the Office of Management and Budget; to the Committee on Resources, and in addition to the Committee on Government Reform, 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 Ms. WATERS:

H.R. 2429. A bill to amend title 49, United States Code, to require the operator of Los Angeles International Airport to mail annual noise mitigation reports to residents in the area surrounding an airport; to the Committee on Transportation and Infrastructure.

By Ms. WATERS:

H.R. 2430. A bill to amend title 49, United States Code, to require air carriers to make contributions to communities impacted by noise from Los Angeles International Airport; to the Committee on Transportation and Infrastructure.

By Mr. WATKINS:

H.R. 2431. A bill to amend the Internal Revenue Code of 1986 to provide that certain amounts received by electric energy, gas, or steam utilities shall be excluded from gross income as contributions to capital; to the Committee on Ways and Means.

By Mr. BALLENGER (for himself and Mr. BURR of North Carolina):

H. Con. Res. 178. Concurrent resolution concerning persecution of Montagnard peoples in Vietnam; to the Committee on International Relations.

By Mr. DAVIS of Illinois (for himself, Mr. BILIRAKIS, Mr. CAPUANO, Mr. BONILLA, Mrs. JONES of Ohio, Mr. SHIMKUS, Mr. RAHALL, Mr. SERRANO, Mr. TOWNS, Ms. BALDWIN, Mr. LAFALCE, Mr. SCOTT, Ms. MCKINNEY, Mr. PETERSON of Pennsylvania, Mr. CUMMINGS, Mr. PAYNE, Mr. BLAGOJEVICH, Mr. FROST, Mr. LIPINSKI, Mr. WAXMAN, Mr. FILNER, Ms. ROYBAL-ALLARD, Mr. WATT of North Carolina, Ms. JACKSON-LEE of Texas, Mr. GOSS, Mr. MCNULTY, Ms. PRYCE of Ohio, Mr. WYNN, Mr. RUSH, Mrs. MEEK of Florida, Mr. FARR of California, Ms. NORTON, Mr. DINGELL, Mr. OWENS, Mr. HOEFFEL, Mr. REYES, Mr. JEFFERSON, Mrs. CHRISTENSEN, Mr. DEFAZIO, Mr. CRAMER, Mr. CLYBURN, Mr. PASTOR, Mr. DOOLEY of California, Mr. NORWOOD, Mr. RANGEL, Mr. GONZALEZ, Ms. BROWN of Florida, Mr. MENENDEZ, Mr. CONYERS, Mr. PICKERING, Mr. MCINTYRE, Mr. MEEKS of New York, Mr. BALDACCI, Mr. WHITFIELD, Mr. SANDLIN, Ms. SLAUGHTER, Mr. MASCARA, Mr. WALSH, Mr. MALONEY of Connecticut, Mr. BROWN of Ohio, Mr. PASCRELL, Mr. BASS, Mr. MCHUGH, Mr. WICKER, Mr. DICKS, Mr. BOYD, Mr. NADLER, Mr. RODRIGUEZ, Mr. WATTS of Oklahoma, Mr. STRICKLAND, Mr. OLVER, Mr. JACKSON of Illinois, Mr. MARKEY, Mr. BAIRD, Mr. PRICE of North Carolina, Mrs. MALONEY of New York, Mr. TIERNEY, Mr. LANGEVIN, Ms. SANCHEZ, and Mr. SMITH of New Jersey):

H. Con. Res. 179. Concurrent resolution expressing the sense of Congress regarding the establishment of a National Health Center Week to raise awareness of health services provided by community, migrant, public housing, and homeless health centers; to the Committee on Government Reform.

By Mr. DELAHUNT (for himself, Mr. GILCHREST, Mr. GEORGE MILLER of California, and Mr. SMITH of New Jersey):

H. Con. Res. 180. Concurrent resolution expressing the sense of the Congress that the United States should reaffirm its opposition to any commercial and lethal scientific whaling and take significant and demonstrable actions, including at the International Whaling Commission and meetings of the Convention on International Trade in Endangered Species, to provide protection for and conservation of the world's whale populations to prevent trade in whale meat; to the Committee on International Relations.

By Mrs. EMERSON (for herself, Mrs. CLAYTON, Mr. SHOWS, Mr. MURTHA, Mr. FALEOMAVAEGA, Ms. JACKSON-LEE of Texas, Mr. MCDERMOTT, Mr. GREEN of Wisconsin, Mr. GRAVES, Mr. HOLDEN, Mr. SKELTON, Mr. TOWNS, Mr. POMEROY, Mr. PASTOR, Mr. ENGLISH, Mr. PETERSON of Minnesota, Mrs. CHRISTENSEN, Mr. MCGOVERN, Mr. BEREUTER, Mr. STRICKLAND, Mr. HULSHOF, Mr. GIBBONS, Mr. UDALL of New Mexico, Mr. LUCAS of Oklahoma, Mr. BALDACCI, Mr. EVANS, and Mr. BLUNT):

H. Con. Res. 181. Concurrent resolution expressing the sense of the Congress regarding the need to protect post offices; to the Committee on Government Reform.

By Mr. RANGEL:

H. Con. Res. 182. Concurrent resolution expressing the sense of Congress that the United States Postal Service should issue a postage stamp commemorating Congressman Adam Clayton Powell, Jr.; to the Committee on Government Reform.

By Mr. FOLEY:

H. Res. 184. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. GALLEGLY:

H. Res. 185. A resolution supporting the implementation of the Good Friday Agreement as the framework for the peaceful settlement of the conflict in Northern Ireland; to the Committee on International Relations.

By Mr. GREEN of Texas (for himself, Mr. FROST, Mr. GONZALEZ, Mr. HALL of Texas, Mr. RODRIGUEZ, Mr. LAMPSON, Mr. HINOJOSA, Mr. BENTSEN, Mr. EDWARDS, Mr. ORTIZ, Mr. REYES, Mr. TURNER, Mr. STENHOLM, Mr. SANDLIN, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BACA, Ms. SOLIS, Mr. MENENDEZ, Mr. DOGGETT, Mr. BONILLA, and Mr. BRADY of Texas):

H. Res. 186. A resolution expressing the sense of the House of Representatives that the United States Postal Service should issue a postage stamp commemorating Juan Nepomuceno Seguin; to the Committee on Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BEREUTER:

H.R. 2432. A bill for the relief of Richard W. Schaffert; to the Committee on the Judiciary.

By Mr. BONIOR:

H.R. 2433. A bill for the relief of Thair Bihnam, Christine Bihnam, Jamie Alan Bihnam, and Natash Bihnam; to the Committee on the Judiciary.

By Mr. PETRI:

H.R. 2434. A bill for the relief of Mohamed Abshir Musse; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Mr. WOLF.

H.R. 12: Mr. KERNS.

H.R. 46: Ms. BALDWIN and Mrs. LOWEY.

H.R. 61: Mr. BROWN of Ohio and Mr. BONIOR.

H.R. 68: Ms. HOOLEY of Oregon, Mr. TRAFICANT, Mr. DUNCAN, Mr. CARSON of Oklahoma, Mr. LARGENT, Mr. ORTIZ, Mr. PETERSON of Minnesota, Mr. RYUN of Kansas, Mr. BRYANT, Mr. CANTOR, Mr. DEFAZIO, Mr. PHELPS, Mr. MASCARA, and Ms. ROS-LEHTINEN.

H.R. 97: Mr. OBERSTAR.

H.R. 122: Mr. TOOMEY, Mr. WAMP, Mr. KELLER, Mr. GRAHAM, Mr. SHIMKUS, Mr. BOUCHER, and Mr. HOBSON.

H.R. 123: Mr. LAHOOD, Mr. SOUDER, and Mr. WATKINS.

H.R. 218: Mr. LAHOOD.

H.R. 228: Mr. PASCRELL.

H.R. 236: Mr. FRELINGHUYSEN.

H.R. 267: Ms. KILPATRICK, Mr. HALL of Texas, and Mr. WELDON of Florida.

H.R. 274: Mrs. JONES of Ohio.

H.R. 280: Mrs. MYRICK.

H.R. 303: Mrs. JONES of Ohio.

H.R. 439: Mr. QUINN.

H.R. 448: Mr. LUCAS of Kentucky.

H.R. 510: Mr. RANGEL, Mr. PASCRELL, and Mr. KERNS.

H.R. 526: Mr. PHELPS.

H.R. 572: Mr. GILMAN.

H.R. 600: Mrs. NORTHUP, Mr. TOM DAVIS of Virginia, Mr. MATHESON, and Mr. HOLT.

H.R. 612: Ms. BERKLEY, Mr. MEEKS of New York, and Mr. LANGEVIN.

H.R. 619: Mr. BONIOR.
H.R. 664: Mr. HORN.
H.R. 668: Mr. LUTHER.
H.R. 687: Ms. WATERS.
H.R. 709: Mr. BONIOR, Mr. DAVIS of Illinois, and Mr. LANTOS.
H.R. 717: Mr. BROWN of South Carolina and Ms. BALDWIN.
H.R. 751: Mr. STUPAK.
H.R. 770: Mr. FORD.
H.R. 778: Mr. ANDREWS.
H.R. 781: Mr. LEWIS of Georgia, Mr. WU, Mr. MCINTYRE, and Mr. DOOLEY of California.
H.R. 786: Mr. BLUMENAUER.
H.R. 805: Mr. BRADY of Texas.
H.R. 822: Mr. LAHOOD and Mr. OXLEY.
H.R. 850: Mr. KENNEDY of Rhode Island.
H.R. 868: Mrs. MORELLA, Mr. HAYWORTH, Mr. MEEKS of New York, Mr. INSLEE, Mr. LAMPSON, and Mr. WYNN.
H.R. 876: Mr. LAMPSON, Mr. GUTKNECHT, and Mr. WAXMAN.
H.R. 898: Mr. LAHOOD.
H.R. 921: Mrs. NORTHUP, Mr. WELLER, Mr. CONYERS, and Ms. SANCHEZ.
H.R. 938: Mr. BROWN of Ohio.
H.R. 950: Mr. TRAFICANT.
H.R. 951: Mr. OLVER, Mr. MORAN of Virginia, Mr. SHAW, Mr. TIBERI, Mr. GOODLATTE, Mr. CLEMENT, Mr. KENNEDY of Minnesota, Mr. PALLONE, Mr. PAYNE, and Mr. INSLEE.
H.R. 967: Mr. RODRIGUEZ and Mr. BLAGOJEVICH.
H.R. 968: Mr. STUPAK, Ms. WOOLSEY, and Mr. BLUNT.
H.R. 969: Mr. TERRY.
H.R. 975: Mr. ISRAEL.
H.R. 981: Mr. HOSTETTLER.
H.R. 1007: Mr. MCNULTY, Mr. DOOLEY of California, Ms. LOFGREN, and Mr. ENGLISH.
H.R. 1021: Mr. WELDON of Florida and Mr. GILLMOR.
H.R. 1032: Ms. DELAURO.
H.R. 1038: Ms. WOOLSLEY.
H.R. 1076: Mr. NETHERCUTT, Mr. CLYBURN, Ms. WATSON, and Mr. WATT of North Carolina.
H.R. 1092: Mr. PASTOR.
H.R. 1097: Mr. SHERMAN, Mr. BRADY of Pennsylvania, Ms. BERKLEY, Mr. BARRETT, and Mrs. NAPOLITANO.
H.R. 1109: Mr. HUNTER, Mr. TAYLOR of North Carolina, Mr. TOM DAVIS of Virginia, Mr. TIAHRT, Mr. STENHOLM, and Mr. PENCE.
H.R. 1111: Mr. LEVIN, Mrs. CAPPS, and Mr. CONYERS.
H.R. 1118: Mr. LEE.
H.R. 1134: Mr. MOORE, Mr. NUSSLE, Mr. GOODLATTE, and Mr. RAHALL.
H.R. 1136: Mr. UDALL of Colorado.
H.R. 1143: Mr. ISRAEL.
H.R. 1152: Ms. BALDWIN and Mr. DEFAZIO.
H.R. 1161: Mr. SHERMAN.
H.R. 1164: Mr. BONIOR.
H.R. 1167: Mr. DEFAZIO, Mr. LAMPSON, Mr. PASTOR, Mr. BOUCHER, Mrs. MEEK of Florida, Mr. HUNTER, and Ms. DEGETTE.
H.R. 1168: Mr. WYNN, Mr. LAMPSON, Mr. PASTOR, Mr. BOUCHER, Mrs. MEEK of Florida, Mr. HUNTER, Mr. STUPAK, Mr. LANTOS, Mr. CLEMENT, and Ms. DEGETTE.
H.R. 1170: Mr. DELAHUNT.
H.R. 1172. Mr. PRICE of North Carolina, Mr. SPENCE, Mr. SOUDER, Mr. GILMAN, and Mr. BEREUTER.
H.R. 1177: Mr. HINCHEY.
H.R. 1179: Mr. NUSSLE.
H.R. 1185: Ms. NORTON.
H.R. 1192: Mr. BURR of North Carolina.
H.R. 1194: Mr. LATOURETTE and Ms. MCCOLLUM.
H.R. 1198: Mr. HALL of Texas, Mr. TAYLOR of Mississippi, Mr. WOLF, Mr. DINGELL, Mr. DIAZ-BALART, Mr. GORDON, and Mr. HALL of Ohio.
H.R. 1202: Mr. EHLERS, Mr. RILEY, Mr. NEAL of Massachusetts, and Ms. RIVERS.
H.R. 1213: Mr. ROGERS of Michigan, Ms. SOLIS, Ms. MCKINNEY, and Mr. BLUMENAUER.
H.R. 1214: Mr. ROGERS of Michigan, Mr. LUTHER, and Mr. BLUMENAUER.
H.R. 1238: Mr. LARSON of Connecticut.
H.R. 1256: Mr. THOMPSON of California, Mr. SCHIFF, and Mr. THOMPSON of Mississippi.
H.R. 1262: Mr. LANGEVIN.
H.R. 1268: Mr. SKEEN and Mr. MATSUI.
H.R. 1304: Mr. NEAL of Massachusetts.
H.R. 1305: Mr. BARTLETT of Maryland.
H.R. 1331: Mr. HILLIARD, Mr. KERNS, and Mr. PETERSON of Minnesota.
H.R. 1340: Mr. SANDLIN and Mr. TIAHRT.
H.R. 1354: Mr. SHERMAN, Mr. SAXTON, Mr. CLEMENT, Mr. FOSSELLA, Mr. PICKERING, and Mr. MENENDEZ.
H.R. 1377: Mrs. MYRICK, Mr. CULBERSON, Mr. TAUZIN, Mr. BALLENGER, Mr. WATKINS, Mr. PAUL, Ms. GRANGER, Mr. CHAMBLISS, Mr. RILEY, Mr. STEARNS, and Mr. TANCREDO.
H.R. 1412: Mr. THOMPSON of Mississippi, Ms. SCHAKOWSKY, Mr. MORAN of Virginia, Mr. BENTSEN, and Ms. GRANGER.
H.R. 1429: Mr. SCHIFF.
H.R. 1434: Mr. BACA.
H.R. 1436: Mrs. CAPITO, Mr. HALL of Ohio, Mr. CUMMINGS, Mr. ROSS, Mr. CONDIT, Mr. WU, Ms. VELAZQUEZ, Mr. WEINER, Mr. RAHALL, Mr. OSE, Mr. MEEHAN, Mr. CARSON of Oklahoma, Mr. BLAGOJEVICH, and Mr. WELLER.
H.R. 1455: Mr. HASTINGS of Washington.
H.R. 1458: Mr. GOODLATTE.
H.R. 1511: Mr. HINCHEY, Mr. MCGOVERN, Mr. KENNEDY of Rhode Island, and Mrs. TAUSCHER.
H.R. 1517: Mr. FRANK, Mr. FROST, Mr. GRAHAM, and Mr. CLEMENT.
H.R. 1524: Mr. PETERSON of Pennsylvania, and Mr. WELDON of Florida.
H.R. 1526: Mr. NUSSLE.
H.R. 1543: Mr. BONIOR and Mr. GOODLATTE.
H.R. 1556: Mr. DICKS, Mr. PALLONE, and Mr. MURTHA.
H.R. 1577: Mr. NADLER, Ms. WOOLSEY, Mr. RANGEL, Mr. THORNBERRY, Mr. LATOURETTE, Mrs. NORTHUP, Mr. LEACH, Mr. BURTON of Indiana, Mr. LUCAS of Oklahoma, Mr. DEMINT, Mr. BALLENGER, Mrs. EMERSON, Mr. CANTOR, Mr. PENCE, Mr. KERNS, and Mr. BRYANT.
H.R. 1581: Mr. GRAHAM and Mr. ARMEY.
H.R. 1591: Ms. LEE.
H.R. 1596: Mr. ISRAEL and Mr. STUMP.
H.R. 1598: Ms. WOOLSEY.
H.R. 1600: Mr. ISAKSON.
H.R. 1609: Mr. MURTHA.
H.R. 1613: Mr. LAMPSON.
H.R. 1624: Mr. TIBERI, Mr. BASS, Mr. BLAGOJEVICH, and Mr. STEARNS.
H.R. 1628: Mr. UDALL of New Mexico.
H.R. 1636: Mr. REHBERG.
H.R. 1644: Mr. MICA, Mr. ROEMER, and Mr. HAYWORTH.
H.R. 1657: Mr. OBERSTAR.
H.R. 1673: Mr. PASCRELL.
H.R. 1674: Mr. GANSKE.
H.R. 1685: Mr. GEORGE MILLER of California, Mr. ALLEN, and Ms. LEE.
H.R. 1693: Mr. PASCRELL.
H.R. 1701: Mr. OSBORNE, Mr. HULSHOF, Mr. CLYBURN, and Mr. SHERMAN.
H.R. 1704: Mr. COOKSEY and Mr. MILLER of Florida.
H.R. 1707: Ms. ROS-LEHTINEN.
H.R. 1731: Mr. JONES of North Carolina, Mr. LARGENT, Mr. OWENS, Mr. GREEN of Wisconsin, Mrs. JO ANN DAVIS of Virginia, Mr. NEY, Mr. HASTINGS of Washington, Mr. HOSTETTLER, Mr. GRAHAM, Mr. KELLER, Mr. VITTER, Mr. PENCE, and Mr. SENSENBRENNER.
H.R. 1733: Mr. FATTAH and Mr. SHERMAN.
H.R. 1744: Mr. STUPAK.
H.R. 1754: Mr. FOSSELLA and Ms. HOOLEY of Oregon.
H.R. 1759: Mr. KERNS.
H.R. 1764: Mr. RODRIGUEZ, Mr. PETERSON of Pennsylvania, Ms. HOOLEY of Oregon, Mr. WU, and Mr. DEFAZIO.
H.R. 1779: Mr. RANGEL and Mr. BARRETT.
H.R. 1780: Mr. HILLEARY.
H.R. 1795: Mr. HAYWORTH, Mr. BURTON of Indiana, and Mr. SHADEGG.
H.R. 1808: Mr. KING and Ms. WOOLSEY.
H.R. 1825: Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, and Mr. SABO.
H.R. 1832: Mr. BISHOP, Mr. MCHUGH, and Mr. OTTER.
H.R. 1835: Mr. MCHUGH and Mrs. MORELLA.
H.R. 1839: Mrs. JO ANN DAVIS of Virginia, Mr. WOLF, and Mr. DEFAZIO.
H.R. 1849: Ms. NORTON, Mr. HORN, and Ms. MCKINNEY.
H.R. 1861: Mr. SNYDER.
H.R. 1862: Mr. BLAGOJEVICH.
H.R. 1890: Mr. SOUDER, Mr. VITTER, Mr. KOLBE, Mr. SAM JOHNSON of Texas, Mr. LARGENT, and Mr. LINDER.
H.R. 1897: Mrs. LOWEY, Mr. KOLBE, Mr. WYNN, Ms. MCCARTHY of Missouri, Mr. CLEMENT, Mr. BROWN of Ohio, Mr. BRADY of Pennsylvania, and Mr. LAFALCE.
H.R. 1928: Mr. BLAGOJEVICH.
H.R. 1935: Mr. PLATTS, Mr. MURTHA, Mr. REYES, Mr. ORTIZ, and Mr. CLEMENT.
H.R. 1949: Mr. KOLBE.
H.R. 1950: Mr. ISTOOK.
H.R. 1968: Ms. SLAUGHTER and Mr. GEORGE MILLER of California.
H.R. 1979: Mr. MCCRERY, Mr. WELLER, and Mr. EVANS.
H.R. 1983: Mr. FROST, Mr. SIMMONS, Mr. ISRAEL, Mr. STEARNS, and Mr. UPTON.
H.R. 1984: Mr. DEAL of Georgia, Mr. HYDE, Mr. SOUDER, and Mr. GOODLATTE.
H.R. 1986: Mr. HILLEARY.
H.R. 1987: Mr. BLUNT and Mr. BOEHNER.
H.R. 1988: Mr. VISCLOSKY and Mr. KUCINICH.
H.R. 1990: Mrs. MORELLA, Ms. JACKSON-LEE of Texas, Mr. SCOTT, and Mr. WYNN.
H.R. 1992: Mr. UPTON, Mr. HINOJOSA, and Mr. GOODE.
H.R. 1997: Mr. BONIOR and Ms. LEE.
H.R. 2020: Mr. FILNER and Mr. STENHOLM.
H.R. 2023: Mrs. THURMAN, Mrs. JOHNSON of Connecticut, Mr. CLEMENT, Mr. CHAMBLISS, Mrs. EMERSON, Mr. SESSIONS, Mr. HOYER, Mr. OTTER, Mr. CRAMER, Mr. FORD, Mr. VITTER, Mr. BOEHNER, Mr. YOUNG of Alaska, Mr. REHBERG, Mr. TIBERI, Mr. TANCREDO, Mr. CAMP, Mr. BARTLETT of Maryland, Mr. CUNNINGHAM, and Mr. SHAW.
H.R. 2036: Mrs. EMERSON, Mr. WELDON of Pennsylvania, Mr. JACKSON of Illinois, Mr. LIPINSKI, and Mr. RANGEL.
H.R. 2039: Mr. BLAGOJEVICH.
H.R. 2040: Ms. HARMAN.
H.R. 2055: Mr. RYUN of Kansas and Mr. STEARNS.
H.R. 2073: Mr. GONZALEZ, Mr. CLEMENT, Ms. HOOLEY of Oregon, and Mr. MORAN of Virginia.
H.R. 2074: Ms. MCCOLLUM.
H.R. 2088: Mr. LARGENT.
H.R. 2095: Mr. FROST.
H.R. 2096: Mr. LAHOOD and Mr. GOODE.
H.R. 2102: Ms. WATERS.
H.R. 2111: Mr. KING, Mr. BOEHLERT, Mr. HORN, and Mr. WALSH.
H.R. 2113: Mr. EVANS and Mr. WELDON of Florida.
H.R. 2114: Mr. HOSTETTLER.
H.R. 2117: Mrs. MINK of Hawaii and Mr. TIBERI.
H.R. 2118: Mrs. JONES of Ohio and Ms. DELAURO.
H.R. 2125: Mr. DEAL of Georgia, Mr. SHIMKUS, Mr. RAHALL, and Mr. FORBES.
H.R. 2138: Ms. KILPATRICK.
H.R. 2145: Mrs. CHRISTENSEN and Mr. HASTINGS of Florida.
H.R. 2148: Mr. FILNER, Mr. LAFALCE, and Ms. MCKINNEY.
H.R. 2149: Ms. GRANGER, Mr. BACHUS, Mr. FORBES, Mr. EHLERS, and Mr. GRUCCI.
H.R. 2155: Mr. MCNULTY, Mr. MCHUGH, and Ms. HART.
H.R. 2157: Mr. DEFAZIO, Mr. BLAGOJEVICH, Mr. FROST, Mr. GIBBONS, Mr. BAKER, Mr.

LAHOOD, Mr. SCHAFFER, Mr. YOUNG of Alaska, Mr. BYRANT, Mr. COOKSEY, Mrs. CUBIN, Mr. OSE, Mr. WALDEN of Oregon, and Mr. DEMINT.

H.R. 2160: Mr. HOEKSTRA and Mr. DEMINT.

H.R. 2163: Mr. SHIMKUS, Mr. WYNN, Mr. BONIOR, Mr. MCGOVERN, Mr. FROST, Mr. TRAFICANT, Ms. LOFGREN, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WOOLSEY, and Mr. LANTOS.

H.R. 2166: Ms. VELAZQUEZ, Mr. JACKSON of Illinois, Mr. BARRETT, and Ms. WATERS.

H.R. 2167: Ms. DELAURO.

H.R. 2172: Mr. STARK.

H.R. 2173: Mr. GOODE.

H.R. 2181: Mr. MCDERMOTT and Mr. STUPAK.

H.R. 2182: Mr. MASCARA and Ms. HART.

H.R. 2185: Mr. OSE.

H.R. 2189: Mr. GOODE.

H.R. 2200: Mr. SENSENBRENNER.

H.R. 2203: Mrs. TAUSCHER, Mr. MCGOVERN, Ms. MCKINNEY, Mr. PASTOR, Mr. FALEOMAVAEGA, Mr. CLEMENT, and Mr. FROST.

H.R. 2211: Ms. MCCARTHY of Missouri and Mr. WAXMAN.

H.R. 2212: Mr. SESSIONS, Mr. KERNS, and Mr. HOBSON.

H.R. 2222: Mr. MCGOVERN, Ms. MCKINNEY, Mr. FROST, Mr. RANGEL, and Mrs. JONES of Ohio.

H.R. 2235: Mr. LAMPSON.

H.R. 2240: Mr. SHAW.

H.R. 2242: Mr. SENSENBRENNER.

H.R. 2246: Mr. LUCAS of Kentucky.

H.R. 2258: Mr. REYES.

H.R. 2281: Mr. JACKSON of Illinois.

H.R. 2291: Mr. LAFALCE, Mr. KLECZKA, Mr. PAYNE, Mr. RAHALL, Mr. BERMAN, and Mr. GILMAN.

H.R. 2294: Mr. BROWN of Ohio, Mr. MCNULTY, Ms. RIVERS, and Mr. BALDACCI.

H.R. 2308: Mr. LAFALCE.

H.R. 2310: Mr. MORAN of Virginia, Mr. BRADY of Pennsylvania, Mrs. MEEK of Florida, Mr. HINCHEY, Mrs. DAVIS of California, Mrs. THURMAN, Mr. RAHALL, Mr. ETHERIDGE, Mr. KENNEDY of Rhode Island, Mr. CLYBURN, Mr. RANGEL, Mr. MOLLOHAN, Mr. FATTAH, Mr. MCNULTY, Mr. MASCARA, Mr. FILNER, Mr. ANDREWS, Mr. OLVER, and Ms. MCCOLLUM.

H.R. 2315: Mr. KOLBE, Mr. LARGENT, Mr. TAYLOR of North Carolina, Mr. UPTON, Mr. COX, and Mr. WHITFIELD.

H.R. 2316: Mr. CRANE, Mr. RAMSTAD, Mr. HAYWORTH, Mr. HERGER, Mr. BRADY of Texas, Mr. SHAYS, Mr. CONDIT, Mr. ARMEY, Mrs. JOHNSON of Connecticut, Mr. KERNS, and Mr. THORNBERRY.

H.R. 2322: Mr. EHLERS.

H.R. 2329: Mr. PLATTS, Mr. SHAW, Mr. KIND, and Mr. SMITH of New Jersey.

H.R. 2335: Ms. KILPATRICK.

H.R. 2339: Mr. RAHALL, Mr. WAMP, and Mr. BRADY of Pennsylvania.

H.R. 2340: Mr. SERRANO.

H.R. 2341: Mr. RILEY.

H.J. Res. 20: Mr. ENGLISH and Mr. PENCE.

H. Con. Res. 17: Mrs. TAUSCHER and Mr. DEFAZIO.

H. Con. Res. 33: Mr. WELDON of Florida.

H. Con. Res. 77: Mr. EVANS, Mr. UNDERWOOD, Mr. ABERCROMBIE, Ms. MCKINNEY, Mr. CROWLEY, Mr. WU, Mr. ACKERMAN, Mr. SHERMAN, Mr. HONDA, Mr. FALEOMAVAEGA, Mr. KIRK, Mr. FILNER, Ms. PELOSI, Ms. ROYBAL-ALLARD, Mrs. NAPOLITANO, Ms. LOFGREN, Mrs. MINK of Hawaii, Ms. LEE, Mr. GILMAN, Mr. DOGGETT, Mr. MORAN of Virginia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MATSUI, Ms. SOLIS, and Mr. HILLIARD.

H. Con. Res. 89: Mr. NETHERCUTT and Mr. HERGER.

H. Con. Res. 97: Mr. ENGLISH and Mr. LEVIN.

H. Con. Res. 116: Mr. BLAGOJEVICH.

H. Con. Res. 128: Ms. ROS-LEHTINEN.

H. Con. Res. 144: Mr. DINGELL, Mr. STUPAK, Mr. COYNE, Mr. DAVIS of Illinois, Mr. PICKERING, Mr. ROGERS of Michigan, and Mr. MCHUGH.

H. Con. Res. 169: Mr. DICKS, Mrs. CHRISTENSEN, Ms. WATSON, Mr. GEPHARDT, Mr. LEVIN, Mr. JEFFERSON, Mr. WAXMAN, and Mr. RUSH.

H. Con. Res. 173: Mr. TIERNEY, Mr. LARSON of Connecticut, Ms. MCKINNEY, Mr. WAXMAN, Mr. CAPUANO, and Mrs. LOWEY.

H. Con. Res. 177: Mr. FARR of California, Mr. SANDERS, Mr. ACEVEDO-VILA, Mr. TIERNEY, Ms. WOOLSEY, Mr. FROST, Mr. EVANS, Ms. PELOSI, and Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 65: Mr. KILDEE.

H. Res. 72: Mr. BLAGOJEVICH, Mr. MALONEY of Connecticut, Mr. FRANK, and Mr. FROST.

H. Res. 152: Ms. KILPATRICK and Mr. GOODE.

H. Res. 154: Mr. HINCHEY, Mr. COSTELLO, Mr. MEEKS of New York, Mr. FROST, Mr. GANSKE, Mr. KUCINICH, Mr. MANZULLO, Mr. FRANK, Ms. DEGETTE, Mr. BALDACCI, Mr. FILNER, Mr. BONIOR, Mr. HOLT, Mr. HALL of Ohio, Mr. BENTSEN, Mr. ABERCROMBIE, and Ms. LOFGREN.

H. Res. 181: Mr. LANTOS, Ms. ROS-LEHTINEN, Mr. KENNEDY of Rhode Island, and Mr. PAYNE.

DELECTIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1613: Mr. SIMMONS.

H.R. 2180: Mr. FERGUSON.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 2, June 27, 2001, by Mr. JAY INSLEE on House Resolution 165, was signed by the following Members: Jay Inslee, John Elias Baldacci, Michael R. McNulty, Carolyn B. Maloney, Adam B. Schiff, Rosa L. DeLauro, Bob Filner, Jim McDermott, John F. Tierney, John Lewis, Peter A. DeFazio, Patsy T. Mink, Steve Israel, Lynn C. Woolsey, Benjamin L. Cardin, Hilda L. Solis, Alcee L. Hastings, Carolyn C. Kilpatrick, Elijah E. Cummings, Danny K. Davis, Ed Pastor, Robert E. Andrews, Lois Capps, David E. Price, Major R. Owens, Dennis J. Kucinich, Frank Mascara, Mike Thompson, Patrick J. Kennedy, Joe Baca, Bob Clement, Ted Strickland, Tom Sawyer, Nita M. Lowey, Shelley Berkley, Karen McCarthy, Martin Frost, Karen L. Thurman, Robert A. Brady, Dennis Moore, Robert Wexler, Lynn N. Rivers, Dale E. Kildee, Grace F. Napolitano, Tom Lantos, Robert Menendez, Rush D. Holt, Wm. Lacy Clay, Earl F. Hilliard, Gregory W. Meeks, Susan A. Davis, Barbara Lee, Diane E. Watson, Brad Sherman, Darlene Hooley, Michael M. Honda, James R. Langevin, Tammy Baldwin, Ciro D. Rodriguez, Stephanie Tubbs Jones, Rick Larsen, Mike Ross, Eddie Bernice Johnson, Albert Russell Wynn, Charles A. Gonzalez, Jane Harman, Sanford D. Bishop, Jr., Joseph M. Hoeffel, Barney Frank, Fortney Pete Stark, Bill Pascrell, Jr., Nancy Pelosi, Zoe Lofgren, Anna G. Eshoo, Gary A. Condit, Carolyn McCarthy, George Miller, Michael E. Capuano, Howard L. Berman, Tom Udall, Marcy Kaptur, David D. Phelps, James P. McGovern, Sam Farr, Gary L. Ackerman, Charles W. Stenholm, Sander M. Levin, Diana DeGette, Thomas M. Barrett, Joseph Crowley, Eva M. Clayton, Maxine Waters, Ruben Hinojosa, Jaunita Millender-McDonald, Thomas H. Allen, Brian Baird, Neil Abercrombie, Xavier Becerra, Martin Olav Sabo, John W. Olver, Ellen O. Tauscher, Martin T. Meehan, James E. Clyburn, David E. Bonior, Bennie G. Thompson, Lucille Roybal-Allard, Jesse L. Jackson, Jr., Loretta Sanchez, Rod R. Blagojevich, Earl Blumenauer, James P. Moran, John J. LaFalce, Peter Deutsch, Jerrold Nadler, Ronnie Shows, Henry A. Waxman, Julia Carson, Janice D. Schakowsky, Silvestre Reyes, John B. Larson, Maurice D. Hinchey, John Conyers, Jr., Sherrod Brown, Edward J. Markey, Steny H. Hoyer, Mark Udall, Nick J. Rahall II, Louise McIntosh Slaughter, Frank Pallone, Jr., Robert T. Matsui, Bernard Sanders, Betty McCollum, Solomon P. Ortiz, Jose E. Serrano, Luis V. Gutierrez, Earl Pomeroy, Bill Luther, Bob Etheridge, Adam Smith, Corrine Brown, Carrie P. Meek, Nydia M. Velazquez, Donald M. Payne, Anthony D. Weiner, Paul E. Kanjorski, Chaka Fattah, Norman D. Dicks, William J. Coyne, David Wu, Charles B. Rangel, William D. Delahunt, James A. Barcia, James L. Oberstar, Cynthia A. McKinney, Richard A. Gephardt, Bart Gordon, Collin C. Peterson, Bobby L. Rush, Jerry F. Costello, Lane Evans, William O. Lipinski, and Steven R. Rothman.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2330

OFFERED BY: MR. BROWN OF OHIO

AMENDMENT NO. 26: In title VI, in the item relating to ''DEPARTMENT OF HEALTH AND HUMAN SERVICES—FOOD AND DRUG ADMINISTRATION—SALARIES AND EXPENSES'', insert before the period at the end of the first paragraph the following:

: *Provided further*, That of the total amount appropriated, $5,000,000 is available for the purpose of carrying out the responsibilities of the Food and Drug Administration with respect to antibiotic drugs, in addition to other allocations for such purpose made from such total amount

H.R. 2330

OFFERED BY: MR. BROWN OF OHIO

AMENDMENT NO. 27: In title VI, in the item relating to ''DEPARTMENT OF HEALTH AND HUMAN SERVICES—FOOD AND DRUG ADMINISTRATION—SALARIES AND EXPENSES'', insert before the period at the end of the first paragraph the following:

: *Provided further*, That of the total amount appropriated, $2,500,000 is available for the purpose of carrying out the responsibilities of the Food and Drug Administration with respect to abbreviated applications for the approval of new drugs under section 505(j) of the Federal Food, Drug, and Cosmetic Act, and $250,000 is available under section 903(d)(2)(D) of such Act for the purpose of carrying out public information programs regarding drugs with approved such applications, in addition to other allocations for such purposes made from such total amount

H.R. 2330

OFFERED BY: MS. DELAURO

AMENDMENT NO. 28: In title I, in the item relating to ''FOOD SAFETY AND INSPECTION SERVICE'', insert at the end the following:

In addition, for the Food Safety and Inspection Service to improve food safety and reduce the incidence of foodborne illnesses, $50,000,000: *Provided*, That such 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: *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, is transmitted by the President to the Congress.

In title VI, in the item relating to ''FOOD AND DRUG ADMINISTRATION—SALARIES AND EXPENSES'', insert at the end the following:

In addition, for the Food and Drug Administration to improve food safety and reduce the incidence of foodborne illnesses, $163,000,000: *Provided*, That such 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: *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, is transmitted by the President to the Congress.

H.R. 2330

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 29: Add before the short title at the end the following new section:

SEC. ____. None of the funds appropriated or otherwise made available in this Act may be used to pay the salaries of personnel of the Department of Agriculture who permit the payment limitation specified in section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308(2)) to be exceeded pursuant to any provision of law, except, in the case of a husband and wife, the total amount of the payments specified in section 1001(3) of that Act that they may receive during the 2001 crop year may not exceed $150,000.