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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. COLE).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 14, 2003.

I hereby appoint the Honorable TOM COLE to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2657. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2004, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2657) ''An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2004, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CAMPBELL, Mr. BENNETT, Mr. STEVENS, Mr. COCHRAN, Mr. BOND, Mr. DURBIN, Mr. JOHNSON, Mr. BYRD, and Ms. MIKULSKI, to be the conferees on the part of the Senate.

The messages also announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2559. An act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2559) ''An Act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mrs. HUTCHISON, Mr. BURNS, Mr. CRAIG, Mr. DEWINE, Mr. BROWNBACK, Mr. STEVENS, Mrs. FEINSTEIN, Mr. INOUYE, Mr. JOHNSON, Ms. LANDRIEU, and Mr. BYRD, to be the conferees on the part of the Senate.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested;

S. 886. An act to ratify otherwise legal appointments and promotions in the commissioned corps of the National Oceanic and Atmospheric Administration that failed to be submitted to the Senate for its advice and consent as required by law, and for other purposes.

The message also announced that pursuant to Public Law 106–170, the Chair, on behalf of the Majority Leader, after consultation with the Ranking Member of the Senate Committee on Finance, announces the appointment of the following individual to serve as a member of the Ticket to Work and Work Incentives Advisory Panel: Thomas P. Golden of Tennessee, vice Vincent Randazzo, resigned.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from California (Mr. FILNER) for 5 minutes.

PAY UP ACT WILL HELP HEALTHCARE PROVIDERS RECOUP SOME OF THEIR LOSSES

Mr. FILNER. Mr. Speaker, I represent a district that borders Mexico. In fact, I have the entire California-Mexico border in my district of South San Diego. I want today to address a problem that affects all border districts, that is, emergency healthcare for undocumented immigrants.

In my district, hospitals, ambulance services and other health care providers are suffering huge losses every year due to the uncompensated care given to undocumented immigrants.

When Congress passed the Emergency Medical Treatment and Active Labor Act, it required hospitals and other health care providers to give emergency care to anyone who comes through the emergency room doors, regardless of their ability to pay or their immigration status. I think this is a proper policy, and it is the only humane thing to do. We cannot leave people who need emergency care just out in the cold. However, since it is the Federal Government that instituted this law, then the Federal Government should cover the expenses of the medical care. What we have now is what is called an unfunded mandate. We mandate it, but we do not fund it.

Here is what happens in a border district such as mine, and constituents who are in emergency rooms and paramedics come to me all the time with this kind of situation. A border patrolman in the normal course of his or her duties will come across a person who is trying to enter the country illegally,

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but who got injured in that process. Often, due to the emergency nature of the injury or illness, the Border Patrol does not have time to officially take the person into custody, and, more, than likely, they do not want to take that person into custody because they know there will be money involved that will be charged against the Border Patrol account. So we have built in an institutional mechanism not to take that undocumented person into custody.

Then they will drive the injured person to the hospital, or call for an ambulance, and the hospital and the ambulance service will provide the necessary care and the person may be released and sent on his way.

Now, what is wrong with this picture? One, the hospitals and the ambulance services are out every single penny that it costs to give that person medical care; and, two, the undocumented person is not released into anyone's custody and has successfully entered the country illegally, courtesy of the Border Patrol and the emergency room.

What a great country. Apparently the best way to come in illegally is to injure yourself in the process. You will get top quality medical care for free, and then you will be released out into the community.

Now, I know the Border Patrol is stretched to its limits. What is more, in emergency situations they do not have time to check someone's documentation and officially take them into custody. However, it seems like a very big security breach that would put such a huge burden on our health care system and then, on top of it, let that person into our country without documentation.

I intend to introduce a bill to try to take care of this problem. It is called the Pay Up Act, ''pay up'' meaning ''pay for all your undocumented procedures.''

This will ensure that the Federal Government reimburses the hospitals and other health care providers for the care that they provided for people who are brought in by the Border Patrol or other Federal agencies, and that they are then released into the custody of that Border Patrol person after the care has been given. This will allow both for the emergency care to be given in a timely manner and ensure that the health care providers are paid, and gives the Border Patrol time to do the procedures necessary to take that person into custody.

Of course, we must authorize and provide the necessary funds to make sure that the Border Patrol and other Federal agencies involved are reimbursed properly. So I provide in this bill double security; security for our hospitals financially, and security for our Nation.

Mr. Speaker, I urge my colleagues to support this bill and to support our health care providers.

MAKING OUR HOMELAND SECURE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized during morning hour debates for 5 minutes.

Mrs. CHRISTENSEN. Mr. Speaker, we know that September 11 was now almost 2 years ago, and that my country has a limited attention span. Even so, I cannot believe that 2 weeks after a bipartisan report told us that we are terribly unprepared for a bioterrorism attack, there have been no hearings.

Specifically, the report, compiled after interviews and assessments around this country, said that our first responders, the first line of defense and response in any kind of terrorist attack, is not even close to being prepared. Yet we have hardly heard a whimper up here, which makes me wonder if we have heard what the report said. So I want to use this time to just highlight a few things, that hopefully will finally get everyone's attention.

First, while there may be a few places that are ahead, on the average fire departments cannot communicate or protect their staff in the case of a WMD attack. Only 10 percent have the capability to respond to a building collapse. Neither are police departments prepared, and most cities do not have the means to identify a hazardous agent.

They are underfunded by almost $100 million. But even if the money was there, it is not likely it would improve the situation, because the task force found that underlying all this, there is no preparedness, coordination or standards. Local jurisdictions have had to develop them on their own, so we probably have a zillion plans, uncoordinated and with no clear guidance and direction from the Department of Homeland Security. This has been a stated concern of many of us on the committee.

Also cited as a major obstacle is the finding that the appropriations process, and, I would add, the whole process, is too politicized. Then, when the money gets appropriated, the conflicting bureaucracies and the red tape, as well as probably some politics at other levels too, keep it from getting to the first responders where it is needed.

But I want to spend my remaining time on one of my greatest concerns, the lack of readiness of our public health system, also cited in the report, as well by many on the committee, time and time again.

Labs are not equipped and hospitals are not prepared to respond to the need for increased capacity, despite the fancy center at the Department of Health and Human Services. There is a severe shortage of trained personnel, a fact that is continuously being made worse by the deployment of many first responders to Iraq, Afghanistan and Guantanamo Bay.

Mr. Speaker, this is an important report. If the people on the ground, the ones all of us will depend on in those critical first hours of an attack, do not have the tools, the training or the manpower required, we can all forget it.

There are some simple, but very well-researched and important recommendations, that need to be implemented. Just because they are what Democrats have been calling for from the outset should never get in the way of our protecting our American family from a future terrorist attack which everyone agrees will likely come.

All of us have the responsibility to make sure that every corner of this great country and all of the wonderful people who live here have a chance of making it through. Let the committee do its work, and let us all work together to make our homeland secure.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 40 minutes a.m.), the House stood in recess until noon today.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. THORNBERRY) at noon.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

God of revelation and Lord of salvation, throughout our sacred history You call people together to enhance life and guide people to organize themselves and help each other to build a future. Be with this Nation and gift its leaders with wisdom and prudence during this coming week.

Every community needs a common vision in order to live life to the fullest and grow in unity. May our common vision for what is best for this Nation and most fitting for this moment in world history arise from a renewed unity of mind and heart in this Nation and be brought to reality by faith, hard work, and a transformation of spirit.

As a living vision, may today's decisions and tomorrow's plans evolve gradually by constantly integrating new experiences and new knowledge with great traditions, respected history, and treasured values of the American people.

To you, O Lord, be the glory, power and honor now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. BONILLA 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.

GENERAL LEAVE

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the consideration of H.R. 2673, and that I may include tabular and extraneous material.

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, 2004

Mr. BONILLA. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2673) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be confined to the bill, and be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentlewoman from Ohio (Ms. KAPTUR) and myself.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BONILLA).

The motion was agreed to.

□ 1205

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. 2673, with Mr. DREIER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous consent agreement, 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. BONILLA asked and was given permission to revise and extend his remarks.)

Mr. BONILLA. Mr. Chairman, I am pleased to bring before the House today the fiscal year 2004 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 with the submission of the President's Budget on February 3rd. We had ten public hearings beginning on February 26th, and we completed our hearings on March 20th. 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 eight hearing volumes.

The Subcommittee and full Committee marked up the bill on June 17th and June 25th, respectively.

We have tried very hard to accommodate the requests of Members, and to provide increases for critical programs. We received more than 2,380 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. However, I would point out that my own support for a member's needs is dependent on that member's support of the Committee in general, and of this bill in particular.

This bill does have very limited increases over fiscal year 2003, or over the budget request, for programs that have always enjoyed strong bipartisan support. Those increases include:

Agricultural Research Service, $39 million above the request.

Animal and Plant Health Inspection Service, $38 million above last year, and $31 million above the request.

Food Safety and Inspection Service, $30 million above last year.

Farm Service Agency, $33 million above last year.

Natural Resources Conservation Service, $23 million over last year.

Rural Community Advancement Program, $223 million above the request.

Food and Drug Administration, $14 million over last year.

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 serves 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 California (Mr. FARR); and 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.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2673)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - AGRICULTURAL PROGRAMS					
Production, Processing, and Marketing					
Office of the Secretary	3,320	10,068	3,468	+148	-6,600
Executive Operations:					
Chief Economist	8,510	12,264	8,716	+206	-3,548
National Appeals Division	13,670	14,242	13,670	---	-572
Office of Budget and Program Analysis	7,270	7,980	7,749	+479	-231
Homeland Security staff	---	1,479	---	---	-1,479
Office of the Chief Information Officer	14,993	31,334	14,993	---	-16,341
Common computing environment	132,289	177,714	133,155	+866	-44,559
Office of the Chief Financial Officer	5,496	7,902	5,785	+289	-2,117
Working capital fund	11,922	---	---	-11,922	---
Total, Executive Operations	194,150	252,915	184,068	-10,082	-68,847
Office of the Assistant Secretary for Civil Rights	397	808	397	---	-411
Office of the Assistant Secretary for Administration	660	793	678	+18	-115
Agriculture buildings and facilities and rental payments	(186,879)	(199,332)	(156,891)	(-29,988)	(-42,441)
Payments to GSA	120,796	124,332	124,332	+3,536	---
Building operations and maintenance	32,327	41,000	32,559	+232	-8,441
Repairs, renovations, and construction	33,756	34,000	---	-33,756	-34,000
Hazardous materials management	15,583	15,713	15,713	+130	---
Departmental administration	37,629	45,128	38,592	+963	-6,536
Office of the Assistant Secretary for Congressional Relations	3,796	4,186	3,796	---	-390
Office of Communications	9,031	10,084	9,245	+214	-839
Office of the Inspector General	73,417	81,895	77,314	+3,897	-4,581
Office of the General Counsel	34,700	37,328	34,700	---	-2,628
Office of the Under Secretary for Research, Education and Economics	584	792	597	+13	-195
Economic Research Service	68,674	76,657	71,402	+2,728	-5,255
National Agricultural Statistics Service	138,448	136,182	129,800	-8,648	-6,382
Census of Agriculture	(41,274)	(25,279)	(25,279)	(-15,995)	---
Agricultural Research Service:					
Salaries and expenses	1,035,130	987,303	1,014,000	-21,130	+26,697
Buildings and facilities	118,703	24,000	35,900	-82,803	+11,900
Supplemental appropriations (P.L. 108-11)	110,000	---	---	-110,000	---
Total, Agricultural Research Service	1,263,833	1,011,303	1,049,900	-213,933	+38,597
Cooperative State Research, Education, and Extension Service:					
Research and education activities	616,792	514,228	594,772	-22,020	+80,544
Native American Institutions Endowment Fund	(7,054)	(9,000)	(9,000)	(+1,946)	---
Extension activities	450,520	422,268	438,242	-12,278	+15,974
Integrated activities	46,439	62,865	62,942	+16,503	+77
Outreach for socially disadvantaged farmers	3,470	4,003	3,470	---	-533
Total, Cooperative State Research, Education, and Extension Service	1,117,221	1,003,364	1,099,426	-17,795	+96,062
Office of the Under Secretary for Marketing and Regulatory Programs	725	791	725	---	-66
Animal and Plant Health Inspection Service:					
Salaries and expenses	682,757	694,897	725,502	+42,745	+30,605
Buildings and facilities	9,924	4,996	4,996	-4,928	---
Total, Animal and Plant Health Inspection Service	692,681	699,893	730,498	+37,817	+30,605

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2673)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Agricultural Marketing Service:					
Marketing Services	75,210	75,071	75,953	+743	+882
Standardization user fees	(5,000)	(5,000)	(5,000)	---	---
(Limitation on administrative expenses, from fees collected)	(61,619)	(62,577)	(62,577)	(+958)	---
Funds for strengthening markets, income, and supply (transfer from section 32)	14,910	15,392	15,392	+482	---
Payments to states and possessions	1,338	1,347	1,347	+9	---
Total, Agricultural Marketing Service	91,458	91,810	92,692	+1,234	+882
Grain Inspection, Packers and Stockyards Administration:					
Salaries and expenses	39,690	41,688	39,690	---	-1,998
Limitation on inspection and weighing services	(42,463)	(42,463)	(42,463)	---	---
Office of the Under Secretary for Food Safety	599	792	599	---	-193
Food Safety and Inspection Service	754,821	797,149	785,261	+30,440	-11,888
Lab accreditation fees 1/	(1,000)	(1,000)	(1,000)	---	---
Total, Production, Processing, and Marketing	4,728,296	4,518,671	4,525,452	-202,844	+6,781
Farm Assistance Programs					
Office of the Under Secretary for Farm and Foreign Agricultural Services	618	916	636	+18	-280
Farm Service Agency:					
Salaries and expenses	970,389	1,016,836	1,016,836	+46,447	---
(Transfer from export loans)	(829)	(985)	(985)	(+156)	---
(Transfer from P.L. 480)	(1,019)	(2,975)	(2,975)	(+1,956)	---
(Transfer from ACIF)	(277,361)	(290,136)	(290,136)	(+12,775)	---
Subtotal, transfers from program accounts	(279,209)	(294,096)	(294,096)	(+14,887)	---
Total, Salaries and expenses	(1,249,598)	(1,310,932)	(1,310,932)	(+61,334)	---
State mediation grants	3,974	4,000	3,974	---	-26
Dairy indemnity program	100	100	100	---	---
Subtotal, Farm Service Agency	974,463	1,020,936	1,020,910	+46,447	-26
Agricultural Credit Insurance Fund Program Account:					
Loan authorizations:					
Farm ownership loans:					
Direct	(130,000)	(140,149)	(133,143)	(+3,143)	(-7,006)
Guaranteed	(1,000,000)	(1,000,000)	(950,000)	(-50,000)	(-50,000)
Subtotal	(1,130,000)	(1,140,149)	(1,083,143)	(-46,857)	(-57,006)
Farm operating loans:					
Direct	(605,000)	(650,000)	(617,503)	(+12,503)	(-32,497)
Unsubsidized guaranteed	(1,700,000)	(1,400,000)	(1,330,000)	(-370,000)	(-70,000)
Subsidized guaranteed	(400,000)	(266,249)	(252,937)	(-147,063)	(-13,312)
Subtotal	(2,705,000)	(2,316,249)	(2,200,440)	(-504,560)	(-115,809)
Indian tribe land acquisition loans	(2,000)	(2,000)	(2,000)	---	---
Boll weevil eradication loans	(100,000)	(60,000)	(100,000)	---	(+40,000)
Total, Loan authorizations	(3,937,000)	(3,518,398)	(3,385,583)	(-551,417)	(-132,815)
Loan subsidies:					
Farm ownership loans:					
Direct	14,995	30,945	29,398	+14,403	-1,547
Guaranteed	7,451	5,400	5,130	-2,321	-270
Subtotal	22,446	36,345	34,528	+12,082	-1,817

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2673)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Farm operating loans:					
Direct	103,744	93,730	89,044	-14,700	-4,686
Unsubsidized guaranteed	53,540	46,620	44,289	-9,251	-2,331
Subsidized guaranteed	46,893	34,000	32,300	-14,593	-1,700
Subtotal	204,177	174,350	165,633	-38,544	-8,717
Indian tribe land acquisition	178	---	---	-178	---
Total, Loan subsidies	226,801	210,695	200,161	-26,640	-10,534
ACIF expenses:					
Salaries and expense (transfer to FSA)	277,361	290,136	290,136	+12,775	---
Administrative expenses	7,948	8,000	8,000	+52	---
Total, ACIF expenses	285,309	298,136	298,136	+12,827	---
Total, Agricultural Credit Insurance Fund	512,110	508,831	498,297	-13,813	-10,534
(Loan authorization)	(3,937,000)	(3,518,398)	(3,385,583)	(-551,417)	(-132,815)
Total, Farm Service Agency	1,486,573	1,529,767	1,519,207	+32,634	-10,560
Risk Management Agency	70,248	78,488	71,509	+1,261	-6,979
Total, Farm Assistance Programs	1,557,439	1,609,171	1,591,352	+33,913	-17,819
Corporations					
Federal Crop Insurance Corporation:					
Federal crop insurance corporation fund	2,886,000	3,368,000	3,368,000	+482,000	---
Commodity Credit Corporation Fund:					
Reimbursement for net realized losses	16,285,000	17,275,000	17,275,000	+990,000	---
Hazardous waste management (limitation on administrative expenses)	(5,000)	(5,000)	(5,000)	---	---
Total, Corporations	19,171,000	20,643,000	20,643,000	+1,472,000	---
Total, title I, Agricultural Programs	25,456,735	26,770,842	26,759,804	+1,303,069	-11,038
(By transfer)	(279,209)	(294,096)	(294,096)	(+14,887)	---
(Loan authorization)	(3,937,000)	(3,518,398)	(3,385,583)	(-551,417)	(-132,815)
(Limitation on administrative expenses)	(109,082)	(110,040)	(110,040)	(+958)	---
TITLE II - CONSERVATION PROGRAMS					
Office of the Under Secretary for Natural Resources and Environment	745	918	745	---	-173
Natural Resources Conservation Service:					
Conservation operations	819,641	703,605	850,004	+30,363	+146,399
Watershed surveys and planning	11,124	5,000	11,124	---	+6,124
Watershed and flood prevention operations	109,285	40,000	90,000	-19,285	+50,000
Watershed rehabilitation program	29,805	10,000	40,000	+10,195	+30,000
Resource conservation and development	50,668	49,943	52,894	+2,226	+2,951
Farm bill technical assistance	---	432,160	---	---	-432,160
Total, Natural Resources Conservation Service	1,020,523	1,240,708	1,044,022	+23,499	-196,686
Total, title II, Conservation Programs	1,021,268	1,241,626	1,044,767	+23,499	-196,859
TITLE III - RURAL DEVELOPMENT PROGRAMS					
Office of the Under Secretary for Rural Development	636	913	636	---	-277

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2673)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rural Development:					
Rural community advancement program	901,837	477,864	706,006	-195,831	+228,142
Tree assistance (sec. 747)	---	---	-5,000	-5,000	-5,000
(Transfer out)	(-29,805)	---	---	(+29,805)	---
Total, Rural community advancement program	901,837	477,864	701,006	-200,831	+223,142
RD expenses:					
Salaries and expenses	144,789	147,520	146,495	+1,706	-1,025
(Transfer from RHIF)	(429,564)	(482,787)	(447,151)	(+17,587)	(-35,636)
(Transfer from RDLFP)	(4,163)	(4,850)	(4,283)	(+120)	(-567)
(Transfer from RETLP)	(37,587)	(41,562)	(38,166)	(+579)	(-3,396)
(Transfer from RTB)	(3,062)	(3,462)	(3,182)	(+120)	(-280)
Subtotal, Transfers from program accounts	(474,376)	(532,661)	(492,782)	(+18,406)	(-39,879)
Total, RD expenses	(619,165)	(680,181)	(639,277)	(+20,112)	(-40,904)
Total, Rural Development	1,046,626	625,384	847,501	-199,125	+222,117
Rural Housing Service:					
Rural Housing Insurance Fund Program Account:					
Loan authorizations:					
Single family (sec. 502)	(1,037,868)	(1,366,462)	(1,366,462)	(+328,594)	---
Unsubsidized guaranteed	(2,845,318)	(2,725,172)	(2,725,172)	(-120,146)	---
Subtotal, Single family	(3,883,186)	(4,091,634)	(4,091,634)	(+208,448)	---
Housing repair (sec. 504)	(35,000)	(35,003)	(35,003)	(+3)	---
Rental housing (sec. 515)	(115,805)	(70,830)	(116,545)	(+740)	(+45,715)
Site loans (sec. 524)	(5,046)	(5,045)	(5,045)	(-1)	---
Multi-family housing guarantees (sec. 538)	(100,000)	(100,000)	(100,000)	---	---
Multi-family housing credit sales	(2,000)	(1,500)	(1,500)	(-500)	---
Single family housing credit sales	(10,000)	(10,000)	(10,000)	---	---
Self-help housing land develop. (sec. 523)	(5,011)	(5,000)	(5,000)	(-11)	---
Total, Loan authorizations	(4,156,048)	(4,319,012)	(4,364,727)	(+208,679)	(+45,715)
Loan subsidies:					
Single family (sec. 502)	201,035	126,018	126,018	-75,017	---
Unsubsidized guaranteed	32,388	39,903	39,903	+7,515	---
Subtotal, Single family	233,423	165,921	165,921	-67,502	---
Housing repair (sec. 504)	10,786	9,612	9,612	-1,174	---
Rental housing (sec. 515)	53,649	30,464	50,126	-3,523	+19,662
Site loans (sec. 524)	55	---	---	-55	---
Multi-family housing guarantees (sec. 538)	4,471	5,950	5,950	+1,479	---
Multi-family housing credit sales	928	663	663	-265	---
Single family housing credit sales	---	---	---	---	---
Self-help housing land develop. (sec. 523)	220	154	154	-66	---
Total, Loan subsidies	303,532	212,764	232,426	-71,106	+19,662
RHIF administrative expenses (transfer to RD)	429,564	482,787	447,151	+17,587	-35,636
Rental assistance program:					
(Sec. 521)	715,419	734,100	725,100	+9,681	-9,000
(Sec. 502(c)(5)(D))	5,862	5,900	5,900	+38	---
Total, Rental assistance program	721,281	740,000	731,000	+9,719	-9,000
Total, Rural Housing Insurance Fund	1,454,377	1,435,551	1,410,577	-43,800	-24,974
(Loan authorization)	(4,156,048)	(4,319,012)	(4,364,727)	(+208,679)	(+45,715)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2673)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Mutual and self-help housing grants	34,772	34,000	34,772	---	+772
Rural housing assistance grants	42,222	41,500	42,222	---	+722
Farm labor program account	36,071	35,018	36,307	+236	+1,289
Subtotal, grants and payments	113,065	110,518	113,301	+236	+2,783
Total, Rural Housing Service	1,567,442	1,546,069	1,523,878	-43,564	-22,191
(Loan authorization)	(4,156,048)	(4,319,012)	(4,364,727)	(+208,679)	(+45,715)
Rural Business-Cooperative Service:					
Rural Development Loan Fund Program Account:					
(Loan authorization)	(40,000)	(40,000)	(40,000)	---	---
Loan subsidy	19,179	17,308	17,308	-1,871	---
Administrative expenses (transfer to RD)	4,163	4,850	4,283	+120	-567
Total, Rural Development Loan Fund	23,342	22,158	21,591	-1,751	-567
Rural Economic Development Loans Program Account:					
(Loan authorization)	(14,967)	(15,002)	(16,120)	(+1,153)	(+1,118)
Direct subsidy	3,176	2,792	3,000	-176	+208
Rural cooperative development grants	8,941	11,000	13,000	+4,059	+2,000
Rural empowerment zones and enterprise communities grants	14,870	---	10,967	-3,903	+10,967
Renewable energy program	---	3,000	3,000	+3,000	---
Total, Rural Business-Cooperative Service	50,329	38,950	51,558	+1,229	+12,608
(Loan authorization)	(54,967)	(55,002)	(56,120)	(+1,153)	(+1,118)
Rural Utilities Service:					
Rural Electrification and Telecommunications Loans Program Account:					
Loan authorizations:					
Electric:					
Direct, 5%	(121,103)	(240,000)	(240,000)	(+118,897)	---
Direct, Municipal rate	(100,000)	(100,000)	(1,000,000)	(+900,000)	(+900,000)
Direct, FFB	(2,600,000)	(1,500,000)	(2,000,000)	(-600,000)	(+500,000)
Direct, Treasury rate	(1,150,000)	(700,000)	(750,000)	(-400,000)	(+50,000)
Guaranteed electric	(100,000)	(100,000)	(100,000)	---	---
Guaranteed underwriting	(1,000,000)	---	---	(-1,000,000)	---
Subtotal, Electric	(5,071,103)	(2,640,000)	(4,090,000)	(-981,103)	(+1,450,000)
Telecommunications:					
Direct, 5%	(75,029)	(145,000)	(145,000)	(+69,971)	---
Direct, Treasury rate	(300,000)	(250,000)	(300,000)	---	(+50,000)
Direct, FFB	(120,000)	(100,000)	(120,000)	---	(+20,000)
Subtotal, Telecommunications	(495,029)	(495,000)	(565,000)	(+69,971)	(+70,000)
Total, Loan authorizations	(5,566,132)	(3,135,000)	(4,655,000)	(-911,132)	(+1,520,000)
Loan subsidies:					
Electric:					
Direct, 5%	6,870	---	---	-6,870	---
Direct, Municipal rate	4,004	---	---	-4,004	---
Guaranteed electric	79	60	60	-19	---
Subtotal, Electric	10,953	60	60	-10,893	---
Telecommunications:					
Direct, 5%	1,275	---	---	-1,275	---
Direct, Treasury rate	149	125	125	-24	---
Subtotal, Telecommunications	1,424	125	125	-1,299	---
Total, Loan subsidies	12,377	185	185	-12,192	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2673)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
RETLP administrative expenses (transfer to RD)	37,587	41,562	38,166	+579	-3,396
Total, Rural Electrification and Telecommunications Loans Program Account..	49,964	41,747	38,351	-11,613	-3,396
(Loan authorization).....	(5,566,132)	(3,135,000)	(4,655,000)	(-911,132)	(+1,520,000)
Rural Telephone Bank Program Account:					
(Loan authorization).....	(174,615)	---	---	(-174,615)	---
Direct loan subsidy.....	2,394	---	---	-2,394	---
RTB administrative expenses (transfer to RD)..	3,062	3,462	3,182	+120	-280
Total, Rural Telephone Bank Program Account.	5,456	3,462	3,182	-2,274	-280
High energy costs grants (by transfer).....	(29,805)	---	---	(-29,805)	---
Distance learning, telemedicine and broadband program:					
Loan authorizations:					
Distance learning and telemedicine.....	(300,000)	(50,000)	(300,000)	---	(+250,000)
Broadband telecommunications.....	(80,000)	(336,000)	(336,000)	(+256,000)	---
Total, Loan authorizations.....	(380,000)	(386,000)	(636,000)	(+256,000)	(+250,000)
Loan subsidies:					
Distance learning and telemedicine:					
Grants.....	46,636	25,000	25,000	-21,636	---
Broadband telecommunications:					
Direct.....	---	9,116	9,116	+9,116	---
Grants.....	9,935	2,000	8,000	-1,935	+6,000
Total, Loan subsidies and grants.....	56,571	36,116	42,116	-14,455	+6,000
Total, Rural Utilities Service.....	111,991	81,325	83,649	-28,342	+2,324
(Loan authorization).....	(6,120,747)	(3,521,000)	(5,291,000)	(-829,747)	(+1,770,000)
Total, title III, Rural Economic and Community Development Programs.....	2,777,024	2,292,641	2,507,222	-269,802	+214,581
(By transfer).....	(504,181)	(532,661)	(492,782)	(-11,399)	(-39,879)
(Loan authorization).....	(10,331,762)	(7,895,014)	(9,711,847)	(-619,915)	(+1,816,833)
TITLE IV - DOMESTIC FOOD PROGRAMS					
Office of the Under Secretary for Food, Nutrition and Consumer Services.....	599	786	599	---	-187
Food and Nutrition Service:					
Child nutrition programs.....	5,830,506	6,819,340	6,718,780	+888,274	-100,560
Transfer from section 32.....	4,745,663	4,599,101	4,699,661	-46,002	+100,560
Discretionary spending.....	3,974	---	---	-3,974	---
Total, Child nutrition programs.....	10,580,143	11,418,441	11,418,441	+838,298	---
Special supplemental nutrition program for women, infants, and children (WIC).....	4,696,000	4,769,232	4,588,310	-107,690	-180,922
Contingency fund.....	(125,000)	(25,000)	(150,000)	(+25,000)	(+125,000)
Food stamp program:					
Expenses.....	22,772,692	24,208,981	24,203,176	+1,430,484	-5,805
Reserve.....	2,000,000	2,000,000	2,000,000	---	---
Nutrition assistance for Puerto Rico and Samoa	1,401,000	1,397,000	1,402,805	+1,805	+5,805
The emergency food assistance program.....	140,000	140,000	140,000	---	---
Total, Food stamp program.....	26,313,692	27,745,981	27,745,981	+1,432,289	---
Commodity assistance program.....	163,431	166,072	166,072	+2,641	---

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AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2673)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Food donations programs:					
Needy family program	1,074	---	---	-1,074	---
Nutrition programs administration	135,672	144,849	140,512	+4,840	-4,337
Total, Food and Nutrition Service	41,890,012	44,244,575	44,059,316	+2,169,304	-185,259
Total, title IV, Domestic Food Programs	41,890,611	44,245,361	44,059,915	+2,169,304	-185,446
TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS					
Foreign Agricultural Service:					
Salaries and expenses, direct appropriation	129,103	140,798	133,924	+4,821	-6,874
(Transfer from export loans)	(3,203)	(3,327)	(3,327)	(+124)	---
(Transfer from P.L. 480)	(1,026)	(1,066)	(1,066)	(+40)	---
Total, Salaries and expenses program level	(133,332)	(145,191)	(138,317)	[illegible]	[illegible] 874)
Public Law 480 Program and Grant Accounts:					
Program account:					
Loan authorization, direct	(154,664)	(132,000)	(132,000)	(-22,664)	---
Loan subsidies	115,416	103,887	103,887	-11,529	---
Ocean freight differential grants	24,995	28,000	28,000	+3,005	---
Title II - Commodities for disposition abroad:					
Program level	(1,192,200)	(1,185,000)	(1,192,000)	(-200)	(+7,000)
Appropriation	1,192,200	1,185,000	1,192,000	-200	+7,000
Supplemental appropriations (P.L. 108-11)	369,000	---	---	-369,000	---
Salaries and expenses:					
Foreign Agricultural Service (transfer to FAS)	1,026	1,066	1,066	+40	---
Farm Service Agency (transfer to FSA)	1,019	2,975	2,975	+1,956	---
Subtotal	2,045	4,041	4,041	+1,996	---
Total, Public Law 480:					
Program level	(1,192,200)	(1,185,000)	(1,192,000)	(-200)	(+7,000)
Appropriation	1,703,656	1,320,928	1,327,928	-375,728	+7,000
CCC Export Loans Program Account (administrative expenses):					
Salaries and expenses (Export Loans):					
General Sales Manager (transfer to FAS)	3,203	3,327	3,327	+124	---
Farm Service Agency (transfer to FSA)	829	985	985	+156	---
Total, CCC Export Loans Program Account	4,032	4,312	4,312	+280	---
McGovern-Dole international food for education and child nutrition program grants	---	50,000	56,874	+56,874	+6,874
Total, title V, Foreign Assistance and Related Programs	1,836,791	1,516,038	1,523,038	-313,753	+7,000
(By transfer)	(4,229)	(4,393)	(4,393)	(+164)	---
TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and expenses, direct appropriation	1,373,714	1,394,617	1,389,234	+15,520	-5,383
Prescription drug user fee act	(222,900)	(249,825)	(249,825)	(+26,925)	---
Medical device user fee act	(25,125)	(29,190)	(29,190)	(+4,065)	---
Subtotal	(1,621,739)	(1,673,632)	(1,668,249)	(+46,510)	(-5,383)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2673)
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Mammography clinics user fee (outlay savings)	(16,112)	(16,576)	(16,576)	(+464)	---
Export and color certification	(6,378)	(6,649)	(6,649)	(+271)	---
Payments to GSA	(108,269)	(120,045)	(120,045)	(+11,776)	---
Buildings and facilities	7,948	11,500	6,000	-1,948	-5,500
Total, Food and Drug Administration	1,381,662	1,406,117	1,395,234	+13,572	-10,883
INDEPENDENT AGENCIES					
Commodity Futures Trading Commission	85,426	88,435	88,435	+3,009	---
Farm Credit Administration (limitation on administrative expenses)	(38,400)	(40,900)	(40,900)	(+2,500)	---
Total, title VI, Related Agencies and Food and Drug Administration	1,467,088	1,494,552	1,483,669	+16,581	-10,883
TITLE VII - GENERAL PROVISIONS					
Hunger fellowships	2,981	---	3,000	+19	+3,000
National Sheep Industry Improvement Center revolving fund	496	---	499	+3	+499
Child and adult care feeding program	21,857	---	---	-21,857	---
P.L. 480 Title II	248,375	---	---	-248,375	---
Tree assistance (sec. 747)	---	---	5,000	+5,000	+5,000
Total, title VII, General provisions	273,709	---	8,499	-265,210	+8,499
Grand total:					
New budget (obligational) authority	74,723,226	77,561,060	77,386,914	+2,663,688	-174,146
(By transfer)	(787,619)	(831,150)	(791,271)	(+3,652)	(-39,879)
(Loan authorization)	(14,423,426)	(11,545,412)	(13,229,430)	(-1,193,996)	(+1,684,018)
(Limitation on administrative expenses)	(147,482)	(150,940)	(150,940)	(+3,458)	---

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, at a time of recession, rising unemployment in our country, the currency fluctuations that are affecting our markets internationally and great dependency on the Federal Government by our farm sector for economic survival, this bill fails to meet the needs of today's economy, including in rural America, for a countercyclical boost.

It has been a great pleasure working with our chairman, the gentleman from Texas (Mr. BONILLA), in trying to do the best with the allocation that we were afforded by the full committee; but it is very important as we proceed today to place on the record not only the condition of rural America but how this country and the government of this country is responding to it.

The allocation that we received forced our committee to produce a bill that is nearly $1 billion under last year's level, indeed $872 million. This situation exists partly because of the fault of the administration which submitted a request to us that did not provide support in many critical areas. In part, it is the fault of this Republican Congress which adopted a budget resolution that did not recognize the vital role that agriculture plays as a pillar of our economy. In fact, the allocation, as I said, for this bill is well below the administration's request as well as last year's level.

As a result, the bill underinvests in rural America. Surely in value-added production, where the future lies, it cripples our producers' efforts to earn more from the marketplace and less from support payments that continue to be forked over by the billions. The bill fails to meet the needs of other Americans who depend on agencies in the bill for nutrition, food safety, and other important services.

Technically the bill provides $17.005 billion for discretionary programs, and that is about a percent below the budget request, but 5 percent below the 2003 level of $17.877 billion, a most astonishing set of cutbacks in America's leading domestic industry that still maintains a trade surplus in global markets. I might mention, if Members think about the total of our entire bill, about $17 billion, we are spending that much in 4 months in Iraq. According to what Secretary Rumsfeld has told Congress, we are spending about $4 billion a month, twice as much as we anticipated, to try to feed hungry people and deal with health clinics and all the related expenditures in keeping our troops well supplied. If we think about what we are asking for in this bill versus what we are spending in other places in the world, we can call into question what has been brought to the floor in this package.

Now, among the funds and programs that are underfunded or at risk of inadequate support are farm loans, rural development, domestic food programs, international food aid, research, which is so important to the future, the Food & Drug Administration, such as approving medical devices, and a number of mandatory programs, for which funding is blocked. Funding for many new initiatives established in the farm bill to lead American agriculture into the 21st century is, once again, deferred.

And in some other accounts, it is highly likely that additional funds may be needed when this bill goes to conference, but those funds simply will not be available.

Let us talk about rural America. It is a part of our country on life support. We have a crisis in the rural parts of America born of concentration inside our market that is supposed to be competitive. As well, we have a crisis of diminishing U.S. exports. Even though our agricultural trade surplus at least helps to try to hold up our trade accounts, nonetheless, over the years we have had fewer agricultural exports and more imports coming into this country. So, agricultural America is beginning to tilt toward the negative in the same way as manufacturing America in terms of our trade accounts. We have a crisis in rural America of ignoring investment in new value-added developments such as bioenergy production in which this bill severely underinvests. The economic crisis in agriculture has social consequences in crime and social instability in the part of America that used to be called the heartland and always regarded as the cherished repository of our most fundamental values of free holding, of family, of faith, of community, and of stewardship.

The New York Times ran a powerful article in December entitled ''Pastoral Poverty: The Seeds of Decline.'' It detailed the systematic decline of the social fabric across rural America. Here are some of the conditions that were mentioned: the rate of serious crime in predominantly rural States such as Kansas and Oklahoma is 50 percent higher than in places like New York State where we have some of the largest metropolitan areas in the country; bank robberies are most likely in towns of 10,000 to 25,000 people. The article went on to talk about people in rural areas making much less than their urban counterparts and much more likely to have only minimum-wage jobs.

There were 300 times more seizures of methamphetamine labs in Iowa in 1999 than in New York and New Jersey combined, based on Drug Enforcement Administration figures.

So if everything is so great, why is the social fabric disintegrating? The economic factors that lead to this social disintegration are very clear, and they have been accelerating for a number of years. This bill will only help exacerbate them because today it is no secret that all that is holding up rural America is Federal subsidy. Fifty cents of every farm dollar today is earned from the mailbox when the farmer goes out to get his subsidy check, not from the market.

□ 1215

This bill could really do something to turn that around. It fails to do that.

More farmers and ranchers are depending on off-farm income to supplement an economy that is not working for them. USDA's economists recently reported that more than half of all farm operators have off-farm income, and when other household members are added in the off-farm income level jumps to 85 percent. So farming is becoming more of a hobby-oriented activity out there because you cannot earn your income unless you have inherited an enormous amount from past generations and even then you are trying to hold up your current debt level. The market is not providing real income without the Federal subsidy.

The stresses of rural life were also illustrated in a story last year about an Iowa program to provide mental health counseling to struggling farmers and their families. Surely this economic stress has an impact on people's ability to weather this economy over a number of years. But the funding so essential to help farmers make it in the market, in the competitive marketplace, is severely undermined in this bill. This is true with farm loan programs. Which help farmers to buy a farm or operate a farm; with rural development programs, which help both individuals and communities with homeownership, so essential to helping move our economy out of recession; water and sewer needs, which are hard investments that lead to growth; telecommunications and other vital services so necessary to help rural America jump-start into the private economy. All of these needed programs are either cut or fail to be funded in this bill. The bill falls far short of the true need.

Let us go through them. Farm loans. Overall, the bill cuts farm loans by 5 percent below the request, providing $173 million less in loans. For three critical programs, farm ownership guaranteed loans, farm operating direct loans, and farm operating subsidized guaranteed loans, the bill provides about a half a billion dollars less in loans than last year. That is a 20 percent cut. That is a cut in investment for our future.

Many other programs are cut. The business and industry guaranteed loan program is cut by 38 percent. This is where the new jobs will come from in rural America. Yet, in a time of recession, the administration and their congressional allies are cutting that by over a third.

Single family guaranteed home loans are 4 percent below the 2003 request. And think about that. That is $120 million less to offer borrowers at a time when the housing industry is the only industry that is out there that is holding this economy up as it hemorrhages jobs in other sectors.

The bill eliminates funding for the Rural Telephone Bank, which made $175 million of loans last year in 23 States. And we know that the utilities and the communications infrastructure of rural America is not at the same level as in our metropolitan areas. I think that is a very backward-looking cut.

What about water and wastewater disposal grants, one of the core programs of rural development? Every single State in this Union has people, lots of people, backed up to try to get approval for these programs. The bill does provide more funding than the administration's request, but it is $43 million below what was spent last year and almost $250 million below the level that numerous Members of Congress asked of this committee to meet the realistic needs of rural development.

Grants for distance learning and telemedicine and broadband are $24 million below this year's level.

I do not have to tell anybody out there about the shortage of physicians and medical information in rural America compared to urban and suburban America.

Funding for electric loan programs is nearly $1 billion below this year, a 20 percent reduction. How does that really help development across rural America?

Let us now look at our domestic and international programs. They are underfunded. During this year, Democrats focused on the record demand for domestic food, such as women, infants and children's coupons and food stamps. Noting enormous lines at soup kitchens and food pantries this winter, we fought very hard for temporary emergency assistance for food, and for these food banks across America. The bill does not respond adequately to these concerns, that is for sure.

Now, with the major rebuilding efforts that America is going to have to make in Iraq and Afghanistan, food will be critical to stabilizing the situation there; and we know that this bill falls far short of what is needed long-term. It simply cannot hold. We cannot meet these commitments without increasing the funding levels in these programs.

Let us now look at our domestic food programs. I mentioned the Temporary Emergency Food Assistance Program. It is $10 million below the new authorized level in the farm bill. All you have to do is go out to the food banks in your region to see what the need really is and hear the concerns that have been expressed by food bank directors and by human service directors and church leaders across this country. Funding for the Women, Infants and Children's Program is reduced below the administration request. The Commodity Supplemental Food Program is almost $20 million below this year. These are all programs that help keep people whole in bad economic times.

Neither the administration request nor the bill that is before us today adequately provides funding for the Senior Farmers Market Nutrition Program, despite the fact that applications in recent years have far outpaced available funds.

The Food and Drug Administration in this bill receives nearly $11 million less than what was requested. What does that mean? It means that we will not have full funding to implement the generic drug program, the Best Pharmaceuticals for Children Act, the over-the-counter drug program and the patient safety and adverse event reporting initiative. The bill will also halt work on the Arkansas regional lab and reduce funding for ongoing maintenance at Food and Drug Administration facilities by 25 percent.

An area of interest to many Members is medical device funding. The administration made an agreement in 2002 with the medical device industry and authorizing committees here for new industry user fees in exchange for a set level of discretionary funding each year for the program. Under the statute, if total discretionary funds fall short of the required level over a several-year period, the program sunsets. But despite the fact that it was a party to this agreement, the administration completely failed to live up to its part of the deal last year and this year and did not request the required funds. At least 46 Members of both parties requested that the full amount for devices be provided.

This bill provides an increase of $9 million over the request for the medical device program, but this is still short of the required level in order to really make the approval program work.

I wanted to say a word about mandatory programs because the bill includes 10 provisions cutting mandatory agricultural programs by $540 million. These are programs that provide support for rural firefighters; dam rehabilitation; renewable energy, and what could be more important to our country than that when we hemorrhage in terms of our ability to balance our trade accounts because of imported petroleum; conservation, which was a promise made in the recent farm bill; telecommunications and research. These cuts in those mandatory programs will have a real impact across rural America.

The Small Watershed Rehabilitation Program is cut by $95 million, more than twice the cut in this year's bill, despite a rapidly growing number of dams reaching the end of their useful lives across our country. Two years ago, the Natural Resource and Conservation Service had identified 1,450 dams in need of rehabilitation at a cost of about a half a billion dollars, $500 million. We have already spent that much money in the first half of July in Iraq, but we are not willing to spend that money here at home for infrastructure improvements.

While the bill does provide an increase of $20 million in discretionary funding, the cut in mandatory funding makes it much harder to meet identified needs. It is estimated there is a backlog of over $80 million just to finish projects currently under way, so funding on both the discretion and the mandatory sides are needed.

The bill eliminates the funding for rural firefighters. The bill eliminates all funding for the conservation security program. And in the Wetlands Reserve Program, so essential to assuring a healthy ecosystem, the bill cuts new enrollment in the program by a fifth, by 20 percent, which means that we will have so many fewer people who will be able to participate in a program that has a backlog of 736,000 acres.

In the EQIP Program, the bill reduces funding by $25 million; and that means that there will be 1,450 producers who will not be able to get EQIP funding this year.

In renewable energy, I think the bill is terribly ill-advised in zeroing out funding in a sector where America must restore her independence.

And in value-added grants, which the farm bill asked for, this bill zeros out support for the new jobs of the future that could be created across rural America.

In broadband loans for telecommunications, the bill eliminates all funding for this authorized program.

And for the initiative for future agriculture and food systems, the bill cuts $120 million from this competitive grant program which is designed to do research in critical areas such as genomics, food safety, food technology, human nutrition, new and alternative uses and production of agricultural commodities and products, agricultural biotechnology, where so much of our future lies and the world's future, natural resource management, including precision agriculture, and farm efficiency and profitability.

Other shortcomings in the bill I will quickly mention. Country-of-origin labeling. The bill prevents the implementation of origin labels for meat and meat products. This is a basic consumer right-to-know issue which the House unanimously supported when it instructed its conferees on the farm bill to support country-of-origin labeling for both meat and perishable products.

In terms of the provisions for meatpacker audits, the administration asked Congress for $1 million for the Grain Inspection, Packers and Stockyards Administration to audit the four largest steer and heifer meatpackers for compliance with that act. This might sound routine, but it is not. This would be the first time in the 82-year history of the Packers and Stockyards Act that the agency has required a large packer audit, but the bill conveniently does not provide the funding. Gosh, I wonder why.

And then in the food safety and inspection provisions, the bill provides about $12 million less than requested for the Food Safety and Inspection Service.

In terms of research, and this is really the seed corn for the future, the bill provides only half of the funding for the upgrading of security at our agricultural research labs.

In addition to that, the Cooperative Research Education and Extension Service, overall funding is over the request of the administration but $22 million lower than this year's level. As a result, many important research institutions and activities, including our 1890 and 1994 institutions, are shortchanged. In addition, at least 95 Members of this House of both parties asked for a 5 percent increase in these research formula funds, but the bill does not provide this.

Many Members also asked for $200 million for funding the national research initiative, but the bill provides only $149 million.

The Economic Research Service and National Agricultural Statistics Service would receive almost $12 million less than requested, forcing the postponement of important initiatives such as genomics research and improvement of statistical information in our New England States, Hawaii and Alaska.

In concluding these opening remarks, I would just like to summarize by saying that budgets reveal priorities. This year we are seeing that the Republican Party in this House is willing to put huge tax breaks for the most well-off in our society and also military action around the world ahead of almost every other economic and social value in our country. Rural America needs to have market-oriented incentives, not dole for farmers from coast to coast. This bill is an important answer to the situation confronting our Nation in one of the most vital sectors of our economy, and we should not shortchange the future by the underinvestment that this bill represents.

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

□ 1230

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

Ms. KAPTUR. Mr. Chairman, I yield 6 minutes to the very distinguished gentleman from Wisconsin (Mr. OBEY), ranking member of our full committee.

Mr. OBEY. Mr. Chairman, frankly, this bill is a mixed bag. We have a number of items in this bill that I support; but as is the case with so many other appropriations this year, our ability to do many things to help strengthen the economy of rural America is substantially crippled by the fact that our majority friends in this House have already decided to put all of their eggs in the tax cut basket, and that means that there is very little available for a variety of other activities whether we are talking about education or health care or in the case of this bill whether we are talking about rural sewer and water grants, rural development programs, FDA, name it.

I am distressed by some of these reductions. The gentlewoman from Ohio has already mentioned them. But just as examples, I would again cite inadequate funding for farm loans, for rural development, for rural water and sewer, for distance learning and telemedicine. We have $540 million in limitation on mandatory programs, and there are a number of other items.

But I would like to address just two other points. Number one, I am distressed that this bill contains language which prevents labeling for meat, country-of-origin labeling. I think our domestic producers have a right to be able to communicate to our domestic consumers whether or not food products are produced in this country or somewhere else. I think our consumers have a right to know that information, and I think that very clearly our special interests have weighed in and seen to it that this House will not do its duty to the public by preserving that labeling.

Secondly, I would like to discuss for a moment the amendment which purports to allow the reimportation of drugs into this country by senior citizens and some others. That is a well-meaning amendment, I will grant, and in the past I have been tempted on some occasions to support it myself. But I would simply point out that I think that this amendment is not likely to produce the effect that some would hope. First of all, the law requires that for a drug to be reimported it has to meet certain standards, and the problem is that our domestic pharmaceutical companies are very clever, and they can find hundreds of ways to prevent those drugs from meeting reimportation standards. They can prevent the use of a label which would meet U.S. standards and, therefore, prevent reimportation of a drug.

They can omit language required in the U.S. on those labels as an easy way to prevent those drugs from being reimported. They can put a drug in a form that is not time released when it is provided in the United States that it be in a time-released form. And so there are many ways which the intent of this language can be frustrating.

Secondly, I do not believe that this provision will have any significant impact on overall drug prices still charged to American consumers. And there are a number of other reasons which I will not take the time of the House now to go into, which make it quite clear that while this proposal is aimed at enabling seniors to reimport those drugs, the fact is that our domestic manufacturers, I think, are going to easily frustrate this language.

So I would say to the Members to vote however they are going to vote on it. It is not going to have much effect. I respect the intention, but that is about it. But I would simply say that if we want to do something real on prescription drugs, we will simply pass an expanded reliable, adequate, affordable prescription drug benefit under Medicare so that none of our seniors are reduced to the necessity to drive to Canada every couple of months to get a supply. That is what this Congress would do if it was not owned lock, stock and barrel by the pharmaceutical industry on this issue, but unfortunately it is and so it will not. And we will be stuck with these very tepid alternatives to meaningful action.

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

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

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas (Mr. STENHOLM), ranking member of the authorizing committee.

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

Mr. STENHOLM. Mr. Chairman, I rise in support of the bill. I commend the chairwoman, the chairman of the subcommittee, and the full committee chairman for their work in a very difficult task. They were handed a very difficult situation in which they would take the amount of revenue available for the much-needed rural development, agricultural conservation issues and did the best they could under a very difficult situation. But I commend them for that action and look forward to working with them throughout the process to do as good a job for American agriculture that continues to feed the United States.

We have the most abundant food supply, the best quality of food, the safest food supply at the lowest cost to our people than any other country in the world; and what we are about to debate today is what has contributed to that over the years. I urge the support of the bill.

Mr. Chairman, I rise in support of the bill.

Once again, legislation relating to agriculture policy demonstrates the progress that can be made when a broadly-inclusive, bipartisan approach is taken towards solving national problems.

America's farmers and ranchers continue to struggle to survive as they face the global market. But while particular problem areas continue to plague the agricultural economy, overall there is reason for optimism that recovery in the farm and ranch sector is taking hold.

The Agriculture Department's Economic Research Service recently forecast that 2003 net farm income will be $46.2 billion; this is significantly higher than 2002, with both crop and livestock receipts predicted to increase. The 2002 Farm Bill—which was developed on a bipartisan basis, passed overwhelmingly in both Houses, and signed by the President—is part of the story for this improvement.

Mr. Chairman, this view of recovery in agriculture has to be qualified to a significant degree, however. Milk, livestock, and many crop prices have not recovered to the degree that would allow producers to resume significant capital investments. Also, much of the improvement shown in the net farm income figure is attributable to timing changes associated with programs enacted by last year's Farm Bill. And, of course, the rural economy continually must adjust to the rapid consolidation that continues to occur in farming and

ranching. And while these statistics demonstrate that conditions have improved for some of agriculture, many producers still find themselves faced with very difficult financial conditions.

So while total victory can't be claimed, I stress the point that inclusive development of agricultural policy has led to more optimistic conditions for the agricultural economy. Perhaps a similar approach to general economic policy would remove some of the doubt that clouds prospects for our economy in general.

Mr. Chairman, this partial improvement in the agricultural economy has been noticed in the cities. On June 16, the Wall Street Journal reported that the farm economy "is in recovery and moving toward strength." The article discusses the very difficult times that have afflicted agriculture for the last five years, and cites rising commodity prices, a devalued dollar, improved weather, and resurgent imports as reasons to be bullish for agriculture.

But the article also makes it clear why the cities are taking note: the improving situation is a key factor behind improved economic conditions in middle America—which is recovering more quickly than the rest of the nation. I'll quote from the article: "While farmers by themselves are a tiny part of the economy, they have a broad impact on it. The industries that sell to farmers and use farm products account for 12.3 percent of the country's gross domestic product and 16.7 percent of jobs, according to the Agriculture Department."

Mr. Chairman, the Wall Street Journal and many other big city newspapers criticized the Farm Bill when it was passed. But if they read their own pages today, they'll see that this country has made a wise investment, and that the returns go well beyond the farmstead.

Mr. Chairman, the bill before the House today provides the funding needed to implement the farm bill's programs. These include the commodity income support programs, the greatest expansion in farm conservation spending in our history, the Food Stamp program, and foreign food aid. It also funds important research efforts—investments in our nation's future; crucial pest and disease eradication programs, and rural economic development.

Mr. Chairman, fiscally speaking these are tough times and the Appropriations Committee labored under very tight constraints in the development of this bill. While being diligent and confining themselves to their allocation, they have struck a responsible balance among the competing priorities. I congratulate Mr. BONILLA and Ms. KAPTUR, Chairman YOUNG and my colleague from Wisconsin (Mr. OBEY), and I urge my colleagues to support the bill.

Mr. UDALL of Colorado. Mr. Chairman, today, I regretfully rise in opposition to this bill.

I did not support the Farm Security Act that was signed into law last year. But now that it has been signed into law it should be properly funded and this bill does not do that.

In fact, some good programs are no longer funded under this bill, including the Renewable Energy Systems and Energy Improvements program and the Conservation Security Program. Not funding these programs steers our agriculture policy in the wrong direction.

The Renewable Energy Systems and Energy Improvements would help farmers improve energy efficiency and even sell back energy created on their farms. This program would help farmers become more profitable as the margins on their commodities get smaller. But this program, which was supported by Congress last year, is zeroed out.

The Conservation Security Program has provided an incentive program for farmers to improve the ecological management of working lands. This program rewarded farmers for taking proper care of their land to prevent erosion and to help keep the land fertile. This often means not maximizing the full profitability of the land during a growing season to ensure that the land will continue to be productive in the future. Again, this is a program that was supported by Congress last year but the Majority Party in the House has decided not to fund it.

There is a long list of other programs that are cut: From the Women, Infant, and Children program, which helps insure that young children and their mothers get the nutrition they need; to Farm Ownership Loans, which help farmers and ranchers buy their own facilities; to the Rural Housing Service, which helps rural residents obtain adequate and affordable housing; and the list goes on and on.

The annual Agriculture Appropriation Bill often is not very controversial and I have supported it in the past. But this year's bill will hurt America's farmers and ranchers because it doesn't provide the funding needed. This is particularly true for those farmers and ranchers who are still reeling from the effects of drought.

There are a lot of critical programs that are funded in this bill and I would like to support the bill, but on balance it does not do enough and therefore I cannot.

Ms. KAPTUR. Mr. Chairman, I would like to submit the testimony of Wenonah Hauter of Public Citizen before the House Agriculture Appropriations Subcommittee. This testimony was inadvertently omitted from the printed hearings of the Subcommittee.

TESTIMONY OF WENONAH HAUTER DIRECTOR OF THE CRITICAL MASS ENERGY AND ENVIRONMENT PROGRAM PUBLIC CITIZEN

Chairman Bonilla, Ranking Member Kaptur and Members of the Subcommittee, my name is Wenonah Hauter. I am the Director of Public Citizen's Critical Mass Energy and Environment Program. As you know, Public Citizen is a national consumer organization founded by Ralph Nader in 1971. We represent 150,000 members. We welcome this opportunity to present our views on the FY 2004 Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Bill.

USDA—FOOD SAFETY AND INSPECTION SERVICE (FSIS)

We are adamantly opposed to the Administration's proposal to collect $122 million in user fees to recover the cost of providing inspection services beyond an approved eight-hour primary shift. We believe that such a proposal could compromise the effectiveness of FSIS inspectors. Furthermore, FSIS has already taken action to de-list foreign establishments that had been previously approved to export their meat and poultry products to the United States on the basis that inspection services were paid by the companies involved instead of by the foreign government. Implementation of the Administration's proposal to institute user fees would be hypocritical.

Additionally, we are concerned that the current proposal to hire approximately 80 more FSIS inspectors will be inadequate to fill current vacancies and to make up for previous year's cuts. We recommend that at least 200 line inspectors be hired this year.

The alarming number and magnitude of meat and poultry recalls in the past year indicate that there are some serious problems with the implementation of the Hazard Analysis Critical Control Points (HAACP) program. We have been arguing for the past three years that HACCP has turned over too much authority to industry to police itself and has severely undercut the ability of FSIS inspection personnel to their jobs. We have heard directly from inspection personnel who state that they are very confused and concerned over their roles in HAACP.

More troubling is the fact that the economic well-being of companies is placed ahead of the public's welfare by the management at FSIS. In June 2002, we were able to obtain instructions to FSIS inspectors assigned to a large Kansas slaughter plant in which they were admonished that should they err on the side of public health and stop a slaughter line for suspected fecal contamination they could be personally liable for their decision.

We are also concerned about the failure of supervisors and management to back up FSIS inspectors when they discover food safety hazards. Since last year's massive ConAgra recall, it has come to light that USDA was notified of potential problems at the Greeley, Colorado plant as early as February 2002—some three months before the first recall notice went out. Warnings came from John Munsell, president of Montana Quality Foods and Processing, after FSIS personnel assigned to his plant confirmed that the source of contaminated meat ground at Montana Quality Foods and Processing was the ConAgra plant in Greeley, Colorado. Instead of applauding Mr. Munsell and the FSIS personnel for their investigative work, they have been maligned by top FSIS officials and have been told they had no authority to point the finger at ConAgra.

The same can be said of the Wampler recall. A twenty-year veteran FSIS inspector, Vincent Erthal, had tried to warn his supervisors for several months of the unsanitary conditions at the Wampler plant in Franconia, Pennsylvania. His concerns went unheeded. This fall, the second largest recall in FSIS history was issued for possible Listeria monocytogenes contamination of product coming out of that plant. After much soul-searching, Mr. Erthal decided to come forward to reveal how his attempts to warn FSIS supervision of his concerns were thwarted. Again, instead of backing their own employee, FSIS management has circled the wagons and launched a campaign to discredit Mr. Erthal.

With all of the problems that FSIS has already experienced with their implementation of HAACP in processing plants, the proposed FY 2004 budget contains language that would expand the HACCP-based Inspection Models Project (HIMP) in slaughter facilities. HIMP is yet another attempt at weakening the authority of FSIS inspection personnel and turning that responsibility over to company personnel. In a December 17, 2001 report, staff from the General Accounting Office found glaring methodological deficiencies in FSIS' current pilot project. There has not been any evidence to show that those deficiencies have been addressed. Therefore, we would urge that this expansion of HIMP not go forward until all data from the current project has been evaluated.

While we applaud additional funds to support food safety education, we believe that the money will actually be used to promote irradiation. In her written remarks to the Subcommittee, Under Secretary for Food Safety Dr. Elsa Murano stated it was her intent to devote resources to educate the public about food irradiation. Her remarks also indicate that she will attempt to blur the

definition of pasteurization to include irradiation as part of the education campaign.

In focus groups conducted for FSIS in 2002, consumers in St. Louis, Missouri; Raleigh, North Carolina; and Philadelphia, Pennsylvania were asked whether they considered irradiation to be a form of pasteurization, and overwhelmingly consumers responded that making such an assertion would be misleading. Those findings corroborated findings from focus groups conducted for the Food and Drug Administration (FDA) in three different cities during the summer of 2001. We urge you not to fund any additional efforts to change labeling requirements for irradiated food by allowing ''pasteurization'' to be used.

Lastly, we are concerned about the recent revelations that FSIS still has not addressed problems identified by the USDA Inspector General (IG) regarding the agency's reinspection program for imported meat and poultry products. In 2000, the IG noted some 18 deficiencies in the FSIS reinspection program. In her recent audit, the IG stated that FSIS has still not corrected 14 of those deficiencies—even though they had agreed to do so three years ago. In light of the heightened concerns about the security of our food supply, this is unconscionable. We urge you to instruct FSIS to comply with the recommendations in the 2000 Inspector General report.

USDA—FOOD AND NUTRITION SERVICE/ AGRICULTURAL MARKETING SERVICE

The Farm Security and Rural Investment Act of 2002 (the Farm Bill) contains a provision (section 4201 (1)) that directs the Secretary of Agriculture not to prohibit the use of approved food safety technologies in any commodity purchased by the USDA for various government-sponsored nutrition programs, including the National School Lunch and National Breakfast Programs. The USDA has decided this means that they should lift the current ban on the use of irradiation as an intervention for ground beef products purchased for these programs. And, it seems irradiation is the only approved food safety technology they are pursuing.

Section 4201(l) received no scrutiny from any congressional committee, in either the House or Senate. It never received any floor debate in either the House or Senate. It was placed in the Senate version of the Farm Bill at the last minute as part of a 400-page manager's amendment. The conferees on the Farm Bill never even discussed it in open session.

On November 22, 2002, the USDA announced that it would solicit comments from the public on the implementation of Section 4201(l) of the Farm Bill and specifically wanted comments on irradiation. The comments are being collected by the Agricultural Marketing Service (AMS). Of the comments posted on the AMS website as of March 19, 2003, by over a 5 to 1 margin, citizens have expressed their opposition to lifting the ban on irradiation—with thousands of comments still left to be posted. Comments opposing such action have come from nearly all fifty states, while those supporting the technology have come primarily from those who have direct ties to the irradiation industry.

In order to promote this technology, the Food and Nutrition Service (FNS) has funded an irradiation ''education'' program in three Minnesota school districts. The program is being administered by proponents of irradiation—with no access for critics of the technology to present alternative views. In addition, the steering committee for the program is dominated by one irradiation company and its affiliates. In essence, FNS is funding a government-sponsored advertising campaign for one company.

Recent research indicates that some chemicals formed when certain foods are irradiated may be harmful when consumed. The new studies call into question the long-held position of the FDA and the food industry that irradiated foods are generally safe for human consumption. But the studies confirm research published in 1998 and 2001 showing that concentrations of chemicals called 2-alkylcyclobutanones (or 2–ACBs)—which are found only in irradiated foods—caused DNA damage in human cells. Among the new findings, 2–ACBs were shown to promote tumor development in rat colons. The 2–ACBs are formed when foods that contain fat are irradiated, such as beef, chicken, eggs and certain fruits—all of which can legally be irradiated.

There is even less research into the long-term health effects experienced by children who are exposed to toxic chemicals in foods. Dr. William Au, a toxicologist at the Department of Preventive Medicine and Community Health, University of Texas Medical Branch in Galveston, has argued that the lack of understanding regarding the ill effects suffered by children who consume toxic chemicals in foods extends to ''the toxicological risk with respect to eating irradiated food.''

If implemented, Section 4201 (1) will create the largest mass-feeding of irradiated food to children in history. We urge the committee not to fund the purchase of irradiated food for federal government nutrition programs.

FOOD AND DRUG ADMINISTRATION

We are concerned about the lack of funding for the Food and Drug Administration (FDA) for import reinspections. Even after the additional funding the agency received in FY 2003 to hire more staff to perform food import reinspections, the agency is only capable of reinspecting a paltry 1.3 percent of imported food over which it has jurisdiction. This needs to be addressed with additional funding, with the goal of reaching at least the 20 percent reinspection rate that FSIS is able to perform for imported meat and poultry products. Furthermore, FDA should be granted the same authority that FSIS currently possesses to inspect foreign establishments that can export their food to the United States.

We are also concerned with the repeated attempts to weaken the labeling for irradiated foods. The FDA has visited this issue repeatedly since 1997—primarily at the direction of Congress. Each time, the FDA finds that consumers do not see eye-to-eye on this issue with the irradiation industry and their supporters in Congress. It seems that there are those who want to keep on trying until we get it wrong.

In the conference committee report that accompanied the FY 2001 Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, the conferees stated: ''The conferees expect FDA to make final the regulations regarding labeling of irradiated foods by March 1, 2002, and report to the House and Senate Committees on Appropriations on the status by November 15, 2000. This agreement changes the dates proposed for final regulations by the House of September 30, 2001, and by the Senate of October 30, 2001.''

In its report to the Appropriations Committees, the FDA explained that it had published an Advanced Notice for Proposed Rulemaking (ANPR) in 1999 on food irradiation labeling as the agency was directed to do under the FDA Modernization Act conference committee report in 1997. In evaluating the comments that the agency received from the ANPR, FDA stated: ''The majority of these comments were letters that urged the agency to retain special labeling for irradiated foods but did not address the specific issues on which FDA requested comment. A preliminary analysis of the comments suggests no consensus about what alternative language for disclosure of irradiation processing would be truthful and not misleading. Because the public comments provided no clear direction for agency rulemaking, FDA believes that 1999 ANPR fulfills the Agency's obligations under the FDAMA Conference Report.''

The FDA went on to say in its report to Congress that it intended to impanel consumer focus groups to attempt to obtain further guidance on the labeling issue.

During the summer of 2001, the FDA commissioned six consumer focus groups in suburban Washington, DC; Minneapolis, Minnesota; and Sacramento, California. In all of the focus groups, the moderator attempted to make a strong association between pasteurization and irradiation. This was significant since there have been some irradiation proponents who have argued that a more appropriate term to describe irradiation is either ''cold pasteurization'' or ''electronic pasteurization.'' In a 2002 report to Congress, the FDA summarized the results of those focus groups: ''Most of the participants viewed alternate terms such as 'cold pasteurization' and 'electronic pasteurization' as misleading, because they appeared to conceal rather than disclose information about irradiated food products. Participants did not see the current disclosure labeling as a warning . . . Everyone agreed that irradiated foods should be labeled honestly. They indicated that the current FDA required statement is a straightforward way for labeling irradiated foods.''

Furthermore, in his 2002 testimony before the House Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations, Dr. Lester Crawford, Deputy Commissioner of the FDA stated: ''(W)hen we did focus groups at FDA on cold pasteurization, the general feeling of the average citizen was that this was kind of a ruse or a means to conceal the fact that the food had been irradiated. And so we are kind of back to square one. We don't have a good synonym for irradiation and we would like to have one. We don't want to mislead the public.''

The public has been very consistent on the issue—in focus groups for USDA and FDA and in public comments solicited by FDA. Consumers do not want labeling rules for irradiated food to allow euphemisms like ''electronic pasteurization.'' In fact, rather than changing the words that are permitted to describe irradiated food, FDA should instead focus on expanding the current rules beyond retail establishments, so that irradiated food served in restaurants, hospitals and schools must be labeled. There have already been too many resources devoted to this issue within FDA. The driving force ought to be what the consumers believe to be honest and straightforward labeling—not what some in industry think will make it easier to sell their product. The FDA has more important things to do than devising ways to confuse and mislead consumers. We urge you not to find further attempts to change labeling rules for irradiated foods.

Thank you.

Mr. LIPINSKI. Mr. Chairman, I regret that I was unable to be here during debate on the Agriculture Appropriations bill. Had I been available, I would have engaged Congresswoman KAPTUR, the ranking member on the House Appropriations Agriculture Subcommittee, in a colloquy to discuss research on chronic wasting disease transmission.

Chronic wasting disease is spreading into Illinois. The emergence of this disease in Cook

County is the closest the disease has come to a large urban population. While this disease has yet to be detected in humans, little is known about how chronic wasting disease is transmitted from species to species. Illinois is fortunate to have unique multidisciplinary research collaborations, such as the Conservation Medicine Center of Chicago (CMCC), positioned to conduct important chronic wasting disease transmission research. The CMCC is a unique collaboration between Brookfield Zoo, Loyola University Chicago Stritch School of Medicine, and the University of Illinois College of Veterinary Medicine. The CMCC brings together an exceptional team of nearly twenty-five physicians, veterinarians, researchers and clinicians from many disciplines to study conservation medicine.

Chronic wasting disease is a growing problem across the country and the Committee has included funds for chronic wasting disease research in the Department of Agriculture's budget. I would like to urge the Department to utilize unique multidisciplinary research collaborations, such as the CMCC, to study this emerging disease and its transmission.

Mr. KIND. Mr. Chairman, to a farmer, 'erosion' is the progressive loss of some of the best means to robust and sustained production from their lands. It is one of the most expensive and difficult problems threatening their liveliehood—but, fortunately, it is a loss many farmers prevent by enrolling some of their marginal working lands in voluntary conservation programs.

Now, Mr. Chairman, I mention this because of the cynical irony at hand—today, it is Congress that must act to prevent another form of 'erosion', the erosion of legislation this Congress passed with great debate just one year ago—the 2002 Farm Bill.

At the time, I led an effort to increase funding to conservation programs that are available to all farmers because I strongly believed the 2002 Farm Bill to be too heavily weighted to primarily assisting the largest growers of a few commodity crops in a handful of states. Because of this lopsided tilt toward commodity subsidization, many who are not eligible—including dairy farmers, ranchers and fruit and vegetable farmers—rely upon conservation programs to boost farm and ranch income and to ease the cost of environmental compliance.

I argued that a small shift in funds from the commodity programs to voluntary conservation programs would significantly help more farmers in more regions of the country. At the end of the debate, conservation programs made some gains, though not all that I had sought.

The Farm Bill provided nearly $3 billion for USDA conservation programs in FY 2004, including $1.1 billion for working lands incentives programs like the Environmental Quality Incentives program, the Wildlife Habitat Incentives Program, and the Conservation Security Program.

The point, however, is that the 2002 Farm Bill was the end product of vociferous debate and was the culmination of all Members' input.

Unfortunately, the FY 2004 Agriculture Appropriations bill before us today undermines all of those efforts by rewriting the Farm Bill to reduce these critical working lands incentive programs by nearly 10 percent. Make no mistake, if passed, this bill will do nothing less than deny farmers and ranchers the funds they were promised.

The fiscal year 2004 Agricultural Appropriations bill before us today is supposed to provide the resources needed to help America's struggling farmers and ranchers—not go back and begin chipping away at pieces of the Farm Bill to better suit the view of a few appropriators. Yet, this is exactly what has happened. In total this Appropriation Bill seeks to eliminate more than $100 million from conservation and renewable energy programs that has been authorized under the 2002 Farm Bill.

Farmers and ranchers who depend upon these programs, and who have been hit hardest financially in recent years, will receive a disproportionately large cut in spending in FY 2004. In contrast, I am disappointed to note that no cuts have been proposed to commodity payments flowing to the largest grain farmers in just 15 states.

Specifically, sections 737, 738 and 745 of the underlying bill will respectively limit the enrollment of the Wetlands Reserve program by slashing 50,000 acres, or about $56 million from its authorized level; cut $25 million from the Environmental Quality Incentive program; and totally gut the Conservation Security program.

Despite the funds provided by the Farm Bill, most farmers and ranchers offering to restore wetlands and grasslands or offering to change the way they farm to improve air and water quality are still rejected when they seek USDA conservation assistance. For example, farmers and ranchers face a $1.4 billion backlog when they seek cost-sharing from the Environmental Quality Incentives program to improve water quality or wildlife habitat. These long lines will only grow longer if cut funds provided by the Farm Bill as has been proposed in the underlying bill.

WRP and EQIP are programs proven to assist farmers while helping the environment, and CSP holds equal promise.

Farmers have offered to restore most than 600,000 acres of lost wetlands by enrolling farmland into the wetlands reserve program. But, nearly all of these farmers will be rejected in FY 04, thanks in part to the cut included in this Appropriations Bill. These farmers are offering to restore more wetlands than the entire Nation destroys in a decade. Wetlands are not only crucial to wildlife and fish habitat but also to our own sources of drinking water. But the Agriculture Appropriations bill instead proposes to cut, rather than increase, funding to this crucial program.

Furthermore, Mr. Chairman, by providing more than $6.5 billion for working lands programs like EQIP and CSP in the 2002 Farm Bill, Congress decisively increased funds to help farmers manage working lands to produce food and fiber and simultaneously enhance water quality and wildlife habitat. EQUIP helps share the cost of a broad range of land management practices that help the environment, include more efficient use of fertilizers and pesticides and innovative technologies to store and reuse animal waste. CSP is a new program that will link conservation payments to gradually increasing levels of performance. In combination, these programs will provide farmers the tools and incentives they need to help meet our major environmental challenges.

Again, appropriators did not seek any cuts from the commodity programs, and it is these programs that the administration has identified as a barrier to successful negotiations in the World Trade Organzation as well as to the secure economic future of developing nations.

Mr. Chairman, President Bush recently toured the African Continent. In a New York Times article about the trip, the President is quoted on the topic of domestic agriculture subsidies as saying, ''. . . It will come up in every country we come to, because African leaders are worried that subsidies, agricultural subsidies, are undermining their capacity to become self-sufficient . . .''

And in recent testimony before the House Agriculture Committee, U.S. Trade Representative Robert Zoellick spoke about the need to ''Harmonize and reduce trade-distorting domestic support programs.''

The prior global negotiating effort—the Uruguay round (1986–1994)—was the first serious attempt to impose reforming disciplines on the world agricultural trade. Yet, the Uruguay round only started the job of tackling trade-distorting domestic subsidies by allocating them into three categories: ''green box'' subsidies, which involved payments decoupled from production incentives such as conservation programs; ''amber box'' subsidies, which includes payments linked to production, were capped at current levels and then cut by 20 percent and ''blue box'' subsidies, for payments linked to reductions in production, were allowed subject to specific criteria.

In his testimony before Congress, USTR Zoellick stated, ''The current 'DOHA Round' of negotiations seeks to build on the first step of the Uruguay round by pressing for much more substantial reductions to achieve a more levels playing field. To do so, the United States has proposed a cut of over $100 billion in trade-distorting support globally, undertaken in a manner that harmonizes levels across countries, with the eventual elimination of these subsidies all together.''

Mr. Chairman, as much as some appropriators and a few others in Congress may want to avoid the inevitable need to reform our domestic commodity support programs, it is equally unfortunate they have used this spending bill to erode our past work and break Congress's promise to America's farmers and ranchers.

I strongly urge my colleagues to oppose this misprioritized and shortsighted bill.

Mr. BEREUTER. Mr. Chairman, this Member rises in support of H.R. 2673, the Agriculture appropriations bill for fiscal year 2004.

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. 2673 provides $477,000 for the Midwest Advanced Food Manufacturing Alliance (MAFMA). The Alliance is an association of twelve leading research universities and corporate partners. Its purpose is to develop and facilitate the transfer of new food manufacturing and processing technologies.

The MAFMA award grants for research projects on a peer review basis. These awards

must be supported by an industry partner willing to provide matching funds. In 2002, MAFMA had a total of 22 requests for funds seeking $789,995 with matching funds of $916,596. Thirteen proposals were funded with the total award of $387,688. Matching funds for the funded proposals were $416,702 in addition to an in-kind total of $97,550. 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 world-wide demands for U.S. exports of intermediate and consumer good exports. In order to meet these changing world-wide 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 United States agricultural industry remains competitive in a increasingly competitive global economy.

This Member is also pleased that this bill includes $224,000 to fund the National Drought Mitigation Center (NDMC) at the University of Nebraska-Lincoln. This project 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 in recent years, this effort is obviously important.

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 Committee Report expresses support for a number of Watershed and Flood Prevention Operations projects, including the Aowa Creek Watershed in Dixon County, Nebraska. When completed, the project will significantly reduce the risk of flooding to farms, roads, and community of Ponca, Nebraska. This important flood control project is nearing completion, but lacks sufficient funding to reimburse the local sponsor.

This Member would also note that H.R. 2673 includes a loan level of $100 million for the Section 538, the rural rental multi-family housing loan guarantee program. Under H.R. 2763, it is estimated that a loan subsidy of $5.95 million will be needed to meet this loan level. The Section 538 program provides a Federal guarantee on loans made to eligible persons by private lenders. Developers will bring ten 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 $2.725 billion loan level for the Department of Agriculture's Section 502 Unsubsidized Loan Guarantee Program. Under H.R. 2763, it is estimated that a loan subsidy of $39.9 million will be needed to meet this loan level. The Section 502 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 non-metropolitan 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. 2673 and urges his colleagues to approve it.

Mr. MCGOVERN. Mr. Chairman, hunger is a terrible problem in the United States and around the world.

It's a problem that affects over 20 million adults and 13 million children right here in this country. They're our seniors, our veterans, our neighbors, working parents and their children.

And around the world, 800 million people—300 million of them children—go hungry every day.

I believe that hunger is a political condition.

The fact is that we have the resources to commit to ending hunger both at home and abroad. We have the technology, the expertise, the funding. What we lack is the political will to put an end to this scourge.

Currently, the unemployment rate is at 6.4% and growing. The demands on our community food banks and soup kitchens are becoming more than they can handle.

Government is about choices.

This Congress and this Administration have chosen over and over again to support tax cuts for the wealthy over prudent policies to help lift Americans out of poverty and to end hunger among the 33 million Americans who need our help.

Today, we are considering a Fiscal Year 2004 Agriculture Appropriations bill that dramatically underfunds programs that combat hunger here and abroad.

This Temporary Emergency Food Assistance Program, a key source of funding for food banks, is underfunded by $10 million.

The Women, Infants and Children program that provides assistance to infants, young children and pregnant, postpartum, and nursing women who are at-risk because of inadequate nutrition and income is $108 million below the Fiscal Year 2003 level. Although the Committee acknowledged that food prices were lower than expected, many of us have real concerns that a reduction in WIC funding—coupled with a continuing rise in unemployment—is a formula for tragedy.

The Senior Farmers Market Nutrition program is flat funded, even though the number of applications continues to outpace the availability of funds for this critical effort.

And if that weren't enough, Mr. Chairman, the funding levels in this bill for international food aid are completely inadequate.

P.L. 480, Title II funding—money that goes for humanitarian food aid—is more than $620 million below the Fiscal Year 2003 level.

And a program that I have been championing since its inception—the McGovern-Dole International Food for Education and Child Nutrition—is funded at $57 million. This is a $43 million decrease from last year and a $243 million drop from the funding provided to the initial pilot program.

The American economy, once vibrant, is struggling. Millions of Americans have lost their jobs, and incomes for many others are falling as they are forced to take lower-paying jobs to avoid unemployment.

One in five children in this country is threatened by hunger.

Every day, Mr. Chairman, 33 million Americans do not know whether there will be food on their tables. Overseas, people are starving to death because of famine, drought, war and poverty.

Mr. Chairman, I understand the difficulties the Chairman of the Agriculture Appropriations Subcommittee faced in drafting this bill. I'm sure that, given more resources, he would provide better funding levels for these important programs.

But the fact remains that the numbers in this bill are too low to meet the challenges of hunger. The last thing we should be doing is cutting funding for programs that serve the most vulnerable.

We can and we must do better.

Mr. FALEOMAVAEGA. Mr. Chairman, I would like to thank Chairman BONILLA and Ranking Member KAPTUR for their support regarding the Resident Instruction and Distance Education Grants Program for the Insular Areas. Last year's Farm Security and Rural Investment Act authorized this program with intent to develop and strengthen the land grant universities in the U.S. territories.

The American Samoa Community College has a strong and growing agricultural program which would benefit from this program. As insular areas members we support each other in this effort to fund this program which would provide the necessary teaching and instruction needed to educate our local people about health and diet education, environmental management and how best to utilize our natural resources.

At this time, I want to thank Chairman BONILLA and Ranking Member KAPTUR for their continued support and I once again recommend inclusion of report language which acknowledges the need for funding of this critical program.

Mr. NUSSLE. Mr. Chairman, I rise today in support of H.R. 2673, the Agriculture and Related Agencies Appropriations Act for Fiscal Year 2004. As a representative from Iowa with an economy heavily dependent on farming and farm-related businesses, I have a keen interest in this legislation which funds many of our agricultural research, food safety, and export promotion programs. As Chairman of the House Budget Committee, I am also interested in ensuring that this bill complies with the House Concurrent Resolution on the Budget for fiscal year 2004 [H. Con. Res. 95].

The bill provides $17 billion in new discretionary budget authority—$221 million above the President's request. While H.R. 2673 falls within its budgetary allocation, I would point out that the bill includes $538 million in mandatory savings, which are under the jurisdiction of the Agriculture Committee.

Overall, funding for agriculture appropriations has increased at an annual rate of 3.2 percent over the last five years. This rate is 4.5 percent below that of discretionary spending as a whole. I commend Chairman BONILLA and Ranking Member KAPTUR for their ability to work to produce a fiscally responsible bill.

The bill complies with sections 302(f) and 311(a) of the Budget Act. The first of these prohibits consideration of bills in excess of an appropriations subcommittee's 302(b) allocation of budget authority and outlays established in the budget resolution. The second, section 311(a), prohibits consideration of legislation exceeding the aggregate levels of budget authority and outlays established in the concurrent resolution on the budget.

In conclusion, I express my support for H.R. 2673, which makes an important contribution to ensuring that Americans continue to have the most abundant, inexpensive, and safest food supply in the world. I yield back the balance of my time.

Mr. LATHAM. Mr. Chairman, I rise in support of this Fiscal Year 2004 Agriculture Funding measure because it represents a good product under difficult circumstances. As we all know, this bill is not perfect—in large part because the allocation for Fiscal Year 2004 is considerably less than last year—some $800 million, in fact.

Because of the drop-off between the FY–03 allocation and the one for 04, the committee has to make difficult choices in order to accommodate the various sectors that are funded in the bill. While we are going to hear today that this bill short changes many areas, we should consider that the bill has many positives because it does.

Even with reduced resources, many important programs are well-funded. For example, funding for the FDA's generic drug program is increased, as is FDA funding for food safety. The bill includes monies to implement the ''Better Pharmaceuticals for Children Act''.

This bill also includes funding for valuable agriculture research that is currently carried out at major research centers. That research includes exploring better ways to make our agricultural production lands more efficient, and our ways of production more environmentally sound. For example, there is funding for animal feeding operations pilot projects that bring innovative technology to bear as we seek to reduce wastewater nutrients discharged from animal feeding operations.

Other research funding goes to helping us to better understand the origins of food crop diseases through high-level initiatives aimed at making our food production more economical and more healthy. Countless projects around the country will make significant strides in the research arena in the coming year because of this bill.

Many of those projects are in the states of some of the members who will speak ill of this measure today. But we should remember that those important research initiatives would not have been possible were it for the measured approach taken in reporting this bill of committee.

Not only did the committee have to make difficult program funding choices, but it also had to make choices to accomodate members of this body. At a point in the process, decisions had to be made, and I believe that the chairman did an excellent job in balancing the various needs and interests of the agriculture community and the members.

As a member of the subcommittee from an agriculture state, I can tell you that there are several things that I would like to have seen come out differently, particularly as to funding levels.

As a member of the agriculture subcommittee on appropriations, I can also tell you that all of us can point to things that we would like to have seen come out differently. In the end however, a good product has been fashioned, and I urge you to support it.

The CHAIRMAN. All time for general debate has expired.

The Clerk will read.

The Clerk read as follows:

H.R. 2673

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, 2004, 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, $3,468,000: *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.

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), $8,716,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, $13,670,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $7,749,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $14,993,000.

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 the Rural Development mission areas for information technology, systems, and services, $133,155,000, 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, $5,785,000: *Provided,* That the Chief Financial Officer shall actively market and expand cross-servicing activities of the National Finance Center: *Provided further,* That no funds made available by this appropriation may be obligated for FAIR Act or Circular A–76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress a report on the Department's contracting out policies, including agency budgets for contracting out.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary salaries and expenses of the Office of the Assistant Secretary for Civil Rights, $397,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration, $678,000.

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 the 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 and facilities, and for related costs, as follows: for payments to the General Services Administration, $124,332,000, for buildings operations and maintenance, $32,559,000, to remain available until expended: *Provided,* That not to exceed 5 percent of amounts which are made available for space rental and related costs for the Department of Agriculture in this Act may be transferred between such appropriations to cover the costs of new or replacement space 15 days after notice thereof is transmitted to the Appropriations Committees of both Houses of Congress.

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.), $15,713,000, 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, $38,592,000, to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *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.

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, $3,796,000: *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 funds made available by this appropriation may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of

Congress on the allocation of these funds by USDA agency: *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, $9,245,000: *Provided,* That 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 Inspector General Act of 1978, $77,314,000, 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, and including not to exceed $125,000 for certain confidential operational expenses as well as 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, $34,700,000.

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, $597,000.

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, $71,402,000.

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 and 2204g, and other laws, $129,800,000, of which up to $25,279,000 shall be available until expended for the Census of Agriculture.

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, $1,014,000,000: *Provided,* 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: *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 appropriated under this heading shall be available to carry out research related to the production, processing, or marketing of tobacco or tobacco products.

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, $35,900,000, to remain available until expended.

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, $594,772,000, as follows: to carry out the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–i), $180,148,000; for grants for cooperative forestry research (16 U.S.C. 582a through a–7), $21,884,000; for payments to the 1890 land-grant colleges, including Tuskegee University and West Virginia State College (7 U.S.C. 3222), $36,000,000, of which $1,507,496 shall be made available only for the purpose of ensuring that each institution shall receive no less than $1,000,000; for special grants for agricultural research (7 U.S.C. 450i(c)), $101,241,000; for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)), $15,194,000; for competitive research grants (7 U.S.C. 450i(b)), $149,248,000; for the support of animal health and disease programs (7 U.S.C. 3195), $5,065,000; for supplemental and alternative crops and products (7 U.S.C. 3319d), $1,188,000; for the 1994 research grants program for 1994 institutions pursuant to section 536 of Public Law 103–382 (7 U.S.C. 301 note), $998,000, to remain available until expended; for rangeland research grants (7 U.S.C. 3333), $1,000,000; for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), $3,222,000, to remain available until expended (7 U.S.C. 2209b); for higher education challenge grants (7 U.S.C. 3152(b)(1)), $4,888,000; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), $992,000, to remain available until expended; for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), $4,073,000; for noncompetitive grants for the purpose of carrying out all provisions of 7 U.S.C. 3242 (section 759 of Public Law 106–78) to individual eligible institutions or consortia of eligible institutions in Alaska and in Hawaii, with funds awarded equally to each of the States of Alaska and Hawaii, $2,997,000; for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(j)), $994,000; for aquaculture grants (7 U.S.C. 3322), $3,996,000; for sustainable agriculture research and education (7 U.S.C. 5811), $13,661,000; 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 and West Virginia State College, $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, $1,689,000; and for necessary expenses of Research and Education Activities, $36,815,000.

None of the funds appropriated under this heading 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), $9,000,000.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, $438,242,000, 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, $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, $58,185,000; payments for the pest management program under section 3(d) of the Act, $10,689,000; payments for the farm safety program under section 3(d) of the Act, $5,489,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University and West Virginia State College, as authorized by section 1447 of Public Law 95–113 (7 U.S.C. 3222b), $13,500,000, to remain available until expended; payments for youth-at-risk programs under section 3(d) of the Smith-Lever Act, $8,426,000; for youth farm safety education and certification extension grants, to be awarded competitively under section 3(d) of the Act, $496,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 et seq.), $4,093,000; payments for Indian reservation agents under section 3(d) of the Smith-Lever Act, $1,983,000; payments for sustainable agriculture programs under section 3(d) of the Act, $4,843,000; 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 and West Virginia State College, $31,908,000, of which $1,724,884 shall be made available only for the purpose of ensuring that each institution shall receive no less than $1,000,000; and for necessary expenses of extension activities, $19,417,000.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses,

$62,942,000, as follows: for competitive grants programs authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626), $43,942,000, including $12,887,000 for the water quality program, $14,870,000 for the food safety program, $4,501,000 for the regional pest management centers program, $4,857,000 for the Food Quality Protection Act risk mitigation program for major food crop systems, $1,487,000 for the crops affected by Food Quality Protection Act implementation, $3,229,000 for the methyl bromide transition program, and $2,111,000 for the organic transition program; for a competitive international science and education grants program authorized under section 1459A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b), to remain available until expended, $1,000,000; for grants programs authorized under section 2(c)(1)(B) of Public Law 89–106, as amended, $2,000,000, including $497,000, to remain available until September 30, 2005 for the critical issues program, and $1,503,000 for the regional rural development centers program; and $16,000,000 for the homeland security program authorized under section 1484 of the National Agricultural Research, Extension, and Teaching Act of 1977, to remain available until September 30, 2005.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), $3,470,000, to remain available until expended.

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; $725,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; and to protect the environment, as authorized by law, $725,502,000, of which $4,139,000 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; of which $51,000,000 shall be used for the boll weevil eradication program for cost share purposes or for debt retirement for active eradication zones: *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 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 sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), 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 2004, 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.

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, $4,996,000, 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, $75,953,000, 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 $62,577,000 (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 $15,392,000 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, $39,690,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $42,463,000 (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, $599,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, 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), $785,261,000; 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 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *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.

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, $636,000.

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, $1,016,836,000: *Provided*, That the Secretary of Agriculture 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.

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), $3,974,000.

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, $1,083,143,000, of which $950,000,000 shall be for guaranteed loans and $133,143,000 shall be for direct loans; operating loans, $2,200,440,000, of which $1,330,000,000 shall be for unsubsidized guaranteed loans, $252,937,000 shall be for subsidized guaranteed loans and $617,503,000 shall be for direct loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $2,000,000; 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, $34,528,000, of which $5,130,000 shall be for guaranteed loans, and $29,398,000 shall be for direct loans; operating loans, $165,633,000, of which $44,289,000 shall be for unsubsidized guaranteed loans, $32,300,000 shall be for subsidized guaranteed loans, and $89,044,000 shall be for direct loans.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $298,136,000, of which $290,136,000 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 Committees on Appropriations 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 section 226A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6933), $71,509,000: *Provided*, That not to exceed $1,000 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 (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For the current fiscal year, 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).

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, 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, $745,000.

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, $850,004,000, to remain available until expended (7 U.S.C. 2209b), of which not less than $9,215,000 is for snow survey and water forecasting, and not less than $11,722,000 is for operation and establishment of the plant materials centers, and of which not less than $23,500,000 shall be for the grazing lands conservation initiative: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): *Provided further*, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service: *Provided further*, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

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 (16 U.S.C. 1001–1009), $11,124,000: *Provided*, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

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 (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, $90,000,000, to remain available until expended of which up to $10,000,000 shall be available for the watersheds authorized under the Flood Control Act (33 U.S.C. 701 and 16 U.S.C. 1006a): *Provided*, That not to exceed $40,000,000 of this appropriation shall be made available for technical assistance: *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: *Provided further*, That the amount of federal funds that may be made available to an eligible local organization for construction of a particular rehabilitation project shall be equal to 65 percent of the total rehabilitation costs, but not to exceed 100 percent of actual construction costs incurred in the rehabilitation: *Provided further*, That consistent with existing statute, rehabilitation assistance provided may not be used to perform operation and maintenance activities specified in the agreement for the covered water resource projects entered into between the Secretary and the eligible local organization responsible for the works of improvement: *Provided further*, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

WATERSHED REHABILITATION PROGRAM

For necessary expenses to carry out rehabilitation of structural measures, in accordance with section 14 of the Watershed Protection and Flood Prevention Act, as amended, (16 U.S.C. 1012), and in accordance with the provisions of laws relating to the activities of the Department, $40,000,000, to remain available until expended: *Provided*, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

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 sections 31 and 32(l) 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 subtitle H of title XV of the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $52,894,000, to remain available until expended: *Provided*, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)): *Provided further*, That a cooperative or contribution agreement with a national association regarding a Resource Conservation and Development program shall contain the same matching, contribution requirements, and funding level, set forth in a similar cooperative or contribution agreement with a national association in fiscal year 2002: *Provided further*, That not to exceed $3,504,300, the same amount as in the budget, shall be available for national headquarters activities.

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, $636,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM

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 and 381N of the Consolidated Farm and Rural Development Act, $706,006,000, to remain available until expended, of which $27,000,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $605,006,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act, of which not to exceed $500,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306E of such Act; and of which $74,000,000 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, $13,000,000 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, nonprofit 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: *Provided further*, That of the amount appropriated for rural utilities programs, not to exceed $25,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of such Act; not to exceed $17,465,000 shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, of which $5,513,000 shall be for Rural Community Assistance Programs and not to exceed $13,000,000 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 $22,132,000 shall be available through June 30, 2004, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which $1,000,000 shall be for the rural community programs described in section 381E(d)(1) of such Act, of which $12,582,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act, and of which $8,550,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act.

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; $146,495,000: *Provided*, 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 appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $4,091,634,000 for loans to section 502 borrowers, as determined by the Secretary, of which $1,366,462,000 shall be for direct loans, and of which not more than $2,725,172,000 shall be for unsubsidized guaranteed loans; $35,003,000 for section 504 housing repair loans; $116,545,000 for section 515 rental housing; $100,000,000 for section 538 guaranteed multi-family housing loans; $5,045,000 for section 524 site loans; $11,500,000 for credit sales of acquired property, of which up to $1,500,000 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, $165,921,000, of which $126,018,000 shall be for direct loans, and of which $39,903,000, to remain available until expended, shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $9,612,000; section 515 rental housing, $50,126,000 of which $20,086,400 shall be for repair and rehabilitation, and $30,039,600 shall be for new construction; section 538 multi-family housing guaranteed loans, $5,950,000; multi-family credit sales of acquired property, $663,000; and section 523 self-help housing land development loans, $154,000: *Provided*, That of the total amount appropriated in this paragraph, $7,100,000 shall be available through June 30, 2004, 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, $447,151,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $731,000,000; 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 the current fiscal year 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), $34,772,000, to remain available until expended: *Provided*, That of the total amount appropriated, $1,000,000 shall be available through June 30, 2004, 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, $42,222,000, to remain available until expended: *Provided*, That of the total amount appropriated, $1,800,000 shall be available through June 30, 2004, 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, $36,307,000, 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)), $40,000,000.

For the cost of direct loans, $17,308,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $1,724,000 shall be available through June 30, 2004, for Federally Recognized Native American Tribes and of which $3,449,000 shall be available through June 30, 2004, 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 of the total amount appropriated, $2,447,000 shall be available through June 30, 2004, 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, $4,283,000 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, $16,120,000.

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

Of the funds derived from interest on the cushion of credit payments in the current fiscal year, as authorized by section 313 of the Rural Electrification Act of 1936, $3,000,000 shall not be obligated and $3,000,000 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), $13,000,000, of which $2,500,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $1,500,000 shall be for cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, minority producers, of which not to exceed $500,000 shall be for cooperative research agreements; and of which not to exceed $4,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 6401 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1621 note).

RURAL EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES GRANTS

For grants in connection with a second round of empowerment zones and enterprise communities, $10,967,000, to remain available until expended, for designated rural empowerment zones and rural enterprise communities, as authorized by the Taxpayer Relief Act of 1997 and the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277).

RENEWABLE ENERGY PROGRAM

For the cost of direct loans and grants, as authorized by section 9006 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106), $3,000,000 for direct renewable energy loans and grants: *Provided*, That the cost of direct loans and loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

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, $240,000,000; municipal rate rural electric loans, $1,000,000,000; loans made pursuant to section 306 of that Act, rural electric, $2,000,000,000; Treasury rate direct electric loans, $750,000,000; 5 percent rural telecommunication loans, $145,000,000; cost of money rural telecommunication loans, $300,000,000; and loans made pursuant to section 306 of that Act, rural telecommunication 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 sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of rural electric loans, $60,000, and the cost of telecommunication loans, $125,000: *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, $38,166,000 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.

For administrative expenses, including audits, necessary to carry out the loan programs and continue to service existing loans, $3,182,000, to be derived by transfer from the shareholder's equity, contained in the unobligated balances in the Rural Telephone Bank Liquidating Account, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of direct distance learning and telemedicine loans, $300,000,000; and for the principal amount of broadband telecommunication loans, $336,000,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $25,000,000, to remain available until expended.

For the cost of direct and guaranteed broadband loans, as authorized by 7 U.S.C. 901, et seq., $9,116,000: *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $8,000,000, to remain available until expended, for a grant program to finance broadband transmission in areas that meet the definition of ''rural area'' used for the Broadband Loan Program authorized by 7 U.S.C. 901.

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, $599,000.

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; $11,418,441,000, to remain available through September 30, 2005, of which $6,718,780,000 is hereby appropriated and $4,699,661,000 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 $6,000,000 shall be available for the Food and Nutrition Service to conduct a study of certification error and its effect on expenditures in the National School Lunch and School Breakfast Programs and an assessment of the feasibility of using income data matching in those Programs: *Provided further*, 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 $5,235,000 shall be available for independent verification of school food service claims.

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

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $4,588,310,000, to remain available through September 30, 2005, of which $20,000,000 shall be for a breastfeeding support initiative in addition to the activities specified in section 17(h)(3)(A); $25,000,000 shall be for a management information system initiative; and $25,000,000, to remain available until expended, shall be placed in reserve for use in only such amounts, and in such manner, as the Secretary determines necessary, notwithstanding section 17(i) of the Child Nutrition Act, to provide funds to support participation, should costs or participation exceed budget estimates: *Provided*, That notwithstanding section 17(h)(10)(A) of such Act, $14,000,000 shall be available for the purposes specified in section 17(h)(10)(B): *Provided further*, That notwithstanding section 17(g)(5) of such Act, $4,000,000 shall be available for pilot projects to prevent childhood obesity: *Provided further*, That none of the funds made available under this heading shall be used for studies and evaluations: *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.), $27,745,981,000, of which $2,000,000,000 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.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and 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); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(h)(2) of the Compacts of Free Association Act of 1985; and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $166,072,000, to remain available through September 30, 2005: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the domestic nutrition assistance programs funded under this Act, $140,512,000, 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 $7,500,000 shall be available to improve integrity in the Food Stamp and Child Nutrition programs.

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), $133,924,000: *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.

PUBLIC LAW 480 TITLE I 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, $103,887,000, 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, $4,041,000, of which $1,066,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $2,975,000 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 TRANSFER OF FUNDS)

For ocean freight differential costs for the shipment of agricultural commodities under title I of the Agricultural Trade Development and Assistance Act of 1954 and under the Food for Progress Act of 1985, $28,000,000, to remain available until expended: *Provided*, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 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 TITLE II GRANTS

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, for commodities supplied in connection with dispositions abroad under title II of said Act, $1,192,000,000, to remain available until expended.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $56,874,000, to remain available until expended.

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, $4,312,000; 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 $3,327,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $985,000 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

(INCLUDING TRANSFERS OF FUNDS)

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; 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; and notwithstanding section 521 of Public Law 107–188; $1,668,249,000: *Provided*, That of the amount provided under this heading, $249,825,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended, and $29,190,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug and medical device applications received during fiscal year 2004 shall be subject to the fiscal year 2004 limitation: *Provided further*, That any prescription drug or medical device user fee collected in fiscal year 2004 that exceeds this limitation shall be credited to this account and remain available until expended, in accordance with 21 U.S.C. 379h(g)(4) and 379j(h)(4): *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $412,462,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $478,650,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no less than $13,357,000 shall be available for grants and contracts awarded under section 5 of the Orphan Drug Act (21 U.S.C. 360ee); (3) $168,836,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $84,646,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $209,285,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $39,887,000 shall be for the National Center for Toxicological Research; (7) $40,851,000 shall be for Rent and Related activities, other than the amounts paid to the General Services Administration for rent; (8) $119,795,000 shall be for payments to the General Services Administration for rent; and (9) $113,837,000 shall be for other activities, including the Office of the Commissioner; the Office of Management and Systems; the Office of External Relations; the Office of Policy and Planning; and central services for these offices: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b may be credited to this account, to remain available until expended.

In addition, export certification user fees authorized by 21 U.S.C. 381 may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $6,000,000 to remain available until expended.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act

(7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, $88,435,000, including not to exceed $3,000 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $40,900,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided,* That this limitation shall not apply to expenses associated with receiverships.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 398 passenger motor vehicles, of which 396 shall be for replacement only, and for the hire of such vehicles.

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

SEC. 703. Funds appropriated by this Act shall be available for employment pursuant to the second sentence of section 706(a) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2225) and 5 U.S.C. 3109.

SEC. 704. The Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or other available unobligated discretionary balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: *Provided,* That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further,* That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, information technology infrastructure, fruit fly program, emerging plant pests, boll weevil program, and up to 25 percent of the screwworm program; Food Safety and Inspection Service, field automation and information management project; Cooperative State Research, Education, and Extension Service, funds for competitive research grants (7 U.S.C. 450i(b)), funds for the Research, Education, and Economics Information System (REEIS), and funds for the Native American Institutions Endowment Fund; Farm Service Agency, salaries and expenses funds made available to county committees; Foreign Agricultural Service, middle-income country training program and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service.

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

SEC. 707. Not to exceed $50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to section 606C of the Act of August 28, 1954 (7 U.S.C. 1766b).

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

SEC. 709. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 710. None of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 20 percent of total Federal funds provided under each award: *Provided,* That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 711. Notwithstanding any other provision of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 712. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to cover obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Telephone Bank program account, the Rural Electrification and Telecommunication Loans program account, the Rural Housing Insurance Fund program account, and the Rural Economic Development Loans program account.

SEC. 713. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: *Provided,* That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 714. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 715. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 716. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 717. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 718. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided,* That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 719. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify the Committees

on Appropriations of both Houses of Congress before implementing a program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

SEC. 720. With the exception of funds needed to administer and conduct oversight of grants awarded and obligations incurred in prior fiscal years, none of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out the provisions of section 401 of Public Law 105–185, the Initiative for Future Agriculture and Food Systems (7 U.S.C. 7621).

SEC. 721. None of the funds appropriated by this Act or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2005 appropriations Act.

SEC. 722. None of the funds made available by this Act or any other Act may be used to close or relocate a state Rural Development office unless or until cost effectiveness and enhancement of program delivery have been determined.

SEC. 723. In addition to amounts otherwise appropriated or made available by this Act, $3,000,000 is appropriated for the purpose of providing Bill Emerson and Mickey Leland Hunger Fellowships, as authorized by section 4404 of Public Law 107–171 (2 U.S.C. 1161).

SEC. 724. Notwithstanding section 412 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736f), any balances available to carry out title III of such Act as of the date of enactment of this Act, and any recoveries and reimbursements that become available to carry out title III of such Act, may be used to carry out title II of such Act.

SEC. 725. Section 375(e)(6)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(e)(6)(B)) is amended by striking ''$26,499,000'' and inserting ''$26,998,000''.

SEC. 726. Notwithstanding any other provision of law, the Natural Resources Conservation Service may provide financial and technical assistance through the Watershed and Flood Prevention Operations program for the Ditch 26 project in Arkansas.

SEC. 727. Notwithstanding any other provision of law, the Secretary shall consider the County of Lawrence, Ohio; the City of Havelock, North Carolina; the City of Portsmouth, Ohio; the City of Atascadero, California; the City of Binghamton, New York; the Town of Vestal, New York; the City of Ithaca, New York; the City of Casa Grande, Arizona; and the City of Clarksdale, Mississippi, as meeting the eligibility requirements for loans and grants programs in the Rural Development mission area.

SEC. 728. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the DuPage County, Illinois, Kress Creek Watershed Plan, from funds available for the Watershed and Flood Prevention Operations program, not to exceed $1,600,000 and Rockhouse Creek Watershed, Leslie County, Kentucky, not to exceed $1,000,000.

SEC. 729. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 730. Agencies and offices of the Department of Agriculture may utilize any unobligated salaries and expenses funds to reimburse the Office of the General Counsel for salaries and expenses of personnel, and for other related expenses, incurred in representing such agencies and offices in the resolution of complaints by employees or applicants for employment, and in cases and other matters pending before the Equal Employment Opportunity Commission, the Federal Labor Relations Authority, or the Merit Systems Protection Board with the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 731. None of the funds appropriated or made available by this Act may be used to pay the salaries and expenses of personnel to carry out section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)).

SEC. 732. None of the funds appropriated or made available by this Act, or any other Act, may be used to pay the salaries and expenses of personnel to carry out the Rural Strategic Investment Program authorized by subtitle I of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009dd through dd–7) in excess of $2,000,000.

SEC. 733. None of the funds appropriated or made available by this Act may be used to pay the salaries and expenses of personnel to carry out the Rural Firefighters and Emergency Personnel Grant Program authorized by section 6405 of Public Law 107–171 (7 U.S.C. 2655).

SEC. 734. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out the provisions of sections 7404(a)(1) and 7404(c)(1) of Public Law 107–171.

SEC. 735. The Agricultural Marketing Service and the Grain Inspection, Packers and Stockyards Administration, that have statutory authority to purchase interest bearing investments outside of Treasury, are not required to establish obligations and outlays for those investments, provided those investments are insured by FDIC or are collateralized at the Federal Reserve with securities approved by the Federal Reserve, operating under the guidelines of the U.S. Treasury.

SEC. 736. Of the funds made available under section 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the Secretary may use up to $10,000,000 for costs associated with the distribution of commodities.

SEC. 737. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to enroll in excess of 200,000 acres in the calendar year 2004 wetlands reserve program as authorized by 16 U.S.C. 3837.

SEC. 738. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality incentives program authorized by chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of $975,000,000.

SEC. 739. The Administrator of the Agricultural Research Service may make available by outlease agreements with other Federal agencies or non-Federal public or private entities any unused or underused portion or interest of or interest in any agency real and related personal property, and may retain and use the proceeds of such agreements in carrying out the programs of the agency. Property proposed for outlease must not be property otherwise required to be reported excess under the Federal Property and Administrative Services Act of 1949, as amended. Outleases shall be made competitively, and be based on the fair market value of the property.

SEC. 740. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out section 9006 of Public Law 107–171, the Farm Security and Rural Investment Act of 2002.

SEC. 741. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out section 6103 of Public Law 107–171.

SEC. 742. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out section 6401 of Public Law 107–171, the Farm Security and Rural Investment Act of 2002.

SEC. 743. None of the funds appropriated or otherwise made available by this Act shall be used for the implementation of Country of Origin Labeling for meat or meat products.

SEC. 744. Any unobligated balances in the Alternative Agricultural Research and Commercialization Revolving Fund are hereby rescinded.

SEC. 745. None of the funds appropriated or otherwise made available by this Act shall be used to carry out a Conservation Security Program authorized in section 1241(a)(3) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(3)).

SEC. 746. Section 726 of Division A of Public Law 108–7 is amended by striking '', as authorized by section 4404 of Public Law 107–171 (2 U.S.C. 1161)'' and inserting ''through the Congressional Hunger Center''.

SEC. 747. (a) ASSISTANCE FOR COMMERCIAL TREE LOSSES.—The Secretary of Agriculture shall use $5,000,000 of the funds of the Commodity Credit Corporation to provide assistance under the Tree Assistance Program, subtitle C of title X of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8201 et seq.), to tree-fruit growers located in a federally declared disaster area in the State of New York who suffered tree losses in 2003 as a result of an April 4–6, 2003, icestorm.

(b) OFFSET.—The amount appropriated by this Act under the heading ''RURAL COMMUNITY ADVANCEMENT PROGRAM'' is hereby reduced by $5,000,000.

SEC. 748. Section 204(a)(3) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724(a)(3)) is amended by striking ''and Committee'' and inserting '', the Committee on Appropriations, and the Committee''.

SEC. 749. None of the funds appropriated or otherwise made available by this Act for the Food and Drug Administration may be used under section 801 of the Federal Food, Drug, and Cosmetic Act to prevent an individual not in the business of importing a prescription drug within the meaning of section 801(g) of such Act, wholesalers, or pharmacists from importing a prescription drug which complies with sections 501, 502, and 505.

Mr. BONILLA (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 72, line 23, 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. Are there any points of order against provisions in this portion of the bill?

Mr. BONILLA. Mr. Chairman, I move to strike the last word.

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

Mr. BONILLA. Mr. Chairman, as we all know, we are proceeding with this bill under regular order. I would like to thank the gentlewoman from Ohio (Ms. KAPTUR), my ranking member, for once again helping to produce the best bill we possibly could under the circumstances. We were working under some incredible fiscal limitations this year versus last year, and this is a bill that was produced by a subcommittee that has a history of working together.

The last time we had our bill on the floor, we had over 400 votes in support of the bill; and I am very proud of that. I think every member of the subcommittee understands that we try to work with every last person and try to honor every request that they have. We cannot always do everything that everybody wants, but we certainly give it our best shot. This is the year, as many Members know, that we also had to deal with over 2,300 individual requests. That is a lot of requests that our good staff has to keep track of day in and day out as we moved toward this day; and I would like to commend the staff, both the majority and the minority, as they have worked so diligently especially in the last few days around the clock to try to get us to this point on the floor so we could have a good bill to present to the folks.

So I am very proud of this product. Again, nobody always gets everything they want in bills like this, but we certainly have done the best we can.

Mr. KUCINICH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong opposition to this bill. It fails to fully protect farmers and consumers. The legislation permits big corporate agriculture to reap massive profits while small family farmers struggle to make a dollar. With respect to meatpacker audits, the administration has asked for $1 million for the Grain-Inspection, Packers and Stockyards Administration to audit the four largest steer and heifer meatpackers, for compliance with the Packers and Stockyards Act. This might sound like a routine request, but it is not. This will be the first time in the 82-year history of the Packers and Stockyards Act that the agency has audited a large packer, but the bill does not provide this funding. Republicans must know that such an audit would show significant problems with the meatpackers, thus their refusal to fund it. At a time when the four largest meatpackers control 80 percent of the market, the American public should at least know the truth.

I want to indicate my agreement with the minority committee report that was so ably represented by the distinguished gentlewoman from Ohio (Ms. KAPTUR). The report pointed out that with respect to the Conservation Security Program that this bill eliminates all funding for this program. This is despite the fact that this program will provide assistance to farmers to adopt conservation methods on working farms. This is unlike a number of other programs that take land out of production for conservation; and assistance for conservation on working farms has been sorely neglected in the past, and this program represents an essential attempt that would remedy that problem.

The Wetlands Reserve Program, in a recent publication, the committee has pointed out that the USDA referred to this program as the ''premier wetland restoration program,'' but the bill cuts new enrollment in this program by 20 percent in 2004. The program has a backlog of over 736,000 acres. That is why the farm conferees increased allowable acreage, and this amendment unfortunately will thwart that effort.

The Environmental Quality Incentive program is one that has gained a lot of discussion in this country. The bill reduces this program by $25 million in 2004. This will mean there will be a cut of 1,450 producers who will not be able to get equipped funding in 2004. And in addition, the backlog last year for the program was $1.5 billion, which caused many producers to give up on the program. Another limit will discourage those who still want to participate.

The guides to renewable energy, the minority report has correctly pointed out that the bill zeroes out funding for this program. This program would provide grants and loans to farmers and ranchers and small rural businesses to buy renewable energy systems and to make energy efficiency improvements. Now, here we are at a time when we are seeing sharp increases in electric prices. We have seen spikes in natural gas prices, and we are expecting more increases. These increases could devastate small farmers, ranchers, and businesses. Any bill that would zero out renewable energy, therefore, is not advisable.

With respect to country-of-origin labeling, the minority committee report has appropriately pointed out that the bill prevents the implementation of country-of-origin labels for meat and meat products. We have to understand that it is really basically a consumer's right to know where the goods they are consuming come from.

□ 1245

The House unanimously supported this idea when it instructed its conferees on the farm bill to support country of origin labeling for both meat and perishable products. All Americans are concerned about food safety and inspection. The bill provides about $12 million less than requested for food safety and inspection.

The minority committee report points out that under the budget request these funds would not have gone directly into inspection activities, but, given the large number of recalls in 2002 and the ongoing concern about the agency's performance, the $12 million should have been provided for increased inspection and sampling.

There are very few areas where the American public has a greater interest than the area of food safety and inspection. People really want to be assured that our government is doing what it can to make sure that the food which people are consuming has in fact been inspected and is in fact safe. This is another deficiency in this bill.

AMENDMENT OFFERED BY MR. BALLANCE

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

The Clerk read as follows:

Amendment offered by Mr. BALLANCE:

Under the heading ''COMMON COMPUTING ENVIRONMENT'', insert after the dollar amount on page 3, line 9, the following: ''(reduced by $8,656,000)''.

Under the heading ''OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS'', insert after the dollar amount on page 4, line 6, the following: ''(increased by $411,000)''.

Under the heading ''DEPARTMENTAL ADMINISTRATION'', insert after the dollar amount on page 6, line 3, the following: ''(increased by $2,005,000)''.

Under the heading ''CSREES-RESEARCH AND EDUCATION ACTIVITIES'', insert after the dollar amounts on page 11, line 13, and page 12, line 16, the following: ''(increased by $600,000)''.

Under the heading ''OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS'', insert after the dollar amount on page 16, line 12, the following: ''(increased by $5,000,000)''.

Mr. BALLANCE (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. BALLANCE. Mr. Chairman, I would like to thank the floor leaders of this bill on both sides. I appreciate this opportunity on behalf of myself and my colleagues, the gentleman from California (Mr. BACA) and the gentleman from Mississippi (Mr. THOMPSON).

Mr. Chairman, I am deeply concerned about the state of minority affairs at USDA. We know that on April 1 of last year, Mr. Vernon Parker, the first USDA Assistant Secretary for Civil Rights, was sworn in and given the enormous task of improving how minorities are currently treated at USDA, preempting future civil rights problems at USDA and righting past wrongs.

I applaud the President for his efforts in creating this Office of Civil Rights, but I urge my colleagues, and the reason I am standing with this amendment, is to not let this office be only window dressing for this very serious matter.

In the 1994 report commissioned by USDA, it was pointed out that minority participation in Farm Service Agency programs is particularly low; and minorities receive less than their

fair share of USDA funding for crop payments, disaster payments and loans. The report found gross deficiencies in USDA data collection and handling that helped these minority farmers.

Mr. Chairman, there are currently 11 class action lawsuits pending against USDA, all of which allege discrimination by USDA. There is a Latino farmer lawsuit, a Native American farm lawsuit and others, and the famous case of Pickford versus Glickman was settled in 1999. Since then we have spent over $800 million, but there are still 2,000 cases sitting around at USDA gathering dust waiting to be reviewed in connection with the Pickford case.

We are hemorrhaging money. We have an Office of Civil rights. It is underfunded. We met with Mr. Parker. He has a 90-day plan where he wants to attack this issue, but he has two staffers in addition to himself, and he has no money.

This amendment would allow that office to be properly funded. It would also allow about $2 million to go into the Office of Civil Rights so that they can review these old cases, and it would allow some funding to go for the benefit of Latino population education.

We think that this $8 million we are seeking here is meaningful to address all of these civil rights issues. We think it would not only serve the Department but it would serve this Congress and would serve this country. So I urge my colleagues to support this amendment.

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

Mr. Chairman, I will be brief and to the point. This has been a tough budget year. This is a tough bill, but it is a fair bill, and the gentleman brings up some very good points that need to be addressed. But, again, having done the best we can possibly do under the circumstances, I hope that people understand that we wished we could have done more but we were just not able to.

Certainly the accounts that this amendment would increase were not treated unfairly in any way, and this is how they are funded in the bill. For example, the Office of Civil Rights is at last year's level plus increased pay cost. Departmental Administration is at last year's level plus increased pay cost. Hispanic-Serving Institutions is held at last year's level, so there is no cut there, which in this day and age I believe people should be pleased with an outcome like that. The Outreach Program is also at last year's level.

The gentleman's amendment would do the following: It would more than double the Office of Civil Rights, giving that office a 104 percent increase; increase the Departmental Administration account by 5 percent; increase Hispanic-Service Institutions programs by 15 percent; and increase the Outreach Program by a whooping 144 percent.

Let me emphasize that if we had the money to do this we would be doing cartwheels in supporting these kinds of increases, but we are doing the best we can under the limitations we have in putting this bill together.

The money that would be taken from the USDA's Common Computing Environment Account, and while that does not sound like a grand program, let me emphasize that this takes care of the way that a lot of these programs are processed, like the work at the Farm Service Agency, the Natural Resources Conservation Service and the Rural Economic and Community Development Programs. This amendment would take $8.6 million away from USDA's ability to meet those needs, and that would indeed create a lot of hardship out in the heartland.

Mr. Chairman, we worked very hard to present a well-considered and fair bill to the House. I ask Members to stick with the committee and defeat this amendment.

Mr. KUCINICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment. I think it is important for the House to understand that what we are talking about here is trying to assist minority farmers to be able to get experts in the field to help them obtain the best technology and environmental improvements in farming, to be able to be more competitive.

We know that, historically, whenever family farmers are having difficulties, it is always the minority farmers who find it most troubling to be able to survive.

This bill, when the work was being done, discovered a disturbing discrepancy for funding our Nation's land grant colleges of agriculture between funding for those land grant institutions established in 1890, all of which are historically black colleges and universities, and those established in 1962, which are predominantly non-minority.

I think the sponsors of this are trying to do the right thing in making sure that the inequities that have been long-standing and historic are addressed and that efforts are made in these difficult times to be able to establish fairness. Because this really is a question of fairness, whether or not we are going to be able to have an agricultural program that is going to make sure that minorities who have worked very hard to try to establish a place in agriculture will have available to them the kind of expertise that is available to many farmers generally.

So I rise in support of this amendment, and I urge Members to do likewise.

Mr. BACA. Mr. Chairman, I rise in favor of this amendment that I helped develop in collaboration with Representatives THOMPSON and BALLANCE. This amendment is important because it restores funding to help end discrimination and prioritizes other significant funding to help minorities in the field of agriculture.

The U.S. Department of Agriculture has institutional problems that must be resolved.

The problems within the USDA are so severe that the civil rights complaints have cost the federal government hundreds of millions of dollars in settlements and awards.

Fixing the civil rights complaint process and properly funding minority initiatives are necessary to permanently end a history of discrimination.

The USDA Inspector General, General Accounting Office, and the USDA Civil Rights Action Team have all written numerous reports documenting the problems at the Office of Civil Rights. Yet, employees responsible for discrimination settlements remain employed and the system as a whole remains unchanged.

In attempt to reform the problems at the USDA, we created the office of the Assistant Secretary for Civil Rights to oversee reform at the agency. But sadly, we have failed to fully fund this office.

Investing in the elimination of discrimination at the USDA will not only help save the federal government money in the long run, but it will help save employees and farmers the heartache and humiliation associated with discrimination.

Discrimination is morally reprehensible, and an unnecessary expense to the federal government. We must invest in the agency in order to correct the wrongs.

This amendment is also crucial to help end discrimination because it increases funding for Hispanic Serving Institutions by $600,000. These institutions are great sources of innovation and deserve funding to continue generating advances in agricultural science. We must stop the long-standing practice of under funding these institutions.

Mr. Chairman, I urge my colleagues to support these modest investments that will yield greater savings from discrimination lawsuits and earn goodwill with the minority agriculture community.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. BALLANCE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BLUMENAUER

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

The Clerk read as follows:

Amendment offered by Mr. BLUMENAUER:

Under the heading ''AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS'', insert after the dollar amount on page 5, line 1, the following: ''(reduced by $800,000)''.

Under the heading ''OFFICE OF THE INSPECTOR GENERAL'', insert after the dollar amount on page 7, line 18, the following: ''(increased by $800,000)''.

Mr. BLUMENAUER (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 Oregon?

There was no objection.

Mr. BLUMENAUER. Mr. Chairman, I offer this amendment this afternoon together with the gentleman from Colorado (Mr. TANCREDO) to provide $800,000 for improved enforcement for the Federal animal fighting law. It is not just enough to fight a law, Mr. Chairman. It must be enforced.

In May, 160 Representatives and Senators requested this $800,000 increase for animal fighting enforcement in letters to the Committee on Appropriation's Subcommittee on Agriculture. The broad, bipartisan support reflects our constituents' concern for meaningful enforcement of the Federal animal fighting law.

Fifty-five State and local sheriff's offices, State police departments from around the country, including Kansas, my home State of Oregon, Colorado, Texas, West Virginia, Michigan, Wisconsin and others, have called on Congress to provide this money so that USDA will improve its enforcement for the animal fighting law and have a stronger partner in their efforts.

The increase we seek in our amendment would be offset by a cut of $800,000 in the agricultural building and facilities and rental payments account, only one-half of 1 percent, leaving over $156 million.

Mr. Chairman, in the 27 years since Congress first prohibited most interstate and foreign commerce of animals for fighting, USDA has pursued only a handful of cases, despite receiving a steady stream of tips from informants and requests for State and local police on illegal movement of fighting dogs and birds across State lines.

I was pleased to have the support of so many of our colleagues last year in enacting provisions to the farm bill to close loopholes in the Federal animal fighting law. Now it is time to ensure that the USDA take seriously its responsibilities and has the resources to enforce the law.

The amendment would provide the $800,000 for the Office of Inspector General to focus on animal fighting cases, working closely with State and local law enforcement personnel to complement their efforts.

While dogfighting is banned in all 50 States and cockfighting is banned in 48 States, the Federal Government must be involved, for participants in animal fights often come together from several States at a time and animals are moved across State lines.

This is not some innocent pastime. Dogfighting and cockfighting are barbaric activities in which animals are given drugs to make them hyper-aggressive and drugs to clot their blood more quickly so they can continue fighting. They are pushed by their handlers to fight even after they have suffered grievous injuries, such as pierced lungs and gouged eyes.

Dogfights and cockfights not only are deplorable animal abuse, but they are integrally involved with illegal gambling, drug traffic and violence to people who participate in these activities.

It is well documented that animal fighters often bring their children to these spectacles, sending a terrible message to them about animal cruelty and violence. Some dogfighters steal pets to use as bait for training their dogs. Some abandon fighting animals, leaving them to roam neighborhoods and wreak havoc. Any dog bred and trained to fight poses a public safety risk.

Mr. Chairman, in October of 2002, the Exotic Newcastle Disease began spreading rapidly across the Southwest United States. Exotic Newcastle Disease is a highly contagious viral disease that affects respiratory, digestive and nervous systems of all birds. This outbreak cost taxpayers upwards of $100 million in containment and compensation fees, and it is very probable the outbreak originated from cockfighting birds imported from Mexico.

According to the State Veterinarian and Director of Animal Health and Food Services in California, game fowl and their owners have played a major role in the dissemination of this virus due to their high mobility related to meetings, training, breeding and fighting activities on a regular basis.

The Texas Poultry Federation takes a similar position in its letter, stating that, cockfighting has spread Exotic Newcastle Disease as their birds travel extensively and come in close contact at fights. It makes no sense to allow illegal cockfighting operations to continue, putting our flocks and livelihood at risk.

Mr. Chairman, surely spending $800,000 to crack down on animal fighting is a smart investment to help prevent the spread of costly future diseases, especially when a significant portion of the eradication expenses the Federal Government has already incurred in the recent outbreak, $11.5 million, according to USDA records, went to compensate owners of birds believed to be illegal fighting cocks.

□ 1300

Why let this illegal industry continue to thrive unchecked?

Animal fighting is no longer simply an animal welfare issue, it is an epidemic that is costing taxpayers millions of dollars, threatening our food supply, and destroying the hard work of American farmers. It promotes illegal gambling and drug activities and puts the public at risk. I urge my colleagues to vote in support of this amendment.

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

Mr. Chairman, there is not a Member of this body that does not believe in treating animals humanely. However, I oppose this amendment for several reasons:

First, the $800,000 that would go to the Inspector General would go to dogfighting and cockfighting enforcement, and it would cut buildings and facilities funding for rent and maintenance that are already underfunded.

The Inspector General's office has told us that enforcement of this will be done at a minimal level since this is a misdemeanor offense. Now, one could argue the pluses and minuses on whether it should be a more serious offense, but these are misdemeanors that are dealt with by local law enforcement agencies from around the country, and they cannot afford to devote their resources at the IG level because of this reason. The IG tells us that one case alone could cost $800,000.

Second, one of the reasons that we are debating this amendment today is that the Humane Society of the United States points out that this vote will be counted on the Humane Scorecard this year. The only reason that this item is even on their scorecard is that we have addressed all other of their concerns in this bill. We provided a $437,000 increase for animal welfare, $1.1 million more for regulatory enforcement in the Animal and Plant Health Inspection Service, and fully funded the enforcement of the Humane Methods of Slaughter Act in the Food Safety and Inspection Service.

If the sponsors of this amendment were serious about this, programs that the HSUS supported like the ones that I just mentioned are the ones that would be cut to pay for this amendment, but then that would force them to prioritize like the rest of us have to do.

If every Member of the House brought an amendment to the floor just because they did not get every last nickel that they wanted, we would be here all day and we could never get this bill done.

Finally, Mr. Chairman, I urge my colleagues to not vote against this amendment simply because I am suggesting that they do, but vote against this amendment because of the following statement by an HSUS Vice President who said, ''The life of an ant and that of any child should be granted equal consideration.''

Mr. KUCINICH. Mr. Chairman, I rise in support of the Blumenauer-Tancredo amendment. The amendment is designed to improve enforcement of the Animal Welfare Act.

I think that when we recognize that so many Americans are concerned about animal abuse, we look at this as being one of the most egregious areas where dogfighting and cockfighting takes place. As the gentleman from Oregon (Mr. BLUMENAUER) pointed out, it is not only a matter of animal abuse, it is a matter of illegal gambling, drug trafficking, and violence against other people. Violence breeds violence. I think that this amendment, in seeking to bring an appropriate Federal role through funding through the Inspector General, would help the local communities understand that a Federal focus means that more attention needs to be paid to local enforcement as well.

As somebody who served in municipal government over the years, this is something that came up in terms of activities that were taking place in some of the neighborhoods in my own community, and certainly people who heard about them and who were involved in the community understood that the level of violence and the level of animal cruelty was something that needed public attention.

We should have no tolerance for animal cruelty. We should have no tolerance for a system which degrades these creatures of God. And we also need to understand that, as the honorable chairman pointed out, the observation that was made by an official concerning the quality of ants and children, I do not think that he actually meant to equate the importance of an ant to a child, but what the statement meant to say was that all life here ought to be regarded with some degree of respect and that, in effect, when we try to come forward here and support animal welfare and support the rights of animals to not be treated cruelly, what we are doing here is, in effect, elevating our own humanity.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. BLUMENAUER. Mr. Chairman, I wanted to just respond very briefly to two points of the distinguished chairman of the subcommittee.

What he describes with the notion of this being a misdemeanor is part of the catch-22 that some of the people in this Congress who are fronting for the illegal fighting animal activities have produced for us. When we had an amendment on the floor that was approved in the farm bill last year, it was to increase the penalties so that it would be easier to pursue. But, sadly, in conference, contrary to the will of the House, these provisions were watered down. So now we can plead, well, it is only a misdemeanor so we should not be involved with it.

The fact is, as I mentioned in my statement, 55 local jurisdictions and State jurisdictions in law enforcement have asked us to come forward, because while these provisions may be misdemeanors, they are tied up in a network of illegal activity that breeds violence, drug, and other activities and is serious. It is not just animal cruelty, if somebody wants to dismiss that.

Second, the gentleman's argument that we cannot afford it I think is a false economy. First of all, I am taking from an account that they have already significantly reduced. It is an area that would already have $156 million. We are only speaking of one-half of 1 percent, but the $800,000 here has the opportunity to prevent vast losses to the Federal Government.

As I pointed out, Exotic Newcastle Disease and all the evidence suggests it is illegal game-fighting that has spread it throughout the Southwest. That is the conclusion from the gentleman's home State of Texas, from California, and has cost us upwards of $100 million that we have had to spend tracking these down, eradicating poultry and other birds and compensating people, including $11.5 million for what are probably illegal fighting cocks.

I would suggest that the gentleman, with all due respect, is not being responsive to the overall economic impact, and it is not simply that we just dismiss as something not worthy of more law enforcement attention. It does not get the attention because the interests that are sympathetic to animal fighting, illegal animal fighting, have deliberately fought to have strong enforcement provisions. The least we can do, the least we can do is provide the resources within the extent of the existing law to cut it back, stop the illegal activity, and prevent the waste of tens of millions of dollars of taxpayer money.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment. I wanted to say that I think the gentleman from Oregon (Mr. BLUMENAUER) has a very worthy amendment here. I was particularly struck by one of his arguments: the linkage between crime and the mistreatment of animals and the increasing spread of Exotic Newcastle Disease across our country which, by the way, also has a cost. It comes to us in the form of trying to remediate and to make whole those whose flocks have been devastated. I do not think that it is widely known that, as the gentleman mentioned, some of the animals might have come in from another country. We know how poorly our borders are inspected.

So I want to commend the gentleman for taking the offset for his amendment from the buildings accounts, as opposed to from our research accounts or our animal plant health inspection accounts, or our border inspections, et cetera. I think that the matter is that the people who are doing this are doing it illegally; and now there is a linkage to the spread of disease, serious disease.

I think that the gentleman's amendment is very reasonable. He is asking for $800,000 for the Office of the Inspector General who, when they are given the authority, do a great job, to try to remedy this animal fighting across our country and, I think importantly, to stem any disease that may spread as a result of it.

So I just wanted the speak on behalf of the gentleman's amendment and to thank him for the responsible manner in which he has found an offset to try to find the funds for the Inspector General.

I might say, one of the bad things about the way the laws concerning the Inspector General have been written, even if wrongdoers are found and fines are levied, under the laws of our country the Inspector General has to return those funds to the Department of Treasury. It does not go to the Department of Agriculture for further prosecution and further investigation. I have never liked that aspect of the law, because I think we ought to reward the Inspectors General that are doing a good job in apprehending wrongdoers across this country.

So I want to thank the gentleman for his very appropriate amendment here, and I urge my colleagues for their support.

Mr. BLUMENAUER. Mr. Chairman, attached is a letter signed by 122 members requesting this $800,000 increase, as well as a letter of support from the Humane Society of the United States.

CONGRESS OF THE UNITED STATES,
Washington, DC, May 23, 2003.

Hon. HENRY BONILLA,
Chairman, Appropriations Subcommittee on Agriculture, Rayburn House Office Bldg., Washington, DC.

Hon. MARCY KAPTUR,
Ranking Member, Appropriations Subcommittee on Agriculture, Longworth House Office Bldg., Washington, DC.

DEAR CHAIRMAN BONILLA AND RANKING MEMBER KAPTUR: We are writing to thank you for your outstanding support in FY 2003 for improved enforcement by the U.S. Department of Agriculture of key animal welfare laws, and to urge you to ''hold the line'' in FY 2004 so that this effort can be sustained. Your leadership is making a great difference in helping to protect the welfare of millions of animals across the country, including those at commercial breeding facilities, laboratories, zoos, circuses, airlines, and slaughterhouses. As you know, better enforcement will also benefit people by helping to prevent: (1) injuries to slaughterhouse workers from animals struggling in pain; (2) orchestrated dogfights and cockfights that often involve illegal gambling, drug traffic, and human violence; (3) the sale of unhealthy pets by commercial breeders commonly referred to as ''puppy mills''; (4) laboratory conditions that may impair the scientific integrity of animal based research; (5) risks of disease transmission from, and dangerous encounters with, wild animals in or during public exhibition; and (6) injuries and death of pets on commercial airline flights due to mishandling and exposure to adverse environmental conditions.

For FY 2004, we want to ensure that the important work made possible by the FY 2003 budget is continued, that newly hired and trained inspectors will be able to stay on the job, and that resources will be used in the most effective ways possible to carry out these key laws. Specific areas of concern are as follows:

OFFICE OF INSPECTOR GENERAL/$800,000 INCREASE FOR ANIMAL FIGHTING ENFORCEMENT

In last year's Farm Bill, Congress enacted provisions that were overwhelmingly supported in both chambers to close loopholes in the Animal Welfare Act (AWA) regarding cockfighting and dogfighting. Since 1976, when Congress first prohibited most interstate and foreign commerce in animals for fighting, USDA has pursued no cockfighting cases and only three dogfighting cases, despite rampant activity across the country. USDA has apparently received innumerable tips from informants and requests to assist with state and local prosecutors, but routinely ignored or declined such requests. It is time for USDA to take seriously its responsibility to enforce the portion of the AWA dealing with animal fighting ventures. Dogfighting and cockfighting are barbaric activities in which animals are drugged to heighten their aggression and forced to keep fighting even after they've suffered grievous injuries, such as pierced lungs and gouged eyes. Animal fighting is almost always associated with illegal gambling, and also often involves illegal drug traffic and violence toward people. Dogs bred and trained to fight endanger public safety. Cockfighting has

been linked with the recent outbreak of Exotic Newcastle Disease that has already destroyed many poultry flocks and cost taxpayers more than $40 million for containment and compensation, with costs estimated to rise as high as $250–$500 million.

Given the dangerous nature of animal fighting enforcement work, we believe that the department's chief law enforcement arm—the Office of Inspector General (OIG)—is best suited to lead this effort. We therefore respectfully request an increase of $800,000 for the OIG to focus on animal fighting cases and inclusion of bill language directing the Secretary to coordinate intelligence gathering, investigation, and prosecution of animal fighting cases, pursuant to Section 26 of the AWA, through the OIG, working with local and state law enforcement personnel to complement their efforts, and drawing on other federal entities including the Attorney General, the Animal and Plant Health Inspection Services, and the Office of the General Counsel as needed.

FOOD SAFETY AND INSPECTION SERVICE/HUMANE METHODS OF SLAUGHTER ACT (HMSA) ENFORCEMENT

We greatly appreciate the inclusion of $5 million in the FY 2003 bill to hire at least 50 inspectors whose sole responsibility will be to ensure that livestock are treated humanely and rendered unconscious before they are hung upside down, skinned, dismembered, scalded, or killed. Having these new inspectors focus on unloading, handling, stunning, and killing of animals will bring much-needed attention to slaughter plant practices that have had little oversight in recent years. We also appreciate your inclusion of language specifying that the ongoing activities of 17 District Veterinary Medical Specialists hired as a result of $1 million provided in the FY 2001 Supplemental should be limited to HMSA enforcement rather than the various unrelated duties with which they had been charged. And we commend you for directing the General Accounting Office to review and report by July 1, 2003 on the scope and frequently of HMSA violations, with ''recommendations on the extent to which additional resources for inspection personnel, training, and other agency functions are needed to properly regulate slaughter facilities in the areas of HMSA enforcement.''

There are nearly 900 federally inspected slaughter plants in the U.S., handling millions of animals each day. In addition to requesting continued funds in FY 2004 to sustain at least 50 new inspectors and the 17 positions mentioned above, we hope you will give full consideration to any recommendations the GAO may have for enhancing enforcement of this important—and very basic—law.

APHIS/ANIMAL WELFARE ENFORCEMENT

Thanks to funding increases in the past four years, Congress has enabled USDA to begin to reverse a serious decline in the number of AWA compliance inspections. However, the President's FY 2004 budget proposal—which suggests $1.7 million less for the Animal Care division than in FY 2003—would fail to cover the salaries of recently-hired inspectors and substantially undo the gains Congress has made possible. Moreover, there is still much room for improvement. Many facilities continue to escape oversight for long periods of time, giving rise to situations that threaten both human and animal health and safety. Nearly half of the sites that do get inspected are found to have apparent violations of the minimum standards under the Act and, therefore, follow-up visits are badly needed. We urge you to sustain Animal Welfare funding at the FY 2003 appropriated level of $16.4 million, in order to keep the current number of inspectors (approximately 100 to oversee about 10,000 sites).

Again, we are very grateful for the Subcommittee's leadership in addressing enforcement needs for key animal welfare laws. We hope you will stay the course, so that funds necessary to administer these laws effectively will continue to be available and will be appropriately used. We look forward to working with you in the coming year, and thank you for your consideration.

Sincerely,

Christopher Smith, Earl Blumenauer, Thomas Tancredo, Robert Andrews, Mark Green, Elton Gallegly, Roscoe Bartlett, Gary Ackerman, David Wu, William Delahunt, James Moran, Louise Slaughter, Steven LaTourette, Frank LoBiondo, Dennis Kucinich, David Price, James McGovern, Steve Israel, Tammy Baldwin, Bob Filner, Barney Frank, Tim Ryan, Rush Holt, Rick Larsen, Jerry Costello, Jim Leach, Steven Rothman, Nancy Johnson, James Langevin, Michael Ferguson, Gary Ackerman, George Miller, Carolyn Maloney, Mark Udall, Vic Snyder, Jim Saxton, Rob Simmons, Anthony Weiner, Donald Payne, Johnny Isakson, Richard Neal, Frank Wolf,

Neil Abercrombie, Dennis Moore, Bill Pascrell, Jr., Ellen Tauscher, Judy Biggert, Luis Gutierrez, Michael Doyle, Karen McCarthy, Jerrold Nadler, Janice Schakowsky, Robert Wexler, Phil English, Mike Thompson, Peter DeFazio, Dale Kildee, Sherrod Brown, Frank Pallone, Elijah Cummings, Zoe Lofgren, Robert Menendez, Jay Inslee, Joseph Hoeffel III, Michael Bilirakis, Bernard Sanders, Chris Shays, Henry Waxman, Brad Sherman, Charles Rangel, Fred Upton, Tom Lantos, Hilda Solis, John Tierney, Peter Deutsch, Edward Whitfield, Lloyd Doggett, Edolphus Towns, Eleanor Holmes Norton, Barbara Lee, Major Owens, Adam Smith, Eliot Engel, Michael Honda, Lane Evans, Julia Carson, Corrine Brown, William Clay, Jr., Brian Baird, Adam Schiff, Grace Napolitano, Robert Matsui, Albert Wynn, Anthony Weiner, Martin Meehan, Nicholas Lampson, Thomas Allen, Nancy Pelosi, Patrick Kennedy, Sherwood Boehlert, Anna Eshoo, Sander Levin, Shelby Berkley, James Clyburn, Howard Berman, Jim McDermott, Nydia Velazquez, Gene Green, John Lewis, Lynn Woolsey, Sanford Bishop, Jr., Charles Gonzalez, Michael Capuano, Benjamin Cardin, Ed Case, Harold Ford, Jr., Pete Stark, Stephen Lynch, William Lipinski, Charles Bass, Clay Shaw, Jr., Jim Greenwood.

THE HUMANE SOCIETY
OF THE UNITED STATES,
Washington, DC, July 14, 2003.

DEAR REPRESENTATIVE: On behalf of The Humane Society of the United States (HSUS) and our more than 7.7 million supporters nationwide, we are writing to urge your support for the Blumenauer-Tancredo amendment to the Fiscal Year 2004 Agriculture Appropriation Act. The HSUS intends to score this vote on our annual Humane Scorecard,which is a joint project of several major national animal protection organizations.

Last year, Congress closed loopholes in the federal animal fighting law (Section 26 of the Animal Welfare Act). Now Congress needs to ensure that USDA enforces this law in a meaningful way. The Blumenauer-Tancredo amendment would provide $800,000 for the Office of Inspector General to focus on animal fighting cases, providing for collaborative opportunities for federal, state, and local law enforcement personnel on dogfighting and cockfighting activities that involve interstate transport or foreign commerce.

Dogfighting and cockfighting are barbaric activities in which animals are drugged to heighten their aggression, strapped with knives or gaffs on their legs, placed in a pit, and forced to fight to injury or death for amusement. During the instigated fights, the animals suffer grievous wounds. Animal fighting is often associated with illegal gambling, and also often involves illegal drug traffic and violence against people. Dogs bred and trained to fight endanger public safety.

Cockfighting has been linked with the recent outbreak of Exotic Newcastle Disease (END) that destroyed many poultry flocks and cost taxpayers more than $100 million for containment and compensation. Not only have law enforcement agencies and humane and veterinary groups called on Congress and USDA to deal with this growing problem, so have traditional agricultural organizations like the California Farm Bureau Federation and the Texas Poultry Federation, out of concern about cockfighters spreading END and other diseases.

Thank you for your consideration, and please vote ''yes'' on the Blumenauer-Tancredo amendment to the FY 04 Agriculture Appropriations Act.

Sincerely,

WAYNE PACELLE,
Senior Vice President, Communications & Government Affairs.

MIMI BRODY,
Director, Federal Legislation.

Mr. SHAYS. Mr. Chairman, last year, Congress enacted provisions to close loopholes in the federal animal fighting laws. We need to ensure the Department of Agriculture (USDA) has the resources it needs to enforce the law.

The Blumenauer-Tancredo amendment will provide a modest $800,000 for the USDA's Office of Inspector General to focus on animal fighting cases.

Dogfighting is banned in all 50 States and cockfighting is banned in 48 States. Dogfights and cockfights frequently involve not only deplorable animal abuse, but also illegal gambling, drug traffic, and violence to people. Additionally, cockfighting may be responsible for the spreading of diseases such as Exotic Newcastle Disease (END), a highly contagious virus that affects the respiratory, digestive, and nervous systems of birds. This disease has destroyed many poultry flocks throughout California, Arizona, New Mexico, and Texas and has cost taxpayers more than $100 million for containment and compensation.

As Co-Chair of the Congressional Friends of Animals Caucus, I urge my colleagues to vote in favor of the Blumenauer-Tancredo amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

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

Mr. BLUMENAUER. 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 Oregon (Mr. BLUMENAUER) will be postponed.

AMENDMENT OFFERED BY MR. DAVIS OF ALABAMA

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

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Alabama:

Page 3, line 9, after the dollar amount, insert ''(reduced by $3,500,000)''.

Page 11, line 13, after the dollar amount, insert ''(increased by $2,000,000)''.

Page 13, line 5, after the dollar amount, insert ''(increased by $2,000,000)''.

Page 13, line 23, after the dollar amount, insert ''(increased by $1,500,000)''.

Page 14, line 14, after the dollar amount, insert ''(increased by $1,500,000)''.

Mr. DAVIS of Alabama (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 Alabama?

There was no objection.

Mr. DAVIS of Alabama. Mr. Chairman, I rise today in support and to offer an amendment that will correct a discrepancy and a disparity that has been overlooked in this bill, Mr. Chairman.

Let me begin by, first of all, thanking the very able ranking member of this subcommittee, the gentlewoman from Ohio (Ms. KAPTUR) for her cooperation and her assistance. Let me thank my good friend, the gentleman from South Carolina (Mr. CLYBURN), as well and a number of my colleagues on both sides of the aisle who have worked on this issue during the last several months.

Mr. Chairman, 17 Members of this institution are honored to represent 1890 Land Grant Colleges. 1890 Land Grant Colleges are historically black colleges and universities that have played an enormously significant role in the life of the South, in particular in the last 100 years. These institutions, that include in my State Tuskegee Alabama University and Alabama A&M University, not only reach an underserved part of the population, but they have been vehicles for launching leadership all over this country.

In the President's budget that was submitted, there was a discrepancy in the way these schools are treated and the way that 1862 Land Grant Colleges are treated. While I certainly take the chairman's admonition that if all of us who wanted to add a dollar here and a dollar there were to come to the floor, we would be here all day, I think that all of us would recognize that we have some fundamental obligations to treat like institutions in the same manner.

This particular budget essentially leaves level funding for 1862 Land Grants, which happen to be predominantly white institutions. Funding is slashed by five times that amount for 1890 Land Grants. I am not here to point a finger, Mr. Chairman, or to cast aspersions. I simply identify this discrepancy as something that we should fix.

A number of people ask, what is the impact of a cut that seems relatively small, about 3 percent? That has to be measured I think in the individual life of these institutions. Seventeen of them stand to lose $200,000 to $300,000 a school. In Tuskegee, Alabama, a $200,000 cut at Tuskegee University weakens the ability of that school to do enormously important work. A $200,000 cut at Alabama A&M University weakens the ability of that school to do enormously important work.

While so many programs have had to bear the brunt of the budget ax, we ought to make sure that it is administered in a fair and evenhanded manner.

So I ask my colleagues to support this amendment and to restore $3.5 million, a fraction of a $3 trillion plus budget, to bring back these 1890s to parallel treatment with 1862s in this budget. This is an act of bipartisanship on our part.

I want to thank someone who is not here today, who is touring a base in his State, my good friend and one of the ablest colleagues that we have in this institution, the gentleman from Connecticut (Mr. SHAYS). He has worked on this issue since the budget process. I want to also thank the gentleman from Louisiana (Mr. VITTER), our colleague on the Committee on Appropriations.

So I urge my colleagues to support this amendment, to make a very important statement about the worth and the value of these colleges that play such a significant role.

□ 1315

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

Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, once again the gentleman brings up some very good points in his amendment, but we have done the best we possibly could under the limitations we have this year; and the offset the gentleman is looking at, again, would hurt the implementation of a lot of programs that we have discussed earlier. So for that reason I would oppose this amendment.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

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

Mr. Chairman, I wanted to rise in very strong support of the gentleman from Alabama's (Mr. DAVIS) amendment. I think it is a very important one to support our land grant institutions, and those that are historically black colleges and Tuskegee Institute. If you think about it, if you look at the budget the President presented to the Congress, the funding for the 1890 land grant institutions was actually cut three times as deeply as funding for the 1862 land grant institutions under the President's submittal. And so the cuts fall more harshly on those institutions that have an enormous load to carry in helping to bring up the talent to perform the research at those colleges which often gets shortchanged because people are spending so much of their time teaching.

I think only an administration that really does not understand what these institutions do could cut the funding three times as deeply as the other trims that were made in the budget. It has been very interesting to watch the President tour Africa. In having worked with our colleagues over the years to try to get linkages between our historically black colleges and Tuskegee Institute with African institutions to try to draw linkages halfway across the world, I know how difficult it has been. It has been hard to get those kinds of agreements to occur, to give these institutions a chance to embrace the 21st century and create the kind of global connections and specialized knowledge that rests in these institutions.

So I think the gentleman makes a very reasonable proposal here for $1.5 million to be directed to the institutions for facilities and $2 million for capacity building for the 1890s institutions, offsetting that $3.5 million from the common computing environment.

When I look at what happened over the weekend with all the news coming out about credit cards over at the Department of Agriculture and some of the internal problems that they are having, I know one thing: when you invest in the Historically Black Colleges and Universities and the Tuskegee Institute, you are investing in people; you are investing in the future where knowledge is so important to propel economic growth including in some of the most hollowed out parts of the country where agriculture has to be the lodestar industry. These institutions provide hope and opportunity for people who were traditionally excluded from other institutions of learning in this country.

So I think that the gentleman has correctly awakened this Congress and the administration to what is not just fair but appropriate and will help to provide opportunity in many quarters. So I want to strongly support the Davis amendment.

Mr. TOWNS. Mr. Chairman, I rise today in support of the gentleman from Alabama's amendment.

As a graduate of one of our nation's historically Black land-grant institutions, North Carolina A&T State University, I know how important these colleges and universities are to farmers in economically-distressed areas. To reduce the research and education activities by 17 percent and the expansion for extension activities by 10 percent imposes an onerous burden on these institutions and their ability to serve minority students and farmers. These cuts stand in marked contrast to the minimal reductions experienced by 1862 land-grant institutions.

Consequently, I would urge support for the gentleman's amendment which would restore $3.5 million for these colleges and universities. At a time when limited resource farmers are struggling for survival, we should not be undercutting their best educational resource, the extension arm of the 1890 colleges and universities.

Mr. SHAYS. Mr. Chairman, I rise in support of this amendment, which will restore funding to historically black 1890 land grant colleges,

and thank ARTUR DAVIS for bringing this disparity to our attention.

When the Budget Committee, of which I am Vice-Chairman, debated this year's Budget Resolution, Mr. DAVIS alerted us to a troubling discrepancy. Under the budget, historically black 1890 Colleges of Agriculture would have federal funds cut by 3.1 percent, while predominantly non-minority 1862 land grant colleges were only cut by .6 percent. The Budget Committee agreed to insert language into the Budget Resolution stating 1862 and 1890 colleges should be treated equitably.

Under the budget, Capacity Building grants for research and education activities at 1890 colleges were cut 17 percent, while Facilities Expansion funding for Extension Activities were cut by 10 percent. Our amendment restores this funding.

There are 1,890 extension offices working directly with minority farmers. Their activities are vital to the success of these primarily agricultural institutions, and provide critical support for farmers in the most economically-distressed areas.

Because so little funding already flows to these activities, cuts of this magnitude could cripple the ability of 1890 institutions to pursue their mission.

Again, I thank Mr. DAVIS for offering this amendment and urge its passage.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. REHBERG

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

The Clerk read as follows:

Amendment offered by Mr. REHBERG:

Strike section 743 (page 71, lines 8 through 11), relating to country of origin labeling for meat and meat products.

Mr. Chairman, this is a very simple amendment, that is why I had it read. It is country-of-origin labeling.

A vote for this amendment is a vote in favor of country-of-origin labeling. A vote against this amendment is a vote to kill it. The proponents of what they did in the subcommittee and full committee will talk about the fact that they are delaying for 1 year, but that does not occur. Within this amendment, by delaying the implementation, you in fact delay country-of-origin labeling because the Department will spend no time on this very matter. We knew all along the administration did not support this. I have talked to the President personally about this. I do not know if they necessarily understand the issue.

The issue is very simple. Do we want to give our producers in America the opportunity to tout the fact that their product was born, raised, and processed in America? Country-of-origin labeling offers shoppers a choice, but also provides farmers and ranchers fairness. The issue has been fully debated. It was debated in the House farm bill. It was debated in the Senate farm bill. It passed both bodies. It was signed by the President; and, in fact, the administration has had twelve hearings around the country.

By taking the funding away from the implementation, you are cutting the legs out from under American farmers and ranchers and our ability to know where our product comes from, and it makes you wonder why somebody would be reluctant to put their name or their country on their product. Currently you can buy clothes, you can buy electronics, you can buy toys that label where they come from; but you cannot label meat mandatorily. You do not know where your meat is necessarily coming from. And yet you can buy Australian lamb chops, New Zealand apples, and Chilean sea bass.

Some will try to say that COOL violates the international trade agreements. And that is not true. In fact, in an article just today, the Japanese officials have said that trade would be banned beginning September 1 if the United States cannot certify that exports contained no Canadian beef. Our number one importer of our beef is Japan. They want country-of-origin labeling. Our number three importer of our meat is Korea, and they want the same labeling. In fact, 60 countries around the world are asking for labeling.

I have brought along an article that was in the Great Falls paper yesterday, the Great Falls Tribune. Interesting: ''This spring after a case of mad cow disease was confirmed in Alberta, Montana's cattle industry found out just how valuable it is to know where cattle are all the time. In June, officials learned five bulls from a Canadian herd linked to the Alberta cow with the disease were sold to a Montana ranch in 1997. The paper trails created by the State's inspection process traced in less than 20 hours where the bulls had been and where they ended up. Montana's brand inspection laws are among the country's strictest. Every time branded livestock are moved across a county line, sold to another owner or brought to a livestock auction, an official inspection must take place; records of those inspections are kept in a State wide registry. Jack Wiseman, administrator of brand enforcement of the Montana Department of Livestock said, 'If a cow never left the State of Montana or was exported to State with a similar brand laws, we could trace the ownership of a cow from calf-hood to death.' ''

Do not listen to me as to why this is important. Listen to somebody who has some experience in enforcement of livestock laws. '' 'Montana's system is enviable,' says Larry Gray, the director of Law Enforcement for Texas and the Southwest Cattle Raisers. The Lone Star State does not require brand inspections for stock sales between private individuals. Brands are recorded at the county level but there is no state-wide registry. I wish our laws were more stringent. That is a problem in Texas, he said, and right there there is not a way for State officials to trace an individual animal's history. 'Perhaps with country-of-origin labeling which would show consumers where meat sold at the retail level is born, raised, and processed, there will be a way to trace cattle here.' ''

Does that not scare you to death? Cattle can be stolen in some States around this country and we have do not have the process set up to be able to tell, like Montana did within 20 hours, where cattle that had come from a State or a country that had a problem, where those livestock went. It is important that we pass this amendment. It is important that we carry forward with country-of-origin labeling for America, for farmers and ranchers, for consumers.

Mr. BONILLA. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, there is strong bipartisan opposition to this amendment in this body. It is interesting to note on this occasion when amendments are presented before this body how much misinformation is presented. For the proponents of this amendment to in any way indicate that you cannot put labels on any meat products at this time is absurd. This is a free country.

Any producer, any retailer right now can stick a label that says ''Made in America'' on any aisle in any frozen food section, in any section of the grocery store if they choose to do that.

The misinformation about whether or not this amendment affects mad cow disease is one of those fear-mongering arguments that is often times made in this town and around the country when you are trying to reach people at the emotional level and not at all talking about the truth in substance about the issue at hand.

This country-of-origin labeling on meat products that is in the bill, the prohibition on funding, has absolutely nothing to do with mad cow disease. But again, this argument is being pulled off the shelf to try to scare people into voting for this.

This prohibition that we have put in this bill simply says that USDA will not be able to work on enforcing, promulgating, developing any kind of regulation for a year until there can be more ample study and understanding of the bill.

This country-of-origin labeling provision that was put in the farm bill last year is controversial and costly. Many of our producers out there are shaking in their boots right now wondering about the liability that they would be faced with, the action that could be taken against them by people who would simply hold them accountable for not putting the proper label on their product. It could drive them out of business.

Grocery stores in this country, I do not care what part of the country you live in, if you have got a Safeway, if you have got a, like in Texas, an HEB Food Store or an Albertson's, all of the people who run those grocery stores are opposed to this amendment because they have a tremendous liability laying before them if that product is not labeled appropriately.

So if you are interested, any Member who votes for this amendment that is

being presented by my colleague today would in essence would be voting to increase the grocery bill and create sticker shock the next time Americans go through the meat section in a grocery store. So that is what you would have to face if you vote for this amendment.

The cost of this implementation of country-of-origin labeling has been estimated on the low end so far by those who have been working on this at USDA to be $2 billion. Overall most people agree that that is a very conservative cost estimate; and, in fact, the cost of implementing this would be much, much higher and guess who is going to pay for that, Mr. Chairman? That is why we are completely opposed to this amendment.

This has bipartisan support to be opposed to this amendment. The chairman of the authorizing committee, the ranking member, so many others that are part of the Hispanic Caucus, the Black Caucus, all across the board, again, members of the authorizing committee are also opposed to this. And they are working on this issue, having hearings, trying to deal with this country-of-origin labeling in the appropriate way. We are just asking with the provision in our bill to give them the time to do that.

Ms. HOOLEY of Oregon. Mr. Chairman, I move to strike the last word.

Mr. Chairman, our previous speaker talked about bipartisan effort to not pass this amendment. Let me state that last year there was a bipartisan effort to get this amendment in the bill, and it passed both the House and the Senate. It is also interesting when the gentleman says, well, you can just slap that sticker on a piece of meat or whatever. Well, guess what, we require that we know where our clothing is made, where our shoes are made. I think consumers need to know the meat, the produce they put in their mouths, where it comes from, where it is raised, and if it is safe.

I agree with the statements made by my colleague from Montana and thank him for the leadership on this issue. Over the past several days I received letters of support from the Oregon Farm Bureau and the Oregon Cattlemen's Association thanking me for helping to bring this amendment forward today.

Our amendment is supported by farmers in my district and across the country, which is why it is endorsed by the American Farm Bureau and the Farmers Union. Consumers Federation supports this as well as other consumer groups. Our farmers grow the best produce and raise the best livestock in the world, and American consumers know this. Studies have shown that Americans want to buy American commodities and are even willing to pay a premium to do so.

□ 1330

Yet while a consumer could go into a department store and know that their shirt is made in this country, they cannot go into the grocery store and have the same certainty about the food they are going to serve their families.

U.S. producers need mandatory labeling in order to compete in the marketplace. Product differentiation is the only way consumers can exercise their choice between purchasing either domestic beef or beef produced by foreign competitors.

In fact, according to a 2003 Colorado State University survey, 69 percent of consumers participating were willing to pay for more steaks clearly labeled ''USA Guaranteed: Born and Raised in the United States'' than for those without origin labels. Our Nation's farmers and ranchers produce the best and safest commodities in the world, and our Nation's consumers deserve the chance to determine where their food is born, raised and processed.

Recent events have also shown that the country of origin labeling is necessary for U.S. farmers to compete in international markets, and we keep talking about trade in international markets. Our number one beef importers, Japan and Korea, have both demanded assurances that beef they are buying is actually American beef.

For these reasons, we had country of origin labeling provisions added to the farm bill last Congress. The U.S. Department of Agriculture is formulating the rules to implement these provisions right now.

What the provision in the Agriculture appropriation bill would do would be to prevent the USDA from putting these rules together, short-circuiting a process that is currently in place, a process that Members of this body and the Senate voted to have in there last time.

Opponents of this amendment contend that the costs for industry, including retailers, to comply with country of origin labeling are too great, and the price of products will rise as a result. This is simply untrue. We already have a test case in place.

The fourth most populous State in this country, Florida, has had a country of origin labeling requirement for over 20 years. The Florida Department of Agriculture has estimated the annual cost of its mandatory produce labeling law is just a couple of pennies for a bag of groceries.

Country of origin labeling is good for American farmers, good for American consumers. I encourage my colleagues on both sides of the aisle to stand up today for their constituents and vote for the Rehberg-Hooley amendment.

Mr. KUCINICH. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of this amendment. I think the American consumers have a right to know where the food they are consuming comes from and where it is made. I mean, think about this. Any of us here could look at the labels on our own clothes and know where the country of origin is. Why should we not be able to have that right when it comes to the food we consume?

This is not only a matter of right to know. It is a matter of assuring that American agriculture will be able to have the full impact and benefit from the American market because American consumers prefer American agriculture. We have got to make sure that American agriculture has the support that it needs.

Indeed, we are talking here about an agriculture bill. This idea of right-to-know and protection of the market are only some of the reasons why so many consumer groups and so many farmer groups across this country promote this country of origin labeling amendment.

I want to cite the following in the time that I have remaining as groups that are supportive of this legislation so there can be no mistake about it, notwithstanding the remarks that have been made here that there is plenty of support for country of origin labeling across the country: The Alabama Farmers Federation, the American Agriculture Movement, Incorporated, the American Agriculture Movement of Arkansas, the American Agriculture Movement of Oklahoma, the American Corn Growers Association, the American Corn Growers Association of Nebraska, the American Meat Goat Association, the Arkansas Farmers Union, the Baker County Livestock Association, the Beartooth Stock Association, the Bitter Root Stockgrowers Association, the Bull Mountain Land Alliance, the Burleigh County Farm Bureau, the Calaveras County Cattlemen's Association, the California Farmers Union, the California National Farmers Organization, the Campaign to Reclaim Rural America, the Carbon County Stockgrowers Association all support country of origin labeling.

The C.A.S.A. del Llano, the Catfish Farmers of America, the Center for Rural Affairs, the Cochise-Graham Cattle Growers Association, the Consumer Federation of America all support country of origin labeling.

Crazy Mountain Stockgrowers Association, Dakota Resource Council, Dakota Rural Action, Dawson Resource Council, Dunlap Livestock Auction, Eagle County Cattlemen's Association, Eastern Montana Angus Association, Fall River and Big Valley Cattlemen's Association, Fillmore County Cattlemen's Association, Florida Farm Bureau Federation, Florida Farmers, Incorporated, Florida Fruit and Vegetables Association, Florida Tomato Exchange, Georgia Peanut Commission, Georgia Poultry Justice, Glacial Ridge Cattlemen's Association all support country of origin labeling.

The Grant County Cattlemen's Association, Grant County Stockgrowers Association, Holy Cross Cattlemen's Association, Houston Company Cattlemen's Association, the Idaho Farmers Union, the Illinois Farmers Union all support country of origin labeling.

The Independent Cattlemen's Association of Texas, the Indiana Farmers

Union, the Indiana National Farmers Organization, the Institute for Agriculture and Trade Policy, the Iowa Farmers Union all support country of origin labeling.

Just Food, Kansas Cattlemen's Association, Kansas Farmers Union, Kansas Hereford Association, Kemper County Farm Bureau, Kern County Cattlemen's Association, Kit Carson County Cattlemen's Association, Land Stewardship Project, the Lincoln County Stockmans Association all support country of origin labeling.

The Livestock Marketing Association, the Madera County Cattlemen's Association, the Malheur County Cattlemen's Association, the McCone Agricultural Protection Organization, the Merced-Mariposa Cattlemen's Association, the Michigan Farmers Union, the Minnesota Farmers Union, the Missouri Farmers Union all support country of origin labeling.

The Missouri National Farmers Organization, the Missouri Rural Crisis Center, the Missouri Stockgrowers Association, the Modoc County Cattlemen's Association, the Montana Agri-Women, the Montana Cattlemen's Association, the Montana Farmers Union all support country of origin labeling.

The Montana National Farmers Organization, the Montana Stockgrowers' Association, the National Association of Farmer Elected Committees, the National Catholic Rural Life Conference, the National Consumers League all support country of origin labeling, and there is dozens and dozens more.

Support this amendment.

Mr. BONILLA. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be limited to 50 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. Would the gentleman from Texas (Mr. BONILLA) like to control the time?

Mr. BONILLA. The Chairman is correct.

The CHAIRMAN. The gentleman from Texas (Mr. BONILLA) will control 25 minutes in opposition to the amendment.

Mr. REHBERG. Mr. Chairman, I request to control the time for the proponent.

The CHAIRMAN. The gentleman from Montana (Mr. REHBERG) will control 25 minutes.

Mr. BONILLA. Mr. Chairman, I yield 6 minutes to the gentleman from Virginia (Mr. GOODLATTE), the distinguished chairman of the authorizing Committee on Agriculture.

Mr. GOODLATTE. Mr. Chairman, I want to thank the Chairman of the Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies for yielding me this time and for his leadership in making sure that we address the country of origin labeling issue correctly.

Many of my colleagues may not appreciate how hard the House Committee on Agriculture has worked on the country of origin labeling issue. Several years ago, the gentleman from California (Mr. POMBO), then Subcommittee on Livestock and Horticulture chairman, and some of his colleagues began a process to explore this subject. They started out with the hope that it could be accomplished in a way to provide an effective tool for producers to earn more in the marketplace. The subcommittee proceeded to meet with interested parties and the administration to develop the idea.

Subsequently, the fiscal year 1999 Agriculture appropriations directed the Secretary to conduct a comprehensive study on the potential effects of the idea. During an April 28, 1999, Subcommittee on Livestock and Horticulture hearing, the Clinton administration testified about the ''variety of regulatory regimes'' for labeling that could be adopted and further asserted that they ''believe there would probably have to be some kind of paperwork traceback system.'' The GAO pointed out that ''there is going to be significant costs associated with compliance and enforcement.''

Concerned that the costs outweighed the benefits for producers, the gentleman from California (Mr. POMBO) and others turned their attention to working with USDA to develop a credible voluntary program that allowed producers and processors to work together. Meanwhile, the GAO released its report in January of 2000 stating that mandatory labeling ''would necessitate change in the meat industry's current practices, create compliance costs across all sectors of the industry'' and asserting that ''U.S. packers, processors and grocers would, to the extent possible, pass their compliance costs back to suppliers, U.S. cattle and sheep ranchers, in the form of lower prices or forward to consumers in the form of higher retail prices.''

On September 8, 2000, interested parties submitted a petition to the USDA for a voluntary program and the Subcommittee on Livestock and Horticulture conducted another hearing on September 26, 2000, to review studies and the USDA's progress on the petition.

In early July, 2001, Under Secretary Hawks wrote industry to commit the Agriculture Marketing Service ''to begin action on the petition requesting a USDA voluntary, user-fee funded certification program that will enable a label for beef products.''

That same month, on July 26 and 27, the House Committee on Agriculture conducted its markup of the Farm Bill. The transcript of that markup has 12,463 lines of text, with 3,167 lines on amendments to create a mandatory country of origin labeling program. Fully 25 percent of the markup was devoted to this proposal, which was ultimately rejected because of concerns that the costs outweighed the benefits.

It has been mentioned by some that this has been passed on the floor of the House, and that is most certainly not correct. Mr. Chairman, an amendment was passed on the floor dealing with fruits and vegetables. The more complicated issue of beef and pork, which is the only subject covered by the provision in the Agriculture appropriations bill that delays implementation for a year, is the beef and pork provisions. The House has never taken a position on this, and this is far more complicated and costly for the producers than any of the other sectors, whether one likes the other ideas or not.

For those that attended the Farm Bill conference meetings, they know that labeling was a major topic of discussion there as well.

Despite a complete lack of any hearing record on the subject, the Senate insisted on its provision requiring labeling for beef, pork, lamb, fruits, vegetables, peanuts and fish.

Just weeks ago, on June 26, the Committee on Agriculture conducted an extensive hearing on the implementation of mandatory country of origin labeling. We learned a number of troubling things. We learned that most of the problems associated with implementation were a result of the law and not the administration's interpretation. We learned that while some groups still support mandatory country of origin labeling, the two largest livestock producer groups in America, the National Cattlemen's Beef Association and the National Pork Producers Council, both oppose it.

We learned that this new law will open everyone up and down the food production system to third party lawsuits with the potential of creating havoc for producers, packers, processors and retailers. We learned that because of the way the law is drafted, no matter what the administration does in writing the implementing regulations, because the retailers have been made ultimately liable for this labeling system, that they will set up their own regime to protect themselves against mislabeled products, and that regime is going to be very costly to producers.

□ 1345

If you are a domestic producer of beef or pork, you are going to have to comply with an enormous amount of record keeping, a great deal of cost which you are going to have to bear yourself. Lower prices for your product are going to be passed down to you by the processors, by the distributors, by the wholesalers, by the retailers; and that foreign competition, whether it is fine Argentinian Black Angus beef or Australian beef, they are simply going to slap it on the label and say we are guilty. It will cost them little, if anything, to comply; it will cost the U.S. producers more. Therefore, this is going to be a major competitive disadvantage for American agriculture. I would urge Members to support the

original Bonilla language in the appropriations bill to delay implementation for 1 year and oppose the amendment which has just been offered to strike that language. We need time to sort out the problems with this legislation before Congress ends up doing a lot more harm than good.

Mr. REHBERG. Mr. Chairman, I yield 5 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I rise in strong support of the Rehberg-Hooley amendment to say that the Committee bill provision indeed subverts the law. This Rehberg-Hooley provision was included in the farm bill. But when the opponents of that law found an opening in the subcommittee of agriculture appropriations to try to subvert the law, they took that opportunity. And so what we are talking about here is changing the law of our country that was passed here, as well as passed in the other body, and signed into law. We surely had plenty of consideration. That is number one.

My second point is this amendment is being offered at a time when we have the highest number of meat recalls in the country's history. God forbid you are the parent of someone who just died from eating contaminated meat. I find it very interesting that those who oppose this say there are going to be all these high costs and all these problems. Do Members know that not one producer in Ohio has complained to me about this law? I represent cattlemen and cattlewomen. They raise a lot of different kinds of animals in our region. Producers want the labeling. In fact, the Ohio producers, the Great Lakes producers, are working on their own electronic ear tags because they do not want their meat mixed with other stuff that they do not know where it comes from. They want to be able to offer a quality product at a competitive price and get it on the shelves of the supermarket. The problem is that the supermarkets deny shelf space to independent producers.

We know who wants this law subverted. It is not the ranchers; it is not the farmers. It is the people who want to make money off them. Any decent business person wants labeling of their product. Our father operated a family grocery and when he made his meatloafs, when he made his sausages, we had our own label tape that we pealed and put right on the package. We were so proud of his products. Our market was called Supreme Market, and to this day it sold the best meat I ever ate, the best sausage I ever ate. We were proud to label it. Good producers want labels on their quality products.

In Ohio, the Great Lakes Family Farms has a special verification program. They eartag animals with all relevant information. They know what shots the animal got. They know which feed lot it was on and how much it weighed at 6 months, at 8 months. They know everything because they know their customers want to know, and that local label gives them a niche in the market to be able to offer quality meat.

Mr. Chairman, in an era when the consumer wants to know, why is the Republican leadership trying to subvert the law and not give us as consumers the right to know where our meat comes from? It is simply because if you are going to mix in Argentinian beef or mix in some other kind of meat at the store, you do not want your customers to know. If you have some Uruguayan skinny steer that was wandering somewhere around Latin America, and then you are going to take some of that meat and blend it in with Ohio beef, you do not want anybody to know because you are going to make just as much money on that package.

But the farmers know how to label. They are doing it already. They are doing it in our region, and those electronic ear tags are so complete and with technology being what it is today, we can know everything about an animal, even who its mother and father were.

Do not give me this baloney it is going to be so much more expensive. Our farmers are already doing it. Ohio farmers can lead the way. In fact, the American Farm Bureau supports the law. It does not support subverting the law. They support country-of-origin labeling. In the letter that they have sent to us, they say those products should be labeled at the retail level. With increased trade, more products are being imported into the United States and the farm bureau is working with the agricultural marketing services to implement a program with the least amount of burden and cost to producers.

So in addition to all of the names that the gentleman from Ohio (Mr. KUCINICH) read into the RECORD, I will include a letter from the American Farm Bureau.

Mr. Chairman, Members might have noticed the recent stories about mad cow disease, BSE, bovine spongiform encephalopathy, that is up in Canada now. We have to know where our meat comes from, and people who raise meat should be responsible for it, just like my father was responsible for his products. They ought to be proud of what they are producing and not ashamed, and not try to hide something on a package that when you take the hamburger out, it looks red on the outside and it is all brown on the inside. We all know what they are doing. We understand what that is all about.

I think it is a worthy amendment. We have the technology to do it. I will place in the RECORD what the 4–H requires of our students as one of its projects to have labeling of beef. This is not rocket science. It can be done.

AMERICAN FARM BUREAU FEDERATION,
Washington, DC, June 24, 2003.

Hon. MARCY KAPTUR,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVE KAPTUR: The American Farm Bureau Federation commends the Appropriations Committee for timely action on the FY04 agriculture spending bill. We ask that you consider the following information as the Appropriations Committee acts on the bill this week.

We support full funding for the Farm Security and Rural Investment Act of 2002 (FSRIA). Unfavorable weather conditions, uncertainties involved with international trade, the value of the dollar and record high input costs have converged to produce a turbulent and difficult time for agriculture. The industry has suffered through several consecutive years of historic low market prices and weather disasters. The new farm law helps address problems faced by American farmers and ranchers and it provides unprecedented funds for our nation's conservation needs. Changes in farm bill programs would be devastating not only to farmers and ranchers but the rural economy as well. Consequently, the Farm Bureau strongly encourages you to avoid making changes to FSRIA in the FY04 appropriations process.

We commend the Committee for maintaining full funding of farm bill commodity programs. It is imperative that counter-cyclical payment rates, loan rates and direct payments be preserved as adopted in FSRIA. We are opposed to any changes in current payment limitations for direct payments, counter-cyclical payments, loan deficiency payments (LDP) and marketing loan gains (MLG), including a separate payment limitation for the peanut program. Current rules on spouses, three-entities, generic certificates and actively engaged requirements should be retained.

AFBF supports country-of-origin labeling (COOL) as passed in the 2002 farm bill. Many farmers and ranchers believe that the products they grow in the United States should be labeled a product of the United States at the retail sales level. With increased trade, more products are being imported into the United States, giving the consumers greater choices at the marketplace. Farm Bureau is working with the Agricultural Marketing Service (AMS) at USDA to implement the program with the least amount of burden and costs to producers. We are disappointed the legislation blocks further work by USDA to implement country-of-origin labeling for meat and poultry products. We ask that you support the restoration of funding for this important program.

Farm bill conservation programs should be fully funded. Full implementation of the Environmental Quality Incentive Program (EQIP) and Conservation Security Program (CSP) is key to assisting agricultural producers in complying with environmental regulations and addressing important conservation issues nationwide. Program funding for technical assistance is essential if conservation programs are to be successful. While we are pleased that the bill increases funding for conservation operations activities, we are disappointed that funding for CSP is blocked and limits have been placed on EQIP.

The development of alternative energy sources is not only significant to the advancement of American agriculture but also is vital to enhancing our nation's energy security. The 2002 farm bill contained an energy title that includes provisions for federal procurement of bio-based products, bio-refinery development grants, a biodiesel fuel education program, renewable energy development program, renewable energy systems, a bioenergy program and biomass research and development. These programs will assist rural economic development as well as increase our nation's energy independence. We are disappointed that the bill under consideration does not include funding for key programs that promote alternative energy sources.

Thank you for your consideration of these issues of importance to farmers and ranchers.

Sincerely,

BOB STALLMAN,
President.

Mr. BONILLA. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. STENHOLM) as a demonstration of strong bipartisan support in opposition to this amendment.

Mr. STENHOLM. Mr. Chairman, many of us have spent countless hours on country-of-origin labeling on the authorizing committee both during the discussion on the farm bill and since. The Committee on Agriculture has conducted a series of briefings on country-of-origin labeling to educate staff on the implementation of the requirements, and recently held a full committee hearing on the issue. The gentleman from North Carolina (Mr. HAYES), chairman of the subcommittee, has indicated that he will hold additional hearings on this issue in the near future.

It is not my purpose to stand in opposition to the amendment to subvert the law. I am standing here saying we want this to work; and for it to work, it will take an additional 1 year of time to make it work.

I question the wisdom of a mandate to include on labels every piece of information that a random consumer survey identifies as something consumers want to know. Current U.S. food labeling requirements are based on the attributes of the food itself, such as nutritional composition, ingredients, special safety considerations such as presence of allergens and requirements of handling and safe use.

This was pointed out by the previous administration in a letter to the EU concerning biotechnology. Every additional piece of information we require on a label by government mandate diminishes slightly the information that is already there.

I have heard that Americans know where their shirts are made, Americans know where their cars are made, but not what they are putting in their mouth. I say what is wrong with this picture? Those who say that are right, we do not know where these things are made, but these items do not have to participate under guidelines even remotely similar to those included in the current COOL law. Members will notice their shirt may say ''Made in the USA,'' but it does not say where the cotton came from or where the dye that went into the shirt came from.

Be careful what we ask for when we stand on this floor and say we want to mandate something, just in case we get what we are asking for. Every single beef producer group that testified in front of the Committee on Agriculture testified very clearly that this is a marketing issue and not a food safety issue. Too many of us in this body right now tend to mix the two together in saying that meat that does not come from the United States is not safe. Please do not send that message to the consumer because the consumer today in America has the most abundant food supply, the best quality of food, the safest at the lowest cost to our people of any other country in the world; and when we begin to suggest that unless there is a certain label there will be a problem with the safety of the food, it is dangerous for producers. That is why most producers do not support the full intent of this law, and that is to mandate something that no one has yet figured out how to do.

We exempt most meat from even the applications of the law. Restaurants are exempted, for example. So let us be careful as we vote on this amendment today. And again I point out, this is not a food-safety issue. This is a marketing issue. If we are going to deal with the food safety, and I fully concur and fully intend to be back on this floor very, very soon with a food safety component, trace back. Our producers today are beginning to look at how can we truly certify where our meat comes from from a BSE standpoint. In Canada, they have a trace-back system. We do not have a trace-back system yet, but we will have one soon because producers all over the country recognize that we must have a way of tracing. We do not have it yet, but we will have one that will be supported by a majority of our producers.

This is one of those things that gets very emotional because there are those that tend to mix this up with food safety. I want to repeat for the third time, this is not a food-safety question. I absolutely support identifying where all food products come from to the best of our ability. I happen to believe, for example, that American lamb identified as such and Australian lamb identified as such is something that the consumer ought to know. We are working to get that kind of agreement and do it in a way that makes sense.

But if we implement this in the way that those who support this amendment are suggesting today, we are going to create some tremendous uncertainty. This has all kinds of trade implications. It has all kinds of food-safety implications. With all due respect to those offering this amendment, it is interesting that most of the producers supporting this do not deal with Canadian or Mexican cattle. If we want to ban all Canadian cattle, all Mexican cattle into the United States, then be prepared to have all United States cattle banned from country after country after country, because under trade agreements, reciprocation is something that we truly agree to. I urge Members to oppose this amendment and support the delay, not circumvention of the law, but a delay to get this right.

Mr. REHBERG. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

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

Mr. Chairman, I just want to observe one thing. The history of this country has demonstrated that every time there is an effort to provide additional regulation or additional oversight in order to help workers or help farmers, or to help little guys against the big guys, somehow it is always too costly. We cannot provide the minimum wage, we cannot provide wage and hour protection, or this or that because it is going to cost too much.

Well, I would bet if we conducted a poll of consumers, that they would, by overwhelming numbers, say that they want this provision to go forward. We have a tremendous debate in this country going on about the virtues of globalization. As far as I am concerned, globalization is inevitable; it is going to happen, and we need to figure out how to adjust to it. But I also note that in that debate you have numerous forces in this country who under the rubric of globalization would lead you to believe that there is still no legitimate amount of room for discussing the virtues and values of home-grown products, whether it is automobiles or farm products.

I suggest to Members that even if we take the assertion of the gentleman from Texas at face value, and I do, let us say that this is not a consumer health issue, let us say this is not a food-safety issue, let us say it is simply a marketing issue.

□ 1400

This is a marketing tool that our producers have a right to have. This is a marketing tool that I assume is the reason that the Farm Bureau and the Farmers Union both have indicated their support for this provision. Our consumers want to know where the stuff that they eat comes from and our farmers want to know that they can demonstrate pride that it is their home grown product. This amendment is the only way that we are going to let them exercise that right.

Mr. BONILLA. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Iowa (Mr. LATHAM), vice chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies.

Mr. LATHAM. Mr. Chairman, I thank the subcommittee chairman for the yielding me this time, and I rise in reluctant opposition to this amendment.

First of all, I want to say, no one through the whole process on this issue has ever contended that this is a food safety issue. As the ranking member of the authorizing committee said three or four times, it is very true, this is not an issue of food safety in any way, shape or form. The reason I oppose this amendment today is in support of our independent producers.

I would just like to give a little scenario about what is going to happen if this is enacted. All we are asking for here is a time-out to study the issue more closely before a mandatory system is enacted. But what we are going

to see is a system where independent producers are going to bear the cost of implementation of this law, and anyone who thinks that the packers really care about the cost on this are totally mistaken. The fact of the matter is, Mr. Chairman, any kind of cost that they would incur is going to result in reduced bids to the independent producers out there who do not control the price that they get for their products.

The situation in my State is that we have Canadian pigs coming into Iowa to be grown out primarily by independent producers. If this is enacted, we are going to see the large conglomerates start from raising, farrowing their own hogs, growing those hogs out, killing those hogs, putting them in their own labeling package, marketing themselves. Those are going to all say ''USA.'' The independent producers' animals are going to have to say that they were bred in Canada or wherever they came from and are going to be discriminated against.

The issue here is, do we preserve our independent producers? We talk about vertical integration in the livestock industry. Nothing is going to bring it on faster than provisions like this that will hold the independent producer accountable but not the major, multinational companies.

So I just stand here in support of the independent producers and look at the mandate that is going to be put on them and what it is going to cost them.

The one question I have asked producers, in what way, shape or form is this ever going to put one more cent in your pocket, in your bottom line? No one has been able to answer that question. So I think we have to step back, take a look at this, and understand all of the ramifications of this issue.

Also, Mr. Chairman, I have to look at the cost to the consumer out there when we talk about the additional costs that are going to be borne by the retailers. Who is going to pay the bill? The consumers who walk in and buy that at the counter are going to absorb the cost. So, in support of independent producers and consumers, I reluctantly say that we should oppose this amendment and support our independent producers.

Mr. REHBERG. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Chairman, I thank my colleague from Montana for yielding me this time. I rise in strong support of my colleague from Montana and my colleague from Oregon's amendment on meat origin labeling.

The opponents of this amendment argue complexity and delay. I want to offer simplicity and probably brevity here. We created the strongest securities and financial industry in the world by asking for disclosure, labeling and disclosure a few decades ago. That was opposed tremendously by the industry at that time. However, I believe that many segments of the industry would support that today because that disclosure has been helpful to the securities and financial industry.

As previously pointed out, I would like to make a point that labeling, I believe, is a good thing. I can look at the back of this tie and determine that it is made in America. I can look at the labeling in this suit and determine that it is made in America. If I go to the cloakroom right now and eat a hot dog, I cannot tell where that product came from. It comes down to this. I think it really is very, very simple. People ought to know and people ought to be able to choose. As your mothers and your grandmothers admonish you, you are what you eat. I ask this Congress to support this amendment so that people can eat American and be American.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DOOLEY), a Member who is considered an expert in this field.

Mr. DOOLEY of California. Mr. Chairman, I rise in opposition to this amendment. I think we need to reflect on why the National Beef Cattlemen's Association and why the National Pork Association, who represents the majority of producers of those livestock commodities which are subject to this mandatory labeling, why they oppose this. They oppose this legislation because they realize that it is going to result in additional cost to their producer, be they small or be they large.

They also understand that this also is not a health issue, and they make a distinction on what is the appropriate role of government in terms of placing mandates on producers and that we should have mandates when we have an issue that is related to the health of consumers, but we should not have a government mandate when it relates to a marketing issue. That is what this measure is all about.

We have had a number of my colleagues that have got up on the floor and said, we have labeling of our items of clothing that we wear. But we do not have labeling on our clothing that we wear that tells where the wool came from, where the cotton came from or any of the products that are part of this. We only know where this product, where this clothing, was actually manufactured. We are going far beyond that in this approach.

There is nothing in law today that precludes producers from having the opportunity to voluntarily label where their beef or pork or meat product came from. That is the appropriate tack I think that we should be taking today. We should once again I think back up and at least have another time-out, which is what the chairman's proposal does, to give the industry more time to understand how we can move forward in a more responsible manner.

This amendment that is on the floor today is one which will, unfortunately, cost producers the most. And what also I think is very apparent, it is going to create an unintended consequence of exposing producers to liability, exposing them to private rights of action by groups that might be motivated by welfare issues, by a whole host of issues that will now have an opportunity to seek legal and civil recourse against a lot of small and large livestock producers. That is not what we should be doing with this legislation.

Mr. REHBERG. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. I think the gentleman from Montana for yielding me this time.

Mr. Chairman, I rise today as the gentleman from Iowa (Mr. LATHAM) said he was reluctantly opposing, I am reluctantly supporting this amendment. I have kind of been back and forth on this. But I think it is the best way for us to resolve this issue if we can keep the mandatory provision in place.

The main reason I am supporting this is that we should not be dealing with this issue in the Committee on Appropriations. This issue should be dealt with in the authorizing committee. I was ranking member on the Subcommittee on Livestock and Horticulture for many years and worked on this issue on the voluntary and all the other things. I was on the farm bill conference. The big problem here is that the language that was put into the farm bill is bad language, and it needs to be fixed. It has got problems. The authorizing committee ought to do that.

I totally agree this is not a food safety issue. It gets mixed up. It is a marketing issue. But I think people need to understand that we are arguing something that we do not even know what it is going to be. The rule has not been developed. There are people out doing studies saying it is going to cost this much. We do not know what it is going to be because there has been nothing that has been put forward at this point.

I would just like to point out, people have brought up this issue of marketing versus food safety. In the food safety area, we have had this BSE issue in Canada and everybody has read about that, but I do not know if people understand how it is that we guarantee in this country that we are BSE-free. You talk about the complications of this system. What we are doing in the BSE area, the food safety area, we are asking producers to sign a self-certification that they have not fed animal parts to cattle in this country and that they have not used certain kinds of antibiotics. It is self-certified, very simple and does not cost anybody hardly anything. I am arguing that the same thing could be done with the marketing aspect of this COOL. In other words, if this is good enough to guarantee that we do not have BSE in our livestock, then why is it not good enough to certify that this is where the livestock came from?

My point is that this could be implemented in a way that is not very expensive to producers. These issues that

are there are caused by the way the law was written, and it was inserted into the farm bill, and, frankly, I do not think we took enough time at that point to go through that and fully understand the implications.

So I think that the Committee on Agriculture ought to be dealing with this. I think that there are problems with the law. There are potential problems with implementation. I do not think there has to be. But it ought to be dealt with in the Committee on Agriculture and not on the floor of the House and not in the Committee on Appropriations in my judgment. I think the administration ought to have been out there with some rulemaking at this point so that we had some better idea what they are intending to do.

I am going to support this amendment. I think if we keep this in the law it is going to make the committee move faster. We will then be able to resolve this. Because I think, in the end, people want to have the food labeled. It is just a question of how we get there. I think there are simple ways that this could be done that are not going to cost people a lot of money. I encourage the adoption of the amendment.

Mr. BONILLA. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Texas (Mr. THORNBERRY) who has a great expertise on this subject.

Mr. THORNBERRY. Mr. Chairman, I commend the chairman of this subcommittee for his leadership on this issue and trying to get a little common sense back into what has become a very difficult issue.

Mr. Chairman, this provision was added into the farm bill without a single hearing. Nobody actually in the business came and talked about how you do this and exactly what you do. It sounds good, that we all ought to have a label that says where our meat comes from. The problem is when you start working through how you implement it, it gets very complicated.

Let me just mention a couple of ways it gets complicated.

Number one, the underlying law exempts about 75 percent of the meat that is consumed in this country. If you eat it in a restaurant, it does not count. It is not labeled. If it is hamburger or other sort of processed meats, it does not count. It is not labeled. If it is chicken, if it is turkey, you do not get a label.

We have heard over and over that the consumers have a right to know. If the consumers have a right to know where their meat comes from, they have a right to know where 100 percent of their meat comes from rather than 25 percent of their meat; and so the effect of this is that we are adding a regulatory burden on 25 percent of the meat. That leaves 75 percent of the meat which is at a competitive advantage because of a government regulation. That is not right. It is time to step back and figure out how to do this thing right.

Number two, we hear over and over again how this is really going to be good for producers, that this is a market tool and they ought to be just loving having this opportunity. I would say that if producers see an opportunity to make money, they are going to take advantage of it. There are efforts in the beef industry today, the certified Angus program and other things have been very successful, but that is different than a government mandate that tells you what you must do.

It is not the big grocery stores that are going to pay this burden, it is not the big packers that are going to pay this burden and, in some ways, it is not even the largest cattle feeding operations. The people that are going to feel this burden are the cow-calf producers who have got to figure out some way to understand this regulation and then go comply with it before anybody will buy their calves, and then the stocker guys who take the calves and try to fatten them up before they go to the feed lot, those people on the low end of the production scale. So when we talk about big guys versus little guys, we ought to understand that this is a mandate that is going to be paid for by the little guys in the operation.

We have heard it over and over again that this is not a safety issue, this is a marketing tool, and we are going to make you do it whether you like it or not. That does not make sense. What makes a lot more sense is to take a time-out as the underlying bill does, give the Committee on Agriculture a chance to go and talk to producers as well as grocery stores and packers and consumers, people up and down the chain, and see how you can make something that works and actually makes sense.

□ 1415

This underlying law is not it, and I would say that anyone who wants to justify the underlying law has a very steep hill to climb.

Mr. REHBERG. Mr. Chairman, who controls the time as far as closing?

The CHAIRMAN pro tempore (Mr. RYAN of Wisconsin). The gentleman from Texas has the right to close.

Mr. REHBERG. Why would that be if it is my amendment?

The CHAIRMAN pro tempore. The gentleman from Texas is the manager of the underlying bill. He reserves the right to close.

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

Mr. Chairman, there is a lot of talk about experts on this floor. I am a member of the National Cattlemen's Association not because I am a Member of the Congress but was because I am a cattle producer. Less than 3 years I was on the ranch, running 147 cows, seven bulls, 2,000 cashmere goats. In Montana we know where our product comes from, and we know where it goes. It may not be a safety issue until one needs it.

Let me read this article again: ''In June, officials learned five bulls from a Canadian herd linked to the Alberta cow with the disease were sold to a Montana ranch in 1997.'' 1997. ''The paper trails created by the State's inspection process traced in less than 20 hours where the bulls had been and where they ended up.'' That is not bad. We know where they came from. We know where they went. And if we had not had that opportunity, it would have shut our borders down too. It would have been devastating to our industry.

I am amazed that there would be any opposition from any party in this country to know where their cattle come from, where their meat comes from so that we have the ability to tell people where it has gone in case these kinds of situations occur. So one can say it is not a safety issue until such time as one needs to know where they came from and where they went.

This provision within the farm bill does not even take place, it does not become implemented until September of 2004. That is plenty of time. And to the gentleman from Texas when he talks about the fact that it is a delay of 1 year, no. If they had wanted it to say only a delay for 1 year, the amendment in the subcommittee would have said that, and it does not. If they want to put that in, we can talk about that; but we are not at that point because what this does do is if they do not vote for my amendment, they in fact will stop, they will kill because nobody within the administration will spend any money on it because it says they cannot implement it. So there is no ability to spend money on it. Trade implications, yes, there are trade implications to this. But not to the extent that they are talking about.

Again, I repeat, Japanese officials said that trade would be banned beginning September 1 if the United States cannot certify that exports contain no Canadian beef. How can we do that if we do not keep track of our country-of-origin labeling? Volunteerism, that is great; but that is smoke and mirrors. It is never going to happen because our retailers, our packing plants will not play with us little guys. I know because I felt the victim sitting back on my ranch with 147 calves wondering what my price was going to be. I was a price taker, not a price maker. Little guys like me do not make price. The big guys do, and an entire industry was created in Texas for the very purpose of taking advantage of importing cattle from foreign countries to mix with ours, to take advantage of our good products, entire industries.

So there is no doubt there is another State standing here on the opposite side. There is no doubt that they would be parochial as I would be parochial, but do the Members know what? I live along the border, and we do in fact have the Northwest Compact. We do business back and forth. But all we are trying to do is create an opportunity to

be proud of American beef, to give us the opportunity to take advantage of an opportunity to showcase what we do for the American consumer. We have had opposition against this all along the way, and it has not ended. And when our chairman of the subcommittee talks about appropriateness, the appropriate place to have killed this bill with this proposal would have been in the farm bill or introduced legislation, but not to take the funding out from underneath or the implementation because what they are in fact saying is we did not want it before, but we want to win it behind closed doors.

And I have come to the conclusion, and I have been in this business a few years both as a State legislator and as a lieutenant governor, people support reform as long as it does not change anything. And that is what we are seeing here right now. Nobody wants to change anything because they are kind of comfortable with their position in the marketplace. I do not market. True, I do the best that I can on my little 147-cow operation, but I will tell the Members who does the marketing. It is the big guys.

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

Mr. BONILLA. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Chairman, I thank the gentleman from Texas (Chairman BONILLA) for yielding me this time.

I rise today in opposition to the amendment offered by the gentleman from Montana (Mr. REHBERG) and the gentlewoman from Oregon (Ms. HOOLEY). I applaud the gentleman from Texas (Chairman BONILLA) for including a provision in the agriculture appropriations bill that would limit USDA funding for the implementing of the mandatory country-of-origin labeling for meat and meat products. The country-of-origin labeling law as written clearly requires more congressional attention before going into effect by September 30, 2004. I have friends on both sides of this issue, and I always support my friends. I support my friends with this amendment by cautioning them against the hasty implementation of unintended consequences that no one has yet fully researched, and I support my friends on the gentleman from Texas's (Chairman BONILLA) side by saying this is something that we do not need to do now. Recognizing there are many concerns among producers, processors, suppliers and retailers, the House Committee on Agriculture held a hearing on June 26 for witnesses to discuss how mandatory country-of-origin labeling will affect them and their respect to industry. The hearing raised many questions, and the livestock witnesses specifically pointed out that there is tremendous potential for unintended consequence.

As chairman of the Subcommittee on Livestock and Horticulture of the Committee on Agriculture, I intend to hold further hearings on this matter. The U.S. Department of Agriculture has held 12 listening sessions across the country from April to June of this year to allow those who will be affected by the law to voice their opinions. This was in addition to the numerous other producer and trade association meetings they have attended to discuss this law.

Country-of-origin labeling is not a new concept. The Subcommittee on Livestock and Horticulture held hearings on the issue during previous Congresses, and it was debated at some length during the House committee's consideration of the 2002 farm bill. The committee voted not to include the provision because there were too many unknowns about how this would affect producers. When the farm bill went to the floor, an amendment was added to label fruits and vegetables only.

As the Senate created their version of a farm bill, a provision was expanded to include beef, pork, lamb, fruits, vegetables, wild and farm-raised fish, and peanuts. I think it is important to note that the Senate held no hearings and had no debate on how producers and the industry would be affected by country-of-origin labeling.

I have heard concerns from many of my constituents about this issue, predominantly my livestock producers. I can tell the Members that not one of them has said this law will bring additional revenue or market advantages. They all express their deep concern that this law instead will bring them undue burdens and headaches in order to be in compliance. Unfortunately, a ''fire, ready, aim'' approach led to the creation of the country-of-origin labeling law. This issue clearly needs further attention, and delaying the implementation for meat and meat products is a step in the right direction. I would like to reiterate that this provision only affects meat and meat products. The current law will continue to go into effect for fruits, vegetables, wild and farm-raised fish, and peanuts. I urge my colleagues to support the appropriations bill and reject the Rehberg-Hooley amendment.

Mr. REHBERG. Mr. Chairman, I continue to reserve the balance of my time.

Mr. BONILLA. Mr. Chairman, I have no requests for time, and I continue to reserve the balance of my time.

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

I want to thank the chairman of the subcommittee for this good consideration today and my colleagues for speaking on behalf of my amendment.

I have not been around the Congress all that long. This is my second term. I was confronted with a brand-new farm bill. That is one way to get your feet wet, drinking out of the fire hydrant, stepping into the middle of that. When I hear the debate about the fact that there has not been enough conversation, enough debate, we do not know where this is taking us, I remind my colleagues that this does not get implemented until September of 2004. We have got well over a year to continue the hearings, to continue the work on it. Congress can continue to have hearings. We can help the process along the way and develop the right country-of-origin labeling.

During the farm bill discussion that I was confronted with as a freshman, the country-of-origin labeling debate consumed 25 percent of the markup dialogue, 25 percent. So why are certain people reluctant to want to have beef or other meats labeled? Because they want to have the ability to blend cheaper products from other places for the purposes of marketing themselves. But are we seeing the cheaper price at the consumer level? Not always.

It is interesting to watch the marketing of our meat products throughout this country. If the beef guys jump up and complain, somebody steps forward and pushes pork in front of them or they might push chicken in front of them. We at the local level, us small guys, do not control the marketing. We need this avenue. We are proud of our product. And at a time when we are in a recession, at a time when much of American agriculture is flat on its back, we need the opportunity to say America matters to us in agriculture, America matters to the consumer; and if we can marry the two, our agricultural producers throughout this country, the mom-and-pops in Iowa and Montana and Texas and California and Georgia and Connecticut will all know that they have done a good thing because we have said American products matter.

We are not banning anything from a foreign country. We are not trying to create a competitive disadvantage. All we are trying to do is say give us the opportunity, us small guys to have the opportunity to have mandatory country-of-origin labeling so we know where our product is coming from, so we can take great pride in the product that we produce.

The country-of-origin labeling gives American shoppers a choice. It gives American farmers and ranchers fairness. It gives us the opportunity to say buy America. Please support this amendment. Support the country-of-origin labeling.

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

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

Once again I want to reiterate that often times in this town, unfortunately, truth and substance are set aside and emotional pleas are made in order to advance a certain cause. The opposition to this amendment is supported strongly. The opposition is strongly supported by thousands, millions of red-blooded Americans out there who are either producers or they are part of the processing of meat. They are running grocery stores in neighborhoods all over the country. They do not want this provision implemented until it can be studied further

and analyzed and done the right way. And again ultimately if this is implemented, the bills at the grocery store, there will be sticker shock in many of the grocery aisles out there as Americans wonder what happened; how did Congress implement such a libelous costly regulation so quickly without even taking the time to do so.

And let us also understand that any producer out there can now put labels on whatever they would like. There is an implication here somehow that there is some prohibition now on putting a label on any meat product. They can do that now today anytime they want. Also the implication somehow that this is going to threaten our food supply, I am delighted that many of the authorizers have stepped forward today in a bipartisan way to state clearly this is about marketing, this is not about any kind of food-safety issue.

This is, again, a 1-year prohibition on implementation or promulgation or developing of any regulations. So, again, the misinformation that has been presented that this is somehow an effort to kill this permanently is misguided. This appropriations bill simply runs for 1 year.

Finally, I would like to state very clearly that the Bush administration, the administration has put out a statement saying that the administration supports the committee's position on country-of-origin labeling for meat or meat products. So there is strong bipartisan support for our position on this issue. Everyone, again, from the chairman of the authorizing committee; the ranking member; the gentleman from Texas (Mr. ORTIZ), of the Congressional Hispanic Caucus; the gentleman from Mississippi (Mr. THOMPSON) of the Congressional Black Caucus, again across the board the widespread support that we have on our side in taking a position I think is very clear.

And, again, if we would look at the substance in truth about what we are debating here, we would hope to defeat this amendment resoundingly.

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

Ms. DELAURO. Mr. Chairman, I rise in support of the Rehberg-Hooley amendment, which strikes the provision in this bill that prohibits USDA from implementing mandatory country of origin labeling for meat and meat-products.

Country-of-origin labeling is about giving people the information they need to make an informed choice to protect the safety of their families. Thirty-five countries we trade with including Canada, Mexico and members of the European Union already have a country-of-origin labeling in place. And American families recognize the need for this labeling—7 out of 10 people say they are willing to pay more to know where their food is coming from. At a time when food imports are increasing, but the number of inspections of imported meat is actually decreasing, consumers deserve that right.

And given the record 57 million pounds of recalled meat last year, this effort is also about being able to trace back contaminated product in the event of a recall. Knowing the source of an outbreak is a critical part of that process so that we can quickly take action to prevent people from getting sick. This is critically important considering the 76 million sicknesses and 5,000 deaths that occur every year from foodborne illness.

Some have argued that halting implementation of country of origin labeling for meat is to allow more time to consider the impact of the program on the food industry. But Congress already gave the USDA more than 2 years to design a program that is fair to all parties, including industry and consumers. Under that timetable, labeling is not scheduled to become mandatory until fall of 2004.

Mr. Chairman, country of origin labeling will not violate trade agreements or lead to retaliation. It will not bankrupt the food industry. It will simply let consumers know where their food comes from. We owe the American people that. Support the Rehberg-Hooley amendment.

Mrs. LOWEY. Mr. Chairman, I rise today in support of Rehberg-Hooley amendment which would preserve country-of-origin labeling (COOL) requirements.

As many of my colleagues know, in 2002, provisions were added to the Farm Bill requiring grocery stores and similar businesses to provide country-of-origin information for all fresh and frozen fruits and vegetables, red meats, seafood and peanuts.

However, during the subcommittee markup of the Agriculture Appropriations bill, language was added barring implementation of these provisions.

Mr. Chairman, we were elected by the people of this country because they believe in our ability to represent their views. We passed the original legislation requiring country-of-origin labeling because our constituents want the information they deserve to make informed food purchase decisions for their families. We passed this legislation because our constituents want additional steps taken to prevent the potential spread of diseases such as mad cow, which we know was recently discovered in Canada. We passed this legislation because our constituents want special protective measures put in place to prevent tampering with respect to our food supply.

The provision currently in the bill would keep the American people in the dark by refusing to fund efforts to implement country-of-origin labeling for meat and meat products. We cannot let that happen. I encourage support of the Rehberg-Hooley Amendment.

□ 1430

The CHAIRMAN pro tempore (Mr. RYAN of Wisconsin). The question is on the amendment offered by the gentleman from Montana (Mr. REHBERG).

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

Mr. REHBERG. 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 Montana (Mr. REHBERG) will be postponed.

AMENDMENT OFFERED BY MR. HEFLEY

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

The Clerk read as follows:

Amendment offered by Mr. HEFLEY:

Add at the end (before the short title) the following new section:

SEC. ___. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by one percent.

Mr. HEFLEY. Mr. Chairman, I ask unanimous consent that we have 10 minutes for debate on this amendment, 5 minutes controlled by me and 5 minutes controlled by the gentleman from Texas (Chairman BONILLA).

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

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Colorado (Mr. HEFLEY) is recognized for 5 minutes.

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

Mr. Chairman, I rise today to offer an amendment that would cut discretionary spending in the Agriculture, Rural Development, and Food and Drug Administration spending bill by 1 percent. This bill, as it is currently written, appropriates $17 billion in discretionary spending, and reducing this funding by a mere 1 percent would leave us with a funding level of $16.83 billion.

I hasten to say to the gentleman from Texas (Chairman BONILLA) that I am not doing this as a recrimination of the job that he or his committee has done. It is my intention to offer this or similar amendments on almost all of the appropriations bills. I had an amendment such as this drafted for the labor bill last week, and somehow or other it got lost in the shuffle, and we did not get it on. But I intend to do this on most of the bills.

There are many good things in this bill, so I am not singling this bill out to attack. I do this in recognition of the fact that we should not be spending money that we simply do not have.

Current CBO projections indicate the Federal Government is likely to end fiscal year 2003 with a deficit of more than $400 billion. Instead of continuing to increase spending, I submit that we should exercise fiscal restraint and work to alleviate shortfalls. Yet we continue to pour money into programs with little concern for current economic considerations.

While I realize that some programs funded under this legislation are receiving a decrease from fiscal year 2003, there are still a number of programs receiving substantial increases, and let me just highlight a few of these programs. The rural housing loan authorization is funded at $4.4 billion, an increase of $208.7 million over last year and $45.7 million over the President's budget request.

Distance learning and telemedicine program loans are funded at $636 million, which is an increase of $256 million over last year and $250 million above the President's budget request.

Conservation operations funded at $850 million, an increase of $30.4 million over last year and $136.4 million over the President's budget request.

I am not attacking these individual programs. These are good programs. But I am simply asking, can we afford these kind of increases? Clearly, balancing the budget is no longer a priority in this Congress. I think it should be. So I ask Members to support the 1 percent modest reduction in this legislation.

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

Mr. BONILLA. Mr. Chairman, I rise in opposition to the amendment and ask unanimous consent to control the 5 minutes in opposition.

The CHAIRMAN pro tempore. Without objection, the gentleman from Texas (Mr. BONILLA) is recognized for 5 minutes.

There was no objection.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the authorizing committee.

Mr. GOODLATTE. Mr. Chairman, I want to thank the chairman of the appropriations subcommittee for yielding me this time in strong opposition to the amendment offered by the gentleman from Colorado.

I would say to the gentleman that I have supported his amendments from time to time, but I do not believe he has looked at the facts here. We are $872 million less than last year right now. That is far greater than the 1 percent cut the gentleman is asking for. So we have already done the work that he has asked for in this case.

Secondly, because of the fact we are already taking that huge a cut, I can only say that the gentleman's amendment constitutes an assault on rural America. This is something that we simply cannot tolerate.

The gentleman cited the few areas where there have been some significant increases, one of those being telemedicine. As the gentleman knows, the telemedicine program is designed to link rural America, people in clinics and small hospitals and other rural outposts, where they can get some health care treatment, with the major university hospitals that get all the health care money in the first place.

So if you cut out the money that allows them to tap into really good health care provisions by being able to access them, and we held a hearing on this subject in the committee just a couple of weeks ago on the demonstration of the technology that can now reach rural America, if we are able to get these thousands of sites in small communities across America, which does cost a lot of money, and that is why I am pleased the chairman of the subcommittee has put an increase in there for this, if you cut that out, you are doing a lot more than just cutting out that money. You are cutting out the ability of folks in the smallest communities in the country from being able to finally get access to the kind of quality health care that people in large urban areas have, because they will be getting it from the same doctors with the same expertise drawing those same big salaries at those universities hospitals, and now they will be able to reach the smaller communities.

So I would encourage the gentleman to look elsewhere for the kind of savings that he is talking about here. I urge my colleagues to oppose the amendment.

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

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

Mr. Chairman, I would thank the gentleman from Virginia (Mr. GOODLATTE) for making some excellent points in opposition to this amendment. He is absolutely correct.

Over $872 million is the figure that we are under last year's budget. We are $136 million under the budget request. I would ask the gentleman proposing the amendment, is this not enough? We are learning to tighten the belt. We have cut the budget. We are lowering spending on this bill and still trying to deal with the needs in this country, that this country has in the areas of agriculture. So I cannot more firmly state my opposition to this amendment offered by the gentleman from Colorado and would respectfully ask him to withdraw the amendment.

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

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

Mr. Chairman, I would say to the gentleman from Virginia (Mr. GOODLATTE), I was not suggesting that telemedicine is not a good thing for rural America or some of these other things. I am simply saying there are many spots in the agriculture bill where you could find the 1 percent I think that would not hurt rural America. I certainly do not mean to make an assault on rural America.

For many years, every week I give a Porker of the Week Award for what I consider to be wasteful spending. There is no department in the Federal Government that has not received that award, and all of them have received it at one time or another, defense, which I am most interested in, and others have received it. There is no department that has received it more than the Department of Agriculture over the years.

There is 1 percent there. I would hope we would take that 1 percent out. I do commend the gentleman from Texas (Chairman BONILLA) and the committee on the cuts that have already been made. I just think we can go a little further.

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

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

Mr. Chairman, at this time I would just once again state my strong opposition to this amendment.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

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

Mr. HEFLEY. 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 Colorado (Mr. HEFLEY) will be postponed.

AMENDMENT OFFERED BY MR. HOLT

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

The Clerk read as follows:

Amendment offered by Mr. HOLT:

Add at the end (before the short title) the following new section:

SEC. ____. For the program of public education regarding the use of biotechnology in producing food for human consumption, as authorized by section 10802 of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 7 U.S.C. 5921a), $1,000,000, and the amount otherwise provided by this Act for ''AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS'' is hereby reduced by, $1,000,000.

Mr. HOLT (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 New Jersey?

There was no objection.

Mr. HOLT. Mr. Chairman, the amendment I am offering today will provide $1 million to establish and develop the food biotechnology public education program that was authorized in the Farm Act, H.R. 2646, during the 107th Congress, but was never funded.

The use of biotechnology, such as to produce genetically engineered foods, has the potential to improve yields of nutritionally enhanced foods with less land, reduced use of pesticides and herbicides, can benefit farmers, consumers and the environment.

The history of agriculture has indeed been a history of progress. Now there is an immediate and critical need for accurate information, both on food production systems that have provided the American consumer with a diversified and healthful food supply, and on the role of this new technology in food production. It is only based on clear, accurate, and scientific information that consumers can make sense of the often sensational risk and benefit claims reported and rumored.

In 1999, for example, the journal ''Nature'' published a study suggesting that pollen from genetically modified corn would harm the monarch butterfly population. This sparked a worldwide controversy. Follow-up studies have shown since that the pollen presents no significant danger to monarchs, but the foundation of fear based on emotion had been set, and soon other nonscience-based allegations about biotechnology emerged.

I have been asked if this amendment is an anti-biotechnology or a pro-biotechnology amendment. I would argue that it is an anti-ignorance amendment. It is not to say that biotechnology is always benign under all circumstances; but consumers, researchers, and farmers will benefit from a public that is well informed and engaged in the debate about food biotechnology.

Although food biotechnology has immense potential, consumers and farmers have legitimate concerns regarding the safety of genetically engineered foods. No one, however, is served by assertions from ignorance. It is appropriate for the government to provide the public with clear evidence-based information that helps consumers, policymakers and others make informed choices about food.

I urge my colleagues to support this amendment, so that the Department of Agriculture will have the necessary funding to carry out this authorized program and so that the public will be best informed.

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

Mr. Chairman, the gentleman raises some very legitimate points about the need for funding in this area. However, this amendment was presented to us at the 11th hour, and it is not even clear under the language of this amendment how this money would be administered. So we would be delighted to try to work with the gentleman down the road between here and conference to see if we can do something on this. However, at the 11th hour like this, when we are presented with an amendment, I must oppose it at this time.

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

Mr. BONILLA. I yield to the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, my amendment actually is silent on exactly how the money would be allocated within the Department. Perhaps it could be through the Food Safety and Inspection Service. But the point is, this is authorized, and it is provided for under the authorization; and I think it will be easy to fit into the Department's public education activities.

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

Mr. BONILLA. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I would ask the gentleman from New Jersey, because I appreciated his comments about biotechnology and we certainly do want the public to be educated about this, if he would not take up the offer of the gentleman from Texas, the chairman of the subcommittee, to work with him. Withdraw the amendment, work with him, and see if there is not something that can be done as we move to conference, because not knowing exactly how this money would be spent is sort of like writing a blank check.

I think if we had a little more cooperation and a little more communication about what we intended, then the Congress could actually be the ones to specify that, and there might be some merit in the gentleman's position.

Mr. HOLT. Mr. Chairman, if the gentleman would yield further, let me ask the chairman of the authorizing committee if he did not have in mind how this would be administered in the Department of Agriculture.

Mr. GOODLATTE. Mr. Chairman, if the gentleman will yield further, let me say I was not the chairman at the time the farm bill was written, so I do not know the history of the intent in the language in the farm bill. But, again, this is something that has just been brought to my attention, and we would be happy to look into it and see what we can find in that regard and try to achieve some specificity in terms of how the dollars are going to be spent, if indeed we can do that. That, of course, is up to the chairman of the subcommittee, but I would certainly stand willing to work with the gentleman to try to find the right formula and the right dollars that he has to squeeze out of an already-tight process to do something in this area, because I think what the gentleman from New Jersey is proposing is worthwhile.

□ 1445

Mr. HOLT. Mr. Chairman, if the gentleman would yield again.

Mr. BONILLA. Mr. Chairman, I am happy to yield.

Mr. HOLT. With those assurances from both Chairs, recognizing that the public debate is raging on and the need for this public information is now, I would be willing to withdraw my amendment and to work with the chairman, with the expectation that we can work something out in the coming months in this session of Congress.

Mr. BONILLA. Mr. Chairman, reclaiming my time, we would be happy to have our staffs work together on that.

Again, just hearing about this amendment at this time, it is not realistic to say we are going to guarantee a solution, but I think that the history that we have on this subcommittee to try to work with Members to work through these problems is real, and we would be happy to do that.

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

The CHAIRMAN pro tempore. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. BONILLA

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

The Clerk read as follows:

Amendment offered by Mr. BONILLA:

On page 29, line 15, strike all after the word ''Service'' through, and including, ''(16 U.S.C. 3841(a))'' on line 20.

Mr. BONILLA. Mr. Chairman, the purpose of my amendment is to strike a provision from the Conservation Operations account that prohibits the funds in this account from being used to pay for the salaries and expenses of personnel to provide technical assistance for several mandatory conservation programs.

This amendment is in keeping with an agreement that I made with the chairman of the Committee on Agriculture, the gentleman from Virginia (Mr. GOODLATTE), in hopes that we can ensure that there are adequate funds available for conservation technical assistance. I would point out that the 2002 Farm Bill included an increase of more than $17 billion for conservation programs, but I am committed to work with the chairman to try to come up with the solution to funding of conservation technical assistance.

Mr. GOODLATTE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not use the 5 minutes. I just want to say to the chairman of the Committee on Appropriations Subcommittee on Agriculture that this amendment is pursuant to discussions that we had and we very much appreciate his offering it. We think that this will be very helpful in making sure that conservation dollars actually reach the people who need it: America's farmers and ranchers. This will also help to resolve some of the issues regarding the allocation of those funds.

So I urge my colleagues to support this amendment.

The CHAIRMAN pro tempore (Mr. RYAN of Wisconsin). The question is on the amendment offered by the gentleman from Texas (Mr. BONILLA).

The amendment was agreed to.

Ms. BORDALLO. Mr. Chairman, I move to strike the last word. I rise for the purposes of entering into a colloquy with the gentleman from Texas (Chairman BONILLA) and the gentlewoman from Ohio (Ms. KAPTUR), the ranking member.

Mr. Chairman, last year's farm bill authorized the Resident Instruction and Distance Education Grants Program for the Insular Areas to address the critical agricultural research needs of the Land Grant Universities in the U.S. territories and Puerto Rico. We receive very little by way of formula funds, t-star grants, and other special grants.

Existing programs simply do not orient themselves toward the Land Grant Universities in the insular areas. Additionally, our universities have seen no money under the National Research Initiative, the flagship agricultural research program. While our institutions are 1862s by definition, they have only been established as Land Grant Universities for the past 3 decades. This, coupled with the decline in funds for the Cooperative State Research, Education, and Extension Service overall, makes competing with other institutions very difficult. So last year Congress authorized a new funding mechanism to provide competitively awarded grants to meet the unique needs of this underserved set of universities.

This new authorization is especially important to the Land Grant Universities in the insular areas because it will help them to develop education and training programs while working in collaboration with leading U.S. universities on the mainland, building on their expertise and helping us to make the best possible use of limited program dollars.

This year's appropriation bill has no funds whatsoever for this new program. As the Land Grant Universities in the insular areas face many critical agricultural research needs, including food safety and security, health and nutrition, and the environment, I am hopeful that this new program will be funded in the near future. Although my request to fund this account in this cycle has not been met, I am grateful for the inclusion of report language that speaks to this need. I know that the gentleman from Texas (Chairman BONILLA) and the gentlewoman from Ohio (Ms. KAPTUR), our ranking member, are supportive of the Land Grant Universities in the insular areas, and I urge them to utilize this new program to ensure the survival of these institutions.

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

Ms. BORDALLO. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, I would like to thank the gentlewoman for bringing this matter to our attention. It is a very important issue. We recognize the needs of these institutions to be unique and deserving of additional support. The committee has included report language encouraging the Department to better assist the Land Grant Universities in the insular areas and provide us a report describing what steps the Department is currently taking to meet their unique needs.

I look forward to working with the gentlewoman and delegates to ensure that the needs of the Land Grant Universities in the insular areas are met the best way we possibly can.

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

Ms. BORDALLO. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I just want to commend the gentlewoman from Guam for bringing these issues to our attention and to say what a great leader she is on agriculture for the insular areas. We really, without her leadership, would not have been made aware. I know both the chairman and I, as ranking member, are very grateful to her, and we look forward to working with her through conference and for a final bill to be produced.

Ms. BORDALLO. Mr. Chairman, I will place in the RECORD at this point a statement from my colleague, the gentleman from American Samoa (Mr. FALEOMAVAEGA), as well as a joint letter signed by myself, the Resident Commissioner of Puerto Rico, the delegate from the Virgin Islands, and the delegate from American Samoa.

U.S. CONGRESS,
Washington, DC, March 19, 2003.

Hon. HENRY BONILLA,
Chairman, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, House Committee on Appropriations, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: We are writing to request that $15 million be provided in the Fiscal Year 2004 agriculture appropriations bill for the Resident Instruction and Distance Education Grants Program for Insular Area Institutions of Higher Education. This program was authorized by last year's Farm Security and Rural Investment Act (Sec. 7501; Public Law 107–171) to strengthen instruction, curriculum and research in the food and agricultural sciences. With this funding the program would enhance the quality of teaching and learning at our nation's land-grant universities in the U.S. territories.

Collaboration between faculty and students at institutions of higher education in the U.S. territories with colleagues in the U.S. mainland is particularly challenging given the distance between them. Current fragile economic conditions in the U.S. territories also compound the challenges posed by their geographic isolation. Nevertheless, these institutions boast sound and reputable programs in agriculture, natural resources, forestry, veterinary medicine, home economics, and disciplines closely allied to the food and agriculture production and delivery systems. The primary and secondary science and agricultural teachers of these institutions often lack proper credentials though. A distance education program is desperately needed by these educators. Because of the high cost of shipping to the U.S. territories, food costs are high and families are often forced to make unhealthy choices. These unhealthy choices compound an already high incidence of chronic diseases such as diabetes, obesity and heart disease among the populations of the insular areas. Strengthening health and diet outreach education would help to prevent unnecessary trauma for many families. Expertise in environmental management is limited in the islands of insular areas. The insular area land grants are the primary source of higher education for the region and environmental education programs need to be created and strengthened. Building the capacity of the insular area land grants in the areas of distance education, agriculture, health and nutrition and environmental management will improve the overall quality of life and education for U.S. citizens who live in these areas.

Designating $15 million for this program through the Cooperative State Research, Education, and Extension Service's (CSREES) research and education activities account is vitally important if we are to support the learning communities of the U.S. territories and provide them the ability to partner with other institutions in the U.S. mainland. Harnessing technology in support of institutional capacity-building in this regard is essential for the success of the land-grant universities in the U.S. territories. Thank you for your consideration of this request. Please do not hesitate to contact us should you have any questions or should you be in need of further information.

Sincerely,

ANÍBAL ACEVEDO-VILÁ,
DONNA M. CHRISTENSEN,
MADELEINE Z. BORDALLO,
ENI F.H. FALEOMAVAEGA,
Members of Congress.

AMENDMENT OFFERED BY MR. ACKERMAN

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

The Clerk read as follows:

Amendment offered by Mr. ACKERMAN:

Add at the end (before the short title) the following new section:

SEC. ____. None of the funds appropriated or made available by this Act may be used to approve for human consumption pursuant to the Federal Meat Inspection Act any cattle, sheep, swine, goats, horses, mules, or other equines that are unable to stand or walk unassisted at a slaughtering, packing, meat-canning, rendering, or similar establishment subject to inspection at the point of examination and inspection, as required by section 3(a) of the Federal Meat Inspection Act (21 U.S.C. 603(a)).

Mr. BONILLA. Mr. Chairman, I ask unanimous consent that debate on the pending amendment offered by the gentleman from New York (Mr. ACKERMAN) and any amendments thereto be limited to 30 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

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

There was no objection.

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

I rise today to introduce the Ackerman-LaTourette amendment which would prohibit the USDA from expending any funds to approve meat from downed animals for human foods.

This, Mr. Chairman, is a downed animal. Downed animals are livestock who collapse, often for unknown reasons. They are unable to walk, unable to stand. Animals such as these are inhumanely dragged, very often by ropes and by chains, into stockyards where they often spend days lying in their own feces. They are sometimes covered in E. coli and are at high risk for illnesses such as mad cow disease.

The smart and humane businesses in this country, such as McDonald's and Wendy's and Burger King, all refuse to accept the meat of downed animals. They recognize how harmful it could be to their industry and what a looming disaster it would be to this country if mad cow disease entered our food chain. The USDA, as a matter of fact, prohibits the use of downed animals in our own school lunch programs throughout this country; and yet these downed animals such as this find their way into our food supply and are on the shelves in our supermarkets, our butcher shops, and our restaurants. If these downed animals are not safe enough and not adequate enough for the fast food restaurants or for our children in school, why are they put on America's supermarket shelves?

The answer, Mr. Chairman, has nothing to do with cows. It has to do with pigs. It has to do with greed. For the sake of making a few bucks, getting us to eat a crippled cow such as this can cripple the entire industry. Less than 1 percent of all animals are downed animals, not a big dent in the industry.

Mr. Chairman, just a few months ago, a mad cow was discovered across our border in Alberta, Canada. Their meat standards are almost as good as ours, and that one mad cow was a downed

animal. That discovery is not a coincidence. Study after study after study shows that downed cows are much more predisposed to having mad cow disease than the general population. The USDA has conducted a study and has concluded that if mad cow disease ever did occur in the United States, it would most likely be found among downed cattle than the general cattle population.

Just one infected mad cow crippled all of Canada's meat industry. We do not buy cows from Canada anymore. They are absolutely devastated. Canada should be a lesson to us. We must pass this legislation.

The bipartisan amendment that the gentleman from Ohio (Mr. LATOURETTE) and I introduce today will improve the safety of our food supply and prevent animals such as these from entering our food chain. Last year, we passed this measure in Congress. This year, we have 115 sponsors of this legislation. It is absolutely imperative that we pass this. In the name of food safety, in the name of the humane treatment of animals, please pass the Ackerman-LaTourette amendment.

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

Mr. BONILLA. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Virginia (Mr. GOODLATTE), the chairman of the authorizing committee.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman for yielding me this time. I rise in strong opposition to this amendment.

Mr. Chairman, this amendment is a very bad idea from a public health safety standpoint. The way that we inspect animals to prevent animals with anything from BSE to a whole host of other diseases from getting into the food chain is through the process whereby the animals are slaughtered. When they show up at the slaughterhouses, that is where the veterinarians are on hand to inspect them and to make sure that animals that are not healthy do not get into the food chain. They are pulled off the line at that point in time and the public has that safety assurance.

If we require that downed animals are euthanized on the farm and never get to that point in the processing system, we are going to drive this whole process literally underground.

The problem that we have is that the animals will then be buried on the farm or disposed of in some other way, perhaps even put into the food chain illegitimately, because that farmer has absolutely no incentive to do anything otherwise. It is a cost to them, and there is no compensation to them whatsoever.

So if you have an animal that has BSE, and we certainly hope that that never occurs in this country, but if it does, we will never know it if this amendment passes because that animal will never get to the veterinarian to be inspected to determine whether or not it has that illness.

Therefore, this is a very, very bad idea. The humane thing to do for the animal, to have it euthanized at a place in the process where the veterinarians are on hand and can properly inspect it, is the way to go here. It is very important that when animals are downed we find out why they are downed. It might simply be a dislocated hip or something else that is no danger to human consumption, but if it is an animal that has a serious disease, we want to know if that animal has spread that disease to other animals in the area, whether other animals on that farm have the same problem.

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If they never get to the veterinarian, we will never find that out; and, therefore, this will become a very serious human health problem if we adopt this amendment.

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

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

Mr. ACKERMAN. Mr. Chairman, the gentleman makes a very, very important point. Unfortunately, he refers to previous legislation that the gentleman and I discussed.

What we are doing here is we are not preventing the animal from getting there. We are preventing it from entering the food supply so people do not eat these crippled, diseased, pathetic animals as part of their hamburger or steak that they unwittingly buy at the supermarket. This just prevents the use of any funds from approving this animal from entering the food supply. It does not prevent the animal from being tested. It does not prevent the animal from being researched.

Mr. GOODLATTE. Reclaiming my time, the gentleman's point does not cure the problem. And the reason it does not is that there is still a lack of incentive for that farmer to ship that animal to the veterinarian if he knows before it ever gets on his truck that he will not be able to get any compensation for it, any certification for it no matter what is wrong with the animal.

As I indicated, if the animal simply has a dislocated hip or some other ailment that does not make the animal unsound for human consumption, then the farmer has absolutely no incentive whatsoever to ever get it to the slaughter house.

Mr. BONILLA. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. STENHOLM), the distinguished ranking member of the authorizing committee.

Mr. STENHOLM. Mr. Chairman, I thank the gentleman for yielding me time. I will be glad to yield to my friend from New York at any time on the point, but I think some of the points the gentleman from Virginia (Chairman GOODLATTE) made need to be reemphasized.

Existing statutes and regulations are sufficient to address the issue of preventing conscious, nonambulatory livestock from being inhumanely handled prior to slaughter.

Now, there are differences of opinion as to what is ''inhumanely handled,'' and I respect those who have a different opinion than I have. Now, Federal and State veterinarians at slaughter establishments are best capable of identifying and segregating suspect animals from entering the food chain. FSIS personnel verify that disabled livestock handling procedures are carried out to ensure that nonambulatory animals are set apart and humanely slaughtered. That is what the chairman was pointing out will no longer happen if the gentleman's amendment is passed.

In accordance with the Federal Meat Inspection Act and the Poultry Products Inspection Act, FSIS inspectors conduct anti-mortem inspection of livestock. Unconscious, disabled livestock cannot receive anti-mortem inspection and must be condemned and disposed of in accordance with FSIS regulations and the Humane Methods of Slaughter Act. Non-ambulatory, disabled livestock that have not received anti-mortem inspection and cannot be humanely moved must be humanely condemned before they may be transported from the slaughter establishment's premises.

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

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

Mr. ACKERMAN. Mr. Chairman, I should point out that the gentleman, who is a distinguished leader and authority in this area and someone for whom I have the greatest respect, is absolutely right. However, what we are dealing here with is an amendment that does not disrupt this process whatsoever. All of those things can and should take place from the time the animal is grazing to the time it is in the yard to the time it is being shipped and even prior to slaughter.

The only thing that we prevent is the animal from being consumed by the American public. Every single one of us has constituents that eat meat. Some of us have the majority of our constituents. And the American people, 0 percent of them say they will not eat the product of a downed animal such as this.

Mr. STENHOLM. And that sick animal will never find its way into the food chain under the current law that we are enforcing today.

BSE was talked about. It is extremely critical that we do not create a situation in which downed animals which have very good food value, simply because they may have had a dislocated hip or a broken leg still have food value, not be discouraged from coming to the marketplace, which is exactly what the gentleman intends to do; and I respect his desire for doing that. But in the handling of livestock, it is extremely important that livestock continue to be handled as we are doing it under FSIS, particularly with the BSE question.

It is extremely important that BSE-suspect animals are tested; and, accordingly, right now USDA's aggressive BSE surveillance system targets these animals, the ones we are talking about for testing. During fiscal year 2001, USDA tested 5,272 head. In fiscal 2002, 19,990 head, more than 40 times the internationally recognized standard for appropriate surveillance for a country that has never detected BSE within its borders.

It is extremely important that the suspect animals get into the inspection system. But I fear because of those who believe that any animal that cannot walk should be immediately destroyed wherever it is, this will do some real harm potentially to the future of the very food safety issues that the gentleman is trying to correct.

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

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

Mr. ACKERMAN. Mr. Chairman, the gentleman should know that we do not prevent the animal from being tested anywhere, including right up to the slaughter house. We do not deny funds for the testing of the animal. We want the animals to be tested. We want to make a determination as to where the animal came from if he does test positive for mad cow disease or any other kind of disease. What we are saying is that we are going to deny funds under this amendment to those animals, such as this one here, from entering the food chain and from being consumed by my constituents or your constituents.

Mr. STENHOLM. Reclaiming my time, the chairman has been overly generous in sharing of his limited time with me.

I repeat, the picture the gentleman is showing, that sick animal will never find its way into the food chain. Period.

It does no service to this institution to continue to show that.

This amendment would create a disincentive to producers. The gentleman does not understand the cattle business as many in this body do. I understand the sentiments in what you are trying to correct, but the amendment would have a totally different result.

I thank the chairman for his generosity.

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

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

The CHAIRMAN pro tempore (Mr. RYAN of Wisconsin). The gentleman from New York (Mr. ACKERMAN) has 12 minutes left.

Mr. ACKERMAN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Ohio (Ms. KAPTUR).

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

I rise in strong support of the amendment by my very dedicated colleague from New York. His amendment would prohibit for human consumption any meat or meat food product derived from a downed animal.

I might say to my dear friend, the gentleman from Texas (Mr. STENHOLM), a recognized leader in agriculture, that the U.S. Department of Agriculture has already as part of its procedures adopted regulations that ban the purchase of meat from downed animals by its own procurement agencies. So let there be no mistake that our Department of Agriculture believes that it already has the authority to take that action internally.

Let me also say that the Department has estimated that nationally about 190,000 animals every year get so sick that they are unable to stand or walk and they are dragged to slaughter facilities and many of them end up in our food supply. But only about 5 percent of those animals are tested for serious diseases such as mad cow disease.

Now, many probably know that the recent mad cow found in Canada was a downed animal; that the president of the Alberta Beef Producers remarked about ''cows too sick to walk, too sick to stand have no business being part of the food system. This animal should have never left the farm.''

A 2001 study from Germany found that downed animals were anywhere from 10 to 240 times more likely to test positive for BSE than were ambulatory cows. And we all agree, I think we all know, that downed cattle have a higher risk of having BSE, and we should not be sending these animals to slaughter where they may ultimately end up on somebody's dinner table.

Farm Sanctuary used the Freedom of Information Act to analyze USDA slaughter house records for 938 facilities from 1999 through June 2001. They found 73 percent of downed animals passed for human consumption while 27 percent were condemned. But startlingly, among the downed animals approved for human consumption, included afflictions such as gangrene, malignant cancers and pneumonia. These were common.

I think the heart of the gentleman from New York's (Mr. ACKERMAN) proposal is, why are we sending these animals that should be euthanized and disposed of to auction markets and slaughter houses where they will contaminate healthy animals and, indeed, human health?

The August 2001 issue of ''Dairy Herd Management'' named downed animals as the most important area where the industry needs to clean up its act. So I want to rise in support of the Ackerman amendment. I think the gentleman is moving us all, moving the country toward a better standard, a higher standard. The USDA has already recognized that standard and adopted on its own meat procurement practices. I want to thank the gentleman for helping move America ahead. I think this amendment's consideration today will go a long way in helping to clean up this problem for the American people.

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

The CHAIRMAN pro tempore. The gentleman from New York (Mr. ACKERMAN) has 8½ minutes remaining.

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

The CHAIRMAN pro tempore. The gentleman from Texas has 6 minutes remaining.

Mr. BONILLA. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the authorizing committee.

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

Mr. Chairman, I want to respond to the gentlewoman from Ohio (Ms. KAPTUR) because she is responding to exactly the same amendment that the gentleman from New York (Mr. ACKERMAN) has informed us he has modified from provisions that he has offered earlier as well.

The gentlewoman wants to keep the animals from ever being shipped to the slaughter house. The slaughter house is where the inspection takes place to determine whether or not the animal has BSE. So if the gentlewoman accomplishes her goal, she is defeating that purpose.

The gentleman from New York (Mr. ACKERMAN) has said he has modified his amendment so that only funds cannot be expended for the purpose of certifying the animal for processing. That has still the same problem. The farmer will have no incentive to get that animal to the place where the veterinarians are so that inspection can take place. If we had billions of dollars to have veterinarians go to every farm, maybe they could accomplish their goal; but we do not have that kind of money. The farmers do not have the money. They are not going to spend it. So they would be risking public health by refusing to have the process work the way it was designed. Have the animals go to the slaughter house, be inspected.

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

Let me respond, first to the gentleman from Texas (Mr. STENHOLM), my good friend, I may not be in the cattle business; but I can tell a good steak when I see one. This does not a good steak make, and that is exactly the point.

And in answer to both questions to both the gentleman from Texas (Mr. STENHOLM) and the distinguished gentleman from Virginia (Mr. GOODLATTE), there is a greater picture that some might argue about testing anywhere along the process and euthanizing the animal prior to reaching the marketplace. That is all well and good, and we could argue those points; but that is not what this amendment is all about. This amendment does not prevent any of that from happening.

This specific amendment does not touch any of the testing procedures.

We want the animals tested. There are those who even have a greater picture; and they would say, let us not eat meat at all. That is not the purpose of this gentleman, and that is not the purpose of this amendment.

This amendment says after you go through all of these processes and all of these wonderful things that are in place right now, why jeopardize it all for the sake of making a few bucks and jeopardize the entire cattle industry, a major American industry, for the sake of making a few bucks off a couple of crippled animals, less than .63 percent of the entire population. It makes no sense.

One mad cow has closed them down in Canada. Do we want that to happen in the United States?

There is a humanitarian issue here for those of us who appreciate the inhumane treatment of animals, and there is a public-safety issue. And if nothing else, for goodness sake, look at the public-safety issue and look at what happened to Canada. Granted, we do a little bit better job, we think; but one mad cow is all it will take to shut down our industry.

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

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

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding to me.

I will not use the full time. I just wanted to say to my good friend from Virginia, the chairman of the authorizing committee, that the normal way, place the animal would be downed would be at the slaughterhouse anyway.

The point we are trying to make is do not put it in the food chain. That is the heart of the gentleman from New York's (Mr. ACKERMAN) amendment which he has not changed. So I just wanted to clarify that, and I also am concerned that at that slaughter facility that that diseased animal not contaminate the other animals. So there is a tremendous burden on that slaughterhouse, but the point of the gentleman from New York's (Mr. ACKERMAN) argument and amendment is do not put that sick animal in the food chain.

I support his amendment, and I thank the gentleman for offering it.

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

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

Mr. Chairman, I simply want to say that I greatly appreciate the points that the authorizers have made today in opposition to this amendment.

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

Mr. ACKERMAN. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN pro tempore (Mr. RYAN of Wisconsin). The gentleman from New York (Mr. ACKERMAN) has 6 minutes remaining.

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

Mr. ACKERMAN. I yield to the gentleman from Texas.

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

I think it is imperative that we distinguish between sick animals and downer animals. There is a big difference, and I think the author of the amendment and some of the arguments made, including by my good friend from Ohio, is tending to mix up downers and sick.

We all agree sick animals have no place in our food chain, period; and I would submit under current law that is a occurring 99.9999 percent of the time. No one can be perfect.

On the question of BSE, I worry about us continuing to be able to reassure the American public since in 2002 we tested 19,990 cattle, 40 times the international standard, but of those 19,990, 14,000 were downer animals. It is critical that we continue to look at downers to make sure they are not sick and remove them from the food chain, but when we read the gentleman's amendment today, I really respectfully say it would create a disincentive for producers to send downers to market.

We agree with the basic statement of keeping the animals out of the food chain that are sick. It is a question of how we best do it. Therefore, I respectfully oppose the gentleman's amendment in the belief that it will not accomplish what we all agree we need to do, and that is keep sick animals out but allow downer animals that can be humanely consumed to continue to be presented so we can make that determination as to whether they are sick or consumable.

Mr. ACKERMAN. Mr. Chairman, reclaiming my time, I appreciate the gentleman's sentiments and how articulately he presents them. We have a great deal of sympathy with what he is trying to accomplish, and one of the things the industry is trying to accomplish is to squeeze every nickel out of every head of cattle regardless of whether it is ambulatory, nonambulatory or anything else. There should be a disincentive for people bringing animals that are sick or diseased or nonambulatory to the market for the sake of making a couple of dollars on ½ of 1 percent of the entire cattle industry in America.

The fact that we do 40 times more testing and a better job than the average in the world, I am not impressed by that argument that we do better than places like Saudi Arabia and the Sudan and other places which bolster our numbers in how good we are.

Take a look at Canada. They do 40 percent better than the rest of the world, also. It took one mad cow who was a downed animal to shut down the entire industry. The industry here needs to be saved from itself. For the sake of that ½ of 1 percent, they are jeopardizing their entire business.

The humane aspect of this, I do not want to hold these pictures up continuously for the rest of this debate nor shall I, but the point is, the pictures are troubling. They are disturbing. Nobody likes to look at that. But if we think we go to the supermarket and buy some chopped meat and our own hamburger out of meat that McDonald's would not touch, out of meat that Wendy's would not touch, out of meat that Burger King would have no part of, out of meat that the USDA says, my goodness, keep this off the plates and tables of our schoolchildren as they have their lunches, it is unfair, it is unsafe, that the industry would say let us sneak this in and have these animals be put up for sale for the unsuspecting American public.

According to a Zogby poll, four out of every five Americans has said they would not touch this meat if they knew it came from a downed animal, but they do not know that it came from a downed animal, Mr. Chairman.

What we are doing here with this amendment is we are saying that the animal can be tested on the farm, it can be tested where it falls, it can be tested when it is in transit, it can be tested in the stockyards, it can be tested right up to the point of slaughter, do all the testing, make the determination, keep the statistics, but do not then put it into the food supply for the American people. Food safety demands better, and humanity to animals demands better.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ACKERMAN. I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. Mr. Chairman, just a very important point, I think bovine spongiform encephalitis, BSE, has never been found in the United States. We have the most strict meat inspection in the world, and if we pass this resolution the danger is that we complicate the inspection of those downed animals. Downed animals in this country do not go into the human food chain without a thorough health safety investigation.

Mr. ACKERMAN. Mr. Chairman, I thank the gentleman for his remarks.

We are not compromising the testing system at all. Test to your heart's content. Test and retest and double test. We agree with that. But, in the end, after all the tests, do not subject the American people to eating these downed animals.

On the gentleman's second point, that in the history of this country we have never found mad cow disease, I just want to point out that until one mad cow, who was a downed animal, came along, Canada had never found a mad cow in their country either. Look what has happened to them. Do not let it happen here in the name of food safety. In the name of the humane treatment of animals, do not allow that to happen here.

Mr. SMITH of New Jersey. Mr. Chairman, I rise in support of the Ackerman-LaTourette Amendment which would end the sale of "downed animal meat" for human consumption. Simply put, this Amendment would take

livestock that is too diseased, too weak, or too injured to even stand on its own feet out of our food chain.

American families do not want to put downed animal meat products on their dinner tables, and they do not want to worry about whether the meat products purchased from a restaurant contains meat from downed animals. As a matter of fact, new animal welfare standards followed by burger-giants McDonald's, Burger King, and Wendy's have ended the purchase of meat from downed animals in their food products. I applaud these moves and America's consumers applaud them as well.

Common sense, as well as scientific data, says that the meat taken from a downed animal is unfit for human consumption—its risk of bacterial contamination and other diseases is much much higher than the meat taken from a healthy animal. U.S. Department of Agriculture (USDA) records show that downed animals are often afflicted with gangrene, malignant lymphoma, pneumonia, and other serious illnesses. According to the Food and Drug Administration downed animals are responsible for half of the drug residue found in meat because these animals are often very sick animals, and therefore, are often receiving a variety of drug treatments. Why would anyone want to take a chance and eat this meat?

Not only would this legislation remove tainted meat from the American marketplace, it would help improve the treatment of animals at auctions and slaughterhouses. Most downed animals are old dairy cows, crippled veal calves, and sometimes injured beef cattle. These downed animals, too weak to stand up on their own, are often shocked with electricity, moved with bulldozers, kicked and dragged, all in the effort to move them along the assembly lines to be slaughtered.

Mr. Chairman, our Nation has made great strides in food processing and food production over many years. We've come a long way since the publication of Upton Sinclair's famous century-old work, ''The Jungle.'' But there's still a lot of needless cruelty that goes on in these places. Upton Sinclair wrote back then that the animals were strung up one by one in a ''cold-blooded, impersonal way, without a pretense of apology.'' This still occurs today.

For instance, cows with broken legs are often left for hours or even days without food and water, let alone veterinary care. There is no excuse for this cruel and inhumane treatment in a civilized society. For the sake of our society, our animals, and those who eat meat products, the practice of slaughtering and consuming downed animals must be brought to an end.

Americans rightly do not want to eat meat from downed animals nor do they want to see downed animals cruelly treated the way they are at our slaughterhouses and animal auctions. Five months after the publication of ''The Jungle,'' President Theodore Roosevelt and Congress took action by passing the first ''Pure Food and Drug Act'' and the first ''Meat Inspection Act.''

Mr. Chairman, Congress needs to act again. Americans want animals to be treated properly, and they want their food to be safe. I urge Members to support and vote for the Ackerman-LaTourette amendment.

Mr. SHAYS. Mr. Chairman, as Co-Chair of the Congressional Friends of Animals Caucus I urge my colleagues to vote in favor of the Ackerman Downed Animal Amendment.

Animals too weak, from sickness or injury, to stand or walk are routinely pushed, kicked, dragged, and prodded with electric shocks at auctions and intermediate markets, in an effort to move them to slaughter.

There is no excuse for this unnecessary torment.

The Ackerman amendment will protect these downed animals by discouraging their transport to livestock markets and requiring they be humanely euthanized.

Some greedy individuals know livestock sold for human consumption will bring a higher price than livestock sold for other purposes. To them, the money is more important than the suffering of the animals. In moving these animals to auctions and other markets, these individuals display a cruel disregard for the animals. They also ignore the fact that meat from these animals may be unfit for consumption.

Downed animals do not deserve this kind of cruel treatment, and consumers do not deserve to be subjected to the risk of buying contaminated meat products.

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

The CHAIRMAN pro tempore. All time having expired, the question is on the amendment offered by the gentleman from New York (Mr. ACKERMAN).

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

Mr. ACKERMAN. 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 New York (Mr. ACKERMAN) 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. GOODLATTE) having assumed the chair, Mr. RYAN of Wisconsin, 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. 2673) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes, had come to no resolution thereon.

LIMITATION ON AMENDMENTS AND PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2673, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that it be in order at any time for the Speaker, as though pursuant to clause 2(b) of rule XVIII, to declare the House resolved into the Committee of the Whole House on the State of the Union for further consideration of H.R. 2673, which shall proceed according to the following order:

No further amendment to the bill may be offered except pro forma amendments offered by the chairman and ranking minority member of the Committee on Appropriations or their designees for the purpose of debate and

An amendment by Ms. KAPTUR regarding biofuels, which will be debatable for 20 minutes;

An amendment by Ms. KAPTUR regarding APHIS;

An amendment by Ms. KAPTUR regarding credit cards;

An amendment by Ms. KAPTUR regarding the Website of the Department of Agriculture;

An amendment by Mr. BROWN of Ohio regarding food safety, which shall be debatable for 20 minutes.

Each such amendment may be offered only by the Member designated in this request, or a designee, 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.

Except as specified, each such amendment shall be debatable for 10 minutes, and debate on each amendment shall be equally divided and controlled by the proponent and an opponent.

All points of order against each of the amendments shall be considered as reserved pending completion of the debate thereon; and each of the amendments may be withdrawn by its proponent after debate thereon.

At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except for one motion to recommit, with or without instructions.

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, 2004

Mr. BONILLA. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2673) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes.

The motion was agreed to.

□ 1525

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. 2673, with Mr. RYAN of Wisconsin in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole House rose earlier today, a request for a recorded vote on the amendment by the gentleman from New York (Mr. ACKERMAN) had been postponed, and the bill was open for amendment through page 72, line 23.

Pursuant to the order of the House today, no further amendment to the bill may be offered except pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate and

An amendment by Ms. KAPTUR regarding biofuels, which will be debatable for 20 minutes;

An amendment by Ms. KAPTUR regarding APHIS;

An amendment by Ms. KAPTUR regarding credit cards;

An amendment by Ms. KAPTUR regarding the Website of the Department of Agriculture;

An amendment by Mr. BROWN of Ohio regarding food safety, which shall be debatable for 20 minutes.

Each such amendment may be offered only by the Member designated in this request, or a designee, 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.

Except as specified, each such amendment shall be debatable for 10 minutes, and debate on each amendment shall be equally divided and controlled by the proponent and an opponent.

All points of order against each of the amendments shall be considered as reserved pending completion of debate thereon; and each of the amendments may be withdrawn by its proponent after debate thereon.

AMENDMENT OFFERED BY MS. KAPTUR

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

The Clerk read as follows:

Amendment offered by Ms. KAPTUR:

At the end of the bill, add the following new section:

SEC. . None of the funds appropriated or otherwise made available in this Act shall be expended to violate Public Law 105–264.

The CHAIRMAN pro tempore. The gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Mr. LATHAM. Mr. Chairman, we would accept the amendment.

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

I thank my good friend from Iowa for that, and I just for purposes of the RECORD wish to state that this amendment concerns the recent allegations that have been put forward about individuals at the Department of Agriculture misusing their Federal credit cards that they possess on behalf of the agency.

□ 1530

We look forward to working with the majority to ensure prompt prosecution and also actions being taken by the Department of Agriculture for us to monitor them as they move forward to make sure that this never happens again. I thank the gentleman for his support.

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

The CHAIRMAN pro tempore (Mr. RYAN of Wisconsin). The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. KAPTUR

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

The Clerk read as follows:

Amendment offered by Ms. KAPTUR:

At the end of the bill, add the following new section:

SEC. . None of the funds appropriated or otherwise made available by this Act may be used to issue a final rule in Docket No. 02–06201, ''Cost-Sharing for Animal and Plant Health Emergency Programs,'' 68 Fed. Reg. 40541–40553 (July 8, 2003).

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 pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mr. LATHAM. Mr. Chairman, we would accept the amendment of the gentlewoman from Ohio (Ms. KAPTUR).

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

Mr. Chairman, I thank the gentleman from Iowa (Mr. LATHAM). Just for purposes of the debate and the record, let us show that this amendment would prohibit the U.S. Department of Agriculture from finalizing a rule on cost sharing between the Federal Government and co-operators, our States, local governments and industry groups on the cost of responding to animal or pest emergencies that threaten U.S. agriculture. We believe this to be a Federal responsibility.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. KAPTUR

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

The Clerk read as follows:

Amendment offered by Ms. KAPTUR:

At the end of the bill, add the following new section:

''SEC. . No funds appropriated or made available by this Act may be used to identify by photograph on a department's or agency's website any Member of the House of Representatives or the Senate within 60 days before a federal general election.''

The CHAIRMAN pro tempore. All points of order are reserved.

Pursuant to the order of the House of today, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR).

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

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

Ms. KAPTUR. I yield to the gentleman from Iowa.

Mr. LATHAM. Mr. Chairman, we would accept the amendment.

Ms. KAPTUR. Mr. Chairman, I thank the chairman and appreciate the chairman's acceptance of this amendment.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. KAPTUR

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

The Clerk read as follows:

Amendment offered by Ms. KAPTUR:

Under the heading ''COMMON COMPUTING ENVIRONMENT'', insert after the dollar amount on page 3, line 9, the following: ''(reduced by $20,000,000)''.

Under the heading ''RENEWABLE ENERGY PROGRAM'', insert after the dollar amount on page 43, line 4, the following: ''(increased by $20,000,000)''.

The CHAIRMAN pro tempore. All points of order are reserved.

Pursuant to the order of the House of today, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR).

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

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

Ms. KAPTUR. I yield to the gentleman from Iowa.

Mr. LATHAM. Mr. Chairman, we would be more than happy to accept the amendment, and we would like to expedite the process if we could.

Ms. KAPTUR. The gentleman will accept this amendment on biofuels?

Mr. LATHAM. If we could expedite the process.

Ms. KAPTUR. Mr. Chairman, I would be more than pleased to accept the gentleman's acceptance and to say that there could be no more important action of this government than dragging the U.S. Department of Agriculture into the 21st century, and helping America to become energy self-sufficient at last.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there any further amendments?

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just wanted to thank the gentleman from Iowa (Mr. LATHAM) for moving this bill along. I know there are other Members who may be on their way to the floor right now, and

we wanted to allow a little time for that. But meanwhile, I wanted to say a word about the overall bill and again to express my deep disappointment that the overall level of this discretionary bill is about 5 percent below last year's appropriated levels.

I come from a part of the country where we have experienced quite a bit of flooding. We know that later this year we are going to have some additional requests for disaster assistance. With the limited amount of funding in this bill and the cuts across various accounts, it is going to make it very difficult, barring a supplemental of some sort, to meet all of the requirements that are necessary.

As we look toward Members asking us how good is this bill, I guess the bottom line on this bill is that it is not nearly good enough in view of the challenges that are facing agriculture today.

We appreciate all of the Members who have come down here today to offer amendments. I think that every single one that was passed and awaits votes this afternoon has improved the bill. Those that deal with downed animals, those that deal with the Office of Civil Rights, those that deal with our historically black colleges and Tuskegee Institute, those that deal with improving the U.S. Department of Agriculture's attention to biofuels production, all of these are improvements.

We were very pleased to see the gentlewoman from Guam (Mr. BORDALLO) come to the floor to talk about the insular territories and their very, very significant dependence on agriculture, and over time the actual ignorance by our government toward these critical areas to our country.

If I might just say an additional word on the energy title, one of the reasons we were so concerned about the U.S. Department of Agriculture's inattention to new fuels production is that there is not a corner of rural America where this is not uppermost in people's minds. Whether it is biodiesel, whether it is ethanol, farmers can see the future. Many of them are inventing it. Without question, rural America holds at least a minimum of 20 percent of the potential to displace our overreliance on imported petroleum.

The budget, however, that the administration presented to us was severely underfunded. Not only was the Department of Agriculture not encouraged to move into the 21st century in energy production, but, in fact, the Department of Energy's accounts that deal with energy production and renewable energies were reduced 28 percent in the area of biomass, for example. Members should imagine a future where our capability in producing soy diesel and ethanol is enhanced by the Government of the United States assisting our farmers to bring new energy products online. These can actually produce real value-added and real income to the farm families of our country in the form of new fuels. We could do nothing more important in the first half of this century, in my opinion in the first decade of this century, than helping to convert from the hydrocarbon age to the carbohydrate age.

Today, over 3 million vehicles on our roads already use E–85, ethanol, made of 85 percent ethanol. Every one of these vehicles is made by our manufacturers. The problem is if you buy a vehicle and you take it to the service station, drivers cannot get the fuel in every State and in every location. You can get it in Iowa. You can get it in Minnesota. Try to get it in Ohio.

The real question is how do we move this industry forward when we know our farmers would rather produce to the market rather than produce to the mailboxes with subsidy payments. I am enjoying this opportunity to have the chairman of the authorizing committee sitting listening to this because I look for a great partnership between the Committee on Appropriations and the authorizing committee in the area of new fuels.

It has been a real disappointment to watch the lethargy at the Department of Agriculture when energy futurists can see the potential in every account. Take a look at research. We have not even invented the plants yet that can give us the most Btus per ton. We are using existing technology to produce the fuels that we are processing today. But just in the research accounts, we are behind the times in getting the plants that would give us the most convertible sugars, the most Btus per ton.

Take a look at how processing facilities are being built across the country, by farmers in places like the State of Minnesota. The State of Minnesota is such a leader; I believe she had the first ethanol plant in America. If we are going to have a national project for biofuels production, we should call it the Minnesota Project because they absolutely were first. Although when I was down in Iowa talking to farmers, they said yes, but Iowa farmers working in Minnesota actually accomplished it!

My point is that some parts of America have seen the future. Farmers are using our waste products from the field, for example, and blending them rather than putting them in landfills or burning them heedlessly produces a Btu stream that we can process and then convert.

I think that the record shows by January 2002, last year, there were well over 100 major fleets in our country that had implemented biodiesel programs, and the leading Federal agency for converting vehicles is not the Department of Agriculture. It is the U.S. Postal Service. I believe they have over 12,000 vehicles that use clean-burning fuels.

We look at the U.S. Air Force, Army, U.S. Department of Energy, NASA, State fleets in States like my own, Ohio, Iowa, Virginia, Missouri, Delaware and New Jersey, city buses in places like the Cincinnati metropolitan area and the bi-state area of St. Louis, and major public utility fleets such as Commonwealth Edison, Florida Power & Light, Duke Energy, Alabama Power and others.

The CHAIRMAN pro tempore. The time of the gentlewoman from Ohio (Ms. KAPTUR) has expired.

(By unanimous consent, Ms. KAPTUR was allowed to proceed for 5 additional minutes.)

Ms. KAPTUR. Mr. Chairman, we appreciate the opportunity this afternoon to plant the seeds of biofuels in the U.S. Department of Agriculture budget for the year 2004.

Ms. DELAURO. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, last week during consideration of the Labor-HHS appropriations bill, I spoke of how this administration and this Congress are making a choice between tax cuts for the wealthiest Americans and other pressing priorities.

As a member of the subcommittee, I know that the programs in this bill represent many of these vital priorities supporting our farmers, revitalizing our rural communities, and helping the most needy in our country meet their most basic nutritional needs, and safeguarding our food supply. Yet as a result of the budget allocation given to our subcommittee, the bill includes a nearly 5 percent decrease in funding for agriculture, America's leading domestic industry which brings approximately $2.1 billion into my State of Connecticut's economy and provides 50,000 jobs for Connecticut each year.

One of the most critical things we do in this bill is ensure the safety of our Nation's food supply; 76 million Americans become sick and 5,000 people die every year from food-borne illness. At a time when there have been record amounts of recalls and ongoing concerns about USDA performance and the integrity of our food supply, this bill underfunds food inspection by $12 million.

Last week we found out that imported meat inspections have gone down from 17 to 6 percent in the last year.

□ 1545

This bill is headed in the wrong direction.

In addition, this bill prevents implementation of country-of-origin labeling for meat and meat products. Country-of-origin labeling gives people the information that they need to make an informed choice to protect the safety of their families. Thirty-five other countries we trade with, including Canada, Mexico and members of the European Union, already have a country-of-origin labeling system in place.

And American families recognize the need for this labeling. People say that they are willing to pay more to know where their food is coming from. At a time when food imports are increasing

but the number of inspections of imported meat is decreasing, consumers deserve that right to know where their food is coming from. Given the record 56 million pounds of recalled meat last year, again, that is 56 million pounds of recalled meat, this effort is also about being able to trace back contaminated product in the event of a recall. Knowing the source of an outbreak is a critical part of that process so that we can quickly take action to prevent people from getting sick.

Country-of-origin labeling will not violate trade agreements or lead to retaliation. It will not bankrupt the food industry. It will simply let consumers know where their food is coming from. I hope my colleagues will support the Rehberg-Hooley amendment to remove this provision from the bill.

I am also concerned that the WIC program, which helps ensure that the nutritional needs of women and children are met, may not be funded sufficiently in this bill. That leaves no room for error. If the need increases, if food or infant formula prices increase, there will be no funds available to help those who depend the most on the program.

Another priority is prescription drugs, which are increasing on average at a rate of 20 percent annually. The generic drugs program at FDA helps us address those concerns by speeding the approval of affordable drugs. Yet this bill underfunds that program by $5 million, in addition to underfunding the Best Pharmaceuticals for Children Act and the patient safety and adverse reporting initiative. All are critically important to ensuring the health and safety of every American.

Mr. Chairman, budgets reveal priorities. They reveal values. This bill includes agencies and programs charged with some of our most important responsibilities, many of which protect and oversee the public health. Now is not the time to choose tax cuts for the wealthy over these vital priorities. We must do better. Failure is not an option.

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. GOODLATTE) having assumed the chair, Mr. RYAN of Wisconsin, 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. 2673) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes, had come to no resolution thereon.

APPOINTMENT OF CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1) to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize the Medicare Program, to amend the Internal Revenue Code of 1986 to allow a deduction to individuals for amounts contributed to health savings security accounts and health savings accounts, to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. CULBERSON). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. DAVIS OF TENNESSEE

Mr. DAVIS of Tennessee. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Davis of Tennessee moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1 be instructed as follows:

(1) To reject the provisions of subtitle C of title II of the House bill.

(2) The House recede to the Senate on the provisions to guarantee access to prescription drug coverage under section 1860D–13(e) of the Social Security Act, as added by section 101(a) of the Senate amendment.

The SPEAKER pro tempore. Under the rule, the gentleman from Tennessee (Mr. DAVIS) will be recognized for 30 minutes and the gentleman from Louisiana (Mr. TAUZIN) will be recognized for 30 minutes.

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

Mr. DAVIS of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this motion instructs conferees to do two simple things, two things that the House-passed bill does not accomplish. One, it asks them to provide a guaranteed prescription drug benefit for all our seniors. Number two, it asks them to preserve Medicare as we know it today.

Specifically, this motion instructs the House not to abandon seniors to the mercy of private insurance and pharmaceutical companies. It makes a promise to our seniors. It tells them that if private insurance companies cannot make enough money off them, they can still get a prescription drug benefit.

Mr. Speaker, without this provision, the odds of seniors in my district getting a prescription drug benefit under this bill are virtually slim to none. How do I know this? For years now, private insurance companies have had an opportunity to try and make money off the seniors in my district by offering them a Medicare+Choice benefit. And how many have decided it is worth their while? Only a few.

I know the people in my district, the people of the Appalachian Mountains, of the Cumberland Plateau and southern middle Tennessee, are not alone, the people who live in Byrdstown or in Tracy City or in Kelso or in Hohenwald in our district. Already, private HMOs have abandoned over 2 million seniors.

The second part of this motion is about nothing less than preserving Medicare, a program millions of seniors have come to expect and to trust. Under the House-passed bill, Medicare as we know it will cease to exist in 7 short years, in 2010. Instead of Medicare, seniors will get a voucher for their health care and told to go shopping and will be forced to beg insurance companies and HMOs to offer prescription drug coverage to them, a request that many insurance companies are already on record as saying that they will not be able to fulfill. HMOs will compete against Medicare for younger, healthier seniors, while jacking up the prices for seniors who have chronic conditions and are in need of more care. These ''left behind'' seniors will have no choice but to remain in traditional Medicare which will be starved of funds, unable to compete with insurance companies and HMOs, and thus will be forced to raise seniors' premiums.

Privatization of Medicare will break up the huge and successful risk pool that Medicare has provided. With only the sickest patients enrolled, Medicare's costs will rise until it costs more than the voucher allotment. Medicare will be forced to price itself out of existence.

Make no mistake. That is exactly the point. During the debate on the bill, here is what was said: ''To those who say the bill would end Medicare as we know it, our answer is: We certainly hope so. Old-fashioned Medicare isn't very good.''

Well, I disagree and I have talked to many seniors in Tennessee who disagree as well. Medicare in the past 38 years has been very good to millions of seniors, but it should be even better. It should include a prescription drug benefit that is guaranteed, that is affordable, and that is accessible to all seniors. Our seniors deserve it, and we in this House Chamber should demand it.

Mr. Speaker, I yield the balance of my time to the gentleman from Florida (Mr. DAVIS) and ask unanimous consent that he be allowed to control the time.

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

There was no objection.

Mr. TAUZIN. Mr. Speaker, I yield 15 minutes to the gentleman from Wisconsin (Mr. GREEN) on behalf of the Committee on Ways and Means and ask unanimous consent that he be permitted to control that time.

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

There was no objection.

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

Mr. Speaker, there were two visions of Medicare prescription drug bills before the House several weeks ago. The vision offered by the Democratic Party is revisited upon us today in this motion to instruct. That vision was one of simply a government program for prescription drugs. It was one that eliminated any real possibility of competitive reform. It was one that literally provided for the government to always make sure that prescription drugs were available. In short, it literally put the government in the business of deciding what prescription drugs, at what price and when they might be available for seniors.

There was another vision offered on the floor which was adopted by the House when it rejected overwhelmingly the Democratic vision. The vision that was offered on this side of the House that was finally approved in that long night of voting was a vision that literally said we are going to literally provide a $400 billion drug benefit for seniors. But, as part of the deal, we are also going to require Medicare itself to undergo reforms, to make sure that the Medicare system does not itself go bankrupt or bust the business of government as the years go by.

There were predictions, for example, that by the year 2070 if we did not accept the vision of reforming Medicare, of making sure that there were competitive choices available for consumers so that Medicare itself would become more and more efficient, less bureaucratic, more responsive to Medicare doctors and Medicare patients, if we did not do that by the year 2070, entitlements in this country would eat up every single dollar raised from taxpayers, leaving no money to operate this body, the Congress or the courts or the Defense Department or any other vital function of our government.

That is the choice we have again in this motion to instruct. The Democratic motion to instruct simply says, adopt that Democratic vision of a government-provided Medicare benefit only with no competition offered to that system and no tension between the private competition offered and the public system to ensure that the public system remains as intensely efficient as possible under the law. So in effect what this motion does is to strike the competitive features of the vision of Medicare reform adopted on the House floor and to rely instead upon government-backed, government-fallback medicine for Americans.

Let me state very clearly again. The vision adopted on the floor of the House was to provide $400 billion of government-provided Medicare prescription drug assistance to seniors, to seniors who wanted to stay within the Medicare program or seniors who might want to choose some other competitive private plan that would be offered under that vision. The vision adopted by the House was exactly that, competition, more stores in town, a government store and private stores as well. The vision rejected that is again offered on the floor of the House is government medicine only, government medicine without the competitive choices that seniors should have.

This motion to instruct should be rejected.

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

Mr. DAVIS of Florida. Mr. Speaker, I yield myself 2½ minutes.

The motion to instruct represents an attempt to identify two areas that must be addressed if there is to be a compromise, if there is to be a prescription drug benefit under Medicare in this Congress. I daresay virtually every Member of this body has promised to find a way to provide Medicare coverage for prescription drugs. There is a basis for consensus among Republicans and Democrats to operate within the constraints of the budget. This is not the budget many Democrats would have chosen but out of a desire to solve this problem immediately and begin to provide some coverage for the seniors at home that are desperately struggling to meet their drug bills, there is a desire to work together.

The two issues the motion to instruct addresses are very simple. The first is whether or not our seniors are forced to rely exclusively on private plans to get drug coverage. Since this bill was introduced weeks ago, I would say there is not a single private insurance company in Washington or the United States that has come forward to the Federal Government and said, we want your money, we want to provide this private drug benefit you have created. As a matter of fact, in the committee one of the responses that was made by the esteemed chairman to the apparent lack of interest among the private insurance companies was, if necessary, we, the Congress, will subsidize over 99 percent of the cost of these drug benefit plans to encourage the private companies to come in. That not only is a waste of taxpayer dollars, it is an insult to our seniors. Because unless we adopt the Senate fallback provision which says that if two private insurance companies will not provide the drug benefit, traditional Medicare will, we are holding up a false hope for our seniors.

So the first thing the motion to instruct does is take the Senate position that there will be a fallback, traditional fee-for-service drug benefit if two private plans fail to do so.

The second issue addressed by the motion to instruct is the issue of the voucher. Under 2010 in this bill, Medicare as we know it ends. Medicare is converted to a voucher program. Under the voucher plan if you are, as many people are at the age of 65, not entirely healthy, you can safely assume these private insurance companies will not want to insure you. You will not be a good risk. You will not be sufficiently profitable.

Under this bill, unless the motion to instruct is adopted, people who cannot get into a private plan are left with a voucher. The Medicare actuary has estimated that could result in as much as a 25 percent increase in the cost of Medicare to people that have the voucher. We are going to leave people over 65 with health problems without access to Medicare unless this motion to instruct is adopted.

□ 1600

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

I would like to address a couple of the points that the gentleman from Florida (Mr. DAVIS) made. In the gentleman from Florida's motion to instruct, it is akin to passing an amendment to say we are going to see to it that Medicare is bankrupt faster than it is already going bankrupt. The problem we are trying to deal with, Mr. Speaker, is this: we already have financial problems with Medicare. As it stands today, if we do not even do anything and we do not add any benefits like prescription drug benefit to Medicare, it is going insolvent in 10 years. At the height of the baby boom retirement when we have 77 million retirees in place in America, more than the 40 million we have today, almost double, we are going to exhaust all of the Medicare trust fund by the year 2036.

So what we are trying to do here is this: we recognize so clearly that Medicare is an outdated program. Medicare is not modern. It is not comprehensive. It does not cover all the comprehensive health care needs a person has over the age of 65, especially; and that is why we out of the House passed very comprehensive legislation, comprehensive legislation to help not only add a prescription drug benefit to all in Medicare but give them access to comprehensive health care so they do not have to go out and buy a costly supplemental insurance plan, so they do not have to pay out of pocket with high retail prices with the buying power of one person for their prescription drugs.

We have great comprehensive reforms for the current generation of retirees. But the one very important part of what we passed in the House is not only do we improve Medicare for today's generation of retirees by making it more modern; we also have very important reforms in this bill to make sure that the program is actually solvent for the next generation when they retire, and that is what we are trying to accomplish.

If we simply add a benefit to Medicare on top of the current program in its current structure, all we end up accomplishing is accelerating the bankruptcy of Medicare. Mr. Speaker, we owe it to all Americans, not just the current generation of retirees, to fix this program; but we owe it to the next generation, the baby boom generation, to make sure that this program is there for them when they retire.

The reforms that are in question that are being jettisoned or gutted in this motion to instruct are the very important reforms that get us to solvency for the baby boom generation, and those reforms are not vouchers. Those reforms are defined benefit plans that simply give seniors the same access to comprehensive health care plans that we as Members of Congress have and all other Federal employees and our families have; and those plans in competition with one another for our business, for the seniors' business will help reduce long-term costs so we can extend the solvency of this program for the baby boomers.

As to the very important criticism, but very wrong criticism, that this is going to hurt the people who are not healthy, the sick and low-income, that is completely false, Mr. Speaker. This legislation very clearly has guaranteed issue. No plan can pick and choose who they are going to cover in Medicare. If they are in Wisconsin as a person of the age of 65, Medicare eligible, and they want an enhanced plan like a private PPO or Blue Cross like my wife chose for us in the Federal Employee Health Benefit Plan, everybody who is entitled to Medicare is entitled to that plan. These private plans cannot cherrypick and cannot deny people based on preexisting conditions. And that I would add can be found on page 260.

Another very important part is that this has risk-adjustment payments. So if, for example, sicker people are going into a plan, they will have risk-adjustment payments, and that can be found on page 248 as well. So I would simply direct my colleagues to the legislation to find out that this does have risk-adjustment payments so it will not have a problem with healthy or nonhealthy people going into one plan or another. This language is what we must pass into law, not just out of the House, to save this vital program for the next generation while improving Medicare for the current generation.

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

Mr. DAVIS of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. STARK), the ranking Democrat on the Subcommittee on Health of the Committee on Ways and Means.

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

Mr. Speaker, I would like to inquire of the distinguished gentleman from Wisconsin if he could tell me how many years their bill in the House would extend the financial life of the Medicare program.

Mr. RYAN of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. STARK. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Speaker, the actuaries will not certify that it will extend the solvency of Medicare by any certain number of days.

Mr. STARK. Mr. Speaker, I thank the gentleman for his answer and reclaim my time.

Mr. Scully, the director of CMS, said last week that it would not extend the solvency of Medicare 1 day and indeed might shorten the solvency, and that is of course from the Republican director of CMS. Further, both GAO and MedPac, bipartisan groups, have reported to us that the proposed privatized plans that are in the Republican House bill will increase the cost to Medicare for every senior who is foolish enough to sign up for them. So not only does the Republican plan not save any money in Medicare. It is in very grave danger of costing Medicare money for no extra benefit. But we must not try to focus in merely an hour on the multitude problems that exist in the House bill.

We are constrained in this motion to deal with portions of the bill that are before us, and so there are two principal elements here: one, to eliminate the cockamammie premium support competition, whatever one wants to call it, Medicare+Choice that starts at 2010 in the House-passed bill. As I have said before, the Republican experts in Health and Human Services tell us it will not save any money and will probably reduce the solvency of the Medicare trust fund. GAO and MedPac tell us that these programs will create additional costs to Medicare over the standardized system.

Secondly, there is no fall-back in the House plan. There is no plan in the House plan. There is an estimate of what we might do, but there is nothing in the House plan that would require a benefit to be provided. Nothing. At least the Senate bill has a provision to ensure that there will be a Medicare program to provide a drug benefit in all communities should there be no insurance company reckless enough to try to understand what the House position is and take the subsidies needed to encourage it to participate. So if we want to have any plan at all and make sure that the law provides for it, we must recede to the Republican part, and if we want to keep Medicare solvent, we must drop the House portion which has the premium support. Those two are the basic elements that are needed before this plan could go forward under any circumstances.

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

Let me reiterate again, the motion to instruct, to all Members of the House who are paying attention to this debate, basically says to the Senate and House conferees: accept the Senate language, take the Senate bill, take the Democratic vision that was rejected overwhelmingly on this House floor, and make it the conference report. It basically recedes to the Senate provisions and eliminates the basic competitive elements that were approved on this House floor in this historic vote just several weeks ago.

My friend from Wisconsin made the case, but let me make it again. The argument that we need to instruct the conferees to adopt the Senate provision because somehow the seniors who are sickest and eldest in our society are going to lose Medicare in 2010 is just absolutely wrong. The fact is that they are not going to be driven into a small class of people only covered by Medicare because, as my friend points out, the private plans we vision coming into effect have guaranteed issue. They cannot refuse anybody. So if their mother, grandmother, grandfather wants to take one of these private plans because they offer a better, more efficient system of health care than does the Government plan, they will have a right to take it. They cannot be denied no matter how old or how sick they are.

Secondly, I want to point out that the basic frame of the bill we passed a couple of weeks ago on the House floor said to the poorest in our society, those living below 135 percent of poverty that we are providing this new prescription drug benefit virtually free of charge. The only thing they pay is a copay on the drug, but the premiums are free. The deductibles are covered. In fact, we provide for the poorest in America the best benefit of any Medicare prescription drug plan that we had yet considered on the floor of the House until just 2 weeks ago. So the poorest are covered. Those who are the sickest who want to choose a better plan have guaranteed access to those plans under the bill we adopted on the House floor.

This motion to instruct is virtually, literally saying that we should reverse the votes we took on the House floor; we should approve that Democratic vision of the government trying to do it all in a system that is already failing because it is beginning to go bust and a system that is too bureaucratic and literally too complex for even the providers to follow today.

Our bill provides for bureaucratic reform, regulatory reform, guaranteed issue for seniors who are the sickest to choose whatever plan they want. And most importantly, it provides for free coverage in effect for all those living under poverty for this new prescription drug benefit program. So to argue that we have to adopt this motion to instruct for the oldest and the sickest and the poorest in our society is not quite accurate. On the contrary, the motion to instruct simply says go into debate with the Senate and yield in advance, give in to the Senate that there will be no competition in Medicare, give into the Senate that the government is going to be the provider of this new benefit and seniors will never have the kind of choices that Members of this body have in choosing the kind of health care plans that best suit them in their conditions, in their health care needs, in their particular problems as they find it and as they make choices in the future.

Let us reject this motion to instruct just as we rejected the Democratic vision on the floor several weeks ago.

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

Mr. DAVIS of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. DOOLEY), who has been a leader on this issue in the House.

Mr. DOOLEY of California. Mr. Speaker, I rise in strong support of this motion to instruct. And what we are really trying to do in essence is to have this body of the House of Representatives join with a bipartisan majority in the Senate that passed by 76 votes a measure to ensure that we would guarantee seniors a prescription drug benefit. For those of us who are so supportive of the Medicare fall-back provisions in the Senate, this is crucial to Medicare recipients. If we are going to stand up and be able to promise to senior citizens on Medicare throughout this country that there will, in fact, be a prescription drug benefit in Medicare, we must accept the Senate fallback provisions.

□ 1615

Why should we do this? Because we have a clear example in the past, where we have allowed private plans to offer Medicare+Choice on the promise that every senior in the United States would have access to a Medicare+Choice plan. The private plans did not provide it.

And the same thing will happen with the House-passed prescription drug plan. By offering a drug plan through private insurance, if there is no Medicare fallback as the Senate has, there is no guarantee, there is no ability that we will live up to the promise that we will provide a prescription drug benefit under Medicare.

We ought to have reason to be greatly concerned, because the Wall Street analysts, who really did an assessment of the likelihood of private insurers offering this benefit, have come to the conclusion that it is quite unlikely, because this is a stand-alone drug policy that is difficult to provide and they do not think the private sector will stand up and provide that.

Furthermore, the approach that the House bill is taking is one which tries to bribe the private insurance companies to provide this prescription drug benefit. They come to the conclusion that if the private sector is not stepping up to provide this benefit that the Federal Government is going to step up and provide taxpayer money to further subsidize the private insurer to offer this benefit.

This is not the approach we should be taking. If we are going to guarantee a prescription drug benefit, accept the Senate fallback provisions.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 7 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON), the chairwoman of the Subcommittee on Health of the Committee on Ways and Means.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman for yielding me time.

First, let us get some facts straight. Any senior watching this debate needs to understand that the law provides a Medicare bundle of benefits, period. That bundle of benefits will be provided to seniors through the Medicare fee-for-service program and through any plan that cares to participate in Medicare. But the law defines that bundle of benefits, and there is nothing in this bill that changes that law. So do not scare seniors that something is going to happen to their benefits. There is not any plan that can participate under this bill that is not obliged to offer the Medicare bundle of benefits.

Then let us look at a statement made earlier about costs. All this bill does is allow the government to pay a plan the same amount per average senior beneficiary that we spend anyway per senior under Medicare. Not a penny more; not a penny less. So this is not going to increase Medicare spending. This is not going to explode spending.

That is why CBO and OMB disagreed, because in the private sector, yes, plan costs are rising, but in this program we are only paying the plan precisely what it costs us for the care of an average senior under Medicare; no more and no less. So that is not the issue.

There is only one issue here in terms of the plans in competition. In 2010, something important happens. Our seniors have the right to know in 2010 what the plan in any area where it provides the care for 20 percent of the seniors, what the average premiums are in those plans and what it is costing Medicare to provide care for the average senior under Medicare in those same areas. This is just a sort of ''right-to-know'' issue. Then, when you know, you can make the choice.

If by that time, 2010, the plans have gotten a lot more efficient and are either offering a lot more benefits for the same money or lower premiums or are inefficient and it is costing them more and Medicare turns out to be the more efficient provider, which many of you on the other side of the aisle have always claimed was true, then, Medicare's premiums will be lower and it will make the plans look bad. If in fact the plans are more efficient providers than Medicare, then the premium amount will be somewhat higher for the Medicare plan and seniors will have a choice.

The whole process is prejudiced toward weighting the Medicare premiums heavier than anyone else's premiums and phasing in any discrepancy. But the bottom line is that nobody in the private sector is going to be paid any more than the average we spend for a senior under Medicare. So if Medicare cannot compete on those terms, I will tell you, the seniors have a right to know, and, under this bill, they will.

Now, let us look at this fallback issue. One of the reasons our bill is so very efficient and the most efficient and rated by CBO as saving the most money for our seniors under the prescription drug program is because the plan's sponsors have not only the tools to manage prescription drugs in a cost-effective way, they have the motivation.

I will tell you, how many times have you seen your kid in college have all the preparation, have good skills, but they did not care enough to work hard and get an A instead of a B-plus? It is not just a matter of tools, of intelligence, of skills, it is a matter of will, of desire.

The reason CBO gives us so much higher an efficiency quota than any other plan is because our plans have not the big motivation we gave them a few years ago, we decided that was too hard for them to meet, but just a little motivation. They have a little reason to care whether or not they notice whether seniors are going to get the lowest cost prescription that will help them, the generic where it is appropriate, so on and so forth, or negotiate hard with the manufacturers to get the lowest prices.

So if you do a fallback and a guarantee, what plan in their right mind is going to get in? They are going to wait until you get to the fallback so they have no risk.

If you do not have that, two things happen. First of all, this is a very big market. A lot of companies cannot afford not to be plan sponsors. So they are going to get in, and they are going to get in early. Twenty-eight plans wanted to get in when the President offered his discount card just as a voluntary thing. Those same 28 companies are going to be interested when, under this bill, they get the right to offer a discount card. Why? Because they want to line up their participants so when the real plan comes along with the subsidies, the taxpayer subsidies, they will already have a constituency signed up in their program.

But this is entirely too big a business for plan sponsors not to want to be part of it, so they will accept that risk.

In our bill we guarantee not one fallback but two fallbacks: One that is a pure drug fallback, and one is a plan fallback. How are we going to get it? There are lots of way. You will have Federal Employee Health Benefit Plans that already contract the drug benefit with a plan sponsor. That plan sponsor might very well be interested in providing drugs-only to seniors. He is already in the district; he is already working with the Federal Government. That is one option.

Other options are to entice enhanced plans and advantage plans to provide that. There are lots of ways to do this. But if you check off and you check out the responsibility for some risk in the game, then you will never have the price cuts, you will never have the efficiency, and our seniors will be the victims.

Mr. DAVIS of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, I thank the gentleman for yielding me time.

If Members listen carefully to the last speaker, the gentlewoman from Connecticut, I think they understand why we need this motion to instruct, because seniors need to know that the drug benefit is going to be a real one, not one that could depend on the whims of one insurance company or another.

When the gentlewoman from Connecticut (Mrs. JOHNSON) went through her explanation, she had 25 ways this will all work, this company will compete against that company. Well, the truth of the matter is these companies do not want to compete with each other, and that is why the Republican bill gives money to the insurance companies to try to get them to provide the benefit, rather than put it in as a benefit in Medicare, which is the way Medicare pays for doctors and hospitals and physical therapists and occupational therapists.

So what we are hoping to do is have the conferees come back with the Senate provision that says, if all this insurance business does not work out as the Republicans hope it will, seniors can count on a prescription drug benefit being there.

The second reason why we need this instruction to the conferees is we do not want the Republican conferees to use the prescription drug issue as a stalking horse to destroy the Medicare program as seniors know it and like it and want it to continue. They should not use this to undermine and privatize the Medicare program.

We should not adopt provisions that will force a Medicare beneficiary to pay more simply to stay in regular Medicare, and we should not force them into a choice between paying more or entering a plan that takes away their ability to see their own doctor.

I listened with much attention to what our Republican colleagues were saying in this debate, and it is Orwellian: ''We are going to reform an outdated program that is going broke.''

Well, this is not an outdated program. It is an excellent program. And it is not going broke, because every time there is a problem with that trust fund, simple changes can be made to adjust it so it stays viable. But if it is going broke, why did the Republicans give all that money away in tax breaks to millionaires? We should be using it to make sure Medicare will be there for the seniors that are on the program now and those who are going to be looking to it, especially the baby boom generation.

The gentleman from Louisiana (Mr. TAUZIN), my friend, my chairman, said, ''Those Democrats are asking us to take the Democratic bill.'' We are not asking that at all. We are asking that we take the provision in the Senate-passed bill, which passed by a large bipartisan majority, rather than the provisions that passed by one vote, mainly Republican votes, in the House of Representatives.

I think that we ought to cast away these Orwellian statements, like ''this will be like Federal employees,'' when we know it will not be the same. Let us instruct the conferees. Vote aye.

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

Mr. Speaker, let me point out to my friend from California, the Committee on Energy and Commerce had a chance to look at the Senate-passed bill. My colleagues on the other side offered it in the markup of the Committee on Energy and Commerce, and it was resoundingly rejected by the Committee on Energy and Commerce in markup.

I notice my friend did not choose to offer the Senate-passed bill as the final motion on the House floor on the debate just several weeks ago. Instead, they chose to offer their vision instead of the Senate-passed bill. Now you wonder why they claim the Senate-passed bill is such a great bill.

Let me also point out the problem I think of this whole Medicare debate and why this bill was so important and why for several Congresses now we have passed Medicare reform and a prescription drug benefits bill over to the other Chamber, never to see them become law. The problem is, why have Medicare prescription drugs not been added to Medicare many, many years ago?

Medicine changed many years ago. When Medicare first started, Medicare was all about taking a senior to a hospital and putting them in a hospital bed and caring for them in a hospital. We know that medicine has changed during that period of time. Medicare has not.

The whole purpose, the whole reason we have been in this massive, historic debate over Medicare prescription drugs is because no one in past decades before this majority came around chose to modernize Medicare with a prescription drug benefit; and without a prescription drug benefit, indeed Medicare is outdated. It is not up to the task of taking care of senior citizens today. It is built around a premise that we are going to put them all in the hospital. It is not built around the correct premise today that many seniors depend upon prescription drugs to maintain their health, to prevent the need to go to the hospital, to maintain their condition, to prevent the spread of disease that has begun to inflict their bodies, indeed, to make sure that those diseases are kept in some sort of control.

Prescription drugs is the way in which so many seniors depend upon health maintenance today. To claim that Medicare is not outdated, when for decades it has not been updated with a prescription drug benefit, is not only wrong, it is, I think, the reason we have had this great debate in this Chamber for the last several Congresses and the reason why this majority is so very proud to say that we finally passed a bill that really has a chance of becoming law.

We are going to go now into a conference with the Senate and we are going to debate the issues of whether competition should be a part of this program or whether the government should be the sole provider of this new benefit. We are going to debate in the Senate whether the reforms this House agreed upon are better than the Senate-passed bill which was rejected in the Committee on Energy and Commerce. I think we will win that debate. But we cannot win it if we give up with this motion to instruct and say we will take the Senate bill, which was already rejected in the Committee on Energy and Commerce and not even offered on the floor by my friends on the other side when they had the chance to do so.

The bottom line is this motion to instruct takes us backwards. It indeed says, well, Medicare, which has not been updated, which has not been modernized to take care of seniors' real needs today, will be the sole provider forever of health care needs for seniors, when we know that competitive choices ought to be available to them.

□ 1630

It says, we will count on the government always to be the provider of these new benefits, and that seniors will not have the choice of going to a better plan if they can find one and, in fact, if one is offered to them in their community. It says, even if we are putting up the cost of the premiums, they will not have that choice. That takes us backwards.

We ought not take a backwards step today in this Chamber. We ought to move forward, take on the Senate and defeat the Senate bill, as we did in committee in the conference, and come out with a better bill that looks much more like the House bill passed on the House floor several weeks ago.

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

Mr. DAVIS of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, I am glad I was here for the remarks of the gentleman from Louisiana (Mr. TAUZIN). We do not have to destroy Medicare to add a prescription drug benefit. Add prescription drugs to Medicare. We do not need to change Medicare to add a prescription drug benefit. Keep Medicare. It is not outdated. Bring it up to date, if we want to put it that way, by putting in a prescription drug benefit in Medicare. But you do not do that. You are using prescription drug benefits to change and destroy the Medicare system.

The actuary says, under the Republican plan, by 2010, the likely increase in costs for the present Medicare will be 25 percent. You are not only eroding the possibility of use, you are, in the end, destroying Medicare as we know it. And we Democrats will be glad to go

to the electorate in 2004 with the Republican notion that Medicare is outdated, I say to the gentleman from Wisconsin (Mr. RYAN) or to the gentleman from Louisiana (Mr. TAUZIN), the notion that Medicare is failing, ask the seniors of this country whether it is outdated or whether it is failing. They are going to say, we need prescription drugs; give it to us.

Our Republican colleagues do not do that, though they use it as an excuse for changing or destroying Medicare. What they do is have a prescription drug program that is an insurance program without any assurance whatsoever. There is no assured premium, there is no assured deductible, there is no assured set of drugs, and there is really no assured plan. There is no assured plan. The insurance carriers are supposed to come into this, and if they do not, what is there? There is an empty container of pills, I guess. That is what we are left with.

So essentially what our Republican colleagues are doing is using the alleged bankruptcy of Medicare as a smoke screen to destroy it. They are talking about 2036 to wreck Medicare 25 years earlier. That is what you want us to do in the conference committee. Go ahead, try it. If you try it, I hope you fail. If you succeed, we Democrats are all going to vote no. It was not very overwhelming, I think it was one vote, was it not, that took you 45 extra minutes to pass your bill?

Mr. Speaker, we will be glad to go to the country with the Republican plan against ours, destroying Medicare versus our determination to save it and make it even better.

Mr. DAVIS of Florida. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Michigan (Mr. DINGELL), the dean of the House and the ranking member on the House Committee on Energy and Commerce.

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

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

I rise in support of the motion to instruct the conferees. The motion is very simple. It says to my colleagues and to the conference, reject the motion to privatize Medicare which is included in the Republican plan. That is what it says. The Republicans have never liked Medicare. I sat in the chair and I watched them with the dirty looks they had on their faces when we passed the legislation the first time. They have not changed since. Mr. Armey and Mr. Gingrich and now the gentleman from California (Mr. THOMAS), the chairman of the Committee on Ways and Means, have pointed out that that is their purpose, to kill Medicare as we know it now. It is my hope that this motion to instruct will prevent that kind of unfortunate event from taking place.

The Democrats oppose very strongly leaving seniors naked to the magic of the marketplace. The magic my Republican colleagues would apply to the senior citizens is to see to it that their benefits under Medicare would magically disappear and to see the magical disappearance of huge sums of Federal money into the pockets of the insurance companies who would be the principal beneficiaries of this legislation as opposed to the senior citizens.

We already know that these private plans do not work. They cost more, some 13.2 percent according to a GAO study which was made. Four hundred thousand seniors got dumped last year from these plans, and it is interesting to note that only a small percentage of people in the rural areas have these kinds of plans available to them.

Now, what will happen if this takes place? Under this privatized Medicare, seniors and taxpayers are going to pay more out of their own pockets. The life of the Medicare trust fund is not going to be expended; the Republicans have already agreed to that. The privatization provisions of H.R. 1 that begin in 2010 would give the Medicare beneficiaries a fixed voucher which would magically shrink as time passes, and the insurance lobby and the HMOs would get massive influxes of government cash and unlimited subsidies which are nowhere defined in the legislation except to say that they shall be sufficient to ease people into these plans to cause them to do it.

Privatization of Medicare would take away serious and important rights from seniors today. Seniors today get access to their doctor, hospital, home health care agency, or nursing home facility guaranteed. That will not happen under this legislation. Under this privatized Medicare model, insurance plans would determine which doctors seniors could see and what drugs they would take. Insurance companies would determine which benefits and treatments would be covered and how much the seniors would pay. All of this would change year by year at the whim of people who are administering this legislation at this particular time, who not only support the legislation but who do not like Medicare and who want a change.

America's seniors are being visited with bait and switch. The bait is they say they are going to give some kind of prescription pharmaceutical benefits. That is mostly hooey, and there is not much in the way of pharmaceutical benefits here. But they would be called upon, or largely forced, to switch from Medicare as we now know it, and they would find themselves then in the cold-hearted hands of the same miserable HMOs that have been denying them the rights that they need and that they want and that triggered this House in responding a year ago to putting forward a Patients' Bill of Rights to try and afford them some rights to appeal, some rights to be protected and some rights to control their own treatment. That is what is at stake here.

So when my colleagues vote on this matter, remember, my colleagues are voting to protect the rights of senior citizens. They are voting to prevent privatization of Medicare, an outrage that should not be permitted by this Congress.

Mr. TAUZIN. Mr. Speaker, I yield myself just 1 minute to respond to my good friend.

First of all, I am not sure who was in this Chamber way back when Medicare was first adopted by the House. I assume my friend, the dean of the House, was here, but I do not know of anybody else who was who currently serves in the Chamber. I can tell my colleagues there were no only dirty looks on this side when it comes to Medicare. We support Medicare, believe in it.

My mother depends upon it. As I have often said on this House floor, she is a three-time cancer survivor who loves Medicare. That is why when we wrote this bill we preserved her opportunity to remain in fee-for-service Medicare if she chooses. But I want to give her something else, and that is why this bill provides for competitive choices for her so that she can choose a premium-based insurance program if it is better for her. If she wants to stay under Medicare, she can. In either case, she gets the Medicare prescription drug benefit that was not available to her all of these years until this majority came forward and provided one in this bill.

Reject this motion to instruct. Let us go to the conference with the Senate and let us be hopeful and positive that we can negotiate with the Senate a version that will pass the House and Senate and get signed into law.

Seniors understand. They are tired of waiting. They are tired of this debate. They are ready for a law that gives them a prescription drug benefit, and so is my mother.

Mr. DAVIS of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Wisconsin (Mr. KLECZKA).

Mr. KLECZKA. Mr. Speaker, if the Republicans love Medicare so much, why did they not put this drug benefit in the Medicare program like the hospitalization program and a physician program? Unless that is called tough love. Because under the bill, seniors, grandma and grandpa have to go out and buy a policy outside of Medicare.

Mr. Speaker, there has been a lot of talk about if we pass this motion we are going to bankrupt the program. There is a lot of talk about this is the vision for Medicare. Well, let me remind my colleagues that this bill passed by a vote of 215 to 214, one slim vote. In fact, the rollcall was held open for almost an hour so the Republican leadership could twist some arms around here, make some promises, and finally get the bill to pass.

What we are asking today is to change two sections of this 700-page bill. Two years ago, we had a hearing on this bill before the Committee on Ways and Means, and before the hearing were some insurance association

people and we asked them point-blank, do you think your members are going to sell a drug-only policy to the seniors of the country? And they said, are you nuts? Before we get the premium in the bank from the policy, the senior who just bought the policy will have filed three claims. There is no way it is going to work.

So what we are asking for today is for a fallback position. If you are so sure it is going to work, the fallback position will never be in effect. But if, in fact, you are wrong, what we are saying then is, then let us have the Medicare program provide grandma the drug benefit.

But that is not what is going on here. We are told that grandma should go and get a private HMO. I come from Milwaukee, Wisconsin. We have four companies selling those HMOs. The last one is going bankrupt and will be out of business shortly. In fact, over 2.5 million seniors in this country were kicked out of their HMO policies.

It is a failed experiment. This Republican bill starts the experiment again, even though we know it does not work.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

I would like to address a few of the points that were made here on the floor. The gentleman from California, I think he has left the floor, said, Medicare is really not going broke. That is a new one to me. Because, Mr. Speaker, if we take a look at Medicare, the actuaries, I am not talking about the Congressional Budget Office even, but the actuaries are telling us, Medicare has a $13.2 trillion liability today. Today's Medicare program is going insolvent in 10 years, before doing anything, before adding any benefit.

For example, if we had to actually pass legislation right here through taxes and we wanted to make Medicare solvent for the next generation, today we would have to raise Medicare FICA taxes by 80 percent. An 80 percent FICA tax hike is what would be required to fix this unfunded liability. Maybe that is, after all, what some on the other side are seeking to achieve.

What we are trying to achieve here, Mr. Speaker, is to improve Medicare today by making it more comprehensive for today's seniors but also to save it for that baby boom generation. This motion to instruct will not save Medicare. It will bankrupt Medicare.

So when we take a look at the reforms we have in this bill that the other side is targeting to try and jettison from this product, what we are simply trying to do is add choices. Give seniors more choices so they, like us in Congress, Federal workers can choose who their provider is. If they like what they have, if they have traditional Medicare and they like it and they have their drugs paid for by their employer or their supplemental paid for by someone else, great. They are the lucky ones, wonderful. They can keep it.

But if like many of the constituents I have in Wisconsin, they have to dig deep into their pockets and buy a very costly supplemental, then they have to pay for their drugs out-of-pocket. Medicare is outdated for them. It is not comprehensive.

□ 1645

We want to make it comprehensive. And by giving seniors more choices, that active choice drives competition because providers, all of those providers who are regulated and overseen by Medicare, who have to give a comprehensive benefit regulated by Medicare, those providers competing against each other for seniors' business will bring competition to the system and competition to the system will bring down costs over the long run. And the only way to make Medicare solvent for the baby boom generation is to bring down costs over the long run, otherwise we will have to raise taxes or we will have to cut benefits. That is what we want to avoid.

Now, this is not Medicare+Choice. One of the speakers, the gentleman from Michigan, said this is the same old problem again, like Medicare+Choice. This is anything but Medicare+Choice. This is much like what Federal employees have, and that is the title of this bill that the motion to instruct seeks to remove. And the concept basically goes like this: today, under Medicare, if you want to get reimbursed as a provider, you have got to have an operation, a procedure. Medicare pays providers to operate on people, to have procedures. But if you give, as a provider, a person preventative medicine, disease management, keep them healthy, have better results, you do not get paid. So the incentive structure is really bizarre.

What we want to do is reward providers for keeping people healthy, for giving them preventative medicine, for giving them disease management, for keeping them healthy, out of the hospital, out of the operating room. And guess what? Not only is that a healthier, happier life, it saves money; and that is what we are trying to do over the long run so we can modernize this program, give seniors the same options and choices like we as Members of Congress have; and if we can accomplish that, we can save money over the long run and save this very important, very vital program for the baby boom generation when they retire.

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

Mr. DAVIS of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I was amazed to listen to the gentleman from Wisconsin (Mr. RYAN) on three points.

First of all, he said that Medicare is going broke. Well, Medicare is not going broke. It is doing fine. But the only reason it is losing money is because of Republican policies. If you remember in the last years of the Clinton administration, the day when Medicare might go insolvent kept going further and further away because we were paying down the debt. But once the Republicans came in and the Republican President came into power, all of the sudden with all of these tax cuts and all of this borrowing to pay for the debt, which is now something like $500 billion, yes, they are taking money away from the Medicare trust fund, and so that day of reckoning gets closer and closer.

You have caused the problem with the solvency of Medicare because of your tax policies as Republicans.

Then you talked about Federal employees and Members of Congress. Well, I was here last year when the gentleman from Florida (Mr. DAVIS) got up on the floor and demanded that we pass a resolution that said that Federal employees and Members of Congress would not have to enter into this Republican Medicare prescription drug program that you are proposing because the fact of the matter is it is not as generous, what you are proposing is not as generous as what Members of Congress and Federal employees have, and that is why you wanted to make sure that they were insulated and would not be part of the program.

Finally, you said you wanted to keep costs down. Well, the easiest way to keep costs down is to allow, as the Senate bill does, to negotiate drug prices so that the Secretary of Health and Human Services can negotiate on behalf of all the seniors and lower drug costs. But you do not want to do that. You put a noninterference clause in the House bill so he cannot negotiate and lower prices. So do not tell me about saving money. You are not saving money. You are not saving the program. You are killing the program.

And I listened also in amazement to the statements that were made by my chairman, who I respect a great deal, the chairman of the Committee on Energy and Commerce. But the fact of the matter is you know if we do not go to conference and adopt significant portions of this Senate bill, we will not have a bill. The President will not have a bill to sign. So when we say that we want a drug benefit and we want to make sure there is a fall-back so if there is no HMO in the area or no two HMOs in the area, that we guarantee that there is a drug benefit, you know that if we do not put that in the bill, we will never get the votes in the Senate to pass the bill and there will not be a drug benefit.

You know also that if we have this House version that says that by 2010 we are going to get out of Medicare, we are going to have a voucher and that the traditional Medicare is going to cost more, that the Senators will never pass this bill. It will never go to the President. So what we are trying to say here with this motion to instruct is, if you really want to continue the Medicare program, do not have a voucher,

do not kill the program and force people to pay more for traditional Medicare. And if you really want a drug benefit, make sure there is a fall-back to traditional Medicare and you can get a drug benefit. Because you know darn well that if in a given area there is not the HMO or the private plan that is going to be offered, then the person will not get the drug benefit.

But even more than that, practically speaking, if you do not go a certain way in the direction of the Senate bill and compromise a little, because you know that passed overwhelmingly, we will never have a bill that goes to the President. So be realistic and pass this motion to instruct.

Mr. TAUZIN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Mr. Speaker, I thank the gentleman for yielding me time.

For 3 years the House Republicans have done what the Democrats failed to do for the 30 years they were in the majority and that is pass prescription drug coverage for seniors. And every time we have moved to pass legislation, our colleagues and friends on the other side of the aisle have done their best to throw up road blocks and Mediscare, complete this year to buying TV ads already, attacking members of the committee who voted for prescription drug coverage. They want to make it a campaign issue, and that is wrong.

My parents until their death relied upon Medicare, and they paid for their prescription drugs out of their own pockets because their plan did not cover it. My in-laws and others in my district need this help, and they need it now.

Our budget sets aside $400 billion, $400 billion to help provide prescription drug coverage for seniors. The last time the Democrats put forward a budget, they reserved 360-some billion; $400 billion is what we are putting forward over the next 10 years.

Their plan, for which they did not even have a budget, would cost a trillion dollars. Now, on the one hand they will say Medicare is not going insolvent, and yet my colleague from New Jersey just blamed Republicans for whatever insolvency there may be. You cannot have it both ways.

The way we want it is not to negotiate with ourselves. We want to negotiate with the Senate to come out with the best package possible to make sure that every senior in America has access to affordable prescription drug coverage, and coverage that we can afford to continue for the length of Medicare, which should be forever.

We have got to get this right. We have to do it right. We have to use the competitive forces of the marketplace to make sure that we squeeze out the excesses so that we can extend the benefit, especially to those who need it most. And our legislation does that. It targets the greatest relief, the greatest help to the seniors most in need. And representing the 12th poorest district in this country, I will tell you, I am proud of this bill. I am proud of what it will do for our low-income seniors, and I am proud of what it will do for Medicare and America.

Mr. DAVIS of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, seniors must have a guaranteed drug coverage plan. Has the private market through Medicare+Choice plans been able to do this? On the contrary.

The privatization experiment with Medicare+Choice has shown that privatization is a failure. Privatized health care works by limiting coverage to healthy people and shifting more costs onto patients. Medicare HMOs have done just that by raising premiums and co-payments and dropping patients every year. Last year, the Medicare+Choice program eliminated coverage for half a million seniors. For those few seniors who still have coverage, they pay more and they get less.

This experience should teach Congress that relying solely on the private market is a losing strategy for seniors. Only Medicare has been able to provide reliable, stable coverage. Only Medicare has been able to minimize excess waste and overhead in order to keep costs down. To compare, private plans have 15 percent administrative costs compared to 2 percent for Medicare. A GAO report has confirmed that Medicare HMOs are responsible for increasing Medicare costs.

Mr. DAVIS of Florida. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore (Mr. CULBERSON). The gentleman from Florida (Mr. DAVIS) has 2½ minutes remaining. The gentleman from Louisiana (Mr. TAUZIN) has 1 minute remaining.

Mr. DAVIS of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, the legislation that passed this body a few weeks ago will essentially turn the Medicare program over to private health insurance and the HMOs, the very organizations that have dropped 52 percent of the Medicare enrollees in my State of Connecticut over the last 4 years. It will do so by requiring fee-for-service Medicare to compete against private plans to offer doctor and hospital coverage by the year 2010.

You know the phrase ''buyer beware''? Let me just say, seniors beware. There has been no HMO or private health insurer who has come forward to date since the passage of this legislation to say they want to do this. And they do not want to do it. Why? Because they do not believe that it is going to be profitable to them. And what they want from the Federal Government is a guarantee that they will get subsidies from the Federal Government to make sure that their profit margins are what they want.

The goal of the Republican bill is simple: lure beneficiaries away from the program. Leave Medicare to care for only the sickest seniors. Drive up the program's costs and effectively turn Medicare into a program that could be cut or even eliminated.

This is the beginning of the end of Medicare. It will turn it into a voucher program. And you know, down the road, if seniors decide to choose the Medicare program versus a private program, they will be penalized by paying a higher premium. That is the choice that they are going to have. It is not the Medicare in which my 89-year-old mother is enrolled today, one that has provided quality health care and a measure of economic security to hundreds of millions of seniors over the past 4 decades.

Let us not privatize Medicare. Let us strengthen it so that, in fact, we can prepare for the retirement of the baby boom generation. Let us provide them a real benefit that offers seniors a reliable prescription drug benefit that does not change from ZIP code to ZIP code the way this motion to instruction wants to engage in.

Let me tell you that the Medicare prescription drug proposal that has been proposed on the other side does not begin until 2006, pegs their costs to the increased cost of prescription drugs, and does not allow any government to drive down the costs of prescription drugs.

It is wrong. Let us pass this motion to instruct and do something that will be beneficial for seniors.

The SPEAKER pro tempore. The gentleman from Louisiana (Mr. TAUZIN) has 1 minute remaining. The gentleman from Florida (Mr. DAVIS) has 30 seconds remaining.

Mr. TAUZIN. Mr. Speaker, I yield myself the final minute on our side.

Mr. Speaker, I think it is important to point out that while the bill we passed, passed by only one vote, without the nine brave Democratic votes who came with us 2 weeks ago to vote for a Medicare prescription drug reform bill to the Senate, that bill would not have passed. I want to thank those nine brave Democrats for standing tall against a lot of pressure to do the right thing.

Secondly, I want to point out that the Democratic vision that is literally represented by this motion to instruct was defeated when the substitute was offered on the House floor by 175 for to 255 votes against. It was soundly defeated. This vision of a government does it all. The government provides the benefit; and no one else, no competition, no reform was defeated.

Third, I want to point out that these are not my numbers. These are the actuaries who work for Medicare; the Medicare actuaries tell us by the year 2016 Medicare starts paying out more money than it is taking in. And the actual date on which insolvency occurs is 2026. That is what we are up against.

Defeat this motion to instruct. It is an old vision that was defeated on the

House floor. Support us going into conference with our new vision, which is a Medicare guaranteed benefit, fee-for-service for seniors whether they stay in Medicare or choose one of these new options. You defeat the new options, and you defeat those vital reforms as we go in to conference. Vote ''no'' on this motion to instruct.

Mr. DAVIS of Florida. Mr. Speaker, the only defense in support of a voucher was a misstatement on the other side that there is a guaranteed issue that even seniors with health problems over 65 are guaranteed HMO coverage. That is a false statement.

There is no guarantee with respect to the level of coverage. There is no guarantee with respect to the price or affordability.

Mr. RYAN of Wisconsin. If the gentleman will yield, on page 182 of the bill.

Mr. DAVIS of Florida. Mr. Speaker, I reclaim my time.

□ 1700

What we are left with is any senior over 65 that has a health problem at all under the statement of the chief actuarial of Medicare, this is not a Democratic or Republican statement, can experience up to a 25 percent increase in price and is left with a voucher in no way to afford traditional fee-for-service Medicare.

There are seniors in this country, they are not just Democrats, Republicans or Independents, they are senior citizens. They have outlived their good health, their savings. They tried to plan responsibly for their retirement. Unless we adopt the motion to instruct and defeat this voucher, we will leave these seniors in the cold.

I urge adoption of the motion to instruct.

The SPEAKER pro tempore (Mr. CULBERSON). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Tennessee (Mr. DAVIS).

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

Mr. DAVIS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this are postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

HONORING AND CONGRATULATING CHAMBERS OF COMMERCE

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 215) honoring and congratulating chambers of commerce for their efforts that contribute to the improvement of communities and the strengthening of local and regional economies.

The Clerk read as follows:

H. CON. RES. 215

Whereas chambers of commerce throughout the United States contribute to the improvement of their communities and the strengthening of their local and regional economies;

Whereas in the Detroit, Michigan area, the Detroit Regional Chamber, originally known as the Detroit Board of Commerce, typifies the public-spirited contributions made by the chambers of commerce;

Whereas, on June 30, 1903, the Detroit Board of Commerce was formally organized with 253 charter members;

Whereas the Detroit Board of Commerce played a prominent role in the formation of the United States Chamber of Commerce;

Whereas the Detroit Board of Commerce participated in the ''Good Roads for Michigan'' campaign in 1910 and 1911, helping to gain voter approval of a $2,000,000 bond proposal to improve the roads of Wayne County, Michigan;

Whereas, in 1925, the Safety Council of the Detroit Board of Commerce helped develop the first traffic lights in Detroit;

Whereas, in 1927, the Detroit Board of Commerce brought together all of the cities, villages, and townships in southeast Michigan to tentatively establish boundaries for a metropolitan district for Detroit, embracing all or parts of Wayne, Oakland, Macomb, Monroe, and Washtenaw Counties at the request of the United States Census Bureau in advance of the 1930 census;

Whereas, in 1932, the Federal Home Loan Bank Board designated the Detroit Board of Commerce as the authorized agent for stock subscriptions in the Federal Home Loan Bank, as an early response to the Great Depression;

Whereas, in 1945, the Detroit Board of Commerce promoted the extension of Victory Loans to veterans returning from service in the United States Armed Forces during World War II as a way of expressing gratitude for the veterans' wartime service, and raised more than half of the total amount contributed in Wayne County, Michigan;

Whereas, in 1969, the Detroit Board of Commerce, then known as the Greater Detroit Chamber of Commerce, was instrumental in the establishment of a bus network connecting inner-city workers with their jobs, which resulted in the creation of the Southeast Metropolitan Transportation Authority, now known as SMART;

Whereas the Detroit Board of Commerce has been known by several names during its century of existence, eventually becoming known as the Detroit Regional Chamber in November 1997;

Whereas the Detroit Regional Chamber is the largest chamber of commerce in the United States and has been in existence for over 100 years;

Whereas more than 19,000 businesses across southeast Michigan have decided to make an initial investment in the Detroit Regional Chamber to help develop the region;

Whereas the Detroit Regional Chamber has supported the concept of regionalism in southeast Michigan, representing the concerns of businesses and the region as a whole;

Whereas the mission of the Detroit Regional Chamber is to help power the economy of southeastern Michigan;

Whereas the Detroit Regional Chamber successfully advocates public policy concerns on behalf of its members at the local, regional, State, and National levels;

Whereas the Detroit Regional Chamber has implemented programs promoting diversity in its work force and has won recognition for such efforts;

Whereas the Detroit Regional Chamber is committed to promoting the interests of its members in the global marketplace through economic development efforts; and

Whereas on June 30, 2003, the Detroit Regional Chamber celebrates its 100th anniversary: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress honors and congratulates chambers of commerce for their efforts that contribute to the improvement of their communities and the strengthening of their local and regional economies.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from Michigan (Mr. DINGELL) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WALDEN).

GENERAL LEAVE

Mr. WALDEN of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on this legislation.

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

There was no objection.

Mr. WALDEN of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H. Con. Res. 215, a resolution to honor and congratulate the chambers of commerce for their efforts that contribute to the improvement of communities and the strengthening of local and regional economies.

At the Federal level, the U.S. Chamber of Commerce makes up the world's largest not-for-profit business federation. It represents 3 million businesses, 3,000 State and local chambers, 830 business associations and 92 American Chambers of Commerce abroad. These groups are of all sizes and shapes, from large Fortune 500 companies to home-based one-person operations. A full 96 percent of the membership is made up of businesses with fewer than 100 employees.

The real work that is done in the trenches is done by local and regional chambers of commerce. It is these organizations that employ labor law experts, human resource professionals and pro-business staff lobbyists within one organization to bring businesses resources that they need. They provide help and information from the big picture of public policy to the nitty-gritty of complex employment laws.

In addition, these local and regional chambers give small businesses a legislative voice to promote business, protect the private sector from excessive

government mandates and help prepare States for prosperous futures.

Mr. Speaker, I can tell my colleagues as well that these local chambers of commerce are leaders in their communities, assisting in civic organizations and in community pride work, cleaning up communities, helping neighbors, working on community events, helping for charitable causes, the men and women, the entrepreneurs of our communities who are really the success story of our economy.

Mr. Speaker, I ask that all Members join me in supporting H. Con. Res. 215, supporting and honoring our chambers of commerce and their members. They offer unprecedented benefits, discounts and opportunities to business, which helps make States, regions and localities strong, healthy and vibrant.

Mr. Speaker, I reserve balance of my time.

Mr. DINGELL. Mr. Speaker, I yield myself 4 minutes.

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

Mr. DINGELL. Mr. Speaker, I rise to join my colleagues in support of this fine legislation, H. Con. Res. 215, and I join in the congratulations of the Detroit Regional Chamber of Commerce on its 100th anniversary.

I want to first thank the gentleman from Louisiana (Mr. TAUZIN), the distinguished chairman of the Committee on Energy and Commerce, for making this event possible, and I also want to commend my good friend the gentleman from Michigan (Mr. KNOLLENBERG) for his leadership and for the fine work that he has done on this legislation. I also thank all of my Michigan colleagues who joined on as co-sponsors; and, indeed, this is good legislation.

Mr. Speaker, the business community has been much enriched by the fine work of the Detroit Regional Chamber of Commerce and by its work as a major economic engine for southeastern Michigan. It has played an enormously important role over Michigan's prosperity in the last 100 years.

Beginning in 1903 with 253 charter members, the Detroit Regional Chamber grew into what it is today, the largest chamber of commerce in the United States with more than 1,000 active members. During that time, the Detroit Regional Chamber has made many important contributions to the communities, not only in my district but throughout the entire part of southeastern Michigan. It began with its important participation in the Campaign for Good Roads in 1910 and 1911. As it has gone forward to do its splendid work in establishing mass transit systems, the SMART bus system, the Detroit Regional Chamber has indeed proven itself a reliable community leader in southeastern Michigan in all kinds of good causes.

With a new century coming on, new challenges face our region. Judging from the past 100 years, the Detroit Regional Chamber will continue to remain an important leader that southeastern Michigan has come to depend upon. I am sure that my colleagues and I stand ready to continue working with the Detroit Regional Chamber and other community leaders to meet the challenges that face our part of the country.

Mr. Speaker, I salute the Detroit Regional Chamber on its 100th anniversary and wish it great success in the 21st century.

Mr. KNOLLENBERG. Mr. Speaker, today we pay tribute to chambers of commerce for their efforts to improve our communities and strengthen economy. I would like to take this opportunity to congratulate the Detroit Regional Chamber in particular. This year it is celebrating its 100th anniversary of existence.

Chambers of commerce are integral to millions of companies, large and small, throughout this country. They represent businesses and promote their interests before federal, state, and local governments. The Detroit Regional Chamber is no different. Currently over 19,000 businesses across southeast Michigan are members of the Detroit Regional Chamber, and that number continues to grow.

During their century of existence, the Detroit Regional Chamber has had a major impact on Michigan and the United States economy. House Concurrent Resolution 215 highlights its excellence and I am pleased so many of my colleagues from Michigan could cosponsor the resolution. I would particularly like to thank my friend, the ranking member of the House Energy and Commerce Committee and fellow Michigander, Congressman JOHN DINGELL, for introducing this resolution with me and working with the Chairman to see this resolution could be brought to the floor today.

House Concurrent Resolution 215 recognizes many of the chief accomplishments of the Detroit Regional Chamber. In 1903, the Detroit Board of Commerce was formally organized with 253 charter members. Since then, it has been known by several names, most recently in 1997 it officially became the Detroit Regional Chamber.

The resolution points out the Detroit Regional Chamber's involvement in a 1910–11 campaign to gain voter approval of a $2 million bond proposal to improve the roads of Wayne County and played a prominent role in the formation of the United States Chamber of Commerce. It also notes the Detroit Regional Chamber's help to develop the first traffic lights in Detroit in 1925 and the establishment of a bus network connecting inner-city workers with their jobs in 1969, which resulted in the creation of the Southeast Metropolitan Transportation Authority (SMART).

Later this week on Wednesday the Detroit Regional Chamber will celebrate their one hundred year anniversary at Greenfield Village in Dearborn. Unfortunately, I will be here in the House of Representatives and will not be able to attend, but I am pleased the House could recognize the Detroit Regional Chamber by considering this resolution.

I urge my colleagues to support this resolution.

Mr. LEVIN. Mr. Speaker, I rise today in strong support of House Concurrent Resolution 215, to honor this nation's chambers of commerce for their contributions to help strengthen communities and local economies, and in particular to congratulate the Detroit Regional Chamber on celebrating its 100th anniversary.

Originally established on June 30, 1903 as the Detroit Board of Commerce, the Detroit Regional Chamber was formed with 253 charter members. The Chamber has seen many changes since that time—the organization has grown to include more than 19,000 businesses and has had several name changes. What has not changed is the chamber's record of service to the residents and businesses of the Metro Detroit area.

The Chamber has taken a leadership role in public policy in dealings with both the Michigan State Legislature and the U.S. Congress on legislation that may impact the business community. In recent years, they have effectively focused their efforts more broadly on coordinating the vital effort around efficient and secure operations at the U.S.-Canada border. Their annual Leadership Policy Conference, brings together business, government and community leaders to discuss a wide array of issues, from health care to energy policy and economic development to ethics. In attending these conferences, I have seen how the Detroit Regional Chamber has been increasingly involved in discussing and confronting the wide variety of challenges facing the City of Detroit and relations with the entire metropolitan area.

The Chamber also provides small business and international trade counseling and works to develop the region's economic viability by attracting people, money and jobs. The Chamber is also heavily involved in working toward transportation solutions to improve the ability of the workers in the region to get to their jobs.

It is fitting that we should take the time to recognize the 100th anniversary of the Detroit Regional Chamber and I offer my best wishes for their continued success as they begin their second century of service to Metro Detroit.

Mr. Speaker, I urge all my colleagues to support H. Con. Res. 215.

Mr. CONYERS. Mr. Speaker, I rise today to honor the Detroit Regional Chamber of Commerce as it celebrates its 100th anniversary. The Chamber has been consistently working over the past century on a wide range of issues running the gamut from public transportation to maintaining a quality and competitive workforce. For more than three generations the Chamber has played an integral part in the astounding growth and change throughout Detroit and Southeast Michigan. I am confident in the 21st century, which faces many new challenges, that the Chamber and its members will continue to make Michigan an outstanding place for families and businesses alike.

When less than a dozen businessmen got together February 3, 1903, to more effectively represent the merchants of Detroit, they were working in an environment drastically different from that of today. At the same time, the Ford Motor Company, then a small family business, had the nearly impossible dream nurtured by the young Henry Ford, that automobiles could be mass produced and made affordable to families in America. Much of the area was still rural and the automobile industry was only in its infancy.

Michael J. Murphy, the president of the Murphy Chair Company was the first leader of the Detroit Regional Chamber and in 1911, realized that the manufacture of automobiles

could have a far reaching impact on our economy and lifestyle the Chamber developed a campaign named ''Good Roads For Michigan'' campaign, and secured voter approval of a modest bond proposal the proceeds of which would then be used to improve Wayne County's then-woeful roads. Meanwhile, as its membership grew the Chamber found it necessary to expand, and build a modern three-story building as its headquarters.

The Chamber's early success was a sign of things to come. In 1920, Detroit police officer William Potts determined to do something about the problem of automobile traffic, rising at the time in Michigan as elsewhere. With thirty-seven dollars, he created the world's first traffic light, at Woodward and Michigan Avenues in Detroit. At about the same time, African American inventor Garrett Morgan invented the first electric automatic traffic light, providing the prototype on which today's four-way traffic lights are based, and which led the way for the creation of Davison Highway, the nation's very first expressway. The Chamber helped to install these first traffic lights, and through this magnificent technology, helped enhance the economic prospects of Michigan and indeed the world. The Chamber would go on to support the establishment of a train route between Detroit and Washington, D.C., providing a critical link between government and automotive innovation.

The Chamber's leadership has gone far beyond just doing business. In 1965, the Chamber took a dramatic step in favor of the Civil Rights movement, when it published an appeal in support of the United Negro College fund, stating, ''We must open the doors of opportunity.'' The Chamber further distinguished itself in 1975, when it decided to begin offering health insurance plans to companies with under 25 employees. This program remains extremely successful and has provided Detroit small businesses with health insurance for nearly 35 years.

Today, the Detroit Regional Chamber continues its astounding work. Under the leadership of Chairman of the Board Benjamin C. Maibach III, the Chamber strives to improve upon its past successes. It now has over 18,000 members, including the most diverse Board of Directors in its history. They include former Detroit Mayor Dennis Archer, Attorney David Baker Lewis, Dr. Arthur Porter, Frank Fountain, Roderick Gillum, Dr. Irvin Reid, Linda Watters, the Rev. Jim Holley, Yousif Ghafari, John James, Elham Jabiru-Shayota, Dr. Fern Espino, and Dr. J. Carlos Borrego.

I have great respect for the history surrounding the Chamber, and believe its efforts to improve the quality of life for all of Southeast Michigan's residents will continue. There is every reason to believe that the Detroit Chamber's next century will be even more successful than its first.

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

Mr. WALDEN of Oregon. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 215.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE HARLEY-DAVIDSON MOTOR COMPANY

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 296) recognizing the 100th anniversary of the founding of the Harley-Davidson Motor Company, which has been a significant part of the social, economic, and cultural heritage of the United States and many other nations and a leading force for product and manufacturing innovation throughout the 20th century.

The Clerk read as follows:

H. RES. 296

Whereas in 1903, boyhood friends, hobby designers, and tinkerers William S. Harley, then 21 years old, and Arthur Davidson, then 20 years old, completed the design and manufacture of their first motorcycle, with help from Arthur Davidson's brothers, Walter Davidson and William A. Davidson;

Whereas, also in 1903, Harley and the Davidson brothers completed 2 additional motorcycles in a makeshift ''factory'' shed in the Davidson family's backyard at the corner of 38th Street and Highland Boulevard in Milwaukee, Wisconsin;

Whereas the design features and construction quality of the early Harley-Davidson motorcycles proved significantly more innovative and durable than most other motorcycles of the era, giving Harley-Davidson a distinct competitive advantage;

Whereas in 1905, Walter Davidson won the first of many motorcycle competition events, giving rise to a strong tradition of victory in motorcycle racing that continues today;

Whereas in 1906, Harley-Davidson Motor Company constructed its first building, financed by the Davidsons' uncle James McClay, on the site of the Company's current world headquarters one block north of the Davidson home site, and manufactured 50 motorcycles that year;

Whereas in 1907, Harley-Davidson Motor Company was incorporated and its 18 employees purchased shares;

Whereas in 1908, the first motorcycle for police duty was delivered to the Detroit Police Department, beginning Harley-Davidson's long and close relationship with law enforcement agencies;

Whereas in 1909, to enhance power and performance, Harley-Davidson added a second cylinder to its motorcycle, giving birth to its hallmark 45-degree V-Twin configuration and the legendary Harley-Davidson sound;

Whereas during the years 1907 through 1913, manufacturing space at least doubled every year, reaching nearly 300,000 square feet by 1914;

Whereas Arthur Davidson, during Harley-Davidson's formative years, set up a worldwide dealer network that would serve as the focal point of the company's ''close to the customer'' philosophy;

Whereas Harley-Davidson early in its history began marketing motorcycles as a sport and leisure pursuit, thus laying the groundwork for long-term prosperity;

Whereas in 1916, Harley-Davidson launched ''The Enthusiast'' magazine, which today is the longest running continuously published motorcycle magazine in the world;

Whereas also in 1916, Harley-Davidson motorcycles saw their first military duty in skirmishes in border disputes along the United States border with Mexico;

Whereas in World War I, Harley-Davidson supplied 17,000 motorcycles for dispatch and scouting use by the Allied armed forces, and the first Allied soldier to enter Germany after the signing of the Armistice was riding a Harley-Davidson motorcycle;

Whereas by 1920, Harley-Davidson was the world's largest motorcycle manufacturer, both in terms of floor space and production, with continual engineering and design innovation;

Whereas during the Great Depression of the 1930s, the company survived when all but 1 other domestic motorcycle manufacturer failed, on the strength of its product quality, the loyalty of its employees, dealers, and customers, steady police and commercial business, and a growing international presence;

Whereas in 1936, Harley-Davidson demonstrated foresight, resolve, and faith in the future by introducing the company's first overhead valve engine, the ''Knucklehead'' as it would come to be known, on its Model EL motorcycle, thus establishing the widely recognized classic Harley Davidson look and the company's reputation for styling;

Whereas Harley-Davidson workers in 1937 elected to be represented by the United Auto Workers of America, thus launching a proud tradition of working with Harley-Davidson to further build the company through advocacy and the development of effective programs and policies;

Whereas William H. Davidson, son of the late founder William A. Davidson, became president of Harley-Davidson in 1942 and would lead the company until 1971;

Whereas Harley-Davidson built more than 90,000 motorcycles for United States and Allied armed forces use during World War II, earning 4 Army-Navy ''E'' Awards for excellence in wartime production;

Whereas Harley-Davidson, during the 1950s and 1960s, recharged its sales and popularity with new models, including the Sportster and the Electra Glide, new engines, and other technological advances;

Whereas the Company developed the concept of the ''factory custom'' motorcycle with the 1971 introduction of the Super Glide and the 1977 Low Rider, under the design leadership of William ''Willie G'' Davidson, vice president of Styling and grandson of company founder William A. Davidson;

Whereas since 1980, as a national corporate sponsor of the Muscular Dystrophy Association, Harley-Davidson has raised more than $40,000,000 through company, dealer, customer, and supplier contributions, to fund research and health services;

Whereas in 1981, a group of 13 Harley-Davidson executives, led by chairman and CEO Vaughn Beals purchased Harley-Davidson from its then corporate parent AMF Incorporated;

Whereas by 1986, Harley-Davidson, against incredible odds, restored the company's reputation for quality and innovation and returned the company to vitality, thus ensuring a highly successful initial public stock offering;

Whereas throughout the 1980s and 1990s, Harley-Davidson became a national role model for positive labor-management relations, product innovation, manufacturing quality and efficiency, and phenomenal growth;

Whereas President Ronald Reagan, President William J. Clinton, and President

George W. Bush all have visited Harley-Davidson manufacturing facilities and extolled the example set by Harley Davidson through its practices;

Whereas the Harley Owners Group, with more than 800,000 members and 1,200 chapters worldwide, is celebrating its 20th anniversary year in 2003 as a driving force in the company's heralded ''close to the customer'' operating philosophy; and

Whereas Harley-Davidson Motor Company is today the world's leading seller of large displacement (651 cc plus) motorcycles, with annual revenues in excess of $4,000,000,000, annual motorcycle shipments in excess of 290,000 units, strong international sales, and 17 consecutive years of annual revenue and earnings growth since becoming a publicly held company: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the achievements of Harley-Davidson Motor Company, widely regarded as a tremendous American business success story and one of the top performing companies in America, as its employees, retirees, suppliers, dealers, customers, motorcycle enthusiasts, and friends worldwide commemorate and celebrate its 100th anniversary milestone;

(2) recognizes the great impact that Harley-Davidson has had on the business, social, and cultural landscape and lives of Americans and citizens of all nations, as a quintessential icon of Americana; and

(3) congratulates the Harley-Davidson Motor Company for this achievement and trusts that Harley-Davidson will have an even greater impact in the 21st century and beyond as a leading force for innovative business practices and products that will continue to provide enjoyment, transportation, and delight for generations to come.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from Michigan (Mr. DINGELL) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WALDEN).

GENERAL LEAVE

Mr. WALDEN of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on this legislation.

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

There was no objection.

Mr. WALDEN of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H. Res. 296, a resolution recognizing the 100th anniversary of the founding of the Harley-Davidson Motor Company.

The history of the Harley-Davidson Company is the story of an American dream. Four young men began to experiment with the internal combustion engine in a tiny wooden shed. The motorcycle they developed and built goes on to serve for 100,000 miles and under five owners. That is the beginning of a legacy that has lasted a century and continues to go on strong today.

Harley-Davidson is an American institution, Mr. Speaker. The company also has a close tie with the American law enforcement community and with the U.S. during times of war. Harley-Davidson built motorcycles for the Detroit Police Department in 1906 and went on to build cycles for use by allied forces during World War I and built more than 90,000 motorcycles for the U.S. and allied forces during World War II.

This is a company that has weathered the ups and downs of the American economy, during times of war and of peace. And in keeping with the spirit of the United States, it never gave up, never stopped striving for success and always continued to push forward.

Not only is the Harley-Davidson a strong employer and provider of an excellent motorcycle, the company also has a heart. For 23 years, Harley-Davidson has supported the Muscular Dystrophy Association, raising over $40 million in company, dealer, customer and supplier contributions. Harley-Davidson hopes to raise a minimum of $5 million as part of its Road to a Cure during the 100th anniversary celebration.

I urge my colleagues to join me in supporting H. Res. 296, celebrating Harley-Davidson's 100th anniversary, as well as its amazing accomplishments and achievements in providing motorcycles, jobs and excitement over the course of a century.

While I have never been a Harley-Davidson motorcycle owner, I can tell my colleagues that my neighbors are, and they are emphatic about it, I would say nearly addicted, over Harley-Davidson's motorcycles. In fact, one of my neighbors has an antique that he has restored; and it is a gorgeous bike that he rode back to I think it is Sturgis for the big confab of motorcyclists.

So to those Harley-Davidson's riders in this Chamber now, congratulations on a great motorcycle; and to Harley-Davidson, the maker of those motorcycles, congratulations on your centennial.

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

Mr. DINGELL. Mr. Speaker, I yield myself 3 minutes.

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

Mr. DINGELL. Mr. Speaker, I commend the distinguished gentleman from Louisiana, chairman of the Committee on Energy and Commerce, for moving this legislation so expeditiously to the House floor.

I rise in support of H. Res. 296, recognizing the 100th anniversary of the founding of the Harley-Davidson Motor Company, a great institution, manufactured great motorcycles and motor vehicles and one which has contributed mightily to American culture, American industry, which has a splendid relationship with the United Auto Workers and with labor. Indeed, their relationship with labor is a role model for labor-management relations and product innovation, as well as manufacturing quality and efficiency.

My constituents enjoy their vehicles; and I commend Harley-Davidson on its 100th anniversary, wish it great success in the next 100 years.

Mr. Speaker, with great pride and pleasure, I yield 3 minutes to the gentleman from Wisconsin (Mr. KLECZKA), my distinguished friend, a great Member of Congress, with my thanks and commendation for introducing this legislation.

Mr. KLECZKA. Mr. Speaker, let me thank the gentleman from Michigan (Mr. DINGELL) for yielding time and also to recognize the gentleman from Louisiana (Mr. TAUZIN), the chairman of the committee, for expediting this resolution through the Committee on Energy and Commerce.

Mr. Speaker, the resolution before the House today recognizes the 100th anniversary of the Harley-Davidson Motor Company. In 1903, four men, William Harley and brothers Arthur, Walter and William Davidson, completed work on their first motorcycle in a small shed in Milwaukee, Wisconsin. The company founded that day has gone on to produce the world's finest and most popular motorbikes. Today, Harley-Davidson has 8,168 employees throughout the country, with nearly 4,000 working in Wisconsin.

What started as a small business at the beginning of the last century soon developed into the largest motorcycle producer in the country. Harleys can be seen at nearly every turn in recent American history.

During World War I, Harley-Davidson supplied most of the 20,000 motorcycles used by the Armed Forces. The day after the armistice was signed, Corporal Roy Holtz of Chippewa Falls, Wisconsin, was the first American to enter Germany. He was riding a Harley-Davidson.

During World War II, Harley-Davidson suspended production of its civilian motorcycles. The company produced some 90,000 motorcycles for U.S. soldiers and was awarded four Army-Navy ''E'' Awards for excellence during wartime and for their wartime production.

In 1953, Harley-Davidson became the sole U.S. motorcycle manufacturer, a distinction it would hold for the next 46 years.

□ 1715

During this time, Harley produced some of its most innovative designs. The first Sportster was offered, which premiered a 55-cubic inch overhead valve engine.

Also the Super Glide and the Super Glide II were introduced with a rubber-isolated, 5-speed powertrain and welded stamp frame. Additionally, the Ultra Classic Electra Glide debuted. This motorcycle became the first Harley to include sequential port electronic fuel injection.

To celebrate its 100th anniversary, Harley-Davidson has planned a 3-day gala beginning on August 28 in Milwaukee, Wisconsin. It will include exhibits on design and manufacturing of

the Harleys, music, fireworks and ceremonies on Lake Michigan, and a parade of 100,000 Harleys through downtown Milwaukee. Leading up to the festivities will be events in every corner of the country.

Harley-Davidson is a remarkable corporation that demonstrates American ingenuity, dedication, and workmanship. I urge my colleagues to join me in honoring Harley-Davidson for the jobs they create, the quality of the products they manufacture, and their lasting contributions to motorcycling in this country and around the world.

Mr. WALDEN of Oregon. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the chairman on the Committee on Energy and Commerce for expediting this bill, and I thank the gentleman from Wisconsin (Mr. KLECZKA) for drafting this legislation and moving it through the committee and bringing it here to the floor today.

I represent the First Congressional District of Wisconsin, which is just below Milwaukee. We in our area have a number of the employees that work for Harley. We have the distribution center in Franklin. We also make Buell motorcycles, which is a division of Harley-Davidson. Eric Buell, an entrepreneurial upstart, started Buell Motorcycles, it is now a part of Harley, and that is very much in keeping with the tradition of Harley-Davidson. We have 4,000 employees just in the Milwaukee area who are so proud to produce Harley-Davidson motorcycles.

Harley-Davidson is an icon in the American culture. They more than just represent the American idea and dream of entrepreneurship, of starting a business in a woodshed in Milwaukee in 1903, and bringing it to a wonderful corporation providing a lot of jobs and pleasure.

Mr. Speaker, more than that, Harley-Davidson is America. It is America because it brings our beautiful hogs all around the world. It is an ambassador of some of the greatest craftmanship of America. What is occurring this year on its 100th-year anniversary is events are taking place not just in Wisconsin, not just in America, but events are taking place all over the world to celebrate the 100th-year anniversary of this wonderful motorcycle, all of which are culminating in a huge event at the end of August in Milwaukee, Wisconsin. We are anticipating 10,000 motorcycles to ride in on that weekend with 200,000 people coming.

I want to add my voice to the rest of those who have spoken today to commemorate Harley-Davidson, an American icon in our culture, something which has been there to provide for our American defense forces in World War I and World War II, has provided great jobs and given a lot of pride to the workers, and something that has given great pride to the riders and owners who restore these beautiful Harley-Davidson motorcycles.

Mr. KIND. Mr. Speaker, I rise today to recognize the 100th anniversary of the founding of the Harley-Davidson Motor Company, an institution that has been a significant part of the social, economic, and cultural heritage of the United States.

Harley-Davidson is special to Wisconsin. In 1903, William S. Harley and Arthur Davidson designed and produced their first motorcycle. They continued to manufacture motorcycles, with help from Walter and William Davidson in Milwaukee, Wisconsin, and soon the city became headquarters for the Harley-Davidson Motor Company.

Since the first small shop opened a century ago, Harley-Davidson has designed and produced millions of motorcycles enjoyed by people all over the globe. From the first V-twin powered motorcycle in 1909 to the Softail Deuce in 2003, Harley-Davidson has proven itself to be a leader in technological innovation, a tradition we hope will continue for years to come.

Mr. Speaker, Harley-Davidson has come to the service for this country when asked and without hesitation. During World War I, the company supplied 17,000 motorcycles for dispatch and scouting use by the Allied armed forces. In fact, the first Allied soldier to enter Germany after the signing of the Armistice was riding a Harley. At the outbreak of World War II, the company almost entirely suspended its civilian line in favor of military production. By war's end, almost 90,000 motorcycles were produced for the military.

When we constantly hear stories of corporate greed and misconduct, it is refreshing to have a company like Harley-Davidson leading by example by donating millions to reputable charities. For example, since 1980 the company has been a national corporate sponsor of the Muscular Dystrophy Association, raising more than $40 million to fund research and health services.

The impeccable craftsmanship and high-reliability of Harley-Davidson motorcycles is evident in the company's intensely loyal fan base. Since its inception 20 years ago, the Harley Owners Group, affectionately known as "H.O.G.," has grown to more than 800,000 members and 1,200 chapters worldwide.

Mr. Speaker, I want to take this opportunity to congratulate the 8,168 employees, over 4,000 of which are in the great state of Wisconsin, Harley-Davidson for their 100 years of hard work and dedication. Each of them is part of a company that has enjoyed a long, rich history and tradition. I know I stand with the rest of my colleagues in wishing Harley-Davidson the best of luck for the next 100 years.

Mr. SENSENBRENNER. Mr. Speaker, today I rise to express my strong support for H. Res. 296, which recognizes the 100th anniversary of one of America's greatest companies—the Harley-Davidson Motor Company.

For one hundred years, Harley-Davidson has been a testament to American hard work, perseverance, and ingenuity. Today, Harley-Davidson remains an American institution and is recognized all over the world as the manufacturer of the best motorcycles in the world.

Born in Milwaukee, Wisconsin, the company retains its domestic roots by maintaining production facilities in Missouri, Alabama, Pennsylvania, and, of course, Wisconsin. I am proud to have in my district, Harley-Davidson powertrain operations in Wauwatosa and Menomonee Falls, and a product development center in Wauwatosa.

I am pleased to echo the sentiments of former President Ronald Reagan, who called Harley-Davidson "an American success story". To all the members of the Harley-Davidson family, please allow me to express my sincerest congratulations on the 100th anniversary of this great American company.

Mr. WALDEN of Oregon. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and agree to the resolution, H. Res. 296.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

BURMESE FREEDOM AND DEMOCRACY ACT OF 2003

Mr. LEACH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2330) to sanction the ruling Burmese military junta, to strengthen Burma's democratic forces and support and recognize the National League of Democracy as the legitimate representative of the Burmese people, and for other purposes, as amended.

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,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Burmese Freedom and Democracy Act of 2003".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The State Peace and Development Council (SPDC) has failed to transfer power to the National League for Democracy (NLD) whose parliamentarians won an overwhelming victory in the 1990 elections in Burma.

(2) The SPDC has failed to enter into meaningful, political dialogue with the NLD and ethnic minorities and has dismissed the efforts of United Nations Special Envoy Razali bin Ismail to further such dialogue.

(3) According to the State Department's "Report to the Congress Regarding Conditions in Burma and U.S. Policy Toward Burma" dated March 28, 2003, the SPDC has become "more confrontational" in its exchanges with the NLD.

(4) On May 30, 2003, the SPDC, threatened by continued support for the NLD throughout Burma, brutally attacked NLD supporters, killed and injured scores of civilians, and arrested democracy advocate Aung San Suu Kyi and other activists.

(5) The SPDC continues egregious human rights violations against Burmese citizens, uses rape as a weapon of intimidation and torture against women, and forcibly conscripts child-soldiers for the use in fighting indigenous ethnic groups.

(6) The SPDC is engaged in ethnic cleansing against minorities within Burma, including the Karen, Karenni, and Shan people,

which constitutes a crime against humanity and has directly led to more than 600,000 internally displaced people living within Burma and more than 130,000 people from Burma living in refugee camps along the Thai-Burma border.

(7) The ethnic cleansing campaign of the SPDC is in sharp contrast to the traditional peaceful coexistence in Burma of Buddhists, Muslims, Christians, and people of traditional beliefs.

(8) The SPDC has demonstrably failed to cooperate with the United States in stopping the flood of heroin and methamphetamines being grown, refined, manufactured, and transported in areas under the control of the SPDC serving to flood the region and much of the world with these illicit drugs.

(9) The SPDC provides safety, security, and engages in business dealings with narcotics traffickers under indictment by United States authorities, and other producers and traffickers of narcotics.

(10) The International Labor Organization (ILO), for the first time in its 82-year history, adopted in 2000, a resolution recommending that governments, employers, and workers organizations take appropriate measures to ensure that their relations with the SPDC do not abet the government-sponsored system of forced, compulsory, or slave labor in Burma, and that other international bodies reconsider any cooperation they may be engaged in with Burma and, if appropriate, cease as soon as possible any activity that could abet the practice of forced, compulsory, or slave labor.

(11) The SPDC has integrated the Burmese military and its surrogates into all facets of the economy effectively destroying any free enterprise system.

(12) Investment in Burmese companies and purchases from them serve to provide the SPDC with currency that is used to finance its instruments of terror and repression against the Burmese people.

(13) On April 15, 2003, the American Apparel and Footwear Association expressed its ''strong support for a full and immediate ban on U.S. textiles, apparel and footwear imports from Burma'' and called upon the United States Government to ''impose an outright ban on U.S. imports'' of these items until Burma demonstrates respect for basic human and labor rights of its citizens.

(14) The policy of the United States, as articulated by the President on April 24, 2003, is to officially recognize the NLD as the legitimate representative of the Burmese people as determined by the 1990 election.

(15) The United States must work closely with other nations, including Thailand, a close ally of the United States, to highlight attention to the SPDC's systematic abuses of human rights in Burma, to ensure that nongovernmental organizations promoting human rights and political freedom in Burma are allowed to operate freely and without harassment, and to craft a multilateral sanctions regime against Burma in order to pressure the SPDC to meet the conditions identified in section 3(a)(3) of this Act.

SEC. 3. BAN AGAINST TRADE THAT SUPPORTS THE MILITARY REGIME OF BURMA.

(a) GENERAL BAN.—

(1) IN GENERAL.—Notwithstanding any other provision of law, until such time as the President determines and certifies to Congress that Burma has met the conditions described in paragraph (3), beginning 30 days after the date of the enactment of this Act, the President shall ban the importation of any article that is a product of Burma.

(2) BAN ON IMPORTS FROM CERTAIN COMPANIES.—The import restrictions contained in paragraph (1) shall apply to, among other entities—

(A) the SPDC, any ministry of the SPDC, a member of the SPDC or an immediate family member of such member;

(B) known narcotics traffickers from Burma or an immediate family member of such narcotics trafficker;

(C) the Union of Myanmar Economics Holdings Incorporated (UMEHI) or any company in which the UMEHI has a fiduciary interest;

(D) the Myanmar Economic Corporation (MEC) or any company in which the MEC has a fiduciary interest;

(E) the Union Solidarity and Development Association (USDA); and

(F) any successor entity for the SPDC, UMEHI, MEC, or USDA.

(3) CONDITIONS DESCRIBED.—The conditions described in this paragraph are the following:

(A) The SPDC has made substantial and measurable progress to end violations of internationally recognized human rights including rape, and the Secretary of State, after consultation with the ILO Secretary General and relevant nongovernmental organizations, reports to the appropriate congressional committees that the SPDC no longer systematically violates workers rights, including the use of forced and child labor, and conscription of child-soldiers.

(B) The SPDC has made measurable and substantial progress toward implementing a democratic government including—

(i) releasing all political prisoners;

(ii) allowing freedom of speech and the press;

(iii) allowing freedom of association;

(iv) permitting the peaceful exercise of religion; and

(v) bringing to a conclusion an agreement between the SPDC and the democratic forces led by the NLD and Burma's ethnic nationalities on the transfer of power to a civilian government accountable to the Burmese people through democratic elections under the rule of law.

(C) Pursuant to section 706(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228), Burma has not been designated as a country that has failed demonstrably to make substantial efforts to adhere to its obligations under international counternarcotics agreements and to take other effective counternarcotics measures, including, but not limited to (i) the arrest and extradition of all individuals under indictment in the United States for narcotics trafficking, (ii) concrete and measurable actions to stem the flow of illicit drug money into Burma's banking system and economic enterprises, and (iii) actions to stop the manufacture and export of methamphetamines.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means the Committees on Foreign Relations and Appropriations of the Senate and the Committees on International Relations and Appropriations of the House of Representatives.

(b) WAIVER AUTHORITIES.—The President may waive the prohibitions described in this section for any or all articles that are a product of Burma if the President determines and notifies the Committees on Appropriations, Finance, and Foreign Relations of the Senate and the Committees on Appropriations, International Relations, and Ways and Means of the House of Representatives that to do so is in the national interest of the United States.

SEC. 4. FREEZING ASSETS OF THE BURMESE REGIME IN THE UNITED STATES.

(a) REPORTING REQUIREMENT.—Not later than 60 days after the date of enactment of this Act, the President shall take such action as is necessary to direct, and promulgate regulations to the same, that any United States financial institution holding funds belonging to the SPDC or the assets of those individuals who hold senior positions in the SPDC or its political arm, the Union Solidarity Development Association, shall promptly report those funds or assets to the Office of Foreign Assets Control.

(b) ADDITIONAL AUTHORITY.—The President may take such action as may be necessary to impose a sanctions regime to freeze such funds or assets, subject to such terms and conditions as the President determines to be appropriate.

(c) DELEGATION.—The President may delegate the duties and authorities under this section to such Federal officers or other officials as the President deems appropriate.

SEC. 5. LOANS AT INTERNATIONAL FINANCIAL INSTITUTIONS.

The Secretary of the Treasury shall instruct the United States executive director to each appropriate international financial institution in which the United States participates, to oppose, and vote against the extension by such institution of any loan or financial or technical assistance to Burma until such time as the conditions described in section 3(a)(3) are met.

SEC. 6. EXPANSION OF VISA BAN.

(a) IN GENERAL.—

(1) VISA BAN.—The President is authorized to deny visas and entry to the former and present leadership of the SPDC or the Union Solidarity Development Association.

(2) UPDATES.—The Secretary of State shall coordinate on a biannual basis with representatives of the European Union to allow officials of the United States and the European Union to ensure a high degree of coordination of lists of individuals banned from obtaining a visa by the European Union for the reason described in paragraph (1) and those banned from receiving a visa from the United States.

(b) PUBLICATION.—The Secretary of State shall post on the Department of State's website the names of individuals whose entry into the United States is banned under subsection (a).

SEC. 7. CONDEMNATION OF THE REGIME AND DISSEMINATION OF INFORMATION.

Congress encourages the Secretary of State to highlight the abysmal record of the SPDC to the international community and use all appropriate fora, including the Association of Southeast Asian Nations Regional Forum and Asian Nations Regional Forum, to encourage other states to restrict financial resources to the SPDC and Burmese companies while offering political recognition and support to Burma's democratic movement including the National League for Democracy and Burma's ethnic groups.

SEC. 8. SUPPORT DEMOCRACY ACTIVISTS IN BURMA.

(a) IN GENERAL.—The President is authorized to use all available resources to assist Burmese democracy activists dedicated to nonviolent opposition to the regime in their efforts to promote freedom, democracy, and human rights in Burma, including a listing of constraints on such programming.

(b) REPORTS.—

(1) FIRST REPORT.—Not later than 3 months after the date of enactment of this Act, the Secretary of State shall provide the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations of the House of Representatives a comprehensive report on its short- and long-term programs and activities to support democracy activists in Burma, including a list of constraints on such programming.

(2) REPORT ON RESOURCES.—Not later than 6 months after the date of enactment of this

Act, the Secretary of State shall provide the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations of the House of Representatives a report identifying resources that will be necessary for the reconstruction of Burma, after the SPDC is removed from power, including—

(A) the formation of democratic institutions;

(B) establishing the rule of law;

(C) establishing freedom of the press;

(D) providing for the successful reintegration of military officers and personnel into Burmese society; and

(E) providing health, educational, and economic development.

(3) REPORT ON TRADE SANCTIONS.—Not later than 90 days before the date on which the import restrictions contained in section 3(a)(1) are to expire, the Secretary of State, in consultation with the United States Trade Representative and the heads of appropriate agencies, shall submit to the Committees on Appropriations, Finance, and Foreign Relations of the Senate, and the Committees on Appropriations, International Relations, and Ways and Means of the House of Representatives, a report on—

(A) bilateral and multilateral measures undertaken by the United States Government and other governments to promote human rights and democracy in Burma;

(B) the extent to which actions related to trade with Burma taken pursuant to this Act have been effective in—

(i) improving conditions in Burma, including human rights violations, arrest and detention of democracy activists, forced and child labor, and the status of dialogue between the SPDC and the NLD and ethnic minorities;

(ii) furthering the policy objections of the United States toward Burma; and,

(C) the impact of actions relating to trade take pursuant to this Act on other national security, economic, and foreign policy interests of the United States, including relations with countries friendly to the United States.

SEC. 9. DURATION OF SANCTIONS.

(a) TERMINATION BY REQUEST FROM DEMOCRATIC BURMA.—The President may terminate any provision in this Act upon the request of a democratically elected government in Burma, provided that all the conditions in section 3(a)(3) have been met.

(b) CONTINUATION OF IMPORT SANCTIONS.—

(1) EXPIRATION.—The import restrictions contained in section 3(a)(1) shall expire 1 year from the date of enactment of this Act unless renewed under paragraph (2) of this section.

(2) RESOLUTION BY CONGRESS.—The import restrictions contained in section 3(a)(1) may be renewed annually for a 1-year period if, prior to the anniversary of the date of enactment of this Act, and each year thereafter, a renewal resolution is enacted into law in accordance with subsection (c).

(3) LIMITATION.—The import restrictions contained in section 3(a)(1) may be renewed for a maximum of three years from the date of the enactment of this Act.

(c) RENEWAL RESOLUTIONS.—

(1) IN GENERAL.—For purposes of this section, the term ''renewal resolution'' means a joint resolution of the 2 Houses of Congress, the sole matter after the resolving clause of which is as follows: ''That Congress approves the renewal of the import restrictions contained in section 3(a)(1) of the Burmese Freedom and Democracy Act of 2003.''

(2) PROCEDURES.—

(A) IN GENERAL.—A renewal resolution—

(i) may be introduced in either House of Congress by any member of such House at any time within the 90-day period before the expiration of the import restrictions contained in section 3(a)(1); and

(ii) the provisions of subparagraph (B) shall apply.

(B) EXPEDITED CONSIDERATION.—The provisions of section 152(b), (c), (d), (e), and (f) of the Trade Act of 1974 (19 U.S.C. 2192 (b), (c), (d), (e), and (f)) apply to a renewal resolution under this Act as if such resolution were a resolution described in section 152(a) of the Trade Act of 1974.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. LEACH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa (Mr. LEACH).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise to join with my colleagues on the committee, particularly with the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS), to support this important and timely initiative. I would also like to thank the majority leadership, as well as our colleagues with the Committee on Ways and Means, Committee on Financial Services, and Committee on the Judiciary, for their constructive suggestions and cooperation in expediting passage of this bill.

On June 10, the Subcommittee on Asia and the Pacific considered and favorably reported to the full committee H.R. 2330, the Burmese Freedom and Democracy Act of 2003. The full committee adopted the bill on June 12. The amended text before us incorporates suggested changes from the administration as well as the Committee on Ways and Means.

At the outset, let me note that none of us takes lightly a decision to impose sanctions on another country. In the case of Burma, however, over the last several months the U.S. has watched with growing frustration and dismay as prospects for a transition to democracy have withered in the face of the ruling military regime's determination to maintain an iron grip on power.

As my colleagues are aware, Aung San Suu Kyi's release from house arrest a little over a year ago generated some optimism in Burma and abroad about prospects for political change. The ruling State Peace and Development Council, the SPDC, allowed her certain freedom of movement. The opposition National League for Democracy received permission to reopen a number of branch offices throughout the country, and increasing numbers of political prisoners were released.

In recent days and months, the basis for cautious optimism about the prospect of progressive change has evaporated. The regime refused to hold substantive political discussions with the NLD and ethnic minority groups, while operatives and thugs associated with the regime began a campaign of harassment that escalated into the premeditated ambush on Aung San Suu Kyi's motorcade on May 30 of this year.

We are all, of course, pleased at the news that the United Nations Special Envoy for Burma was recently allowed to see Aung San Suu Kyi and that she is apparently in ''feisty spirits'' and credible health.

However, the brutal attack by the regime's henchmen on Daw Suu's traveling party, the broader crackdown against pro-democracy forces, and the vastly diminished prospects for a democratic transition leave the United States with no option but to reassess its already limited relationship with the Government of Burma.

While economic sanctions are seldom successful, the long train of abuses perpetrated by Burma's military regime leaves the U.S. and other members of the international community, most particularly Burma's neighbors in ASEAN, with no ethical alternative but to embrace a broader array of diplomatic and economic policy options, including sanctions, in this case Burmese imports to the United States, and utilization of the U.N. Security Council, to help bring about a restoration of democracy.

Here it should be stressed that the restrictions in this bill are immediately released if commonsense, democratic conditions are met, and that the sanctions must be approved annually by Congress. In addition, the President has been given authority to waive any or all provisions of this bill based on a national interest standard.

Mr. Speaker, Burma merits sustained U.S. attention not only because the actions of the regime offend core American values, but because developments inside the country impact peace and stability in Southeast Asia. Our primary objectives must continue to be focused on human rights, democracy, refugee assistance, and an end to Burmese production and trafficking of elicit narcotics. However, we also have an interest in reaching out to the Burmese people with humanitarian assistance, including medical interventions to help stem the devastating effect of HIV–AIDS. Such humanitarian assistance will not be affected by this legislation.

The great tragedy of the current circumstance is that in the early 1960s Burma was potentially the most prosperous country in Southeast Asia. Today, after 40 years of military misrule, its economy is in a shambles, health and educational services are in precipitous decline, while its citizens continue to suffer human rights abuses and repression.

Sadly, it has become all too apparent that Burma's military leadership is prepared to sacrifice the best interests

of its people to pursue the power games of a power elite. In this circumstance, the world community has been left with no option but to rally to the cause of freedom and human rights by mobilizing concerted diplomatic and economic pressure against the ruling regime. I urge passage of this resolution.

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

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

Mr. Speaker, I rise in strong support of H.R. 2330, the Burmese Freedom and Democracy Act. I first wish to express my deepest appreciation to the gentleman from Illinois (Mr. HYDE) for moving forward with this important piece of legislation so quickly, and to the 51 cosponsors of our legislation. I particularly want to thank the gentleman from New York (Mr. KING), the gentleman from Iowa (Mr. LEACH), and the gentleman from New Jersey (Mr. SMITH) for their leadership on this issue. I also thank the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS), for working so closely and cooperatively with us on this legislation.

Mr. Speaker, 2 years ago this month I introduced legislation in the House to ban all imports from Burma as a result of the Burmese regime's failure to move towards freedom and democracy. But my colleagues and I withheld from pressing that legislation after Aung San Suu Kyi was freed from house arrest and there appeared to be a process for dialogue and national reconciliation in Burma.

But, Mr. Speaker, just 6 weeks ago the entire landscape in Burma changed dramatically. The Burmese government hired thugs to brutally attack Nobel Prize winner Aung San Suu Kyi and her aides as they were on their way to meet with their supporters. Aung San Suu Kyi was arrested and thrown in jail. Her key aides were brutally killed. Her supporters around the nation have been jailed, and the offices of her political party have been closed.

In short, the thug regime of Burma has sunk to new lows, securing its place in the world's rogues gallery of human rights abusers. The ruling dictatorship simply cannot accept the fact that this brave and courageous woman, Aung San Suu Kyi, a champion of democracy, remains wildly popular in Burma despite years of house arrest, persecution and repression.

Now that the Rangoon regime has recommitted itself to destroying all democratic opposition in Burma, it is clear that dialogue is dead, national reconciliation is dead, and it is equally clear that we must adopt a new approach towards Burma and that new approach must include tough sanctions.

Our legislation will impose a comprehensive import ban on products made in Burma until a series of human rights and democracy conditions have been met. We will freeze the assets of the Burmese regime in the United States, codify the existing policy of the United States to oppose lending to Burma by international financial institutions, we shall strengthen the visa ban on Burma, and we will support democracy activists in Burma.

These are tough measures, but no tougher than Burma's ruling thugs deserve. They had a chance to deal seriously with this great woman, a champion of democracy, Aung San Suu Kyi, and instead they viciously attacked this Nobel Laureate. This is an unacceptable situation.

□ 1730

The legislation before us has strong bipartisan support, it reflects important suggestions made by the administration, and I urge all of my colleagues to support democracy in Burma and to support this important legislative measure.

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

Mr. LEACH. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from New Jersey (Mr. SMITH), one of the leading spokespeople in the world on the subject of human rights.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the chairman, the gentleman from Iowa (Mr. LEACH), for his kind remarks. I want to especially thank him for his leadership on this issue and all human rights, especially in Asia. He has been outspoken and a very, very effective lawmaker. I want to thank him for his leadership.

I also want to thank the gentleman from California (Mr. LANTOS) for his sponsorship of this very important piece of legislation which we have before the body today.

I do rise in strong support of H.R. 2330, the Burmese Freedom and Democracy Act. As I think my colleagues are well aware, on May 30 a group of government-affiliated thugs carried out a premeditated ambush of the motorcade of Burma democracy leader and Nobel laureate Aung San Suu Kyi, who has been jailed since then. An undetermined number of her supporters were murdered in that vicious attack.

Burma's military dictatorship, which euphemistically calls itself the State Peace and Development Council, has maintained its grip on power for the past 15 years with the use of brutal force. Although Aung San Suu Kyi's National League for Democracy won the majority of National Assembly seats in a free and fair election in 1990, the junta nullified the results and imprisoned hundreds of NLD leaders. The military regime has committed numerous other human rights abuses, such as large-scale forced labor and the use of rape as a weapon in its fight against insurgencies by ethnic minorities.

With this latest outrage, Mr. Speaker, the Burmese regime has exhausted the patience of the United States and hopefully the rest of the international community. I applaud the gentleman from California again for these efforts, for his ongoing efforts, but especially for his efforts in drafting and introducing H.R. 2330, the Burmese Freedom and Democracy Act, which the Committee on International Relations reported favorably on June 17. The bill includes a number of measures, such as a ban on trade that supports the military regime, and will send an unequivocal message to the generals in Rangoon: The people of Burma must be allowed to pursue the path of peaceful democratic development that they bravely chose 13 years ago.

Although trade sanctions are sometimes the source of controversy on this floor, they are more than justified in this situation both because of the Burmese regime's egregious behavior and because export trade is a key source of foreign exchange for the junta and its apparatus of repression. The bill includes waiver authority for the President and outlines generous conditions under which sanctions could be lifted. In addition, the text before us requires annual reapproval of the trade ban and imposes a 3-year sunset on the sanctions.

Mr. Speaker, I urge all Members to support this very important human rights legislation.

Mr. LANTOS. Mr. Speaker, I am delighted to yield 5 minutes to the distinguished gentleman from American Samoa (Mr. FALEOMAVAEGA), ranking member of the Subcommittee on Asia and the Pacific of the Committee on International Relations.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I want to commend the distinguished chairman of our committee, the gentleman from Illinois (Mr. HYDE), and our senior ranking member on this side of the aisle, the gentleman from California (Mr. LANTOS), for their support of this important legislation. Certainly I would be remiss if I did not express my appreciation to the chairman of the Subcommittee on Asia and the Pacific, the gentleman from Iowa (Mr. LEACH), not only for his leadership but certainly for his initiative and the fact that we did call a subcommittee hearing on this very important issue that is now before this body.

I believe, Mr. Speaker, this is kind of like the last effort that we could do as a body to express very serious and very grave concerns about what has happened to the government of Burma. I think my colleagues, and especially my good friend from New Jersey (Mr. SMITH) has given some specifics of the issues that are now before us concerning Burma and the problems and the fact that for years now this country has been ruled by a military junta, I think to the point now that we have tried our patience in the best way possible.

One of the concerns that I raise, Mr. Speaker, is the fact that other countries in the Asia-Pacific region continue to recognize Burma; and they continue to conduct trade relations

with Burma. It is my sincere hope that, by passage of this legislation and providing sanctions against this military junta, hopefully that it will produce some positive results and that hopefully our government, and certainly I commend our Secretary of State, Secretary Powell, for expressing the same concerns that the Congress has given for the past several years.

Mr. Speaker, again, I want to commend my good friend, the chairman of our subcommittee, for not only having a hearing, we have heard from the parties concerned, and I believe this legislation is well overdue. I urge my colleagues to pass this legislation.

Mr. LANTOS. Mr. Speaker, I urge all colleagues to vote for this legislation. We are striking a blow for freedom and democracy.

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

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

Let me thank again my good friend, the gentleman from California (Mr. LANTOS), for his leadership on this issue but also so many other issues that affect human rights around the world.

To the gentleman from American Samoa (Mr. FALEOMAVAEGA), let me say I do not think there is anyone that understands the region of Southeast Asia more comprehensively or well than he does. I am always in debt to his judgment.

I would just like to stress that, while it is awkward for a legislative body to ever comment on the affairs of other countries, this particular legislation is designed to show friendship and support for the people of Burma and also to underscore that repression and despotism have no place in the world today. I also would underscore that it is an expression of solidarity with other peoples of Southeast Asia. For example, for the first time in its 36 years' existence, the Association of Southeast Asian Nations has taken a stand of rebuke to the government of Burma in its first statement of internal intervention in its history. This is a very serious matter for the region as well as for the international community, but most of all this is an expression of concern for the Burmese people for whom the United States has had a long and sustaining interest.

Mr. Speaker, I urge again passage of this legislation.

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

Mr. LEACH. I yield to the gentleman from American Samoa.

Mr. FALEOMAVAEGA. I thank the gentleman for yielding and also especially for his recognition of the fact that other countries in the surrounding area have expressed serious concerns about the problems affecting the government of Burma.

I do recall that years ago I raised the same concerns at issue with some of the highest levels of officials in one country to mind and the question that we do not give official recognition or we do not have official diplomatic relationship with Burma and the advice that was given to me is, we should. Hopefully that the interactions and the continuous relationship, that by some way or some means that will bring more democracy and a greater sense of understanding not only with that country but certainly for all democratic-loving people around the world. I think this body has waited not for months, not for 1 year, but for years and years, and there seems to be no improvement of the situation, the promises that were made by these military rulers that there would be more democratic reforms given. This has not been the case.

I just wanted to add that observation to my good friend, the chairman of the subcommittee. While given that recognition, I think it is high time that the Congress does take action and we do so with every bit the right of this body. It is a very serious matter to put sanctions on any country for that matter. I sincerely hope that it will result in some positive improvements in the promises that this military junta had made for years and years and still have not taken place.

Mr. LEACH. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER), a member of the Subcommittee on Asia and the Pacific as well as someone with whom I am honored to have recently cowritten an editorial.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to speak on this resolution this afternoon and commend him, the gentleman from Illinois (Mr. HYDE), the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH).

There is truly a bipartisan consensus on our committee that the time has long since passed for us to address the critical need to change the regime in Burma and to be able to recognize the courage of Aung San Suu Kyi, the potential we have there to have a transformational effect in that troubled country.

It was my great privilege to spend an afternoon with my children in her compound when she was under house arrest. Watching the harassment we went through just to go there with the charge, thinking about what that represented, this brave woman, insightful, being surrounded by thugs at a time when her country was ravaged in terms of AIDS, in terms of economic deprivation, in terms of the atrocities that have been documented on this floor already this afternoon in terms of what the junta has inflicted upon their people.

It seems to me that it is an opportunity for us at a time when people want the United States to throw its weight around the world that we focus on this troubled country that has a recognized leader, that has the potential for us to bring together the force that we saw in South Africa, to be able to focus time, energy, attention in a peaceful fashion but to force the junta to know that we mean business as it regards Burma. I am one that will continue to call it Burma unless and until that name is changed by the democratic majority of that country, and I think the name is a small symbol of why we need to stand up to push back.

This resolution, I think, is a starting place. But beyond that, I hope, Mr. Speaker, that there will be an opportunity for Members in this Chamber to pick up this cause, to beat this drum, to carry it to those who are in business, NGO, other governments, because I think there is now an opportunity for this consensus to work.

I am pleased with the work that our committee has done, I hope the House will unite behind it, and I hope that each Member of this Chamber will find something that he or she can do to advance this important cause.

Mr. MANZULLO. Mr. Speaker, I rise today to express my concern over H.R. 2330. While I support the intentions of H.R. 2330 to strengthen democratic forces in Burma and hold the Burmese military junta accountable for its human rights violations, I am concerned that this legislation's general ban on trade will adversely affect U.S. small business and economic development in Burma.

I am appreciative of the changes made to the original version of this bill such as requiring an annual affirmative vote of Congress to renew the import ban against Burma and changing the standard for the President to waive the ban from the ''national security interest'' to ''national interest'' of the United States. However, these changes will not ultimately solve the problems of my constituent who owns a small business, Chaang Trading Company, in Rockford, Illinois. Chaang Trading Company imports fine, handcrafted cultural goods from Southeast Asia and distributes them nationwide.

The import ban in H.R. 2330 would almost certainly destroy this four person company as 80 percent of Chaang's business depends on trade with Burma. Chaang purchases its Burmese products directly from artisan shops, and not from the military government of Burma. These Burmese shops are owned by ordinary citizens and employ ordinary citizens. Therefore, the import ban in this legislation would undermine the provisions in section 8 of H.R. 2330 to support democracy activists in Burma through economic development by actually hurting the very people we are trying to help—small business artisans who have nothing to do with the repressive military government of Burma. I therefore urge my colleagues to be cognizant of the unintended consequences of using trade sanctions as a weapon to change policy in foreign countries.

It would be my hope and wish that as the Administration implements this bill that it would take into the account the concerns of small companies like Chaang Trading Company in Rockford so that they can continue to trade with skilled artisans from Burma who have nothing to do with the repressive military government.

Mr. KIRK. Mr. Speaker, I rise today in strong support of H.R. 2330, the Burmese

Freedom and Democracy Act of 2003. Today, as her people call for freedom and democracy, the Burmese military junta maintains a policy of repression and government-sponsored violence.

In 1990, the National League for Democracy, a party committed to peace and democratic principles in Burma, won the majority of National Assembly seats, offering real hope for change in Burma. Despite the overwhelming public call for democracy, the military regime nullified the election results and imprisoned and murdered several NLD leaders. While this act of government-sponsored aggression took place over a decade ago, the Burmese regime continues to brutally repress the people's opposition movement today.

In May, the Burmese regime ordered the ambush of a motorcade carrying several leaders of Burma's democracy movement, including Nobel laureate Aung San Suu Kyi, the elected leader of her country, who has remained in detention by the regime since that murderous attack.

The Burmese regime has been granted countless opportunities to peacefully transfer power to the people while avoiding further bloodshed. In response to the international community's ongoing efforts to bring peace to the region, Burmese leaders have only responded with further acts of repression, aggression, and state-sponsored terror against its own people. Today, over 600,000 citizens within Burma have been displaced from their homes on account of brutal ethnic cleansing techniques employed by the Burmese regime. In response, we must make every effort to bring awareness to the mistreatment of Aung San Suu Kyi and other pro-democracy opposition leaders.

The Burmese Freedom and Democracy Act would take comprehensive steps to enhance efforts for democracy in Burma, while strengthening international sanctions against the Burmese junta. I urge my colleagues to support this initiative as part of the international community's response to the junta's ongoing state-sponsored terror against the people of Burma.

Mr. SOUDER. Mr. Speaker, I rise in strong support of H.R. 2330 and of the people of Burma. The people of Burma toil everyday under the cruel and heavy yoke of military dictatorship. The military rulers of Burma stifle dissent, persecute minorities, and thwart every attempt at democracy.

Recently, the democratically elected and legal leader of Burma, Aung San Suu Kyi, was viciously attacked by agents of the military dictatorship while on her way to meet supporters of democracy. Following the attack, she was re-imprisoned by the military tyrants of Burma. Visitation has been limited and there is no sign that she will be released from prison any time soon.

The military junta in Burma continues to persecute minority groups. Burma has more than 600,000 internally displaced people. Furthermore, over 100,000 people are living in refugee camps along the Thai-Burma border.

The Karen, Karenni, and Shan people have borne the brunt of this persecution. Where Burma was once a country of peaceful coexistence, it has, under this brutal regime, become a place of strife and discord.

Now more than ever, the democratic forces at work in Burma need the support of the United States of America. H.R. 2330 is a step in the right direction. This bill, which I am proud to co-sponsor, will impose sanctions on the evil regime currently in control of Burma.

The bill will prohibit any article from being imported into the United States that is produced, mined, manufactured, grown, or assembled in Burma. In 2002, Burma exported over $356 million worth of products to the United States. This included apparel, teak wood, precious stones, and seafood. H.R. 2330 will put an end to these exports and send a message to the illegal government of Burma.

H.R. 2330 also directs the Secretary of the Treasury to freeze the assets of the military junta. While the country is mired in poverty, the ruling elite are looting the country for their own benefit. This legislation will keep the junta from accessing their ill-gotten gains. Furthermore, the bill will prohibit the leaders of this Burmese nightmare from entering the United States.

Support for this bill will make it clear to those Burmese despots that their military dictatorship, which maintains power through force and terror, is unacceptable. This bill will make it clear that the United States of America supports freedom and democracy in Burma. We support the National League for Democracy. And we support Burma's democratically elected leader, Aung San Suu Kyi.

Burma was once a prosperous country but the military has ground the country into poverty. Burma is rich in resources but the military despots have squandered these riches for their own gain. Burma's peoples once lived side by side with one another but the military has seen fit to mistreat some groups and drive them from their homes. This must end.

The United States must help to foster democracy in Burma. I urge all of my colleagues to support H.R. 2330 and to work for democracy in Burma.

Mr. OXLEY. Mr. Speaker, I rise today in support of H.R. 2330, the ''Burmese Freedom and Democracy Act of 2003.'' I would like to commend both Chairman HYDE and Mr. LANTOS for their efforts on this important legislation.

The House Financial Services Committee received a referral on H.R. 2330 as a result of sections four and five of the bill, which address Burma's relationship with the international financial institutions.

Specificaly, section four of this legislation directs the Secretary of the Treasury to freeze any assets of the Burmese regime located within the United States. Section five directs the Secretary of the Treasury to instruct the U.S. director at each international financial institution in which the U.S. participates to oppose and vote against the extension of any loan or financial assistance to Burma until certain conditions are met.

The House Financial Services Committee waived consideration of this bill in the hopes of expediting the legislative process and providing needed relief to the Burmese people. This bill accomplishes that end by supporting democratic forces in Burma and recognizing the National League of Democracy as the legitimate representative of the Burmese people.

As a fervent supporter of free trade, free minds, and free people, I call on the Burmese regime to allow the benefits of democracy to grow. I urge my colleagues to support H.R. 2330.

Mr. PITTS. Mr. Speaker, I strongly support H.R. 2330, the Burmese Freedom and Democracy Act of 2003 and urge all my colleagues to support this bill.

The military regime is guilty of ethnic cleansing, systematic rape, forced porterage, destruction of homes, villages and food sources, the use of human land mine sweepers, and the detention of over 1200 political prisoners.

Two excellent reports describe the horrifying systematic campaign of rape against the Shan, Karenni, Karen, Mon, Tavoyan and other ethnic groups.

In the study License to Rape, investigators found that in ''25 percent of the incidents documented, the girls or women were killed following the rape, by being shot, suffocated, beaten, stabbed or burned to death.''

In the study, No Safe Place: Burma's Army and the Rape of Ethnic Women, there is clear documentation of the military raping women fleeing the fighting, raping those incarcerated in military camps, raping those forced into labor for military, and raping women out foraging for food.

In one case, a young women heard her sister's cries ''they are raping me'—but could do nothing to stop it. A day after she was taken, the soldiers brought her body back for the family to bury. Her wounds indicated clearly that she had been raped, perhaps to death, Despite the fact that the soldiers continued to return to their village after the murder,'' the young women and her family were too afraid to complain.

The suffering of the people of Burma has gone on too long.

Sadley, the international community has shown little willingness to vigorously address the issues facing the people of Burma, but H.R. 2330 is an important step to directly impact the situation in the country.

I urge the dictatorship release Aung San Suu Kyi from detention.

I also urge the dictatorship of Burma to immediately engage in a tri-partite dialogue with the National League for Democracy and the ethnic minorities.

Only when the rights of the NLD and the ethnic minorities are recognized and protected will there be peace in Burma.

Mr. Speaker, a regime that engaged in this horrifying campaign of systematic rape to decimate the ethnic minorities, in addition to all the other human right violations it commits, must be stopped.

I urge my colleagues to support the Burmese Freedom and Democracy Act.

Mr. BEREUTER. Mr. Speaker, this Member rises in strong support of H.R. 2330, the Burmese Freedom and Democracy Act of 2003. Furthermore, this Member, as a co-sponsor of the legislation, would like to thank the Ranking Member of the House International Relations Committee, the distinguished gentleman from California (Mr. LANTOS) and the distinguished gentleman from New York (Mr. KING) for writing and introducing this timely legislation which enjoys bipartisan support. Also, the Chairman of the House International Relations Committee, the distinguished gentleman from Illinois (Mr. HYDE) is to be commended for his efforts to bring this bill to the Floor.

This bill would impose sanctions upon companies associated with Burma's current ruling party, the State Peace and Development Council (SPDC). If the President would certify that the SPDC has made ''substantial and measurable progress'' toward ending human

rights violations and implementing democratic reform, the sanctions could be lifted.

Generally, this Member is opposed to bilateral sanctions because they frequently prove to be ineffective and, indeed, counterproductive to the policy consequence sought. However, the ruling junta's arrest and subsequent detention of Burmese democracy leader and Nobel Peace Prize Laureate Aung San Suu Kyi was such an egregious affront to democracy and rule of law that the government deserves swift and harsh punishment from the international community.

Mr. Speaker, this Member strongly urges his colleagues to vote for H.R. 2330.

Mr. KING of New York. Mr. Speaker, as the lead republican sponsor, I rise today in full support of the Burmese Freedom and Democracy Act.

Two months ago, Burmese opposition leader and Nobel Peace Prize laureate, Aung San Suu Kyi was placed under house arrest by Burma's ruling junta after a bloody clash between her supporters and thugs of the military regime.

For the last fifteen years, Suu Kyi has waged a struggle against one of the world's most oppressive governments. Burma's military regime has committed widespread human rights abuses, including forced labor and the use of rape as a weapon against insurgences by ethnic minorities. In addition, this regime supports international narcotic trafficking and provides a safe haven for drug traffickers targeted by the United States for prosecution.

That is why I am proud to be a part of this legislation which will authorize a number of sanctions against the Burmese government and its entities, unless a series of democratic conditions are met. I want to thank the Gentleman from California, Mr. LANTOS for his tireless work on this issue. I urge my colleagues to support this needed measure.

Mr. ENGLISH. Mr. Speaker, I would like to take this opportunity to strenuously condemn the Burmese State Peace and Development Council (SPDC) and its latest acts of violence against the democratic movement in Burma.

As many of us know, in 1990, the Burmese people elected Aung San Suu Kyi and her party, the National League for Democracy (NLD), to lead their country. The NLD won an astounding 82 percent of the popular vote, dealing a shattering defeat to the absolutist State Law and Order Restoration Council (SLORC). In perhaps one of the great crimes against democracy in history, the SLORC refused to seat the newly elected parliament and imprisoned the leaders of the NLD. Ms. Suu Kyi was placed under house arrest, where she has remained for much of the last 13 years.

The State Peace and Development Council, as the government is now known, continues to wage war on its own people and to lead Burma toward rogue nation status. The SPDC is notorious for using rape and imprisonment as an instrument of political influence on its citizens and is known to force children to fight indigenous ethnic groups in the country. This brutal form of governance is combined with military dominance of heavy industry and a sickly economy dependent upon black market and illicit exports.

Now, the SPDC seems committed to stiffening its repression of the Burmese people. After toying with several international initiatives aimed at restoring democracy to the country, the SPDC has essentially halted talks with a spasm of violence directed against the NLD organization. On May 30, a motorcade carrying Ms. Suu Kyi through the country was attacked by an organized group of armed criminals. In the process, a number of NLD members were reportedly tortured and murdered, while Ms. Suu Kyi was taken into ''protective custody'' by the government. It seems that the only ''protection'' was being given to an illegitimate regime against the popular, peaceful NLD leader.

This pattern of vicious oppression in Burma must come to an end and Ms. Suu Kyi must be released unharmed. I urge the President and Secretary of State Powell to take the necessary measures to ensure her safe release and to fully support the National League for Democracy. I further ask my friends in Congress to work with the Administration to ensure that we supply maximum support to the NLD and that we forcefully denounce the actions of the dictatorial junta now reigning over Burma.

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

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and pass the bill, H.R. 2330, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 44 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BROWN of South Carolina) at 6 o'clock and 30 minutes p.m.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. Pursuant to the order of the House of today 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. 2673.

□ 1832

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. 2673) making further appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes, with Mr. HASTINGS of Washington (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, the bill was open for amendment through page 72, line 23.

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 orders: amendment by the gentleman from Montana (Mr. REHBERG), amendment by the gentleman from Oregon (Mr. BLUMENAUER), amendment by the gentleman from Colorado (Mr. HEFLEY), amendment by the gentleman from New York (Mr. ACKERMAN).

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

AMENDMENT OFFERED BY MR. REHBERG

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Montana (Mr. REHBERG) 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 pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 193, noes 208, not voting 33, as follows:

[Roll No. 354]

AYES—193

Abercrombie	Capuano	Emanuel
Ackerman	Cardin	Engel
Alexander	Carson (IN)	Eshoo
Allen	Clay	Evans
Andrews	Clyburn	Fattah
Baca	Conyers	Filner
Bachus	Costello	Ford
Baird	Crowley	Frank (MA)
Baldwin	Cubin	Gephardt
Bartlett (MD)	Cummings	Gibbons
Bass	Davis (AL)	Gordon
Bishop (NY)	Davis (CA)	Goss
Blackburn	Davis (FL)	Green (TX)
Blumenauer	Davis (TN)	Grijalva
Boehlert	Davis, Jo Ann	Harman
Bonner	DeFazio	Hastings (FL)
Bono	DeGette	Hefley
Boswell	Delahunt	Hill
Brady (PA)	DeLauro	Hoeffel
Brown (OH)	Deutsch	Holden
Brown, Corrine	Dicks	Holt
Buyer	Dingell	Honda
Cannon	Doggett	Hooley (OR)
Capito	Doyle	Hoyer

Hunter
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (NY)
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McNulty
Meehan
Meek (FL)
Menendez
Michaud
Miller (FL)
Miller, George
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Nussle
Oberstar
Obey
Olver
Osborne
Pallone
Pascrell
Pearce
Pelosi
Peterson (MN)
Petri
Pickering
Platts
Pomeroy
Quinn
Rahall
Rangel
Regula
Rehberg
Rogers (AL)
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sandlin
Schakowsky
Schiff
Scott (VA)
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Solis
Stark
Stearns
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Walden (OR)
Watson
Watt
Weiner
Weldon (FL)
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NOES—208

Akin
Ballance
Ballenger
Barrett (SC)
Beauprez
Bell
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Blunt
Boehner
Bonilla
Boozman
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Calvert
Camp
Cantor
Capps
Cardoza
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Coble
Cole
Collins
Cooper
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Tom
Deal (GA)
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dooley (CA)
Doolittle
Dreier
Dunn
Edwards
Ehlers
Emerson
English
Etheridge
Farr
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hyde
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones (NC)
Kennedy (MN)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Larsen (WA)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Majette
Manzullo
Marshall
McCotter
McInnis
McIntyre
McKeon
Meeks (NY)
Miller (MI)
Miller (NC)
Miller, Gary
Moran (KS)
Musgrave
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Ortiz
Ose
Otter
Oxley
Pastor
Paul
Pence
Peterson (PA)
Pitts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Renzi
Reyes
Reynolds
Rodriguez
Rogers (KY)
Rogers (MI)
Ross
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Scott (GA)
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stenholm
Sullivan
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Upton
Vitter
Walsh
Wamp
Waxman
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)

NOT VOTING—33

Aderholt
Baker
Barton (TX)
Becerra
Berkley
Bishop (UT)
Cramer
Davis (IL)
DeLay
Duncan
Everett
Fletcher
Gutierrez
Hinchey
Isakson
Janklow
Jefferson
Keller
King (IA)
LaHood
Lipinski
Mica
Millender-McDonald
Mollohan
Moore
Moran (VA)
Myrick
Owens
Payne
Rush
Sanders
Waters
Young (FL)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1854

Messrs. PORTER, TANNER, BALLANCE and DEMINT changed their vote from ''aye'' to ''no.''

Mr. DICKS, Mrs. CUBIN and Mr. MARKEY 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. MORAN of Virginia. Mr. Chairman, on rollcall No. 354, I was delayed in traffic. Had I been present, I would have voted ''no.''

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, the remainder of this series will be conducted as 5-minute votes.

AMENDMENT OFFERED BY MR. BLUMENAUER

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) 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 pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 222, noes 179, not voting 33, as follows:

[Roll No. 355]

AYES—222

Ackerman
Akin
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Bartlett (MD)
Bass
Berman
Biggert
Bilirakis
Bishop (NY)
Bishop (UT)
Blumenauer
Boehlert
Boswell
Boucher
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Case
Castle
Chabot
Clay
Clyburn
Conyers
Cooper
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Dicks
Doggett
Dooley (CA)
Doyle
Dunn
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Ford
Fossella
Frank (MA)
Gallegly
Gerlach
Gibbons
Gonzalez
Green (TX)
Green (WI)
Greenwood
Grijalva
Hall
Harman
Hastings (FL)
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Houghton
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Kleczka
Kolbe
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Miller (FL)
Miller (NC)
Miller, George
Moran (KS)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Northup
Oberstar
Obey
Olver
Pallone
Pascrell
Pelosi
Petri
Platts
Pomeroy
Porter
Price (NC)
Ramstad
Rangel
Rohrabacher
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shays
Sherman
Shimkus
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Tancredo
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Toomey
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wilson (NM)
Wolf
Woolsey
Wu
Wynn

NOES—179

Abercrombie
Alexander
Bachus
Ballenger
Barrett (SC)
Beauprez
Bell
Bereuter
Berry
Bishop (GA)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boyd
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Carson (OK)
Carter
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (TN)
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Dreier
Edwards
Emerson
English
Feeney
Flake
Forbes
Franks (AZ)
Frelinghuysen
Frost
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinojosa
Hobson
Hostettler

Hunter
Hyde
Issa
Istook
Jenkins
John
Johnson, Sam
Kennedy (MN)
Kingston
Kline
Knollenberg
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
Marshall
McCrery
McInnis
McIntyre
McKeon
Miller (MI)
Miller, Gary
Murphy
Murtha
Musgrave
Nethercutt
Neugebauer
Ney
Norwood
Nunes
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Ryun (KS)
Sandlin
Schrock
Scott (GA)
Sessions
Shaw
Sherwood
Shuster
Simpson
Skelton
Smith (MI)
Smith (TX)
Souder
Stenholm
Sullivan
Sweeney
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner (OH)
Turner (TX)
Walden (OR)
Walsh
Wamp
Weldon (FL)
Wicker
Wilson (SC)
Young (AK)

NOT VOTING—33

Aderholt
Baker
Barton (TX)
Becerra
Berkley
Cramer
Davis (IL)
DeLay
Duncan
Everett
Fletcher
Gephardt
Gutierrez
Hinchey
Isakson
Janklow
Jefferson
Keller
King (IA)
LaHood
Lipinski
Mica
Millender-McDonald
Mollohan
Moore
Myrick
Owens
Payne
Peterson (MN)
Rush
Sanders
Waters
Young (FL)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1904

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HEFLEY

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) 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 pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 68, noes 333, not voting 33, as follows:

[Roll No. 356]

AYES—68

Akin
Barrett (SC)
Bartlett (MD)
Bass
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Bradley (NH)
Cannon
Capuano
Chabot
Coble
Collins
Cox
Crane
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeMint
Doggett
Duncan
Feeney
Flake
Fossella
Franks (AZ)
Garrett (NJ)
Gibbons
Green (WI)
Hayworth
Hefley
Herger
Hoekstra
Hunter
Hyde
Jenkins
Johnson, Sam
Jones (NC)
Kirk
Linder
Manzullo
Matheson
McInnis
Miller (FL)
Miller, Gary
Norwood
Otter
Paul
Petri
Ramstad
Rohrabacher
Royce
Ryan (WI)
Schrock
Sensenbrenner
Shadegg
Shays
Shimkus
Smith (MI)
Smith (WA)
Stearns
Tancredo
Taylor (MS)
Terry
Toomey
Weller

NOES—333

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Ballance
Ballenger
Bell
Bereuter
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cantor
Capito
Capps
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chocola
Clay
Clyburn
Cole
Conyers
Cooper
Costello
Crenshaw
Crowley
Cubin
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Forbes
Ford
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Greenwood
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hensarling
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Markey
Marshall
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sessions
Shaw
Sherman
Sherwood
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Tauzin
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—33

Aderholt
Baker
Barton (TX)
Becerra
Berkley
Brown (OH)
Cramer
Davis (IL)
DeLay
Everett
Fletcher
Gephardt
Gutierrez
Isakson
Istook
Janklow
Jefferson
Keller
King (IA)
LaHood
Lipinski
Mica
Millender-McDonald
Mollohan
Moore
Myrick
Owens
Payne
Portman
Rush
Taylor (NC)
Waters
Young (FL)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised 2 minutes remain to vote.

□ 1911

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ACKERMAN

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. ACKERMAN) 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 pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 199, noes 202, not voting 33, as follows:

[Roll No. 357]

AYES—199

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bass
Berman
Biggert
Bilirakis
Bishop (NY)
Blumenauer
Boehlert
Boucher

Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Capito
Capps
Capuano
Cardin
Carson (IN)
Case
Castle
Chabot
Clay
Clyburn
Conyers
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Ehlers
Emanuel
Engel
English
Eshoo
Farr
Fattah
Ferguson
Filner
Foley
Ford
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gordon
Green (TX)
Green (WI)
Greenwood
Grijalva
Harman
Hastings (FL)
Hefley
Hinchey
Hoeffel
Holt
Honda
Hooley (OR)
Houghton
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
King (NY)
Kirk
Kleczka
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Miller (NC)
Miller, George
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Olver
Pallone
Pascrell
Pelosi
Petri
Platts
Pomeroy
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Reynolds
Rodriguez
Ros-Lehtinen
Rothman
Roybal-Allard
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Scott (VA)
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wolf
Woolsey
Wu
Wynn

NOES—202

Akin
Alexander
Bachus
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Beauprez
Bell
Bereuter
Berry
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Cardoza
Carson (OK)
Carter
Chocola
Coble
Cole
Collins
Cooper
Costello
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (TN)
Davis, Tom
Deal (GA)
DeMint
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Edwards
Emerson
Etheridge
Evans
Feeney
Flake
Forbes
Franks (AZ)
Frost
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Goss
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hill
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hyde
Issa
Istook
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kennedy (MN)
Kind
Kingston
Kline
Knollenberg
Kolbe
Lampson
Latham
Leach
Lewis (CA)
Lewis (KY)
Lucas (OK)
Manzullo
Marshall
Matheson
McCotter
McCrery
McHugh
McInnis
McIntyre
McKeon
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Nethercutt
Neugebauer
Northup
Norwood
Nunes
Nussle
Obey
Ortiz
Osborne
Ose
Otter
Pastor
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pitts
Pombo
Porter
Portman
Putnam
Quinn
Radanovich
Regula
Rehberg
Renzi
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Sandlin
Schrock
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (MI)
Souder
Stenholm
Sullivan
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Toomey
Turner (OH)
Turner (TX)
Vitter
Walden (OR)
Walsh
Wamp
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)

NOT VOTING—33

Aderholt
Baker
Barton (TX)
Becerra
Berkley
Cramer
Davis (IL)
DeLay
Diaz-Balart, L.
Everett
Fletcher
Gephardt
Gutierrez
Isakson
Janklow
Jefferson
Keller
King (IA)
LaHood
Lipinski
Mica
Millender-McDonald
Mollohan
Moore
Myrick
Owens
Oxley
Payne
Pickering
Rush
Smith (TX)
Waters
Young (FL)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1917

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore. The Clerk will read the last lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2004''.

The CHAIRMAN pro tempore. Under the order of the House of today, the Committee now rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHIMKUS) having assumed the chair, Mr. HASTINGS of Washington, 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. 2673) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes, pursuant to the order of the House of today, 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.

This 15-minute vote on passage will be followed by a 15-minute vote on the motion to instruct on which proceedings were postponed earlier today. The vote on the motion to suspend the rules and pass H.R. 2330, as amended, will be taken tomorrow.

The vote was taken by electronic device, and there were—yeas 347, nays 64, not voting 23, as follows:

[Roll No. 358]

YEAS—347

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baird
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Bass
Beauprez
Bell
Bereuter
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clay
Clyburn
Coble
Cole
Collins
Cooper
Costello
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Feeney
Ferguson
Foley
Forbes
Ford
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Greenwood
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kelly
Kennedy (MN)
Kildee
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg

Kolbe
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sandlin
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Serrano
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Sullivan
Sweeney
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wynn
Young (AK)

NAYS—64

Andrews
Baldwin
Berman
Blumenauer
Buyer
Capuano
Conyers
Cox
Crane
DeFazio
Delahunt
DeLauro
Doggett
Filner
Flake
Fossella
Frank (MA)
Franks (AZ)
Green (WI)
Hefley
Inslee
Kaptur
Kennedy (RI)
Kilpatrick
Kind
Kleczka
Kucinich
Lee
Levin
Lewis (GA)
McDermott
McGovern
Meehan
Miller (FL)
Miller, Gary
Nadler
Obey
Olver
Pallone
Pascrell
Paul
Petri
Rohrabacher
Rothman
Royce
Ryan (WI)
Sanders
Schakowsky
Sensenbrenner
Shays
Sherman
Slaughter
Smith (WA)
Stark
Stupak
Tancredo
Taylor (MS)
Tierney
Udall (CO)
Van Hollen
Watson
Waxman
Wexler
Wu

NOT VOTING—23

Baker
Barton (TX)
Becerra
Berkley
Davis (IL)
Everett
Fletcher
Gephardt
Gutierrez
Janklow
Jefferson
Keller
LaHood
Lipinski
Mica
Millender-McDonald
Mollohan
Myrick
Owens
Payne
Rush
Waters
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS) (during the vote). Members are advised there are 2 minutes left in this vote.

□ 1936

Messrs. DELAHUNT, BERMAN, WAXMAN, MEEHAN, COX and TIERNEY changed their vote from ''yea'' to ''nay.''

Mr. EVANS and Mr. TURNER of Ohio changed their vote from ''nay'' to ''yea.''

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. 1472

Mr. PETERSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that my name be removed as cosponsor of H.R. 1472.

The SPEAKER pro tempore (Mr. HASTINGS of Florida). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1472

Mr. BACA. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor of H.R. 1472, the Don't Feed the Bears Act of 2003.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1472 and H.R. 20

Mr. GARY G. MILLER of California. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1472 and H.R. 20.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2214

Mr. BLUMENAUER. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2214.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1472

Mr. TANCREDO. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1472.

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

There was no objection.

MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

The SPEAKER pro tempore. The pending business is the question on the motion to instruct conferees on H.R. 1.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from Tennessee (Mr. DAVIS), on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 191, nays 221, not voting 23, as follows:

[Roll No. 359]

YEAS—191

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Bell
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Miller (NC)
Miller, George
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—221

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman

Boswell	Hart	Peterson (PA)
Bradley (NH)	Hastert	Petri
Brady (TX)	Hastings (WA)	Pickering
Brown (SC)	Hayes	Pitts
Brown-Waite, Ginny	Hayworth	Platts
Burgess	Hefley	Pombo
Burns	Hensarling	Porter
Burr	Herger	Portman
Burton (IN)	Hobson	Pryce (OH)
Buyer	Hoekstra	Putnam
Calvert	Hostettler	Quinn
Camp	Houghton	Ramstad
Cannon	Hulshof	Regula
Cantor	Hunter	Rehberg
Capito	Hyde	Renzi
Carter	Isakson	Reynolds
Castle	Issa	Rogers (AL)
Chabot	Istook	Rogers (KY)
Chocola	Jenkins	Rogers (MI)
Coble	Johnson (CT)	Rohrabacher
Cole	Johnson (IL)	Ros-Lehtinen
Collins	Johnson, Sam	Royce
Cox	Jones (NC)	Ryan (WI)
Cramer	Kelly	Ryun (KS)
Crane	Kennedy (MN)	Saxton
Crenshaw	King (IA)	Schrock
Cubin	King (NY)	Sensenbrenner
Culberson	Kingston	Sessions
Cunningham	Kirk	Shadegg
Davis, Jo Ann	Kline	Shaw
Davis, Tom	Knollenberg	Shays
Deal (GA)	Kolbe	Sherwood
DeLay	Latham	Shimkus
DeMint	LaTourette	Shuster
Diaz-Balart, L.	Leach	Simmons
Diaz-Balart, M.	Lewis (CA)	Simpson
Doolittle	Lewis (KY)	Smith (MI)
Dreier	Linder	Smith (NJ)
Duncan	LoBiondo	Smith (TX)
Dunn	Lucas (OK)	Souder
Ehlers	Manzullo	Stearns
English	McCotter	Sullivan
Feeney	McCrery	Sweeney
Ferguson	McHugh	Tancredo
Flake	McInnis	Tauzin
Foley	McKeon	Taylor (NC)
Forbes	Miller (FL)	Terry
Fossella	Miller (MI)	Thomas
Franks (AZ)	Miller, Gary	Thornberry
Frelinghuysen	Moran (KS)	Tiahrt
Gallegly	Murphy	Tiberi
Garrett (NJ)	Musgrave	Toomey
Gerlach	Nethercutt	Turner (OH)
Gibbons	Neugebauer	Upton
Gilchrest	Ney	Vitter
Gillmor	Northup	Walden (OR)
Gingrey	Norwood	Walsh
Goode	Nunes	Wamp
Goodlatte	Nussle	Weldon (FL)
Goss	Osborne	Weldon (PA)
Granger	Ose	Weller
Graves	Otter	Whitfield
Green (WI)	Oxley	Wicker
Greenwood	Paul	Wilson (NM)
Gutknecht	Pearce	Wilson (SC)
Harris	Pence	Wolf
	Peterson (MN)	Young (AK)

NOT VOTING—23

Barton (TX)	Janklow	Mollohan
Becerra	Jefferson	Myrick
Berkley	Keller	Owens
Davis (IL)	LaHood	Payne
Everett	Lipinski	Radanovich
Fletcher	Mica	Rush
Gephardt	Millender-McDonald	Waters
Gutierrez		Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington) (during the vote). There are 2 minutes remaining in this vote.

□ 1956

Mr. SCHROCK and Mr. BACHUS changed their vote from ''yea'' to ''nay.''

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

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MICA. Mr. Speaker, I was unavoidably detained due to mechanical malfunctions on Delta Flight 5007. The airplane had to make an emergency landing and return to Orlando International Airport. I could not vote on the following:

Rollcall No. 354. Had I been present, I would have voted ''yes'';

Rollcall No. 355. Had I been present, I would have voted ''no'';

Rollcall No. 356. Had I been present, I would have voted ''yes'';

Rollcall No. 357. Had I been present, I would have voted ''no'';

Rollcall No. 358. Had I been present, I would have voted ''yes'';

Rollcall No. 359. Had I been present, I would have voted ''no''.

APPOINTMENT OF CONFEREES

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

For consideration of the House bill and the Senate amendments, and modifications committed to conference: Messrs. TAUZIN, THOMAS and BILIRAKIS, Mrs. JOHNSON of Connecticut, and Messrs. DELAY, DINGELL, RANGEL and BERRY.

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1472

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1472.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1472

Mr. FORBES. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1472.

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

There was no objection.

AWARDING OF CONGRESSIONAL GOLD MEDAL TO PRIME MINISTER TONY BLAIR

Mr. KING of New York. Mr. Speaker, I ask unanimous consent that the Committee on Financial Services be discharged from the further consideration of the Senate bill (S. 709) to award a congressional gold medal to Prime Minister Tony Blair, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 709

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDING.

Congress finds that Prime Minister Tony Blair of the United Kingdom has clearly demonstrated, during a very trying and historic time for our 2 countries, that he is a staunch and steadfast ally of the United States of America.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of Congress, of a gold medal of appropriate design, to Prime Minister Tony Blair, in recognition of his outstanding and enduring contributions to maintaining the security of all freedom-loving nations.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 4. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

SEC. 5. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund such amounts as may be necessary to pay for the costs of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 3 shall be deposited into the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. KING of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material thereon on S. 709, the Senate bill just passed.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1472

Mr. VITTER. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1472.

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

There was no objection.

ANNOUNCEMENT OF INTENT TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1308, JOBS AND GROWTH TAX RELIEF RECONCILIATION ACT OF 2003

Ms. DELAURO. Mr. Speaker, pursuant to rule XXII, clause 7(c) I announce my intention to offer a motion to instruct conferees on H.R. 1308.

The form of the motion is as follows:

Mr. Speaker, I move that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment not included in the House amendment that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment not included in the House amendment that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

3. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

4. To the maximum extent possible within the scope of the conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the Columbia disaster.

The House conferees shall, as soon as practical after the adoption of this motion, meet in open session with the Senate conferees and the House conferees shall file a conference report consistent with the preceding provisions of this instruction, not later than Friday, July 18, 2003.

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CELEBRATING THE LIFE OF BENNY CARTER

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

Ms. WATSON. Mr. Speaker, it is with great sadness that I announce the passing of the legendary musician, Benny Carter, this past Saturday at Cedars-Sinai Hospital in Los Angeles. He was 95.

Benny Carter's life and career literally spanned the 20th century. His music encompassed the history of jazz and much more. Ranked with the likes of Johnny Hodges and Charlie Parker, Benny Carter is considered one of the greatest alto saxophonists of all times. Ella Fitzgerald described him as ''everything a musician would want to be''; while Miles Davis said, ''Everybody ought to listen to Benny. He is a whole musical education.'' And the great Ben Webster said about Carter, ''He is the only person that I get the shakes trying to play my horn behind or with him.''

Born in New York in 1907, Carter received his first music lessons from his mother, but was largely a self-taught musician. In the late 1920s he joined Fletcher Henderson's seminal orchestra and in 1931 became musical director for McKinney's Cotton Pickers.

Returning to New York in 1938, Carter formed his own top-flight orchestra and spent much of 1939 and 1940 at Harlem's famed Savoy Ballroom. His arrangements were much in demand and featured on recordings by Benny Goodman, Count Basie, Duke Ellington, Glen Miller, Gene Krupa, and Tommy Dorsey.

We will miss this outstanding and this exemplary musician. May he rest in peace.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. GINGREY). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

PHARMACEUTICAL COMPANIES INFLUENCING RELIGIOUS ORGANIZATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, for 21 years I have been in the Congress, and for 21 years I have supported the gentleman from Illinois (Mr. HYDE) and the gentleman from New Jersey (Mr. SMITH) and the people who were fighting for the lives of the unborn, the pro-life organizations. And for 21 years I received accolades from religious organizations all over this country. In fact, the Traditional Values Coalition last year asked me to be a member of their board of directors.

Well, I do not know if my colleagues can see this on television or not, but this was mailed out into my district this past week. It is a picture of a little baby sucking on a pacifier or something, and underneath it is a mother with a package of pills that are supposed to be the RU–486, the abortion pill that would cause an abortion 24 hours after conception, or after conception sometime. It says on the front of it next to this little baby, ''Will Congressman DAN BURTON miss an opportunity to protect the sanctity of human life?''

I do not understand that, how a religious organization can be manipulated by the pharmaceutical industry to do this sort of thing. They are supposed to be moral people; and yet I am confident, in fact I am dead sure, that the Traditional Values Coalition did not have the money to mail this kind of trash out to congressional districts all across this country and also do television ads and radio ads going after Congressmen because they believe that seniors ought to be able to get reimported drugs from Canada or Germany or some place else that cost one-sixth or one-tenth of what they cost in the United States.

And the reason the pharmaceutical industry is dead on the reimportation is because they are loading all of their profits on the backs of the American people while they are giving these pharmaceuticals for a much lower price in other parts of the country. Why should Americans pay six times as much money for Tamoxifen as they do in Germany? That is a cancer-fighting drug that women use to save their lives. In Canada and in Germany it costs $60 for a 30- or 60-day supply. In the United States it costs $360. Why should Americans pay that much more than other countries?

It is because the pharmaceutical companies are making so much money; and because they are afraid we are going to pass a reimportation bill, they are going after the people in the Congress who believe that people ought to pay the same prices here as they do other places.

How are they going after us? They are going after us with a meat cleaver, and they are trying to do it under a facade, under a tent so that they do not look like they are the bad guys. I am telling you, the Traditional Values Coalition and the other religious organizations that are putting out this kind of garbage, when they know it is not true, are being funded by the pharmaceutical industries. Now, they might say, oh, no, we are not.

Well, I tell you, tonight on the floor of the U.S. House, I am challenging every one of the religious organizations in this country who have endorsed me year after year after year for reelection, I am challenging them tonight to let us see their financial records because I want to see what the pharmaceutical companies are giving them in order for them to put this kind of stuff out. The gentleman from New Jersey (Mr. SMITH), who is the leading advocate for pro-life in this Congress, is a co-sponsor with me and others for the reimportation of pharmaceuticals to make sure Americans pay a fair price for pharmaceuticals. But the pharmaceutical companies are scared to death of that, and so what they are doing is loading up all of these organizations to come after us and to make us look like we are people that we are not.

So I say once again, Traditional Values Coalition who wanted me to be on your board last year because I am such a great guy, I want to see your financial records. Please show me your financial records and let me know that the pharmaceutical companies are not paying for this trash because I believe they are. And I say the same thing to all the other organizations. Jerry Falwell put an editorial in the paper

not long ago about this very same issue, and I think it is a bogus issue, Mr. Falwell; and I would like to see your financial records and Mr. Robertson's and all other religious organizations' financial records who are criticizing us for wanting to reimport pharmaceuticals so Americans pay a fair price.

So please, all of you religious organizations who are concerned about this, as you say you are, let us see your financial records and let us know that you are not taking large amounts of money from the pharmaceutical companies to put out this kind of tripe.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Member to address his remarks to the Chair.

AMERICANS SHOULD KNOW THE TRUTH ABOUT IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

Mr. HINCHEY. Mr. Speaker, the decision to go to war is the most profound decision that any nation can make. It should be done, of course, judiciously and only with the utmost of care and only as a last resort. This is especially true of democratic republics such as ours, when the actions of the government must be with the consent of the governed.

In order for the governed to give their consent, that consent, of course, must be informed. And it is the responsibility of the government to inform its citizens in an honest and straightforward way with regard to the background and information that it has that causes it to make such profound decisions.

On January 23 of this year, the President of the United States in this room addressed the Joint Session of the Congress as well as the people of the United States. And in that address he made a number of assertions with regard to the state of Iraq and why it was important for us to engage that country in hostility. Among those statements he made was one with regard to the importation of processed uranium from Niger. The President said in his statement that the British Government had informed them that the Government of Niger was importing processed uranium, and that was in the context of Iraq's trying to develop a nuclear weapon.

Now, we know that the President had that information on a first-hand basis. He did not have to quote any information from the British Government. He had it on a first-hand basis because the Vice President of the United States back in March of last year went to the Central Intelligence Agency and asked them to conduct an investigation as to whether or not Iraq was importing processed uranium from Africa.

The Central Intelligence Agency then asked former Ambassador Wilson, who had a long and distinguished career in the Foreign Service including positions in West Africa, asked Mr. Wilson if he would go to Niger to discover whether or not it was possible for Niger to export processed uranium to Iraq for the purpose of building a nuclear weapon.

Ambassador Wilson went there. He spent a considerable amount of time, something in the neighborhood of close to 2 weeks. He interviewed dozens of people. He came back and reported to the Central Intelligence Agency that he found no reason to believe whatsoever that any processed uranium has been exported from Niger. Why? Because the uranium companies there are owned by essentially European countries and the controls are very, very strict and rigid. He examined a number of people who were involved in the companies and their controls, as well as people in the Niger Government. He came away believing there was no way that processed uranium could be exported from Niger to Iraq.

He reported to the Central Intelligence Agency. The Central Intelligence Agency obviously then reported to the Vice President of the United States, who we can only imagine and expect reported to the President of the United States.

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Nevertheless, the President then came here before the House and said that Niger was exporting processed uranium to Iraq when the government, our government, the administration knew, based upon firsthand information as a result of a CIA-sponsored investigation, that that was not the case. In addition, though, now we know that is not the case because we have the report of Mr. Wilson and we have other information that can only compel us to conclude that the President was wrong in his statement; and, in fact, he has admitted he was wrong in that statement, blaming Mr. Tenet.

Also in that address before a joint session of the Congress, the President mentioned the presence of vast quantities of chemical and biological weapons that were also in Iraq, according to his statement to that joint session. He also said that there were delivery mechanisms that were in Iraq and that those delivery mechanisms could be armed very, very quickly with those biological and chemical weapons and they could be used to bring those weapons into conflict against countries in the surrounding region, including Israel, against others, and that this constituted a direct threat to the United States and to our allies.

It has been now nearly 3 months that we have been searching for chemical and biological weapons as well as the means to deliver them in Iraq, and we have found absolutely nothing.

Based upon these two sets of facts, one has to question, what else did the President say that was false and why did we go to war in Iraq? This Congress needs to initiate a full and complete congressional investigation as to the causes surrounding our entry into that war and the prosecution of that war, and it must do so forthwith.

NEW LAWS FOR EDUCATION SAVINGS

The SPEAKER pro tempore (Mr. GINGREY). Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, I want to talk tonight a little bit about the importance of a college education and some of the laws that this Congress has passed to encourage better savings for education.

Some of the concerns that we need to consider is the fact that individual students and their parents in the future probably are going to be have to be more responsible for coming up with a larger share of the funds for their kids' college education.

Benjamin Franklin once said, ''An investment in knowledge always pays the best interest.'' As we move to a high-tech economy, that is certainly truer than ever. High school dropouts earn an average of $360 a week, while high school graduates earn $506. Two-year college graduates earn $598 a week, and 4-year college graduates earn on an average $796. Over a life of work, a college graduate can expect to earn $620,000 more than a community college graduate, $810,000 more than a high school graduate and a whopping $1,115,000 more than a high school dropout.

In addition to dollars, education gives a person more options to do what they want to do in life. This is one of the reasons I tell young people who visit me to study hard. It is also why I started the LeGrand Smith Scholarship Fund for high school seniors from the 7th Congressional District of Michigan. Finally, it is why I have pushed for tax savings for parents and grandparents to save for their children's and grandchildren's education. Simply put, there is nothing that can brighten a young person's future more than education.

The cost of education, while still worthwhile given the earnings difference, it is very expensive. Under present trends, a child born today can expect to pay about $125,000 for 4 years at a State university, about twice that much for a private university. There is a lot of Federal and State government scholarships, tax benefits, work study programs, subsidized loans and financial aid for people in college.

Congress has also created two tax-favored savings programs in recent years that help families save for education, and these two I think are important.

The Coverdell Education Savings Account allows eligible taxpayers to contribute up to $2,000 a year. These contributions are taxable, but the accrued earnings when a person takes them out are not taxable. The accounts are flexible and can be used to pay for educational expenses in grade school, high school or college. They can be even

used to defray the costs of home school education. In addition to tuition, the money can be used for books, supplies, equipment, tutoring, services for children with special needs, Internet access, et cetera. These accounts are open to taxpayers earning less than $220,000 a year for couples.

Another option, as I conclude, Mr. Speaker, is the 529 plan. These are tax-deferred educational savings programs that put contributions under management like pension programs. They are often State-sponsored and provide good flexibility. Contributions can be made in a lump sum or in installments, and many States also contribute when a person starts spending that money for a college education. In Michigan, we contribute $1 for every $3 deposited.

I would encourage every friend and family member to think about educational savings for their children, their grandchildren, their nephews, their nieces. The expense of college education is daunting, but investing some now will allow for compound interest and growth over time. For example, even with the current low prospects for a return on earnings, saving just $80 in a month can grow to $31,000 over the 18 years it takes a child to be ready for college. It is important to get started right away.

Mr. Speaker, education is important. Everybody should be looking at the advantages of saving now.

PERHAPS PRIME MINISTER TONY BLAIR WILL ANSWER CONGRESS' QUESTIONS ABOUT INTELLIGENCE ON IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, Thursday will be a very historic day. Prime Minister Tony Blair of England will be scheduled to appear in this room before a joint session to make a speech and perhaps receive the Congressional Gold Medal. I understand it is not ready yet so he probably will not get it just now.

It was also in this very same room that President Bush said in his State of the Union speech that ''the British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa.'' It turns out that information Mr. Bush had was already understood to be bogus. Our CIA had already told the British that. Yet the President included that fact in his State of the Union message. Apparently, the British indicated they had other information in addition to the crude forgeries indicating that Iraq was trying to buy uranium from Niger.

This has put President Bush in an awkward position. As people in the administration seek to blame one another and now the British and now the French and now the Italians, why and how did this happen?

Mr. Speaker, we have an historic opportunity. In Parliament, the Prime Minister faces MPs and responds directly to their questions. If we had the British system, we could go to Mr. Bush directly to solve this conundrum instead of relying on Ari Fleischer. Perhaps Mr. Blair will be kind enough to allow us the privilege that British MPs enjoy and we can ask him what happened. I really want to know. Don't my colleagues?

When we debated the award for Mr. Blair for the Congressional Gold Medal, I objected. I said it was either too early or too late. Either it should have been done when we did not know what was going on, or now that we have got some real questions, it is too late to give it to him. We have got to solve the question of what happened.

I feel even more strongly now that we ought not to proceed in the absence of answers to our questions. It appears that Mr. Blair may have misled our President or at least our President's speechwriters about whether good information existed indicating that Iraq was in the process of buying the components of nuclear weapons.

This is not a small thing. Perhaps Mr. Blair was responsible for the administration's discredited claim that one of the September 11 hijackers met with Iraqi intelligence in Prague. Perhaps Mr. Blair was the source of the administration's discredited claim that Iraq was buying special aluminum tubes for the manufacture of nuclear weapons. These and many more statements made by Mr. Powell, Mr. Rumsfeld, Dr. Rice, Mr. Fleischer and even the President have been found to be incorrect.

We have not been told why our officials made so many misstatements about Iraq prior to going to war. If our leaders were led astray by the Prime Minister, we surely should not honor them with the Congressional Gold Medal. Of course, we certainly ought not to subcontract our decisions on war and peace to a foreign country's intelligence apparatus. How much we may like Mr. Blair means nothing. We ought to trust our own people.

So maybe the problem is with ourselves. For example, why do we spend $30 billion on intelligence and yet no one is capable of fact-checking a State of the Union speech? Why have we sacrificed the lives of more than 200 young Americans? We have been told they would protect our country from immediate danger posed by Saddam's barrels of nerve gas and biological toxins and nuclear weapons and al Qaeda and all the rest, but the information was weak, bad and apparently manipulated.

I think the people of Iraq are better off than they were before the United States took out the Saddam Hussein regime, but I am not sure that these Americans who died there were supposed to die to improve the lives of Iraqis. I think they were ready to die to protect their own country, the United States of America, from weapons of mass destruction that threaten our shores and our people.

I am sure that the young people from Britain who have died were similarly protecting their own country.

Perhaps Mr. Blair will answer our questions when he comes to the Chamber on Thursday. Perhaps as Head of State Mr. Blair will take personal responsibility for the errors that pervaded the intelligence he repeatedly cited and not let people who work for him take the blame. Perhaps Mr. Blair will set an example for our own President to follow. That would be worth a Congressional Gold Medal.

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, I rise again tonight to talk about the high cost of prescription drugs, and I am going to be showing a chart and talking about what I think are some pretty stubborn facts. But before I do, I just want to remind the Members of something that Abraham Lincoln said over 100 years ago: You can fool some of the people some of the time, you can even fool all of the people some of the time, but you cannot fool all the people all the time.

Earlier, my colleague, the gentleman from Indiana (Mr. BURTON), rose and showed some righteous indignation about some of the kinds of advertising that are going on right now, and they are now saying that somehow if we are in favor of opening up markets to give Americans access to world-class drugs at world-market prices that somehow we are in favor of abortion, which is just a ludicrous argument to make. It says a lot about those groups, and I think my colleague, the gentleman from Indiana (Mr. BURTON), raised some of the questions about the ethics of those groups who are sending out those brochures and running those ads.

I think it is fair to ask where the money really comes from, and I think we all know where the money really comes from, but at the end of the day I think we ought to ask ourselves about the ethics of the pharmaceutical companies, the companies who are actually paying for those ads, the companies who actually develop and sell RU–486.

Why is it that they want to change the subject? Why is it they do not want to talk about the real issue? They want to talk about anything they can except this chart.

The reason is simple. They cannot defend this chart. They cannot even explain this chart. I have asked them to explain this chart. Let me go through some of the numbers on this chart.

These are not somebody else's numbers. This is not some goofball group from Florida. This is not some left wing or right wing extremist. These

are my numbers. Because I went to Germany 2 months ago, and we bought 10 of the most commonly prescribed drugs. The total price in the United States for those same drugs, $1,389.65. We paid $373.30 in Munich, Germany. I cannot explain that. They cannot explain that.

We know that, for example, every day Americans consume thousands of tons of imported foods. Last year, we imported 318,000 tons of plantains. We imported $1.1 billion worth of bananas last year.

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Americans gladly consume those bananas. About 40 percent of the orange juice that we consume in the United States now comes from other countries. We are an importer. Markets work. The reason we import is because we can buy those products cheaper in those markets than we can produce them here in the United States. But in many cases we are not talking about products that are produced somewhere else. Many of these products are produced here. But we are talking about products produced in FDA-approved facilities, drugs like Coumadin, which my father takes.

We bought Coumadin in Munich, Germany for $21. This same Coumadin package in Washington, D.C. sells for $89.95. Let us talk about ethics. Two years ago this package of drugs in the United States sold for $64. Nothing has changed. This drug was developed in the 1940s at the University of Wisconsin Veterinarian School. How did it go from $64 2 years ago to $89 today? Is that ethical? Is that responsible? Yet they sell it in Germany for $21.

My colleague talked about Tamoxifen. The American taxpayers paid to develop Tamoxifen. We paid hundreds of millions of your taxpayer dollars to develop Tamoxifen. They sell it in Germany for $60. A woman suffering from breast cancer here in the United States will pay $360 for this drug. Is that ethical? Is that responsible? Is that the kind of companies we are dealing with? Go down the list.

We had another example in several of the publications. The drug Taxol, we paid for the development. We took it through phase 2 trials at the NIH, the National Institutes of Health. We paid for all of that, hundreds of millions of dollars; and then the company came along and signed a licensing agreement, and we have gotten royalties back of $35 million, but the company has had sales of $9 billion. We got $35 million for the taxpayers after spending almost $500 million for developing the drug, and they got $9 billion in sales.

Let us talk about ethics and being responsible. We had a big debate last year about Enron and the stock holding companies and insider trading. We said this ethics thing has to change. This is one way we change it. We open up markets and hold people accountable, and things will change.

PROPOSED MEDICARE BILLS FALL SHORT

The SPEAKER pro tempore (Mr. GINGREY). Under a previous order of the House, the gentlewoman from California (Ms. WATSON) is recognized for 5 minutes.

Ms. WATSON. Mr. Speaker, I, too, feel the unease of those who spoke before me about the information the President gave us on a reason for going to Iraq. I think it requires investigation. It requires us to know the truth. I do hope when Tony Blair comes on Thursday, we will begin to know the truth.

But in the meanwhile, I want to inform American seniors about the Medicare reform bill that will be considered by the House/Senate conferees. I want to protect and respect our seniors, but I am shocked at the bill the House majority passed by only one vote just over a week ago. Medicare beneficiaries have waited a long time for help; but, unfortunately, the proposed legislation falls short of what seniors and disabled Americans have been waiting for.

We are at a time when we know the miracle of science. Prescription drugs can be miraculous in their power to cure and improve the quality of life of our seniors. We in government have the responsibility to capitalize on the advantages of science and help our seniors. By adding a prescription drug benefit to Medicare, a program that seniors know and trust, seniors will have an improved quality of life at a reduced cost to taxpayers over the long term.

A Medicare prescription drug benefit should be affordable, reducing the exorbitant prices of drugs, meaningful with guaranteed benefits, within Medicare, and available to all regardless of where they live.

So it is with great disappointment, Mr. Speaker, that I look at the proposals that were on this floor for Medicare reform. The House Republican bill fails to meet each one of the basic standards. The House bill does nothing to reduce the cost of prescription drugs. It creates a coverage gap so wide that almost 50 percent of seniors will fall into it.

Under the House bill, seniors pay the first $250 of their drug costs, then 20 percent up to $2,000. They will receive no assistance at all between $2,000 and $4,900. The bill also allows insurers to vary their benefit levels and prices around the country. Insurers will be able to limit access to specific drugs and pharmaceuticals. The House bill fails to guarantee the same benefits for the 9.2 million Medicare beneficiaries in rural communities, and it even prohibits the Secretary of HHS from negotiating a better price for seniors.

The bill that was passed by the House is designed to privatize Medicare, leaving seniors at the mercy of the HMOs and private insurance plans.

This bill uses private drug-only plans to administer the prescription drug program. These are plans that do not exist anywhere today. These plans could force seniors to leave trusted doctors and hospitals. Even worse, by 2010 the House bill turns the traditional Medicare program into a voucher program.

The Federal Government should provide a safety net for the citizens of America. Unfortunately, the House-passed bill does not include any important fall-back provisions. Under the Senate-passed bill, if at least two private plans fail to enter the market in a region, the Federal Government will step in and offer beneficiaries a Medicare prescription drug benefit. Private plans have not worked in many parts of the country, and over the past 5 years more than 2 million seniors have been abandoned by private HMOs seeking higher profit elsewhere.

I urge my colleagues to recognize this failure and vote accordingly. American seniors, do not be fooled.

CHINA AND HUMAN RIGHTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

Mr. PENCE. Mr. Speaker, as a member of the Committee on International Relations and the Human Rights Caucus, I rise today to talk about China. I know we in Washington are not talking about China much these days other than China is a great example of economic opportunity for American enterprise, and so it is. But before the Congressional Human Rights Caucus last week, we gathered to hear luminaries like Harry Wu, Chinese dissident, founder of the Laogai Research Foundation, and an even more famous dissident, Way Ting Sheng, a man who has been nominated for the Nobel Peace Prize a half dozen different times, and is known as the Chinese Mandela. They sat in a small congressional hearing room last week and spoke about an astonishing reality in China that I rise to reflect on today. It involves the execution of prisoners on an extraordinary and widespread scale, and the harvest and sale of prisoner human organs; and I am going to speak about what the heartfelt response of the American people ought to be.

It was just 64 years ago that the Nazi propaganda machine flaunted the Olympic Games coming to Munich and used that backdrop of legitimacy to launch the execution of 6 million Jews. In 1980, the Soviet Union touted the decision to have the Olympic Games in Moscow, and on the very eve of those Olympic Games launched its barbarous war against Afghanistan.

Now, as we look at the 2008 Olympic Games headed for Beijing, China, we are reminded of promises by that Communist regime to build eight new stadiums to prepare for the contestants. What they do not say is they have been using the older stadiums to stage sentencing rallies and to publicly condemn prisoners to death. Prisoners are brought to the stadiums, as we learned

last week, held in leg irons where audiences are required to watch their sentencing as a lesson in obedience to the law and government; and after the show, prisoners are paraded off to a firing squad. It is frightening and medieval stuff.

China today executes more people than all other countries in the world combined, according to Amnesty International, some 20,000 executions over the last decade, an average of 40 people a week; and that is just what is public, Mr. Speaker. Not only are they engaged in the moral horror of widespread public summary executions, but also China is in the business of carefully executing persons and then quickly harvesting prisoners' organs for sale on the international market. We heard from State Department officials who even acknowledged this.

It is an extraordinary thing, to say the least. The practice of taking human organs from condemned prisoners is in itself condemned by every known standard of medical ethics in the civilized world, and it goes on with American and Western customers paying top dollar for those organs each and every day.

I call on the United States of America and our State Department, as I did in the congressional hearing, to act in a number of ways, to issue a warning through HHS and the CDC to American citizens who are traveling abroad to the Asian Pacific Rim of not only the dangers of obtaining a human organ, but of the profound immorality of doing so. It is imperative that the United States of America speak in moral terms of that which is immoral, and it is immoral to harvest organs from condemned prisoners.

I also challenge the administration to rethink this entire business of engagement and to do as Ronald Reagan did whenever his administration did visit the Evil Empire, the Soviet Union. They met with dissidents; they associated themselves with people who were advancing freedom. The Good Book tells us, I am a friend to those who fear you, and so the United States should be to the Chinese people, a friend to those who cherish liberty and cherish the sanctity of human life and condemn the outrage of mass executions and the harvesting of human organs.

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.)

HONORING GEORGE GARCIA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Mr. Speaker, I rise tonight to honor a dear friend from my district, George Garcia, who died early this morning at the age of 51. He was a resident of El Sereno community of East Los Angeles in my district. He was born on May 6, 1952, in Los Angeles and grew up in the community of Chino, California.

At the age of 18, George Garcia answered our Nation's call to duty and voluntarily enlisted in the United States Army. He was signed to the 82nd Airborne Division, where he served with great honor during the Vietnam War. In Vietnam, George served as a ''tunnel rat.'' I asked my colleagues what is a tunnel rat. Apparently these young men in that era courageously dug tunnels behind enemy lines in the Vietnam War.

Upon returning from Vietnam, George married his high school sweetheart, Roberta Melendez. Together, they raised three beautiful children who mourn his loss today, as well as myself and other people from our community. One of his children, George, Jr., is carrying on his father's commitment to defending our Nation as a member of the United States Navy.

Upon returning from Vietnam, George Garcia dedicated his life and career to helping fellow veterans. For the past 25 years, he worked as an employee of the Employment Development Department in California finding jobs for unemployed veterans.

□ 2045

He founded the San Gabriel Valley East Los Angeles Veterans Employment Committee. He also fought vigorously to address the special needs of Latino veterans, including immigration, substance abuse and education training. George also formed coalitions among multi-ethnic groups and gave numerous hours to grassroots organizing to ensure a voice for his fellow veterans.

Most recently, George dedicated his time and expertise to military families who were waiting to hear about their loved ones who are currently serving in Iraq. He spent many, many years helping us each year provide gifts to poor children during Christmastime in the communities of East Los Angeles. Throughout his life, George Garcia gave unselfishly to his fellow veterans and their families. The imprint of his efforts can be felt throughout the Los Angeles community, and we all grieve for him today.

His commitment to serving his fellow veterans earned him in 2002 the honor of being named the State of California's Veteran of the Year by the Department for Veterans Outreach Programs in the State of California.

Whenever there was an event or a project to help veterans, George was there. I met him years ago as a State Senator in California. Every time I would ask him, what can we do to help the veterans, what can we do to help the homeless veterans, he was there giving his ideas, sharing with his heart and his compassion, tirelessly as a volunteer, no pay, but out of the love of his heart.

I want to ask all my colleagues here to join me in honoring a true American hero. To him and his family, his son and to all those people and all those veterans, homeless veterans who met and touched him, he touched their hearts and he touches our hearts every day. We will remember you, George. We love you. God bless you.

The SPEAKER pro tempore (Mr. GINGREY). 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.)

QUESTIONS CONCERNING IRAQI WEAPONS OF MASS DESTRUCTION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, the White House has been backtracking on how it was that fraudulent intelligence information was included by the President in his January State of the Union address delivered in this Chamber. Specifically, the statement by President Bush was that Iraq had sought to buy processed uranium for weapons of mass destruction from Niger, Africa. That information was wrong. Indeed, the documents involved appear to contain forged signatures of leaders from those nations who are no longer in office. How could this kind of information be placed in a State of the Union address?

The current Director of the Central Intelligence Agency, Mr. George Tenet, over the weekend has claimed publicly that he will take responsibility for this serious statement that misled Congress, misled the American people and indeed the people of the world about Iraq's intentions and capabilities relative to nuclear weaponry. The real question about this revelation is who exactly knew what and when did they know it? And who is responsible for these words being included in the President's State of the Union address, an address of such major proportion that preceded the invasion?

At the same time as I ponder these questions as I know the American people are, I am in receipt of a letter from an intelligence officer. I have read it and reread it and reread it again. In the letter and in my dealings with intelligence officers, I have been told that they are trained to triple-check, to verify significant intelligence information, triple-check. So when a statement is made in the State of the Union address of such consequence, I ask myself, was it triple-checked? Who really knew what and when did they know it? Surely someone, more than one person in that White House and other places checked and rechecked and then

checked again every word and every sentence in the speech.

I know the President practiced the speech before coming here. All Presidents do. So who knew what and when did they know it?

A retired intelligence officer from the Marine Corps wrote me this letter just a few months ago, but his words have been coming back to me, and I reread this after these revelations this weekend, and I want to share some of it with my colleagues. He says he is a retired United States Marine Corps officer with over 30 years of active and reserve service. Upon his retirement from the Marine Corps, he has worked in domestic intelligence and law enforcement in our country at a senior level.

He basically informs me, in starting his letter, that his intelligence background is operationally based. But he says in the letter, first of all, there is no such thing as an intelligence failure, Congresswoman. Intelligence is a command function, just as operations is a command function, just as logistics is a command function. If a commander decides to do something that is not supported by intelligence, then that is a command failure, not an intelligence failure.

He wrote to me that in his opinion the evidence of Iraqi weapons of mass destruction had not been vetted through the intelligence community, and he adamantly believes that that process is absolutely critical to an adequate analysis of the question. I thought about those words a great deal.

He says in his letter, look at the decision to go to war in Iraq. Our Commander in Chief decided to go to war, he planned for an operation, and nobody was about to give him any information to the contrary.

I ask myself, even if they had that information? Who had the information? Who knew what and when did they know it? We have a responsibility to the Constitution, to this country and to the people of the world. We ought to get to the bottom of who knew what and when did they know it.

REGARDING REMARK IN PRESIDENT'S STATE OF THE UNION ADDRESS

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, a little under 20 years ago, the maiden holder of this congressional seat, the Honorable Barbara Jordan, served in this House. She served at a time that this Congress took up the impeachment process of then President Richard Milhous Nixon. Impeachment had not been done in the 20th century; and, of course, it was a very troubling, very serious and very sobering time for America and for this Congress.

As I recollect, Chairman Rodino attempted to work across party lines, and it was at a point of consensus on the House Judiciary Committee to the extent that Republicans conceded that maybe Mr. Nixon should resign that this process operated under. In fact, the Honorable Barbara Jordan was well noted for the words that she would not allow the Constitution to be diminished. It was at that time that I think Congress was at its best, bipartisan, in finding out the truth and telling the truth to the American people.

I was not there in Congress, obviously, and so I do not know whether the media chose to demonize those who felt in their hearts that the truth needed to be told.

We now come to almost 30 years, I believe, later, 2004, and we have a question of integrity and credibility, that on some sense there is a desire to know the truth. I have seen some light as this has unfolded to the American public, but I have also seen the effort to demonize those who would raise this question about what happened with respect to the intelligence that was given to the White House and the National Security Council.

I rise today, Mr. Speaker, to present that this is another serious question of the integrity of government. Just a few years ago, as a member of the House Judiciary Committee, in almost an uncanny way, I participated in an impeachment that my friends on the other side of the aisle thought was imperative so that the American people could know the truth. By them dominating the United States Congress, the articles of impeachment moved forward and a trial was held in the United States Senate against the President of the United States at that time, President William Jefferson Clinton. I may have vigorously disagreed, and I did. I participated in the process through the democratic processes and argued that those charges did not reach a constitutional charge of impeachment. But the process proceeded, and the American people were able to tell or denote for themselves truth or consequences, truth or falsity.

Today I ask the question of my Republican colleagues, is it no less important to find out whether or not the American people were misled as relates to intelligence given that was then recounted in one of the most sacred commentaries to the American people, the State of the Union?

In that address, the President offered that there was evidence that had been received from the British that the Iraqi government had tried to buy uranium from Africa. Whether that statement was vetted, the key word was recent purchase. Because, based upon the overall presentation that was made, it suggested to the Congress and to the American people that there was an urgent need to go to war and an urgent basis upon which to perpetrate a preemptive strike.

We now have the owners of this House, the majority of this House, demonizing those who are simply asking for truth, suggesting it is frivolous, suggesting it has already been answered, asked and answered, and I absolutely disagree.

The American people deserve the truth, Mr. Speaker, because, as we speak, the sons and daughters of Americans are dying in Iraq. None of us would fail to defend this Nation, but it is a travesty that as we find the smudging fingerprints of misrepresentation across this administration that our colleagues would not rise to join us in a unanimous effort to ensure that an investigation is had.

Ambassador Joe Wilson went to Africa in January, February and March of 2002 to investigate this, if you will, representation. He found that there was no truth to this. He said it over and over again.

I have asked for the stepping aside of the CIA Director or the firing so that he can come forward under subpoena and speak the truth to the United States people. I conclude, Mr. Speaker, by simply saying that I will write a resolution of inquiry in order to find out the truth for the American people.

COMMUNICATION FROM THE HONORABLE JOE BACA, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOE BACA, Member of Congress:

HOUSE OF REPRESENTATIVES,
July 11, 2003.

Hon. J. DENNIS HASTERT,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for documents issued by the Superior Court of the State of California.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

JOE BACA,
Congressman, 43rd CD.

ISSUES OF THE WEST

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, this evening the bulk of my comments I intend to make about issues of the West, issues involving the concept of multiple use, issues delving really around public lands. But preceding those comments I cannot help but give some type of rebuttal to the preceding speakers who in my opinion spoke solely for the purpose of self-serving interests.

Having spent this last weekend looking at the TV periodically and seeing some of the reports that I saw on TV, it is very clear to me that we have a

Presidential election coming up in the not-too-distant future. What I saw time and time again, especially by the candidates who intend to oppose George W. Bush for the Presidency of this Nation, what I saw them time and time again on reflecting upon was how they could get their purported goals of being elected President ahead of what are in the best interests of this Nation.

I could not believe my ears this weekend when time and time again we saw those candidates who are seeking the Presidential office next year bashing the President of this country on a basis of which they do not know.

I thought it was very interesting that my colleague, the gentlewoman from Ohio, stood up here and quoted from a so-called intelligence source, from some officer in the military of which she had got a letter. Over and over again in her comments, she lectured, saying that, you know, these things ought to be checked at least three times. I wish I would have had time during her time or I wish she would have yielded during her time so that I could have found out whether or not she had in fact verified her source the very three times upon which she condemned the administration theoretically for not doing.

□ 2100

And to have listened to the previous speaker, the gentlewoman from the State of Texas, who stands up here and blatantly says that the administration across the administration has made misrepresentations. It takes away from this House; it takes away from this country. Even the accused deserve more than what the previous speaker has just given to the administration. The previous speaker does not cite any proof. The previous speaker puts a few nice words in order up here and makes these allegations that there is blatant misrepresentation across the administration. Tell me that statement is anything except intended for self-serving interest. It is one of the most partisan remarks that I have heard since I have been up here in the House.

What they are trying to do is capitalize, capitalize upon 16 words; and by the way, I was involved very intensely in the debate on whether or not we should take action against Iraq, and I do not remember and of course I did not hear all the record, but I heard a lot of the record. I did not remember any of these previous speakers or, in fact, any of the speakers that have condemned the revelations that came out this weekend that perhaps the intelligence was not as good as it should have been or there were 16 words in the State of the Union address, when we debated the resolutions on Iraq, I never heard one of the speakers, not one of them, use as their source the State of the Union speech.

I did not hear one of those speakers refer to the sale from Africa as some type of uranium material. Not once did they cite that as one of their reasons or questions that we should take action against Iraq.

What am I suggesting? I am suggesting they are making an awful lot out of this for one reason, not for the sake of the country, not for the sake of openness, not for the sake of the future and vision in this country and where to take this country. They are making these allegations for one reason and one reason only, and that is to somehow forward their own, forward their own self-interest, which in this particular case is a partisan attack against the President of the United States. They see this as an opening.

I read either on the ''Roll Call'' or ''The Hill'' or some other political newspaper today that these words in the State of the Union address may give an opening to the Democrats. Boy, if there is any kind of light at all coming through that door, we can see speakers just like the speakers we heard this evening taking advantage at this time on the floor for their own self-interest to issue a very stinging, self-serving partisan attack against the President. They have not walked one inch in the shoes of our President. They have never walked that mile, and yet they are so quick to jump up and condemn the leadership of this country.

I believe what this country did was right, and let me tell the Members it was not just a partisan decision to go to war. This was a decision on a resolution that was acted on in a bipartisan fashion. It received bipartisan support. And let me tell the Members it was not just this President. Let me show a poster I brought over. This is President Bill Clinton's comments. Look over here to my left. President Bill Clinton on Saddam's threat. February 18, 1998, 5 years ago: ''What if Saddam Hussein fails to comply and we fail to act or if we take some ambiguous third route which gives him yet more opportunities to develop his programs of weapons of mass destruction and continue to ignore the solemn commitments that he made? Well, he will conclude that the international community has lost its will. He will conclude that he can go right on and do more to rebuild an arsenal of devastating destruction.'' President Bill Clinton saw that danger. President George Bush, the first President Bush, saw that danger, and this President saw this danger.

Do the Members know what is being masked here or what is being diverted, the diversion? What it takes away from is what an evil, horrible, horrible man Saddam Hussein was. And anybody that would stand up to the American people today and even dare to say that the people in Iraq are in worse condition today than they were before we took Saddam Hussein out, in other words, they are saying they were better under the control of Saddam Hussein, has no realization of how horrible this individual was.

In the eyes of many people, he rose to the same level or downgraded to the same level, however one would like to put it, to Adolph Hitler, the same kind of sick, perverted mind, the same treacherous murders. Although Hitler did not gas like Saddam Hussein did, we know that he used these weapons of mass destruction of his own people. We know from his own admissions, and I have got a chart that shows that, from his own admissions Saddam Hussein made to the United Nations of the lists of weapons of mass destruction. We know that in recorded history that he has killed more Muslims than any other person in recorded history. Muslims. This man was a horrible man. There is not a person in this world, not a person in the world that can stand up and show that this man respected any type of human right, any type of human right. This man was a murderer.

And despite what these two previous speakers say, despite what the Democratic leadership is attempting to do to push forward their Democratic candidates for President, no matter how much they attack President George W. Bush, the reality of it is that one of the worst murderers in the history of the world is no longer in authority in Iraq. One of the worst murderers in the history of the world had the greatest country in the world step up to him, and they said do you want to pick on somebody? Pick on somebody your own size. And the United States of America took him out of power.

Thank goodness that this country has able-bodied leaders, and I mean in the mind. Thank goodness this country has the people with the courage to team up with our allies like Tony Blair, who I am privileged to say people talk about a guy who deserves a Profile in Courage, and contrary to the comments by the gentleman from the State of Washington that perhaps he does not deserve this congressional honor that we are going to give him this week, the fact is that he stood, our President stood.

There were a lot of countries in this world that would have stood against Saddam Hussein, but they did not have the wherewithal to take him out. The United States did. The British did. There were other countries in this world who knew of the atrocities, just like some of my colleagues who spoke this evening, they knew of the atrocities that were going on in Iraq; and they did have the wherewithal to join our team, and they purposely hid in the foxhole. They would not come out of the foxhole. And our President and Tony Blair and the people of Britain, the people of Poland, the people of the United States, the people of Australia and some other countries, they did come out of the foxhole; and they used the power for a good purpose, for a good means. They took out an evil man.

And my colleagues on the Democratic side who are making these comments for a very clear partisan purpose, and that is they want to win the

Presidential elections next year, that is the only reason we had these speakers here this evening. Mark my word. These speakers would not be making these comments this evening, in my opinion, if there were not a Presidential election coming up. Those comments are tailor made, tailor made for television audiences around this country to somehow impact the upcoming Presidential elections. That is why those comments are made.

The fact of it is when we put all that cloud aside, when we put all of that distortion aside, when we get the static off the radio, the fact is a very evil man was removed from power, and for that the President of this country, the people of this country, the people of Britain, and the people of that willing team ought to be commended. We had the guts to take on an evil man. We had the wherewithal to take that evil man out. And now to see within our own camp, within our own camp on this House floor, some of my colleagues for strictly partisan purposes not stand at this microphone and talk about the evilness of Saddam Hussein, but stand at this microphone and talk about what they would describe as terrible things of our own administration, of our own leadership. What are they going to do, beat themselves up here in front of the American people to show the rest of the world that somehow the United States should hang its head low?

This is a proud country. I am proud to be a Congressman in it, and I will tell the Members this: I am very proud this country stood nose to nose with an evil man and took that evil man out of power. And to all our men and women that are out there in that fighting force, they have every reason to be proud. The decision that was made to send them to battle was the right decision, and the mission that they carried out was carried out in the correct fashion.

I think it is sadly disappointing to have some of my colleagues, who I like personally, they are nice people, but to stand up here for strictly partisan purposes and take shot after shot because we have Presidential elections coming up, taking shot after shot about our President and totally ignoring the evilness of Saddam Hussein, that in itself fits the definition of shamefulness in the Webster Dictionary.

I want to move from this because this was not my original intent. I did not intend to discuss this tonight, but I cannot sit in these House Chambers and listen to speaker after speaker on the Democratic side go up unrebutted. Nobody else, they would not make those kinds of comments in a debate where the other side had a chance to respond to it. They made those comments because they did not think anybody would be responding to them this evening. So I did divert from my comments for a few minutes, and I intend to go back to my comments and my original subject here this evening, but I want these people, the Democrats, to know, and not all of them but the liberals over there, some of these people, their comments will be rebutted. I cannot sit back here and listen to some of that go on.

So my purpose this evening was, as I said earlier, really to talk about kind of the East and the West, primarily the western United States. I come from the State of Colorado. This evening I want to talk a little bit about the West and the public lands of this country and talk a little bit about what public lands are, talk about the issues that revolve around public lands, the forest fires which we have going right now. We speak of young men and women that are fighting in our military forces throughout the world, our young men and women in the military that are stationed in this country to defend this country that are doing their missions as we speak.

We also have many men and women that are also fighting fires as we now speak, fighting fires. We have many law enforcement personnel, many first-aid people, many firefighters across the country engaged in a life-threatening mission. And a lot of this today as we speak are some of the big fires that are starting now in the West. We have got a very dry season out there. Right now in Grand Junction, Colorado, which is the home I am from, it is 105 degrees. It sets a record. It has been setting a record day after day for about a week. So I want to talk a little bit about the fire issues, about the forest issues, about the BLM issues.

So let us begin by talking just for a moment about public lands. What are public lands? It is as the word describes: public lands are lands owned by the public. The United States, throughout the world, basically we have two types of ownership. This is very fundamental, but basic. We have lands that are owned privately, i.e. probably most of those whom I am speaking to this evening on the House floor, they own the land on which their home sits. That is private property. That is private lands, private lands. Public lands are lands that are owned by the people, owned by the government; and in the United States we have tens of millions, actually hundreds of millions of acres of land that are owned by the public. And land owned in private hands is treated differently than land owned by the public for a number of different reasons, many of those which are necessary, many of those which we would expect, many of those which make common sense.

But there is a little history to what happened with public lands in the country. And the first thing we have to do when we have a discussion of public lands is realize that the bulk of public lands is located in the western United States, and there is a reason for that; but let me first of all refer folks over here to my left. This is a map of government lands in the United States. All the color on that map of the United States reflects what I have just described as public lands. These are public lands. And take a look at what we have here. In the East, generally speaking, in fact, really from east of the mountains so even in part of Colorado, eastern Colorado, we go from, say, east to, say, Denver, Colorado, out here to New York City or Washington, D.C., relatively speaking, you do not have many public lands.

□ 2115

In the East, most of your landownership is in private hands. It is not in public hands. Now there are some big exceptions. You have, for example, you have the Everglades Park. Up here, you have the Shenandoah Valley and some of the national parks up there. Up in the Northeast we have a national park and preserves up there.

But take a look at some of these areas. Take a look at the State of Kansas. In a lot of these areas, the only public land is land owned by the local city hall or the fire department or the local courthouse.

Well, then compare that, compare the eastern United States with the western United States. Take a look at the percentage of public lands. I have counties in my district; now, my district is a big district. To give my colleagues an idea, my district alone is about the size of the State of Florida. And if you take a look, I have counties in my district that have 98 percent of their land is in public hands, and it has a big impact. Well, how did that happen? How did so much of the public land end up in one part of the Nation and not dispersed somewhat evenly throughout the rest of the Nation?

Well, clearly there is a story to be told. As we look at the History Channel, for example, you know there is a story to be told, and that is what I want to tell tonight.

In the early days, most of our population obviously was in this area of the country, right along the eastern coast; and what happened is, in those days, we wanted to grow our Nation. That is what the entire world wanted to do. We wanted to grow this new country of ours, these great number of these States, united, called the United States, under one symbol, under a flag. We were so proud, we wanted to grow that country. In order to grow that country, what we needed to do is somehow get people to go out and help us settle the land. The government went out and bought the land.

But unlike today, today, if, for example, I own a piece of property in Hawaii, I do not have to go to Hawaii. I do not have to go to Hawaii for several years as long as I pay my taxes and I have a deed that says I own that property, that property is protected under my rights. It is my land. It is private property.

But in the early days of this country, private property or the land that you claimed was yours was not yours unless you were really on it. A deed did not

mean a whole lot. In fact, many of my colleagues have heard the saying, possession is nine-tenths of the law. That is where this came from. In order for you to claim the land, you needed to be on the land, you needed to be tilling the land and, frankly, in a lot of cases, you needed to have a six-shooter strapped to your side.

So we knew that in order for the United States to really keep control of this land, to help grow our great country, we needed to persuade people to leave the East Coast and go to the West. Go west, young man, go west.

Now, this is pretty tough to do. Now, today, when you say to somebody, hey, let us go west of the Colorado mountains, let us go to Aspen or Durango or Steamboat or Glenwood Springs, it is a pretty easy decision to make. You go out there and have a great time. Some of the most beautiful spots in the world are in the Rocky Mountains of Colorado.

But back in the early days of this country, the only thing that you were promised by going west was, one, a free piece of property. But what they did not tell you so much or emphasize so much was that the odds were, most of the women would die in childbirth, most of the men would probably die in accidents in their 20s. You had to worry about snakebites. You had to worry about attacks from different groups, whether it was native Americans or whether it was pirates of our own. They did not have a real justice system out there in the prairies and out there in the West. So it was very dangerous. It did not offer a lot of promise for a long future. They did not have time-shares out in Colorado and out there in those mountains in the early days. It was a tough existence.

So what did the government do to get people to go there? They gave what is really a fundamental dream for every American, and that is the possibility to own your own piece of property. Mr. Speaker, one of the great things of this country, unlike a lot of countries in this world, one of the great things of this country is that you can own your own piece of land. It is yours. And we all dream about it.

I can remember when I was small dreaming of having my own house on my own piece of property up in the mountains. I was born and raised in the mountains. I mean, I dreamed of it. I think of the George Strait song where he talks about the difference between living and living well. He talks about his little home, his little beach house on the beach and watching a thousand sunsets. I mean, we dream of owning property.

That is what the government did. They capitalized on this dream and said, let us offer it to the people. If they go out, our citizens go out and they start a little farm out here in Kansas, let us say out in there somewhere, let us say near Hayes, Kansas, or somewhere, if they go out and till the land, we will give them 160 acres or 320 acres and they can support a family.

Now, that was called homesteading, and we had actually used land for this purpose before. Interesting.

What we had done during the Revolutionary War is the government had actually offered, to the extent that we had that government at that point, like a Department of Interior, so to speak, our government offered to British soldiers free land. You can own your own property, free of the queen, if you defect from the British forces and join our forces. So this was not the first time the government tried this scheme.

So the government did this. They decided, let us go ahead and offer free land and persuade people to go out and occupy the lands, for example, that we got under the Louisiana Purchase. It accomplishes two things. One, it expands our borders; two, it puts people on the land so we can conquer it; and, three, it meets the dreams of a united continental United States.

Mr. Speaker, it worked. We had people, we have seen the movies where they would have a big string or big rope attached and all of these people on horses and wagons, it was like the Gold Rush days. They got to have land.

What happened is that it was a tremendous success, a tremendous success. The people were coming this way, they were coming in here, they were settling all over, up here, up in the north, over here in Kansas in the mid country. They were down there in the south. They were going into Texas. People were looking to settle. They were expanding into this country.

But all of a sudden we found out there was a problem out there. And that was soon these settlers found out that when they hit the Rocky Mountains of Colorado or they hit the mountains of Wyoming or they hit the Rockies up there in Montana or they got into the deserts in Arizona, that 160 acres could not support a family. Out in the area where I live near Grand Junction, Colorado, there are places out there you cannot feed one sheep on 20 acres.

So word got back to the Nation's capital: Hey, our Homestead Act is working pretty well until you hit the mountains of Colorado or the mountains of Montana or Wyoming. When they get out into that rugged country, it is arid, and they discovered that there is a huge difference between the amount of water in the East and water in the West. Let me show my colleagues.

For example, while we are talking about the West here, take a look at what these settlers ran into. Seventy-three percent of the water in this Nation, 73 percent of the precipitation falls right there in the East. That is where they lived. So homesteading up here, a growing pasture where you have that kind of water is a whole lot different than growing pasture out in the Rockies or out in the West.

Take a look here. Over half of the Nation is in this red, and over half of the Nation gets only 14 percent of the water. So as these settlers came to the West, not only did they run into the rugged mountains, but they ran into the fact that it is an arid part of this country.

You cannot raise things on 160 acres that you can, for example, out here in Virginia or over in Florida. I have never seen such magnificent farms as I have seen in Virginia or down in Florida where I have seen those big farms. We have arid conditions in the West. So water played a part, played a role in the difficulty that we faced.

So they went back to Washington and they said, there is no water out there. That is tough country out there. The mountains, these mountains are beautiful, but it is tough living. The people are not settling where we need them to settle. And somebody, and I am making up this number, I am sure historically we could probably find it, but somebody said, well, the way to do it, if a family in Colorado where it is arid out there in the West or Nevada or somewhere cannot make it on 160 acres, maybe we ought to give them, and I make this number up, maybe we ought to give them 2,000 acres. Let us give them an amount of land that would be proportionate to the amount of land that they would need to grow on 160 acres.

The problem was this: The government was under a lot of political heat because they have given away land to what was then called the railroad barons, the Intercontinental Railroad, and there is a book by Stephen Ambrose, which is a fabulous book about the difference in our country that this railroad made, the construction of that railroad. That workforce, we had a workforce ready to go, ready to take orders right after the Civil War, a workforce that understood tough conditions because of the Civil War, and that they could build this railroad with only one power device, by the way, a little tractor out there, it was all built by hand, that they could build that railroad. But, unfortunately, there was some fraud involved in the construction of that railroad, and they were called the railroad barons.

Now, a lot of these people, this railroad would not have been built but for those folks. But amongst their crowd, there were some bad apples. So the political circles in Washington, D.C., were under a lot of political heat: Do not give away any more land. Look what you did. You gave this land for this great railroad and look what these railroad barons did with it. So the government at that time and, in my opinion, the only reason that the government decided to keep this vast amount of land was not because they had visions that the Arizona desert or the Utah desert out here would someday be a national park. That was not the vision, like some groups would like us to believe today. In fact, they did have that vision on specific areas: Theodore Roosevelt, the President, for example,

on Yellowstone National Park. But there were specific areas that they did have that vision of great national parks and preservation for all future generations.

But that is not the explanation of why all of this land ended up in public hands or stayed in public hands. The reason is that Washington could not take the political heat at that point in time to give away the land that was necessary to support the families in proportion to the same amount of land they had given in the East. So they came up with a solution, and this is a very important part of my comments. They came up with a solution.

Well, instead of giving the people the land to homestead on, why do we not go ahead and keep the title in the government's name, but we will allow the people the use of it. And thereupon was born the concept of multiple use on public lands. Let the people use the lands, even though the title of the land is in the name of the government and Washington, D.C. That thereupon explains why so much of this land in the West was put into public hands.

Now today one of the challenges that we face living on these public lands, and let me give you an idea of what living on public lands means. In my district, almost every area in my district is completely, and I mean completely, surrounded by land owned by the government. Every community in my district is totally dependent upon those public lands. We get our power across those public lands. We get our water, all of our water, or most of our water originates, comes across, or is stored upon Federal lands. Our recreation is on Federal lands. Our cellular telephone towers are on public lands. Our radio towers, our TV towers, our access, our highways, you name it, we are dependent on public lands.

Many of my colleagues in the East are not. They do not have that problem. In fact, in the East when you want to build a ditch or a major construction project, you go to the planning and zoning authority. In the West, our planning and zoning authority is often in Washington, D.C., because the owner of the land is the United States Government.

And there are a lot of people in the East, unfortunately, not large in population, because we are one country and we have a lot of people who understand the situation that we are in, but we have certain radical environmental organizations that their number one goal is to eliminate the multiple use concept, eliminate that saying that I grew up under: You are now entering White River National Park, for example, White River National Forest in Glenwood Springs, Colorado, a land of many uses. They want to eliminate the human existence off of these lands. They want to get rid of that concept. There are people who do not want us to have ski areas out here. They do not want us hunting on public lands. They do not want us getting our water off public lands.

□ 2130

They are fighting. They do not want power lines on public lands. They do not want us to have parks and recreational areas in certain parts of those public lands. What they want to do is take control of that so we have a constant battle, a battle that is not undiscovered in the East, but certainly is not a primary concern in the East because you do not have to deal with it on a day-to-day basis and we do.

Now, let me talk about one of the big problems we have out there. As I showed you earlier, I showed you a diagram where over half of this Nation gets 14 percent of the water, where that is where the precipitation and that is in the West.

In the West we have got to have water storage. Water storage is absolutely critical. Now, I know that groups like the National Sierra Club, for example, have never in the history of their organization to the best of my knowledge ever supported a water storage project. In fact, the National Sierra Club's number one goal is to take down the major recreational power supplier, flood control and water storage unit in the West called Lake Powell down here in Utah. That is their number one goal. Water storage is critical for us.

The first dam we know to be built in the West was the Anasazi Indians down to the Four Corners. The Four Corners is called that, it is right over here, it is the only place in the Nation where four States come together at once. You can stand in my district right on that corner and be in four States at once. And it is down in there where the Anasazi Indians lived. And what drove the Anasazi Indian out of their settlements that they had had for hundreds and hundreds of years? It was the lack of water. And we found evidence down there, I did not, but the archeologists found evidence down there of dams, the first known storage of water.

If you live in the West you are dependent upon water storage. In the last 3 or 4 years, last year we had a severe drought. This year we have severe heat. In the last couple of years preceding those years, we had much less than usual precipitation. The only way we were able to survive is because we had water storage.

In Colorado, for example, in western Colorado we have all the water we could possibly want in a usual year for about a 60- to 90-day period of time, and that period of time is called the ''spring runoff.'' But after that 60 or the 70 days after the spring runoff, which is the high snow coming and melting off the high mountains, once that runoff runs out of the State, if we do not store it, we do not have it. And the rest of the year, the rest of those days of the year if we do not have stored water, we are in real trouble.

I never knew what a real rain storm was until I came here in the East. Even the drops of rain, even your drops here are significantly larger than the drops of rain that we get in the West. We do not have rain storms like you do back here. It is very tough in the West. We have got to store water. And that is why you will find it is very interesting to see, for example, on some of these environmental score cards, it is very hard to find a so-called environmental organization, primarily the ones on the left, it is hard to find any of them that says anything positive about water storage. But it is very interesting when you look at their so-called environmental score cards, you will see the legislators, the Congressmen in the East at the top with the A's and you will see those in the West that have to support the water storage, that understand and have to deal with public lands, they are at the bottom of the list. They usually get the F's on it. And I can tell you I am down there too because of my support for water storage.

So my comments this evening, which I will wrap up here because I want to do this in a series, I want to leave you with a couple of fact or things that I think are important to carry into any next comments which I would like to make a few nights from now.

Number one, in the United States the largest conglomerate of public lands, keep in mind it is not spread evenly throughout the country, the largest block of public lands is in the West; and it is reflected by the map to my left. All of those colors on that map indicate public lands.

Number two, something very important to remember and I will show this poster again, in the East, what I would call the East, the blue spot, the blue part of this map, that is where 73 percent of the precipitation and the water is found in this country. In the West, specifically the red part, that is over half the Nation in total acreage or size, receives 14 percent of the precipitation. So water storage here is obviously much more important for you to have water on somewhat of a continual basis through the year than water storage might be in the East.

Now, water storage is important in the East because you obviously have production of power; you have flood control, which is very important for you out here. In fact, in the East your problem a lot of times is getting rid of the water. Our problem in the West is being able to keep the water, to be able to store the water.

So I wanted you to go away from my comments this evening keeping in mind that in this area, generally, where most of the public lands are is also where the least amount of water is. So water is very precious. They say in Colorado, they say in the West, I keep saying Colorado because that is my home, but they say in the West that water runs thicker than blood. That is how vital it is out there.

So we have a number of discussions here on this House floor about public lands. We have a number of discussions about issues dealing with public lands. I cannot tell you how many times I

have heard some of my colleagues who, giving them the benefit of the doubt, I think are ignorant somewhat of the facts, who attack the fact that we have ski areas out in the West or that we have, God forbid, we cut some timber off some of this land out there or we have recreation or we have mountain bikes that we allow on government lands or we go horseback riding or we allow animals grazing. Before any of you sign on some of these ''dear colleague'' letters that condemn use on public lands, come to some of us who live in it, come to some of us who experience it every day of our lives, whose families have for generations and generations lived on these public lands or lived on little private holdings that are completely surrounded by these public lands and ask us about those issues.

So, again, this evening, one, I would like you to go away with remembering where the bulk of public lands are in this country. They are in the West. Proportionately speaking, there are only a fraction of the public lands held in the East. And by the way, an interesting history story to help you remember that, in the State of Texas, Texas as you know was its own country at one time and before Texas agreed to join this great Nation, the United States, one of their conditions was that the government could never own land within the boundaries of the State of Texas without permission of the people of the State of Texas. The only State to my understanding of the Union that is like that. Alaska should have done that; 98 percent of Alaska is owned by the government.

So keep that in mind. That is where the bulk of it is. And the second thing, to be repetitive, but it is so important, is the largest percentage of moisture, 73 percent, almost three-quarters of the precipitation and water in this country, is in the East on the private lands. It is on these lands out here where I live, this is where we get in this area, except for the northwest right up here, this big bulk of public lands here gets 14 percent of the water.

So I urge my colleagues this evening, do not sign on to these ''dear colleague'' letters that say take down Lake Powell. Lake Powell is a vital resource to the survival of the people of the West. Do not sign on to these letters that say we should get rid of the concept of the multiple use. Do not sign on to these letters that say get rid of all the roads on public lands. Do not sign on to these letters that say, for example, take all of this, put people off and put a wilderness designation. And wilderness is a positive term, but what it means in legal terms when you title it wilderness has huge, huge ramifications on the people that are around it.

So in summary I say this: public lands are an important part of this country. They are property of the country. The people of this country do own that, but you have to give consideration to the people who live on those lands and the vitality of those people to be able to survive.

With that, I will wrap up my comments. I look forward to continuing this. We will go into much more detail in a couple nights on water and the consumption of water and the recycling of water.

IRAQ WATCH

The SPEAKER pro tempore (Mr. FEENEY). Under the Speaker's announced policy of January 7, 2003, the gentleman from Pennsylvania (Mr. HOEFFEL) is recognized for 60 minutes as the designee of the minority leader.

Mr. HOEFFEL. Mr. Speaker, for 5 or 6 weeks, a number of us have been coming to the floor to discuss our Nation's involvement and our role in Iraq. We have at least four times come here, four of us, the gentleman from Massachusetts (Mr. DELAHUNT), the gentleman from Illinois (Mr. EMANUEL), and the gentleman from Hawaii (Mr. ABERCROMBIE), and have had a discussion and a lively give and take about Iraq, about what is going right over there, what is going wrong, trying to seek the truth, trying to suggest policy changes, trying to have a full discussion and report to the people of this country. And we have decided to do this every week, every week that the House is in session as long as our country is involved in Iraq.

We are going to call ourselves the Iraq Watch because we think that there are important public policy matters that the American people need to be aware of, that Congress needs to focus on, we need to ask questions about, seek information about, to clarify, to seek policy changes, to make some changes and fundamentally to report to the people of this country on what we know and what we think we all ought to know about what has happened in Iraq.

Now, of the four I named, two of us voted in favor of the military authority sought by the President and two of us voted ''no'' to exercise that authority. But we all were sold, as was the entire Congress and the American people, with great certainty by the administration and by the President that Saddam Hussein had weapons of mass destruction last fall when the vote was approaching and that he was trying to develop more. The certainty was expressed in public. The certainty was expressed in private.

I have, along with a number of Members of Congress, attended a briefing at the White House, one of a series of briefings. In my case, we were briefed by Condoleezza Rice, the National Security Advisor, and George Tenet, the director of the CIA. We were told with certainty that Saddam Hussein had weapons of mass destruction and was trying to develop more.

Now, there is no question that in the past Hussein had weapons of mass destruction. That has been proven. He used them. He used weapons of mass destruction against his own people. He used them against the Kurds. And he used them against innocent civilians in Iraq. He used them in murderous ways. That is beyond question. But what we were told is that he had them in the fall of 2002, that he was developing more, and that he was an impediment to the peace in the Middle East and to our Nation's security and because of that imminent threat, we needed to exercise preemptive military power to disarm Saddam Hussein.

I voted for it. I would do so again being told the same information as we were told then. I imagine that some of my colleagues who voted ''no'' would vote ''no'' again. But the question is we are discovering that things may not have been just what we thought they were. We certainly have won a great military victory. Our armed services, our young men and women in uniform performed admirably and with great courage in Iraq. But we have got two questions, this group has two questions: Fundamentally, is our military mission complete and are we winning the peace in Iraq? And I would submit before I yield to my colleagues that the military mission is not complete and cannot be complete as long as there has not been an accounting of the weapons of mass destruction, where are they and who controls them, and what went wrong regarding our intelligence, how was our intelligence collected, and how was it used by the White House and by the political leadership, and are we doing the right things from a policy standpoint to win the peace.

And I suggest that this group of four and many of our colleagues have a lot of questions about this. I know those questions are shared by the American people; I hope we can give voice to these questions in this Iraq Watch. I hope we can come up with some answers or seek those answers from the administration, and I hope we can report back on a regular basis once a week to the American people.

I yield now to my colleague, the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, I want to thank the gentleman from Pennsylvania (Mr. HOEFFEL) for organizing this. It is interesting that you noted we were militarily successful, and I think everybody takes pride in what our men and women in uniform did in pursuing the mission that they were on.

What I think is unfortunate is that they went into that mission without a plan for the occupation and without a sense of how to seek and secure that peace once the war was over. And that is something that the civilian leaders, that is the type of leadership that the civilian leaders needed to provide and did not.

Let me give you an example of that point. After the war and hostilities ceased in both Bosnia and Kosovo, not a single American soldier was killed in action after the hostility ceased. Why? Because in both cases we had a plan for the occupation, and we had allies, two things missing in this endeavor.

□ 2145

As recently as May, when the Defense Department said we could have won the war and secured peace with 50,000 troops, we now have 150,000 troops. Today there was an announcement that there would be postponement of any troops going home. So no family member knows an exact date as far as the eye can see on the horizon, and there may even be a further call-up for further troops.

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

Mr. HOEFFEL. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Speaker, as my colleague put it also today, India has made a decision through its democratic process that it will not send troops unless there is a United Nations resolution. What I am very, very concerned about is, are we going to end up in Iraq with a vast majority of troops assigned there to ensure security and stability as Americans?

We have heard from the Secretary of Defense, Mr. Rumsfeld, that there will be additional foreign troops sent to Iraq, but when we ask the question where are these troops coming from, what are their numbers, we are met with silence basically. Again, there are reports coming from military sources that indicate that if the situation continues to deteriorate in Iraq we very well might need double, double, the number of troops to ensure again stability and security for the Iraqi people.

Mr. EMANUEL. Mr. Speaker, I would like to note that on the occupation, not only are our troops there, 150,000 U.S. troops now, permanently stationed there, and as my colleague noted that there are other countries who will not, like India, participate without the U.N. There is nothing that has occurred in the postwar Iraq that was not predictable or foreseen pre the war. And I think that although there is a great argument about 16 words that were legitimately said in the well of this Chamber, the people's House, and it is a legitimate question, I think one of the greatest travesties, and I would hope that we would have an inquiry in either the House or the other Chamber, any investigation, on how we went to war without an exit strategy.

There has been a bipartisan agreement for a long time that we never will send American troops, at least post-Vietnam, we would never send American troops into combat without knowing how to exit. We have no plan for the peace and we have no plan to secure the exit of our American men and women.

Mr. HOEFFEL. Mr. Speaker, I can assure the gentleman, as the gentleman from Massachusetts (Mr. DELAHUNT) can, that there was no lack of trying to get that exit strategy from the administration last fall. I wrote letters to the President. I know the gentleman from Massachusetts (Mr. DELAHUNT) participated in similar efforts. He and I serve on the Committee on International Relations. There was great efforts at hearings as well as individual letters written to the administration seeking information.

Mr. EMANUEL. Mr. Speaker, if I may ask then, the gentleman sought pre the war, when there was still the debate in this country going on, if we are there, we win, how are we coming home. That question was attempted to seek an answer?

Mr. HOEFFEL. Yes.

Mr. DELAHUNT. And there were never any answers to those questions.

Mr. HOEFFEL. The gentleman is correct, there were not answers. And there were many more questions, certainly in my letter? How much will it cost? How many troops will it take? How many allies will go in with us? How many allies will stay with us in the post-conflict exercise?

The military victory was never in doubt. No one doubted that, but the question was what kind of risk were we assuming, would we have friends to help us, to absorb some of the cost and to take on some of the responsibility so that the United States would not alone be the subject of frustration and anger after the fact, which is exactly what is happening.

Thirty American soldiers have been assassinated, attacked, ambushed and assassinated since the President declared military victory. About 75 altogether have died, but 30 have been killed directly.

Mr. EMANUEL. Mr. Speaker, if the gentleman would continue to yield for a second, according to the Associated Press today, I think as well both killed and died in a humvee accident, there has been 84 deaths in 79 days since the President landed on the Lincoln aircraft carrier. Eighty-four Americans have died, 30 plus through assassination, others through humvees turning over, other accidents, but 84 Americans are not coming home to their loved ones, to see their children. There is no doubt.

I think that that, to me, one of the great travesties here is that there is not a plan for the occupation. There is not a plan for the exit strategy. And last week we learned now finally after, I do not know why we have to browbeat this answer, but we have spent and are planning on spending $1 billion a week.

Mr. DELAHUNT. As far as the eye can see.

Mr. EMANUEL. That is right, a minimum of 4 years. That is $50 billion a year if my math works, and I still I think I am pretty good at it. That comes to $200 billion on the occupation side of Iraq. We spend $12 billion, $12 billion on just college assistance at the Federal level, $12 billion versus $200 billion. Two billion dollars would give health insurance to every uninsured American and guarantee a bare minimum for the other, not just the 42 million but those who are actually being cut from the rolls.

There is much that we can do here at home for that same cost, not that we are not for the reconstruction of Iraq. Now that we have won the war, I think we all believe that it is pretty essential to invest in Iraq's future, but, remember, this is the very time that we are going to invest. This is $50 billion we are going to spend now on Iraq this year for the occupation.

Our colleagues and a number of them have a rebuild America account for $50 billion to be roads, bridges, economic development, investment in infrastructure to move people and goods and services. We will not find the money for that. Yet we are going to do more deficit financing and burden our country with debt to build $50 billion worth of occupation resources for Iraq.

Mr. DELAHUNT. Mr. Speaker, I think it is important to note that those estimates, and my colleague just used them of $50 billion, are based on what we know today. The reality is, back in April, Secretary Rumsfeld recently acknowledged that the amount of dollars necessary, simply for the military presence, put aside the cost of reconstruction, that estimate has doubled from some $2 billion to $4 billion a month. I dare say that I would not be surprised if 6 months from now we find that that $4 billion estimate has mushroomed to a significantly higher amount.

I think we also owe a debt to the recently retired General of the Army, General Shinseki, who when he mentioned that at least 200,000 troops was necessary to ensure peace and stability in Iraq, that estimate by the General was dismissed, in fact derided, by Secretary Rumsfeld, who mentioned a figure of 125,000. This is beginning to remind me of those CBO estimates, about surplus, of trillions of dollars of surpluses on an annual basis that have turned into deficits as far as the eye can see.

So, again, the number of troops and the estimate of just the cost of sustaining a military presence there is $4 billion.

Mr. EMANUEL. Mr. Speaker, if the gentleman will continue to yield, as my colleague knows, as I think all my colleagues know, as they obviously tried to get answers to how we were going to secure the country, how many allies we are going to have, what was our exit strategy, and it was like pulling teeth to get that. We tried to get answers to the questions how much would it cost, how many troops. Anybody that spoke in the hundreds of thousands were forced out.

Now we are trying to get answers for who put a statement in the President's State of the Union, and we are now ended up blaming the Italians it looks like. First, it was the British. The British blamed the Italians. The Italians say they do not know where the document came from.

The director of the CIA, all the men and women in Virginia have done a wonderful job dedicating their lives to trying to assess information and give our civilian leaders the best intelligence and estimates they have, and

every time we try to get information it is pulling teeth.

Mr. HOEFFEL. Mr. Speaker, reclaiming my time, we know exactly whose fault it was. It is George Tenet. That is what Condoleeza Rice is saying. That is what the Vice President is saying. Everybody's quite willing to blame George Tenet for that information being in the State of the Union that should not have been there. Does anybody in this House or watching throughout America believe that George Tenet alone is responsible?

Mr. EMANUEL. Single-handedly.

Mr. Speaker, if the gentleman will yield, I have written a few or participated in a few of the processes of writing a State of the Union.

In October, this line about gathering uranium from Niger was edited out of the President's speech. The way it works in the White House is that speech is sent around to the NSE team. So State looks at it, Defense looks at it, CIA looks at it, FBI I am sure gets a little clearance through Justice, probably not the FBI, and they check the assignment. There is an editing. The national security staff underneath Condoleeza Rice has to run that process. So the same people that were working on the October speech that dismissed this assessment of Niger was the same group working on the State of the Union. How one person is responsible, that what was a team effort in October but has become a single person failure in January, only 3 months later, when nothing changed, as we would say back in Chicago, that dog just will not hunt.

Mr. DELAHUNT. Do they really say that in Chicago?

Mr. EMANUEL. Periodically, on the northwest side, we have a couple of dogs that hunt.

Mr. DELAHUNT. Mr. Speaker, can I just add to that?

I was interested in the comments that were made by representatives of the administration during the course of the past 3 or 4 days, including the statement obviously by the director of Central Intelligence.

Unfortunately, as my colleague points out, the statements themselves I think create more confusion. There is more ambiguity and less clarity now as to what happened. So while it might be that George Tenet, the director of Central Intelligence, ought to have made a comment about the inclusion of the accusation relative to the West Africa country of Niger, I guess the question is, who put those words in there to begin with? Who put it in there?

I will tell my colleagues what I find. I think the only reasonable conclusion that can be drawn is that we have different agencies or individuals within the agencies that have access to information, that we are not communicating with each other. And that should really profoundly disturb all of us in the aftermath of the tragedy of September 11 because we should have learned from the attack on the United States on September 11 that cooperation and coordination are essential.

For example, the gentleman from Illinois references the President made a speech on October 7 in Cincinnati. There was a reference to the purchase of highly enriched uranium from Niger. During the course of the review of that particular speech, the CIA correctly warned the President not to use that intelligence in that particular speech. Maybe he forgot about that particular process. Maybe he was unaware of it.

Mr. EMANUEL. Mr. Speaker, what I want to try to do is try to demystify this process. It was not like the CIA got the speech and itself edited it out. This is a coordinated process. National security does it, its team. There is a domestic team. There is an economic team. So when the CIA probably said, no, you cannot use this, everybody's eyes in State, Defense, NSE, everybody's eyes saw that it was not valid. That is the same team that edits and previews and reviews the President's speech in January. So everybody who was participatory in the October speech was the same body sitting in the room participating in the State of the Union speech.

□ 2200

I think again people this weekend, for whom George Tenet seems to be wearing the laundry, or they are throwing him under the truck, remember, this was not good enough 2 weeks later for the Secretary of State who said, and I am quoting, ''This is crap, I am not going to use this.'' The Secretary of State threw it out.

We had George Tenet sitting behind them at the U.N. 2 weeks after the State of the Union. They knew it was not good then. If it was not good enough for the Secretary of State 2 weeks after the State of the Union, it was not good enough for the President in October, but somehow it has become good enough for the President at the State of the Union, a speech on the doorstep of a war where the world was hanging on every word.

Mr. DELAHUNT. It is as if the right hand did not know what the left hand was doing. It is as if nobody is in charge. That is the only reasonable conclusion that one can infer from this murky explanation, this passing almost a legalistic argument.

Mr. EMANUEL. Remember, the same people that wrote that speech were participating in crafting this policy, and they have now set out a course of $1 billion a week of occupation, $50 billion a year of U.S. taxpayer money for the occupation and reconstruction of Iraq. Yet when we talk this week about increasing funding for Head Start, we are told no money. Last week when we voted and there was a 6-year freeze put on Pell Grants, college assistance for people trying to open up the doors for higher education for themselves, we are told there are no resources. Yet we will be asked later on to commit resources to the occupation and reconstruction of Iraq to the tune of $50 billion. Yet here at home, we will be told there are no resources for health care or infrastructure.

The gentleman may say that the right hand did not know what the left hand was doing; I wonder if anybody knows what they are planning in Iraq and what they are planning here at home when it comes to our own economic development. The American people from World War II forward have been tremendously generous around the world, and yet they cannot continue to be asked to be that generous when their own needs and hopes and dreams for their own children are being denied, whether that is in the area of health care, investment in our environment, or our own economic development.

I yield to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Speaker, the gentleman from Massachusetts (Mr. DELAHUNT) and the gentleman from Illinois (Mr. EMANUEL) have asked some questions not just for rhetorical effect, but which throw some light on some very interesting aspects of this whole dilemma, which the Secretary of Defense says is over with, which the National Security Adviser says we have to move on from. I am asking why. Who committed these forgeries? I keep hearing about it. I keep asking the questions. We cannot get anybody in front of us to answer the questions. Who committed these forgeries? The word ''forgery,'' the phrase is used all the time; but there does not seem to be the slightest inclination to find out what was at stake. Did they appear by spontaneous combustion? Was this an immaculate conception of forgery? I do not think so. There were reasons for it.

Now we see the aspect of the Sunday talk shows. They are very interesting these days. Turn off the sound and watch the eyes and the expressions of the people who are speaking. Just watch that. Get the body language down, and Members will see the tension that is there because they do not want to answer the question who benefited from having this kind of an observation in that speech by the President. It has nothing to do with 16 words or a single sentence. It has everything to do with the reasons behind that being recommended to the President.

This is not an accusation against the President. We are not going to determine that down here tonight as to what the President did or did not do with respect to that speech. The President is having a difficult enough time as it is other than to say it was somebody else's fault. That is something that we can take up with the President when it comes to election time, but that is not the issue here.

The issue here is who and what was behind the insistence that that sentence and that that observation go into that speech. I think the answer is out there. I think what is involved in that answer has to do with who benefited from it.

Mr. DELAHUNT. Mr. Speaker, I think it is absolutely essential that the American people receive the answers to that question and to all the other questions that have been offered. Earlier this evening the gentleman from the other side of the aisle mentioned the talk shows and the statements that are being made have a political context to them.

We have been here, as the gentleman well knows, for 5 weeks posing these questions. This is not motivated by Democratic intent to secure political advantage. If we did not do this, we would be abrogating our responsibility within our system to find the truth. It is about a search for the truth, and I dare say it is now time for the President of the United States and Congress to come together to create an independent commission, not one that has partisan overtones, but one, for example, that served this country well under the leadership of two former Senators, a Republican from New Hampshire, Warren Rudman, and a Democratic from Colorado, Gary Hart, who I think made an extraordinary contribution by a year's worth of hearings, even more, which ended up with a product that tragically predicted what occurred on September 11. We need that because I do not want to hear on this floor accusations about partisanship. This is about the future of America. That is what this is about. This ought not be about politics. Let us depoliticize that now and let the Republican and the Democratic leadership with the White House create an independent commission to reveal to the American people the truth.

Mr. HOEFFEL. Mr. Speaker, I agree with the gentleman; and before we go any further, we have been joined by the gentleman from Washington (Mr. INSLEE), and I yield to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, I wholeheartedly concur with the suggestion by the gentleman from Massachusetts (Mr. DELAHUNT) that we need a bipartisan, independent investigation of this. The reason that I have joined this effort tonight, and I have delayed doing so for a few weeks in the hopes that the administration would be more forthcoming about this intelligence failure, but what inspired me to come here tonight are the comments of Condoleezza Rice and Mr. Rumsfeld who said this is the end of the story; we can forget about these issues.

I am here to say this is not the end of the story; this is maybe the end of the beginning of the story. The type of questions that Americans are asking tonight as to how a fraudulent, forged document got into the address of the leader of the free world to the people of this country and to the world and to the House of Representatives, how that happened is just one of the questions. I know many of us have been hearing a lot of talk and dialogue about how that happened. And it was as predictable as rain in Seattle that George Tenet was going to get thrown overboard by this administration at some point. It is amazing it took so long.

The point I want to make tonight is that I do not think we should get seized on whether this was 16 words or 16,000 words. The fact of the matter is that there is a whole boatload of other questions that this independent Republican and Democratic commission needs answered, and I want to pose just a couple.

The first question this commission needs to answer is why was the President successful in convincing over 50 percent of the Americans that Saddam Hussein was behind the attack on September 11 and was in cahoots with al Qaeda when in fact the intelligence had enormous amounts of information that that was not true?

Why did the President of the United States in urging America to start a preemptive war not level with the American people to tell the American people all of the intelligence, not just the selective intelligence? And let me just mention one fact. As reported in The New York Times on June 9, 2003, two of the highest-ranking leaders of al Qaeda in American custody have told the CIA in separate interrogations that the terrorist organization did not work jointly with the Iraqi government of Saddam Hussein according to several intelligence officials. Abu Zubaydah, a Qaeda planner and recruiter until his capture in March 2002, told questioners last year before the war that the idea of working with Mr. Hussein's government had been discussed among Qaeda leaders, but had been rejected. The same statement came from Khalid Sheikh Mohammed, who insisted that the group did not work with Mr. Hussein.

Do Members recall President Bush telling the American people that the two highest operatives in our custody in Guantanamo Bay had told our intelligence services that they had nothing to do with Saddam Hussein? I do not remember that information being disclosed to the American people, nor do I remember the President quoting Greg Fieldman, a former State Department intelligence official, who said, ''There was no significant pattern of cooperation between Iraq and the al Qaeda terrorist operations.'' Intelligence agencies agreed on a ''lack of meaningful connection to al Qaeda'' and said so to the White House and Congress. I do not recall the President sharing that intelligence information with the United States or the world.

Mr. DELAHUNT. Mr. Speaker, I do not know if the gentleman from Washington (Mr. INSLEE) is familiar with the report that was printed last week in The New York Times that a senior intelligence agent, Iraqi intelligence agent by the name of Ahmed Al-Ani was arrested. I imagine the gentleman does remember, however, that some suggested he had met in Prague and the Czech Republic with Mohammed Atta, who was the ring leader in the attack on the United States back on 9/11. That appeared in the media and administration officials said that that evidence held up. That alleged meeting occurred in April 2001, 5 months before 9/11.

Since then, most intelligence agencies, both American and allies, have cast doubt on the credibility of that purported meeting; but it was used by administration officials to argue there was an alliance of some sort between Osama bin Laden and Saddam Hussein. And of course we all know that the rationale for the attack on Iraq was based on two premises: Saddam Hussein had in his possession weapons of mass destruction, particularly nuclear weapons or close to achieving the development or the possession of nuclear weapons, and that he could provide and was purportedly inclined to use terrorist organizations such as al Qaeda for the use of those weapons against the United States.

So that theory, as the gentleman suggests, was crucial, that fact of the alleged meeting was crucial to that particular theory. But again, there is serious doubt as to whether that meeting occurred.

It is interesting to note that both the FBI and the CIA investigated and could find no evidence whatsoever that at the pertinent times did Mr. Atta leave the United States to go to the Czech Republic for that meeting. However, it did serve the purpose of creating a sense of urgency that quick action had to be taken against Iraq.

Mr. EMANUEL. If the gentleman would yield, I would say there is a very legitimate need to look into and acquire through the rearview mirror how did we get to this point, what were the justifications; and I too want to add my voice, although there has been a lot of controversy over the weekend about how did the sentence get into the President's speech. It is very important that we not lose sight, now that we are there, how was it that we had no plan for this occupation.

Time Magazine reports that NATO allies, important allies who have been with us in Afghanistan and other missions in Bosnia and Kosovo, will not join us in Iraq. They do not see a U.N. legitimacy for the effort or plan for the occupation. There are important countries who have traditionally been shoulder to shoulder with America, were in Gulf War I, were in Bosnia, Kosovo, Afghanistan, every U.S. mission to free the world of a tyrant of some nature, have decided not to join this effort and will not postwar join this effort.

□ 2215

So as we look back, I think it is important to look forward. Again, I would remind my colleagues that in our plan for the reconstruction of Iraq we cite 20,000 units of housing for Iraq, yet the President's budget has 5,000 units of housing for America.

The President's reconstruction of Iraq calls for 13 million Iraqis, half the

Iraqi population, to get universal health care. Yet 42 million Americans work full time with no health care and no plan for health care by this administration.

There are 4 million Iraqi children who will be provided early childhood education. This week on the House floor we will debate the Head Start bill. 58,000 children in America will be cut from Head Start. 1.2 million will never be given the opportunity who are eligible for Head Start to go to Head Start.

12,500 schools in Iraq are planned for reconstruction and rebuilding with all books and supplies. Yet here in the United States, teachers must take out of their own salary the wages to pay for books and supplies. We have to give them a tax credit to reimburse them what should be provided by the school authority.

The Umm Qasr port in Iraq is built from start to finish, from top to bottom; yet the Corps of Engineers is being cut by 10 percent here in the United States.

So as we rebuild Iraq, we reconstruct Iraq, America is in the process of its own deconstruction. If we do not have an economic plan for America that is beyond what has been provided and we do not have a plan for Iraq's reconstruction that includes our allies, I would remind my colleagues that in both Bosnia and Kosovo, we had a plan for the occupation and we had allies. The two things that are missing today, a plan and allies.

Mr. ABERCROMBIE. The gentleman's analysis brings forward again the question then: Who benefits from this reconstruction in Iraq? While we cannot have schools built in this country, while we cannot have hospitals paid for, when we cannot get health care for our people, who benefits? Who is getting the contracts for this? Who is getting the no-bid contracts? Where is the money coming from? Supposedly from the oil revenues. Oil revenues then will be passing right out of Iraq and down to Texas, to Haliburton Company, to some of the other construction companies that are benefiting from hundreds of millions of dollars that are now being allocated into their pockets directly for this reconstruction, not in the United States but in Iraq.

Mr. EMANUEL. My colleague asks who is benefiting. I do not have the answer to that, but I do have the answer for who is paying. That is the United States taxpayer.

Again, I want to remind our colleagues, for 60 years the American people have showed their unbelievable generosity. Every time they have been called upon to serve or to contribute, they have done it. Yet this is the one time in history that while we deny American people the access to education, health care and improved investment in their environment and economic development, we are asking them to call forth in a tremendous effort not seen since World War II to make an investment in another country's economic future when we have told them to shorten the horizons for their own children, to shorten their own homes and dreams for what they can provide their family. Yet we are calling upon them to once again show their generosity to Iraq that talks about a health care plan, an economic development plan, an education plan for Iraq and yet those same agenda items that we talk about here at home, we do not have.

As we know, a number of my colleagues have signed on, I have my own bill called the American Parity Act that says whatever we invest in Iraq, whatever goal we set in Iraq, we have to set here at home equally. Whether that comes from half the population getting health care, half the schools being reconstructed and modernized, teachers being paid, 4 million kids in early childhood education, reconstruction of a port for economic development purposes, we have got to do that agenda item here at home. Otherwise, the generosity of the American people showed over the last 60 years will come short and rightfully so.

Mr. HOEFFEL. I thank the gentleman from Illinois for pointing out the inconsistency of our admirable generosity to those overseas and our moral obligation to help rebuild a nation, a country that we had to use military power against but our failure to live up to that same moral obligation to our own citizens.

Let me ask my colleagues to respond to what we would like to see happen in Iraq. There are 8 or 10 or 15 things perhaps that we might recommend. I would suggest one, and perhaps my colleagues can make further comment.

I think we need to start with a full explanation by the President of his vision for what is happening, for the costs that he believes will be necessary to complete the reconstruction, the timetable for that, the number of U.S. military forces that would be needed.

The President needs to come clean. He has a growing credibility gap in my view because of the use and possible misuse of the intelligence leading up to the war, the statements made with such certainty that we are now learning the White House was being advised by intelligence agencies that things were not so certain at all and by the fact, as we have commented earlier tonight, that since the President, as our colleague from Illinois says, flew onto that aircraft carrier and declared victory, that 30 American soldiers have been assassinated and 84, as the gentleman points out, have died in some fashion since military victory has been declared. We need to know what the President thinks. We need to know what he believes will be necessary. He has got to tell the American people what is coming. That would be my suggestion for just a fundamental need.

Mr. EMANUEL. I want to say one thing before I have to go, and our colleague from Massachusetts noted this. That is not a different question than the Republican Senator, RICHARD LUGAR, had asked, the head of the Foreign Relations Committee. This again, I think it is important, we have people with different views on the war, but these are questions not from Democrats and Republicans, these are questions as God-loving and people who love their country who want to see America in front of the world stand tall are expecting. So the question you asked again is not a Democrat trying to get partisan political gain, it is a question that the Republican Senator, chairman of the Foreign Relations Committee, asked, questions that another Senator, Republican from Nebraska, equally asked. This is not inquiry for political gain. We all now, regardless of party, are vested in our success and bringing as many of our men and women home as we can safely as soon as possible.

So your question I would also like to note so nobody who may tune in and turn on the television right now and think we are trying to get partisan or political advantage, note that these are similar questions that Republicans have asked, people of all stripes, from all backgrounds and all economic incomes and regardless of their political affiliations saying we need to get level here. Where is it we are going? How are we getting there? Whether it is an inquiry to what happened in the past but also an inquiry into the future. These are not Democratic questions. These are questions that people who love their country think need to be answered.

Mr. ABERCROMBIE. Again in furtherance of what the gentleman from Illinois has indicated and others here this evening, these are the same questions that many of us asked of President Clinton. This is not something that has suddenly sprung into being. And they were asked in a bipartisan basis, too.

My colleagues will remember that some of us, Republicans and Democrats alike, had these same questions for President Clinton with respect to Kosovo, with respect to the activities that took place in the Balkans. We had these same questions of ourselves as to what was expected of us. I think that as a result, what the gentleman from Pennsylvania (Mr. HOEFFEL) has indicated is perhaps a start for us in terms of the questions that need to be asked, I think, needs a bit of reiteration.

I find it very strange that when President Carter was in office, people in the media, particularly Nightline, would come on every evening, day 292 of the hostages and the number of hostages that were still in Iran, on day 292, three, four, five, 300, whatever it was. Yet we go now to casualties, deaths, we are not talking about those that are maimed, and this casual dismissal by some of the, I am sorry to say, some of the highest officials in the administration now of, well, this is all over, intelligence changes from day to day. You

never know what it is from day to day, this almost sarcastic dismissal of these questions.

There are young people out at Walter Reed right now who may not have been killed, a casualty in that sense, but they are surely there as casualties, with loss of limbs and a lifetime in front of them of having to deal with the pain and suffering of grievous wounds. Perhaps Nightline might take up this idea. It is day, what number, since the President said that the war was over.

This is not something that we said. This is not something that other people said. This is something the President declared, and some of us have been challenged on our patriotism and challenged on our support for troops because we are not sufficiently quiet, because we do not acknowledge that the so-called ending of the war really ended.

It does not end when somebody dies. It does not end when somebody is grievously wounded. It does not end when a parent or loved one has to try and understand and we have to explain when we go home why the war is over but the killing goes on and the maiming goes on.

So I think we are going to need to have some accounting as to how many days past the end of the war the killing and the maiming goes on and what those numbers are. Because those numbers are real. They are not philosophical abstractions. They are not merely the recitation of numbers from an Office of Management and Budget or a Congressional Budget Office, some entity, some institution that has no reality to the mothers and fathers and the loved ones of those who have to bear the brunt of the policies that we in the government of the United States are bringing forward to the people of the United States as being in the strategic interests of this Nation.

So I think that the questions that are being asked are not just questions about the past and how something happened but to try and understand what took place in the past so that we do not continue to make the same mistakes and the same observations that lead to this kind of grievous result.

Mr. DELAHUNT. The gentleman indicated that some, and very few, have questioned the patriotism of those who ask the questions that are being posed here tonight. It is my feeling and my position that it would be a failure, it would be unpatriotic not to pose these questions. And as others have indicated, this is not about partisanship. None of us here tonight and in the course of the past 4 or 5 weeks have indulged in partisan sniping. But I do believe that the President is at a particular moment in terms of his administration that he should intervene and stop the sniping that is occurring within the administration, among individuals and agencies.

I mentioned earlier that a senior Iraqi intelligence agent who was arrested last week, who purportedly had that information meeting with Mohammad Atta, in that same report in the New York Times there was an attack on the CIA by Mr. Richard Perle who currently serves on the Pentagon's Defense Policy Board. I know the gentleman from Hawaii is aware that he resigned as chairman of the board because of potential conflict of interest concerns that he had since many of his private business clients stood to profit from contracts dealing with the reconstruction of Iraq.

It should be noted that Mr. Perle is considered a leader among the so-called neo-conservative bloc in the administration. He also has close ties with certain Iraqi exiles, such as Ahmed Chalabi. And it is true, and this should be stated very clearly, he advocated in an article that he wrote for the New York Times shortly after September 11 that the U.S. must strike at Saddam Hussein. So he is clearly predisposed towards the policy that was effected by this administration. My understanding is he was one of the most significant proponents of the war in Iraq.

Now, however, with the capture of this individual, Al-Ani, he fears that if the CIA conducts the interrogation that they will play down evidence that the alleged meeting with Mohammad Atta ever occurred. With all due respect to Mr. Perle, that is a very serious charge that impugns the integrity of men and women in the CIA that risk their life in behalf of their country every day of the year.

Of course, the CIA properly responded in my opinion that they need to be presented with something other than the opinions of Mr. Perle and his suspicions; and they claim, and I have to agree, that he sounds to be more predisposed to a certain conclusion than anyone they are familiar with.

□ 2230

This quote that I read was he is just shopping for an interrogator who will cook the books to his liking. We cannot have that sniping going on. It is time for the President to take charge and to intervene, be forthcoming, reveal all of the information. Presumably the interview with Mr. Al-Ani has occurred already. Let the American people know. Maybe he did have a meeting with Mohammed Atta; maybe he did not. But it is time to let the American people know.

Mr. INSLEE. Mr. Speaker, I want to answer the gentleman from Pennsylvania's (Mr. HOEFFEL) original question about what we should do in Iraq now, with two points.

One, I think it is important for the President to clear the decks to restore our credibility on this issue because our ability to act in Iraq is negatively affected by this credibility issue, and many of us believe and I believe that the best thing the President could do in that regard is to embrace a bipartisan review of the intelligence failure here. Having a respected Republican like Warren Rudman or someone else run a commission to have sort of a referee to figure out what happened here is a lot better than to have the flacks at various agencies throwing grenades at each other in the newspapers.

If we really want to find out here why forgeries ended up at the State of the Union address, why we did not get the straight scoop about the intelligence coming out of Iraq, why the President told us there was no doubt, and that was his word, no doubt that Iraq had some of the most lethal weapons ever devised by man and we cannot find a thimbleful to date of mustard gas, the best way is through an independent commission; and this is good for the administration, not just good for the people. And this is not a debate. We may find some of these weapons to date. That still may occur. This is not a debate even about the propriety of the war. Even if one thinks the war was justified about humanity and civil rights in Iraq, they have still got to join us in a bipartisan belief that truth from the American President is the most precious commodity we have in international affairs. We have all got to be joining that in a bipartisan manner; so I say clearing the decks first.

But the second issue, if I can, it is just imperative that we engage allies in this effort, in this maybe 2-, maybe 3-, maybe 4-, maybe 5-year effort to restore order and some sense of civility in Iraq, and I would encourage the administration to shuck aside its unilateral approach that unfortunately they have adopted for so long in Iraq and welcome our allies to get in there to shoulder some of this burden. Iraq is not a prize. It is not a glorious prize for the American people. It is a burden. We still have people not coming home from Iraq, and that burden ought to be shared with every nation in the civilized world rather than just Americans. And to date, unfortunately, this administration still has not been willing to embrace allies to get them in there taking sniper fire instead of our neighbors' kids, and I hope we will see it that way.

Mr. DELAHUNT. Mr. Speaker, it is time to pick up on that to end grudge diplomacy. Let us get past that. Let us move on. Let us understand that the only way we can bring stability to Iraq without breaking the bank and without putting at risk the lives of American military personnel is to bring in our traditional allies, whether they be the Germans or the French. Let us put that in the past. Otherwise, we are going to see these deficits that I referred to earlier balloon into numbers that will absolutely be a drag of incredible magnitude on the American economy.

Mr. ABERCROMBIE. Mr. Speaker, on that point in reference to what the gentleman from Washington (Mr. INSLEE) said and the gentleman from Pennsylvania (Mr. HOEFFEL) observed to kick off this discussion, as the gentleman from Pennsylvania (Mr.

HOEFFEL) can see, his question was so pertinent that we have not gotten much further in it, and for good reason, because it requires some explication. The problem is here, if we do not do this, is a credibility gap. What will the President be able to say about North Korea? What will he be able to say about the Philippines? What will he be able to say about Colombia? What will he be able to say further about Afghanistan?

Afghanistan seems to have disappeared; yet I know there were two attacks yesterday, one on the American base and one on U.N. personnel. I do not believe anybody was killed, but who knows? Now we are told there are more attacks in Iraq than necessarily are being reported. I suppose that gets quotidian now. If they are on the 11 o'clock news at night, they have got fires to report, they have assaults to report or basketball players or the latest boxer to embarrass himself or something of that nature. They hardly have time to fit in anymore how many people got killed today. It is almost a loss leader in the news.

And so if we do not have some answers here, if the President does not take control and stop being dismissive of these questions as merely revising history or some other sarcastic observation, he is not going to be able nor will the administration be able to convince others who may find it in their interest to join with us in other circumstances. He will not be able to find anyone who is going to be willing to take us at our word. That is why this is so serious. It is way beyond partisan. Other people will occupy these seats down here. Other people will come to occupy our place. We are here only as long as the faith and trust of the people in our constituencies are willing to put us here. No one owns a seat in this Congress. No one owns a seat at 1600 Pennsylvania Avenue either. We are only as good as the credibility with our own people before we can hope to influence others.

Mr. HOEFFEL. Mr. Speaker, I thank the gentleman for his comments. I think our time is getting short. Any final comments from the gentleman from Washington (Mr. INSLEE) or the gentleman from Massachusetts (Mr. DELAHUNT)?

Mr. DELAHUNT. Mr. Speaker, I will just follow the gentleman from Hawaii (Mr. ABERCROMBIE) by saying that when I first heard the President in response to attacks on U.S. soldiers in the way that he does suggest bring them on, I remember wanting to say to the President that what we should be doing, President Bush, is to bring allies on to this coalition and make it a genuine coalition of democracies to assist in terms of the reconstruction so that American taxpayers do not bear the burden almost exclusively and that American men and women who have served admirably can come home.

Mr. HOEFFEL. Mr. Speaker, I thank the gentleman for his comments. I thank the gentleman from Hawaii (Mr. ABERCROMBIE). The Iraq Watch is going to be hard at work. I thank my colleagues for being part of this. We will be back next week to ask more questions, to seek more information, and to try to better educate our colleagues in the Congress and the American people regarding the challenges of our role in Iraq.

CRITICAL ISSUES FACING AMERICA

The SPEAKER pro tempore (Mr. FEENEY). Under the Speaker's announced policy of January 7, 2003, the gentleman from Colorado (Mr. TANCREDO) is recognized for half the time until midnight, approximately 40 minutes, as the designee of the majority leader.

Mr. TANCREDO. Mr. Speaker, I first of all want to start off my comments tonight by saying I guess I am pleased to say and proud to say that there is a young man that I want to pay tribute to for just a moment, and his name is Randy Gifford. He is in California right now. He has had a number of really very exciting things happen in the near past because one is that he had his first child. He and his dear wife have given birth to a young boy by the name of Gabriel, and that was just the beginning of a lot of really good things that have been happening to them recently; and in fact I just found out a little bit ago that he had his first film, the first film that he has written and directed accepted to be debuted at the Breckenridge Film Festival in Colorado, and I have no doubt that this talented young man will soon be looking back at this particular accomplishment as the first step in a journey that is going to be a very successful one and one that he can look back on with great pride. I look at it with great pride because he is my son.

I wanted to discuss a number of things tonight, and so many issues come to the fore, so many important decisions need to be made by this Congress and so many challenging issues confront us that it is hard to pick from this panoply of different agendas which one we should focus on. I certainly will talk about immigration. It is always a topic that I think needs to be discussed and needs to be dealt with in the light of day, but before that let me just talk about a couple of other things.

And I listened to my colleagues on the other side tonight discuss their concerns with regard to Iraq, and really a lot of what they said boiled down to a concern, I guess, over the veracity of the administration and whether our goals, the goals of the United States as set out by the President of the United States were legitimate. Was the President being truthful? Was this some sort of scam, I guess, that was being played on the American public? To actually put men and women of this country, our young men and women who serve us so well in the Armed Forces, would we really place them at risk if we were not sure, if we did not believe with all our hearts that the vital interests of the United States were at risk? And I certainly understand that there can be questions about the authenticity of information that we received, whether or not the information that was received from all the various sources from which we gathered information were legitimate and what weight we should have put on some sources and some decisions as opposed to others. All that is of course legitimate fodder for discussion and debate.

At a certain point it does sound, as I listened to my friends on the other side talk about this issue, that there is something that motivates them that perhaps goes beyond that desire for a legitimate understanding of exactly what happened and what were the circumstances that brought us to where we are today. I must admit to a certain extent it does seem like what is underlying the rhetoric is an overwhelming desire to find something wrong, to find something out that is bad, that is negative, that would perhaps lead to some sort of political change in this Nation, and that at some point in time it does sound to me like that desire supersedes all of the other desires and that the quest for legitimate inquiry is left behind in the dust and the desire to make political hay takes hold.

And there is so much that can be said, and there are so many little technical points here and there; and I think that the administration and especially Secretary Rumsfeld, who I saw on television over the weekend, had done such a great job in explaining in very simple terms, in very common sense ways, in very honest analysis what we believe to be the case, how we got the information we got, how that information led to a series of decisions that eventually meant a commitment of U.S. forces in Iraq.

By the way, those of us who are in the position having to vote to support that decision, none of us come to that place, I think, easily. Certainly I know I did not. I do not think there is a Member of this Congress, frankly, who cavalierly cast a vote on something like that. And all of us wonder, and certainly I do, whenever I have to cast a vote to send someone's children off to war, I have to think about whether or not I am willing to send my son Randy or his brother Ray, and this is the highest possible standard I can imagine for any of us; but it is the standard we should all use because of course it is perhaps somewhat easier to vote to send someone else's children off to war than it is one's own; so we have to think about this very carefully: Am I willing to do this? Are the risks to the Nation so great that we would actually commit our forces?

□ 2245

I believed, and I still believe, that the risks were that great. But it was not easy. It was not easy. Because I do not

for a moment think that American power should be projected around the world in a cavalier fashion; and I believe that, for the most part, this country, under this President, has committed American troops only after it became apparent that that was the only option available to us and that it was in the pursuit of legitimate and laudable goals, both in the defense of the United States and the liberation of the people of Iraq.

Interestingly, we see e-mails from the troops on the ground in Iraq, we see alternate sources of news, I guess I should say, on the Internet and even some of the popular media that portray a completely different picture of what is going on in Iraq today than what the popular media portrays. Every day the popular media suggests that things are falling apart in Iraq, that our involvement there is not turning out to be a positive thing. And certainly, every day, the most unfortunate news that we receive is that some American has either been hurt or wounded, hurt or killed in Iraq, and this is, especially to the family of those folks who have been wounded or killed, this is the ultimate in the sacrifice that this Nation has made and has asked them to make. So for them, it is everything.

We must, however, try to put it in perspective and understand what it is that we are trying to gain, what it is that we are trying to do there and who the enemy really is. And that is a very, very wide-ranging question, who the enemy really is and what it is we are trying to accomplish.

But I think that the goals were laudable. I believe that our President operated with the best information available to him and made a decision and, although a very difficult one, I believe he made it with his heart in the right place.

Not too long ago, Mr. Speaker, I heard of an exchange between Secretary of State Colin Powell and the Archbishop of Canterbury; and, in a way, I think this exchange sums up in a very succinct way what it is that motivates America today and what has motivated America for most of its history in terms of any sort of foreign policy goals. I think we can be proud of what it is that we have either accomplished or are trying to accomplish. Because it is not for territorial gain. It is not for any sort of economic gain. It is not for that that America extends its power around the world, or projects its power around the world, or risks its men and women. And in this exchange that I mentioned, I think again it characterizes it better than I ever, ever could in any other words.

The Archbishop of Canterbury said to Secretary of State Colin Powell, and I am having to paraphrase here, because I do not have the exact quote, but it was very close to this. He said, isn't it true, Mr. Secretary, that the war in Iraq is nothing more than a desire on the part of the United States to extend its hegemony around the world and to maybe even, as an imperialistic power, gain control of other lands and places and people? And Secretary of State Powell said, Archbishop, you know, over the last hundred years or so, the United States has sent its young men and women off to defend freedom in far-off lands all over the world, and many of them did not come back. And the only thing we ever asked for in return, he said, the only land we ever wanted in return for that expenditure of our blood was the land necessary to bury the folks who did not return. And I think that is the truth about America.

I think that it is something that we can be proud of. It is unfortunate that lives have to be expended in the quest for our own peace and security, but that is the nature of this world. I do believe with all my heart that we are in another very, very dangerous and very challenging battle, and it may be called a clash of civilizations. I happen to believe that it is. There are many people who would challenge that, I am sure, and want to characterize what is happening is as just a series of small engagements here and there brought about by individuals who have ''hijacked a religion.'' I believe it is more serious than that, and I believe that the battle is bigger than that. I believe it is a clash of civilizations.

I believe western civilization is, in fact, at stake. The values, the principles that we stand for are being challenged around the world, and they are at risk. And it is extremely important for Americans to understand what is at risk and why we fight. Because if it is not for what I have just said, then the fight may be in vain and lives expended for naught. But if the fight is for what I suggest it is, then it is worth the endeavor. It is even worth the thought that we have to send our own off to war.

Now what worries me about the kind of discussion we have had on the floor tonight and has been happening almost every week certainly for the last several weeks by members of the other party is that in a way, as I say, to the extent that they are trying to simply make sure that the decisions that were made were good ones or what information we may have made those decisions upon was faulty or good, all of that is appropriate, and I do not for a moment suggest that it should not be a discussion on the floor of the House. But after a while it begins to play into the hands of those people who, in fact, do hope for the demise of this civilization and of our country in particular, because we represent its best and brightest hope.

So it is important for us, after all the rhetoric is done, all of the partisan snipes have been made, sniping has been made, that we revisit this basic underlying fact: that there is a challenge to the United States of America and to western civilization. It is posed by radicals, Islamists, people who cannot see a world in which they can coexist with western ideals, the ideals of individual freedom, the rule of law, and the ability for men and women to select from whatever they want to select from to follow, the dictates of their heart when it comes to a religion that they choose to adhere to. These things are true. The evidence is there. Thousands of Americans are dead in this battle and are dead at the hands of the people who are trying to accomplish what I have just described, the overthrow of western civilization and of the United States in particular.

So please keep that in mind. Let us put this in perspective. The threat is real. The challenge is enormous. And it is incumbent upon every one of us to tell America what is at stake. It is incumbent upon every one of us to talk about the values that we should cherish and, for the most part, do cherish. It is incumbent upon the President and the Members of this body to tell the American people that there are things, in fact, worth defending, that there are principles worth risking life and limb for. And this thing in Iraq, this battle in Iraq is just a battle in a war, a war that is going to be fought for a long time, a war that will claim many more lives, unfortunately, and depressingly.

But that is the truth, and not facing it head on leaves us open to a very, I think, corrosive sort of influence that I hope we can avoid. Because, in fact, as I say, the stakes are great. The risk is great. So it is important I think for us all to put that into perspective when we listen to the rhetoric of our friends on the other side of the aisle.

Western civilization and America in particular is worth fighting for. It is worth saving. It is the best and greatest hope of mankind, I believe. And people should be willing to say that here on this floor and from the White House and in the media. It is worth fighting for.

Now, let me go on to several other topics, if I could. When we talk about what is worth fighting for and where to commit American troops, there is another issue that is developing right now and it is the debate over whether or not we should be sending troops to Liberia as ''peacekeepers.'' Well, there is not a lot of peace in Liberia to keep right now. We would have to create it. This is the difference. I mean, we have to ask ourselves. This is the question that I think is incredibly legitimate: What are the vital interests of the United States that are at stake in Liberia? Is it a place of great human rights abuses? It is undeniably that. Are there places throughout the world where those abuses are just as great if not greater? Undeniably so. Are there places on the African continent where human rights abuses are even greater than in Liberia? Absolutely so.

I think, of course, immediately of Sudan, a country with which I have some intimate knowledge, having traveled there, having been the sponsor of the Sudan Peace Act and having committed as much as any other Member

of this Congress to bringing an end to that conflict in that war-torn nation. But never in the discussion of the problems in Sudan did I ever suggest putting American troops in there because, of course, I could not see that, in fact, it did rise to that level, that it rose to the level of a situation that placed American vital interests at stake. I want to do everything I can, everything possible to bring an end to the conflict there and an end to the conflict in Liberia. But American troops I do not believe should go there.

I do not believe that American troops should have been used in Bosnia. I would not have voted for it. I must admit to my colleagues that I believed it was an adventure that we should not have embarked upon, even though there were horrendous atrocities there. I did not see where it was in the interests of the United States. What was the threat from Bosnia to the United States? I do not believe it existed. And do we do what we can to help logistically? Do we send materials? Do we send aid? Absolutely. I think that is a laudable goal, again. But it does not rise to the level that I mentioned earlier, which is what I need to tell me whether or not I will vote to send American men and women and/or my own children off to war.

So I hope we do not commit troops in Liberia, Mr. Speaker.

□ 2300

I hope that we will do what we can. I hope we will provide what we can to the members of the African Union, or to ECOFS, the Economic Community of African States. I believe we should, in fact, do what we can to support them logistically, but I do not believe that troops are necessary there or even would be a good thing for the region.

Today as we see over and over again by reports continually coming back to us even though there are people today in Liberia saying that they want Americans there, many of those same folks would, I fear, in a short time be saying that they want Americans out and be doing things in order to effect that eventual end. So I want an end to the fighting. I want to do what we can. I would not sends troops there, and I hope we do not.

Now, that is the kind of foreign policy discussion and I could certainly go on at length about each one of these things, but because this is that hour where we sometimes have to share the last hour with another speaker, my time has been cut in half so I want to get on to two more things, and these are on the domestic-policy sides of things. I wanted to really make a couple of comments about some things that are happening that are, I think, again, worthy of note and certainly issues that are becoming quite controversial in the United States.

Now, we have had a lot of discussion recently about a new provision for Medicare that adds $400 billion or so, it could go up to what those people suggest is a trillion dollars in cost, to add prescription benefits to the Medicare plan. And I am a ''no'' vote, and I do believe that it is not the right thing to do. I do not believe we should expand this program.

I believe that Medicare itself is a program that is in desperate need of reform and the amount of reform that comes with the bill that we talked about earlier, that we passed on this floor earlier, the amount of reform is rather small. The amount of mandates for a new program, mandatory spending is really high. I just do not think it balances out, but I think there is a way to achieve a reduction in the costs of prescription drugs for every senior in the United States and that is to allow reimportation.

What does that mean? It means that in Canada and Mexico and other countries around the world, drugs are being sold, exactly the same drugs are being sold at much lower prices than any American is able to buy them at their drug store or pharmacy. So how does that happen?

It happens that the countries on both sides of the United States have laws that restrict the amount that can be charged for drugs. And so you say to yourself, well, then why are the pharmaceutical companies selling drugs in those countries? Well, they are making a profit they say, but not enough of a profit to support all of the research that needs to be done and all of the advertising that is being done on television in the United States to push their drugs.

Well, I must tell you that I think that is not a legitimate excuse for having the cost of one drug be $1 in one country and $20 in the other for a single pill. And I want to let the market dictate the actual cost of the drugs and the profit to the companies, and so I would allow for reimportation.

Well, let me tell you what has happened recently. The pharmaceutical companies have put on a full court press here because the possibility is that this idea of the gentleman from Minnesota (Mr. GUTKNECHT), he has been the primary sponsor of this concept for quite some time. And because it is finally coming to the floor, it is finally raising up to a level where people can begin to think about the possibility of it passing, the drug companies are going ballistic. And they have gone out and sought out all kinds of friends that would not have necessarily thought would have been supporters of their side of the coin.

Earlier this week, the Traditional Values Coalition, an organization in which I am certainly familiar and in the past have been supportive, they sent out a letter stating that the passage of this Gutknecht bill I was telling you about, the drug reimportation bill, would effectively repeal the prohibition on mailing abortion products around the world.

Now, they say that it would allow abortion-inducing drugs to be mailed from international locations to individuals in the United States who are not pharmacists or doctors. These unscrupulous individuals would then be free to mail these abortion-producing drugs throughout the Nation to our daughters without parental knowledge.

This is a direct quote from the mailing that went out from the Traditional Values Coalition who I believe, I must tell you, Mr. Speaker, I believe they have been co-opted here. And I just wonder to what extent they have actually benefited as a result of their decision to come in in opposition to the reimportation bill. Have they benefited financially? I would like to see whether or not this has been the case, because my hunch is they have.

These mailers were sent out in en masse in a congressional district of a number of Members, myself included, who are and have always been and will continue to be staunchly pro-life. I have a 100 percent voting record on pro-life issues.

The gentleman from Minnesota's (Mr. GUTKNECHT) bill, which the Traditional Values Coalition has characterized as the Abortion Drug Importation Act, is a pharmaceutical market access bill, completely separate from other Federal laws which govern the administration and distribution of specific drugs. In fact, if the Gutknecht bill passes, RU–486, the abortion bill, will still be governed by the same distribution regulations it currently falls under. The idea that under the Gutknecht bill pregnant teenagers would be able to mail in for a bottle of RU–486 pills as if they were aspirin is political scare-mongering of the worst and lowest kind.

Now, I have seen the disinformation mailings that the Traditional Values Coalition is sending out. And in addition to being ridiculously disingenuous, they are also very slick, very expensive, which begs the question: Who is really behind these efforts? The Traditional Values Coalition has obtained huge pro-life voting lists which have to be purchased to be used by other groups, and targeted conservative pro-life Members who are in competitive races. Their tactics are reprehensible, immoral, unethical, and belie the name of the group. In fact, their actions represent anything but traditional values.

There are, in fact, legitimate arguments to be made both for and against the merits of reimportation, but it is ludicrous to suggest that it is somehow an abortion issue. I simply wanted to bring that to the attention of the body tonight, Mr. Speaker, because I believe with all my heart in the concept of, I am a pro-life Member of this body and I believe in protecting life at its earliest beginning, at conception. And I have voted that way, and I want that to be the culture of this country; I want us to be a pro-life Nation. And I worry that actions like this taken by the Traditional Values Coalition actually hurt that effort because it places the coalition, I think, in a light that it

should not be seen in, does not want to be seen in.

I think it implies that they are willing to actually profit from the discussion of this, and they want to profit even if they have to fudge the facts a little bit. And it does not help them, and it does not help our cause. So I am going to join with other Members of the pro-life coalition in the House of Representatives to denounce this activity on the part of the Traditional Values Coalition and to say in no uncertain terms that this kind of lobbying is absolutely unacceptable, and it is certainly at the least disingenuous.

That is the first of the domestic policy issues. And then I suppose to no one's surprise, the final domestic policy issue with which I want to deal tonight is, of course, immigration. I want to spend a little time, the remaining time I have, as a matter of fact, on the discussion of one specific aspect of immigration and that is the toll that massive immigration is taking on the jobs of Americans, both low-skilled, low-wage jobs and high-skilled, high-wage jobs, spending a little time on the latter, H1B visas in particular.

H1B visas, I will be using that term quite a bit, and let me explain what that means. An H1B visa is simply a category of visa that we hand out to people all over the world so that they can come to the United States for a specific purpose. In this case, the H1B visas were created specifically for sort of high-tech or white collar workers who were ostensibly needed in the United States because that industry was growing, as you recall, the bubble was expanding dramatically and everybody and their brother was making money at it; and there was a lot of employment and many of the firms came to us, many of the very high-tech firms came to this Congress and said, we have to have more people. We cannot fill the jobs we have here in the computer sciences, computer technology, high-tech jobs; we cannot fill them with people coming out of our colleges because there just are not enough.

□ 2310

There are not enough of them so we need to go outside the country and bring people in here for a certain period of time until we can actually fill the job with an American citizen, and so Congress responded and created something called the H–1B visa. It was expanded in 1999 when the Congress raised the cap to 195,000 a year from its previous level of about 65,000.

In 2000, Congress enacted the American Competitiveness and Workforce Improvement Act which expanded the program again, contained few protections for American workers. Congress was persuaded at the time that there was a critical shortage of computer scientists, software engineers and programmers.

Even if that were true and I would tell my colleagues that now we are finding out that maybe that was not as accurate as we had hoped, maybe some of the testimony that was provided by companies like Sun Microsystems when they testified to the Senate and said that they really needed these people and that they would never displace American workers, apparently it sort of I guess was not true. They are now saying, no, that they did, in fact, replace American workers and did so because essentially foreign workers will work for less.

Whatever was the case in 1998, 1996 in terms of the need for this particular program, no shortage exists today in the program. No program shortage exists in terms of the supply of labor for the high-tech industries in America, does not exist. It is not there. No one can suggest that there are no American workers today who are seeking jobs in the high-tech field because we know that that is not true.

We know that as a matter of fact that the area that has been hit hardest by the drop in the dot com bubble, the burst of that dot com bubble I should say, where unemployment ranges maybe 7 to 7.5 percent, there is massive unemployment and underemployment of American workers in the computer field.

The number of H–1B visas is supposedly limited by a cap, but that cap is often exceeded through loopholes and extensions, and beginning in 2000, all universities and nonprofits were exempted from the cap. In 1998, the cap was supposed to be 65,000. Do my colleagues know how many actually came in? Two hundred and five thousand. In 1999, the cap was 115,000. Do my colleagues know how many we took in? Two hundred and thirty-four thousand.

In the year 2000, the cap was 115,000. We took in 294,000. In 2001, the cap was 107,000. We took in 384,000. In 2002, when the cap went to 195,000, we took in 294,100. In 2000, Congress added an exemption for universities and nonprofits. As I say, in the 2 years of 2001 and 2002, 342,000 H–1B visas were issued in this category. If we add to this number the number of visas already issued not yet up for renewal, it is clear that there are well over 600,000 H–1B visa holders employed in 2002.

There are a number of problems with the program as it has been operated since it was expanded in 1998. Do we need the program? Is the program based on valid analysis of real labor market conditions? I would say it is not adequately tied to demonstrated labor shortages in the fields of computer science and technology. In fact, in 1996, the Department of Labor's Inspector General found that the program does not protect workers' jobs. It allows aliens to immigrate based on attachment to a specific job and then shops their services in competition with equally or more qualified workers without regard to the prevailing wage.

All of these things they are supposed to not be able to do. They are not supposed to be able to dislocate any American worker. They are not supposed to be able to pay anything less than the going wage, but in fact, it has happened continuously and indiscriminately.

The Department of Labor's certification program does not meet its intent of excluding foreign workers when qualified, willing, U.S. workers are available. In 2000, a report by the National Research Council concluded that there is no analytical base on which to set the proper level of H–1B visas and that decisions to increase or reduce the cap on such visas are fundamentally political.

Continuing cries of shortages come from high-tech industry lobbyists, yet academic and government studies fail to find evidence of any shortage. A National Research Council report in 2001 concluded that the H–1B visas have an adverse impact on wage levels. According to estimates among professionals in the field, there are at least 800,000 unemployed and underemployed computer technicians and programmers in the United States of America. Could it be that there is a relationship between this number and the 1,300,000 plus H–1B visas now in this country?

The U.S. Bureau of Labor Statistics report that unemployment among electronics engineers has soared to 7 percent. Among computer hardware engineers the rate is 6.5 percent. The Institute of Electrical and Electronics Engineers says that these employees lost 241,000 jobs over the past 2 years, and computer scientists and systems analysts lost 175,000 jobs.

One of the Nation's leading academic experts on the computer science industry, Dr. Norman Matloff of the University of California at Davis, has demonstrated that there is no shortage of U.S. workers to fill these jobs. A UCLA study cited by Dr. Matloff shows that H–1B workers are paid 30 percent less than comparable Americans, and a Cornell University Study found that this difference is 20 to 30 percent.

Remember, this was started out to be a temporary program. It was supposed to be a response to a temporary labor shortage in the computer science industry. Yet, by its structure, it has become a way for foreign workers to enter our labor market and then take up permanent residence.

The 3-year term of the H–1B visa can be renewed for a second 3-year term for a total of 6 years. After 3 years, the worker can begin his petition for a change in status to permanent resident, and hundreds of thousands have done that. A 6-year term is not a temporary visa, and it ought to be changed to a single 2-year term that is not renewable. In fact, this whole program ought to be abolished. There is no need for it, and you cannot prove it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GINGREY). The Chair wishes to inform the gentleman that he will be recognized for an additional 20 minutes.

Mr. TANCREDO. Mr. Speaker, I thank the Chair.

We have to ask ourselves, are there adequate worker protections in the H–1B visa program? All right. The present program pays lip service to worker protection, but in reality an independent study by the Department of Labor's own Inspector General has shown that these protections are a sham.

The Institute of Electrical and Electronic Engineers believes that so-called safeguards to prevent employers from laying off workers and hiring H–1B employees are ineffective and limited to the employers' actions over a 90-day period prior to the hiring of H–1Bs. This 90-day rule is easily evaded and must be expanded to 6 months if the program is retained. Also, H–1B workers who are laid off must be required to return to their country of origin within 60-days.

A General Accounting Office report found that the training funds appropriated and aimed at helping displaced U.S. workers are misused and benefit comparatively few U.S. workers.

Lastly, are the qualifications and experiences of H–1B visa workers frequently fraudulent? That is a great question. Accusations that H–1B visa applicants often falsify their educational background and experience were verified by the State Department's Inspector General. Documents are frequently and routinely falsified.

A yearlong study of the H–1B visa application from the American Consulate in India found that 45 percent of the work experience claims were fraudulent. There are places in India that they call body shops. These are simply companies that are set up for the purpose of creating these false documents, false degrees and diplomas and attaching them to the H–1B workers, sending them on. Once that worker gets here, it really does not matter because no one really comments on it, and they become part of our labor pool.

□ 2320

The Department of Labor Inspector General has averaged 14 indictments and 11 convictions in the labor certification program each year since 1996; and believe me, that is the tiniest tip of the iceberg. The program could be amended and reformed and its major abuses corrected, but the simple fact is we do not need the program at all. It should be repealed, and I have introduced a bill to do just that.

We could reduce the cap to 25,000 or 35,000; but the truth is we do not even need 10,000 new H–1B visas when we have unemployment of 7 percent among software engineers.

That is why I have introduced H.R. 2688 to repeal the H–1B program. It is now in the Committee of the Judiciary, and I ask for Members' support of this measure. I also have to say that this is just an example of something that I think needs to be discussed on this floor, and the American people have to understand and we need to tell them about it. That is the fact that we have embarked, both the Congress of the United States and the administration, and this is not new, this has been a long time in coming, we have embarked upon a cheap labor program. We have decided that it is in the best interests of someone, certainly the corporations, especially the high-tech corporations, to do what is necessary to reduce the wage rates of American workers who were employed in that industry.

We have testimony, we have hundreds and hundreds of examples, we have tons of empirical evidence to show that the whole H–1B program is a fraud and that the idea that it came as a result of some need that still exists is ludicrous. So why are we still doing it? Why do we allow the 1 million or more H–1B visa holders who are living here essentially illegally, why do we allow them to stay? One reason, Mr. Speaker. It is because the high-tech corporations of this country have opposed it. They have put a great deal of their money into lobbying against any reversal of this program and of the whole philosophy of cheap labor.

Maybe it is something that we cannot avoid that we will be forced, that all American workers will be forced to lower their wages, lower their standard of living to meet the competitors around the word who are competing for these jobs. If that is it, I want somebody who believes that to stand up and tell the American people that is where we are going and they will have to take less money for what they are doing, what they want to do for the rest of their lives, the jobs they are involved in, or become underemployed or unemployed. Maybe they have to sell their homes and get a smaller house and their whole standard of living has to change because of this whole new world economy.

If that is the case, and I do not believe it is, but if that is what we believe to be the case, tell the American people that is what we are doing. Do not hide it under these things called temporary worker visas that are necessary because of the great demand that exists for these jobs and the low supply of labor in the United States to fill that demand, because that is absolutely and clearly a sham. It is a lie that is untrue, and we should not continue to perpetrate that lie.

We have talked about the problems with the massive immigration into this country, specifically in the area of jobs and what it has done to the labor markets. We concentrated for a long time on low-skilled, low-wage workers and what the effect of massive immigration of folks in that particular category meant to low-skilled, low-wage workers here. Guess what it is. This is not brain surgery, as they say.

It is pretty simple to understand that if you bring millions of people into this country every single year who have very few skills, that they are going to compete with other low-skilled, low-wage workers in America. And these are primarily recent immigrants. But even those people who have been here for many years because, unfortunately, many times people who are in the minority communities who are stuck in these low-wage jobs, they are the most negatively affected by massive immigration because it is their jobs that are at risk, and it is their wages that go down. It is a cheap labor policy.

Yet we hear from both sides of the aisle how we need to encourage this phenomenon. From the Democrats who are petrified of actually impeding the flow of illegal immigrants into this country, or legal immigrants, for fear that their voting constituent rolls would be impaired negatively, that the numbers would not be rising as quickly as they would like of potential voters for the Democratic Party, because they fear that political outcome and because a significant chunk of their supporters come from immigrant groups and immigration groups that want to expand immigration into the country, because that is the case, they will do nothing to impede this flow.

On my side of the aisle there is this desire for cheap labor. We want to respond to the needs of corporations in this country that have lobbied so hard to get cheaper labor. Well, both of these agendas I think are unworthy of our efforts. Both sides of the aisle should think about something that is far more important than the immediate political future of either party, and that is the effect of this kind of massive immigration, legal and illegal, on the people of this country.

Is it right and proper that our own Nation's borders should be porous so as to allow the flow of millions of people into this country to take the jobs of American citizens, to force people either to work for less money than they were working for just a few years ago or be unemployed, in order to achieve these political goals that I have just described, cheap labor and greater political benefit, greater potential voter pool? I think it is despicable, Mr. Speaker; but that is exactly where we are. That is exactly where we are because there is no other way that you can possibly explain this phenomenon.

How can we explain the fact that maybe 70 percent of the population consistently tells pollsters that they are in desperate need and they have a great desire for control of immigration, for securing our borders, for even reducing the amount of legal immigration so we can actually integrate those people, the millions that have come in in the recent past?

People say we are a Nation of immigrants. In this Nation's past we have had periods of high immigration, but we have had periods of very low immigration. It has been cyclical. It has not been a constantly increasing pattern since the day the Nation was founded. There are many decades with low-to-almost-nonexistent immigration in terms of the ratio of people coming and leaving, and yet the economy actually grew. In the late 1940s and early 1950s,

immigration was a very small percentage of the population growth of this country, and yet we had an enormous growth rate in the productivity of the country and in the economy itself.

□ 2330

There are many times in our Nation's history where that has happened. We do not need massive immigration to fuel economic growth. We can point to the areas, as I say, the times in the past where this economic growth has been achieved without massive immigration. We need a time-out. We need some time to actually in a way, if you will, digest the massive numbers of people that have come in and to help them get integrated into this country. That has been the process in the past. But we are abandoning that for the political goals that I have identified here. We are suggesting that we can keep the doors open forever, that our borders can and, in fact, should be erased.

There are people who believe that. I want them to stand up in front of this body and defend it. I want them to say that we need to have open borders, because that is what they really want.

I think that it is just, as I said earlier, about the need to tell the American people exactly what it is we are involved with even in the clash of civilizations. It is important to tell the American people what we are involved with in terms of our immigration policy and let them make the decision as to whether we are right or wrong, who is right or wrong.

Maybe I am 180 degrees off base. Maybe I am completely wrong about my concerns with regard to immigration and the impact it will have on this country, the negative impact. Let us get it debated. I want somebody to stand up and say, no. In fact, we need to abolish the borders. We need to repeal all the laws on immigration. We are just a region. We are not really a country at all. Lines on the map, they have become anachronistic, not important at all; and, in fact, markets should determine the flow of goods and services and people and that is all. Markets should determine everything.

Maybe they have got a case to make. Let them make it to the American people. I believe that we have a duty to the people of this Nation to tell them exactly what is at stake here, just as I said earlier about the war on terrorism, what is at stake.

Mr. Speaker, I believe with all my heart that massive immigration into this country will not only determine what kind of a country we become, that is divided, balkanized or united, it will determine whether or not we will be a country, a nation, at all. There are folks who want us to simply be a place on the earth that has residents, not citizens. The whole concept of citizenship is under attack every single day.

Constantly, we are seeing proposals, especially on the other side of the aisle but not uniquely from the Democrats, something from our side, too, proposals to have amnesty for people who are living here illegally, proposals to extend all kinds of benefits to people who are living here illegally, proposals to give people who are living here illegally, who have violated the laws of the land to come in, proposals to say to them, we not only will teach all of your children in K–12, we will teach them in higher education at taxpayers' expense, that we will give you driver's licenses, that we will give you social service benefits, and that we will in fact even let you vote.

There are places called sanctuary cities popping up all over the country, and they are telling their police forces in these cities that they are not to cooperate with the INS in any way, shape or form. They are telling people in the community that they can come and vote if they are simply residents of the community, not citizens of the United States but simply residents of a community.

I ask you, Mr. Speaker, if in fact that is what we are doing, if in fact you provide all of the benefits of citizenship to people who are not citizens and in fact are not even here legally, then what in the world is the value of the word? What is the value of citizenship? It is destroyed. It means nothing. That is what is at stake here. It is not just jobs. Believe me, if you are one of the folks that is out of work, that is a pretty important issue. But it is not even the most important issue for the Nation to deal with right now.

We have got to think about what is the effect of the elimination of the concept of citizenship. What does it mean when a nation abandons its own borders? What does it mean when it tells people by the millions that they should attach themselves not to the principles of the United States, the principles of western civilization but they should actually hang onto the political and cultural heritage that they came with and that they came from, they should keep it, and they should keep the language, not become immersed in an English language, not become part of the American mosaic but stay separate and distinct. How does that benefit us if our goal is to create a continuing American society revolving around the ideals on which this Nation was founded?

And that is important to understand, that this country uniquely was founded on ideas, nothing else. No other country has that distinction. Ideas are the only thing that holds us together here. It is not culture, it is not language, it is not habit, not custom, none of those, not the color of our skin, not our ethnicity, none of those things do we have in common in this Nation. What holds us together is an adherence to principles.

Mr. Speaker, I fear that that adherence is being destroyed in the pursuit, in this incredible desire, I call it the cult of multiculturalism that permeates our society, the cult of multiculturalism.

Multicultural is a term that can be positive in many respects. You can explain how important it is to be a diverse country and the value of that and all that, and I can certainly understand that. As an Italian American, I certainly appreciate my heritage and try to pass it on to my children, but I stop far short of suggesting that that heritage has anything superior to offer to the American culture that my grandparents accepted and desired and had a strong desire to move into as quickly as possible. It is the cult of multiculturalism that permeates our society, this desire to destroy everything that is good about America, to say to children, there is nothing unique about America, nothing good about America, that every other society is as good if not better, that all cultures, no matter what they do, if they force women to be thrown on the funeral pyre of their husband, if they stone women for adultery, if they perform various operations on them. You can go on and on and on about certain things other cultures do and you can say, it's okay, it is just another culture.

Mr. Speaker, I think that western civilization is superior. I do. I believe it is superior. I think it has at least as much to offer, and if you do not want to buy that, then consider it has at least to offer as any other culture in the world. There are many things that we should be prideful of, there are many things that are part of western civilization and American culture that we should try to hang on to and fight for. It goes back to that first discussion we had tonight. It is very hard to make sure that you can do that if your own society is being torn apart, being cut up into little pieces, everybody is put into victimized classes and told that whatever culture they came from was better, was superior and they should hang on to it; politically, hang on to it; ethnically, hang on to it; linguistically, hang on to it.

This is not what America was founded on. It has to be discussed, has to be brought to the attention of the American public and ask them for their opinion and then reflect that opinion here in this body and in the White House. This issue has got to be brought up in every debate, in every election in the country from city council to the President of the United States. It is the overriding domestic issue. It will determine where we are as a Nation; and, as I say, it will determine if we are a Nation. That is why it is important. That is why I bring it to this body night after night as long as I have the voice to do so.

□ 2340

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1950, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2004 AND 2005

Mr. LINCOLN DIAZ-BALART of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 108–206) on the resolution (H. Res. 316) providing for consideration of the bill (H.R. 1950) to authorize appropriations for the Department of State for the fiscal years 2004 and 2005, to authorize appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal years 2004 and 2005, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. JEFFERSON (at the request of Ms. PELOSI) for today through July 17 on account of official business.

Mr. EVERETT (at the request of Mr. DELAY) for today on account of attending to business in the State.

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 Ms. KAPTUR) to revise and extend their remarks and include extraneous material:)

Mr. HINCHEY, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. WATSON, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. PENCE) to revise and extend their remarks and include extraneous material:)

Mr. GUTKNECHT, for 5 minutes, today and July 15, 16, and 17.

Mrs. MILLER of Michigan, for 5 minutes, July 16.

Mr. MORAN of Kansas, for 5 minutes, July 21.

Mr. PENCE, for 5 minutes, today and July 15 and 16.

Mr. JONES of North Carolina, for 5 minutes, July 16.

Mr. BURGESS, for 5 minutes, July 16.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. COX, and to include extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $975.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 886. An act to ratify otherwise legal appointments and promotions in the commissioned corps of the National Oceanic and Atmospheric Administration that failed to be submitted to the Senate for its advice and consent as required by law, and for other purposes; to the Committee on Resources.

ADJOURNMENT

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 47 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 15, 2003, at 9 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3143. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Emamectin; Pesticide Tolerance [OPP-2003-0220; FRL-7316-6] received July 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3144. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Azoxystrobin; Pesticide Tolerance [OPP-2003-0196; FRL-7311-2] received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3145. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Buprofezin; Pesticide Tolerance [OPP-2003-0136; FRL-7310-7] received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3146. A letter from the Deputy Congressional Liaison, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Bank Holding Companies and Change in Bank Control [Regulation Y; Docket No. R-1146] received July 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3147. A letter from the Director, Regulations Policy and Managment Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — New Drug, Antibiotic, and Biological Drug Product Regulations; Accelerated Approval; Technical Amendment [Docket No. 91N-0278] received July 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3148. A letter from the Director, Regulations Policy and Managment Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Antiperspirant Drug Products For Over-the-Counter Human Use; Final Monograph [Docket No. 78N-0064] (RIN: 0910-AA01) received July 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3149. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Child Restraint Systems, Child Restraint Anchorage Systems [Docket No. NHTSA-03-15438] (RIN: 2127-AH99) received June 30, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3150. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Child Restraint Systems [Docket No. NHTSA-03-15351] (RIN: 2127-AI34) received June 30, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3151. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Tire Safety Information [Docket No. NHTSA-02-13678] (RIN: 2127-AI32) received June 30, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3152. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; 1-Hour Ozone Standard for Santa Barbara, California [CA-282-0392; FRL-7515-3] received July 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3153. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Georgia: Approval of Revisions to State Implementation Plan [GA-60, GA-61-200332(a); FRL-7524-6] received July 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3154. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans: Revisions to the Kentucky Nitrogen Oxides Budget and Allowance Trading Program [KY-142, 144-200330, FRL-7516-1] received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3155. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [MO 180-1180a; FRL-7513-9] received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3156. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Wisconsin; Revised Motor Vehicle Emissions Inventories and Motor Vehicle Emissions Budgets using MOBILE6 [WI116-01-7346a; FRL-7515-5] received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3157. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Correction of Designation of Areas for Air Quality Planning Purposes; California — PM-10 Nonattainment Areas [CA093-CORR; FRL-7516-9] received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3158. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency's final rule — Criteria for Classification of Solid Waste Disposal Facilities and Practices and Criteria for Municipal Solid Waste Landfills: Disposals of Residential Lead-Based Paint Waste [FRL-7514-7] (RIN: 2050-AE86) received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3159. 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 [OPPT-2003-0002; FRL-7314-5] received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3160. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Polychlorinated Biphenyls; Use of Porous Surfaces; Amendment in Response to Court Decision [OPPT-2003-0029; FRL-7314-2] (RIN: 2070-AC01) received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3161. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of the Defense's proposed lease of defense articles to the Government of Qatar (Transmittal No. 06-03), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3162. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of the Defense's proposed lease of defense articles to the Government of the Sultanate of Oman (Transmittal No. 07-03), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3163. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of the Defense's proposed lease of defense articles to the Government of Thailand (Transmittal No. 04-03), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3164. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of the Defense's proposed lease of defense articles to the Government of the United Arab Emirates (Transmittal No. 05-03), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3165. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of the Defense's proposed lease of defense articles to the Government of the Philippines (Transmittal No. 08-03), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3166. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3167. A letter from the White House Liaison, Department of Health and Human Sevices, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3168. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3169. A letter from the General Counsel, Department of Housing and Urban Development, transmitting report on federal vacancy confirmed in Senate, position of Assistant Secretary for Congressional and Intergovernmental Relations; to the Committee on Government Reform.

3170. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — West Virginia Regulatory Program [WV-098-FOR] received July 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3171. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Pennsylvania Regulatory Program [PA-128-FOR] received July 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3172. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Change of Address for Submission of Certain Reports; Technical Amendment [FRL-7513-8] received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3173. 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 Economic Exclusive Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 021122286-3036-02; I.D. 061803B] received July 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3174. 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; Revisions to Observer Coverage Requirements for Vessels and Shoreside Processors in the North Pacific Groundfish Fisheries; Correction [Docket No. 011219306-2283-02; I.D. 110501A] (RIN: 0648-AM44) received July 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3175. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Allocation of Fiscal Year 2003 Operator Training Grants — received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3176. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Pollutant Discharge Elimination System--Amendment of Final Regulations Addressing Cooling Water Intake Structures for New Facilities; Final Rule [FRL-7514-9] (RIN: 2040-AD85) received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3177. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Supplemental Allocation of Fiscal Year 2003 Operator Training Grants for Wastewater Security — received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3178. A letter from the Acting Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — Government Property--Instructions for Preparing NASA Form 1018 — received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

3179. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Examination of returns and claims for refund, credit or abatement; determination of correct tax liability (Rev. Proc. 2003-51) received July 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[The following actions occurred on July 11, 2003]

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 1950. A bill to authorize appropriations for the Department of State for the fiscal years 2004 and 2005, to authorize appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal years 2004 and 2005, and for other purposes; with an amendment (Rept. 108–105, Pt. 4). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2330. A bill to sanction the ruling Burmese military junta, to strengthen Burma's democratic forces and support and recognize the National League of Democracy as the legitimate representative of the Burmese people, and for other purposes; with an amendment (Rept. 108–159, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

[Submitted July 14, 2000]

Mr. SENSENBRENNER: Committee on the Judicary. H.R. 1375. A bill to provide regulatory relief and improve productivity for insured depositor institutions, and for other purposes; with an amendment (Rept. 108–152, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2086. A bill to reauthorize the Office of National Drug Control Policy; with an amendment (Rept. 108–167 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of New Jersey: Committee on Veterans' Affairs. H.R. 116. A bill to authorize the Secretary of Veterans Affairs to construct, lease, or modify major medical facilities at the site of the former Fitzsimmons Army Medical Center, Aurora, Colorado; with an amendment (Rept. 108–200). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 1113. A bill to authorize an exchange of land at Fort Frederica National Monument, and for other purposes; with an amendment (Rept. 108–201). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 901, A bill to authorize the Secretary of the Interior to construct a bridge on Federal land west of and adjacent to Folsom Dam in California, and for other purposes; with an amendment (Rept. 108–202). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 1209, A bill to extend the authority for the construction of a memorial to Martin Luther King, Jr., in the District of Columbia, and for other purposes; (Rept. 108–203). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 1284, A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to increase the Federal share of the costs of the San Gabriel Basin demonstration project (Rept. 108–204). Referred to the Committee of the Whole House on the State of the Union.

Mr, HYDE. Committee on International Relations. H.R. 2441. A bill to establish the Millennium Challenge Account to provide increased support for developing countries that have fostered democracy and the rule of law,

invested in their citizens, and promoted economic freedom; to assess the impact and effectiveness of United States economic assistance; to authorize the expansion of the Peace Corps, and for other purposes; with an amendment (Rept. 108–205). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIAZ-BALART, L.: Committee on Rules. H. Res. 316. A resolution providing for consideration of the bill (H.R. 1950) to authorize appropriations for the Department of State for the fiscal years 2004 and 2005, to authorize appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal years 2004 and 2005, and for other purposes (Rept. 108–206). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

[The following actions occurred on July 11, 2003]

Pursuant to clause 2 of rule XII the Committee on Ways and Means discharged from further consideration. H.R. 1562 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 2 of rule XII the Committees on Ways and Means and Financial Services discharged from further consideration. H.R. 2330 referred to the Committee of the Whole House on the State of the Union.

[The following action occurred on July 14, 2003]

Pursuant to clause 2 of rule XII the Committee on Energy and Commerce and the Permanent Select Committee on Intelligence discharged from further consideration. H.R. 2086 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. SMITH of Texas:

H.R. 2714. A bill to reauthorize the State Justice Institute; to the Committee on the Judiciary.

By Mr. RADANOVICH:

H.R. 2715. A bill to provide for necessary improvements to facilities at Yosemite National Park, and for other purposes; to the Committee on Resources.

By Ms. BORDALLO (for herself, Mr. ABERCROMBIE, Mr. CASE, and Mr. FALEOMAVAEGA):

H.R. 2716. A bill to amend the Compact of Free Association of 1985 to provide for adequate Compact-impact aid; to the Committee on Resources, and in addition to the Committees on International Relations, Energy and Commerce, Agriculture, 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. BROWN of Ohio (for himself, Mr. STARK, and Mr. HINCHEY):

H.R. 2717. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish a program to provide for the voluntary certification of Internet and mail-order pharmacies, to amend such Act to authorize, subject to certain conditions, the importation by individuals of prescription drugs from Canada for personal use, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BROWN of Ohio:

H.R. 2718. A bill to amend the Internal Revenue Code of 1986 to provide a uniform definition of child, and for other purposes; to the Committee on Ways and Means.

By Mr. CAMP (for himself, Mr. POMEROY, Mr. RAMSTAD, Mr. SANDLIN, Mr. MATSUI, Mr. KLECZKA, and Mr. TANNER):

H.R. 2719. A bill to provide special funding requirements for certain pension plans maintained by commercial passenger air carriers; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EMANUEL (for himself, Mr. REYNOLDS, Mr. KIRK, Mr. HOEKSTRA, Mr. LIPINSKI, Mr. EHLERS, Mr. LEVIN, Mr. LATOURETTE, Mr. KENNEDY of Minnesota, Mr. GREEN of Wisconsin, Mr. CHOCOLA, Mr. STUPAK, Mr. MURTHA, Mr. DAVIS of Illinois, Mr. KLECZKA, Mr. BROWN of Ohio, Ms. SLAUGHTER, Ms. MCCOLLUM, Mr. HOEFFEL, and Mr. ENGLISH):

H.R. 2720. A bill to authorize appropriations for State programs and activities for the restoration of the Great Lakes, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICHAUD (for himself and Mr. EVANS):

H.R. 2721. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940 to provide certain relief under that Act for members of the reserve components who are attending postsecondary educational institutions when called or ordered to active duty; to the Committee on Veterans' Affairs.

By Mr. PITTS (for himself, Mr. NEUGEBAUER, Mr. OTTER, Mr. MCGOVERN, Mr. BURGESS, Ms. HOOLEY of Oregon, Mr. FOLEY, Mr. ENGLISH, Ms. WOOLSEY, Mr. GILCHREST, Mr. CALVERT, Mr. FRANK of Massachusetts, Mr. HOSTETTLER, Mr. HOLDEN, Mr. TAYLOR of Mississippi, Mr. BEREUTER, Mr. SIMPSON, and Mr. HASTINGS of Florida):

H.R. 2722. A bill to amend title 49, United States Code, to allow additional transit systems greater flexibility with certain mass transportation projects; to the Committee on Transportation and Infrastructure.

By Mr. SIMPSON:

H.R. 2723. A bill to amend title 28, United States Code, to provide for the appointment of additional Federal circuit judges, to divide the Ninth Judicial Circuit of the United States into two circuits, and for other purposes; to the Committee on the Judiciary.

By Mr. SANDERS:

H.R. 2724. A bill to amend the Fair Credit Reporting Act to prohibit the use of any information in any consumer report by any credit card issuer that is unrelated to the transactions and experience of the card issuer with the consumer to increase the annual percentage rate applicable to credit extended to the consumer, and for other purposes; to the Committee on Financial Services.

By Mr. DAVIS of Florida (for himself, Mr. BEREUTER, Mr. WEXLER, Mr. KING of New York, Mr. DEUTSCH, Mr. MCDERMOTT, Mr. MATSUI, Mr. BERMAN, Mr. SKELTON, Mr. GREENWOOD, Mr. SHIMKUS, Mr. CROWLEY, Mr. HOEFFEL, Mr. ENGEL, Mr. BROWN of Ohio, Mr. SMITH of Washington, Mrs. JO ANN DAVIS of Virginia, Mrs. LOWEY, Mr. DELAHUNT, Mr. SCHIFF, Mr. KIND, and Mr. NADLER):

H. Con. Res. 242. Concurrent resolution expressing the sense of Congress regarding the education curriculum in the Kingdom of Saudi Arabia; to the Committee on International Relations.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

139. The SPEAKER presented a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 77 memorializing the President of the United States and Congress to enact legislation requiring the retroactive award of the Combat Medical Badge to all Vietnam personnel serving in the 91 MOS who were assigned to helicopter ambulances; to the Committee on Armed Services.

140. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 57 memorializing the United States Congress to enact legislation amending Title XXI of the Social Security Act to extend the availability of allotments for fiscal years 1998 through 2001 under the State Children's Health Insurance Program; to the Committee on Energy and Commerce.

141. Also, a memorial of the General Assembly of the State of Colorado, relative to House Joint Resolution 03-1037, memorializing that the Colorado General Assembly support the establishment of a Veterans Affairs Medical Center at Fitzsimons and the enactment of H.R. 116, the ''Veterans' New Fitzsimons Health Care Facilities Act of 2003''; to the Committee on Veterans' Affairs.

142. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 45 urging Congress to enact the ''Veterans Health Care Funding Guarantee Act of 2003,'' and make veterans health care mandatory to ensure that veterans have access to timely, quality health care; to the Committee on Veterans' Affairs.

143. Also, a memorial of the General Assembly of the State of Colorado, relative to Senate Joint Resolution No. 03-016 memorializing President George W. Bush along with his cabinet, the United States Congress and the United Nations for their unwavering determination to either disarm Saddam Hussein or remove him from power and also expresses its support of the men and women of the United States armed forces for their courage and dedication to this mission; jointly to the Committees on Armed Services and International Relations.

144. Also, a memorial of the General Assembly of the State of Colorado, relative to Senate Joint Memorial No. 03-001 memorializing the United States Congress that the General Assembly of the state of Colorado reaffirms its commitment to strengthening our cities and counties as the first line of defense of our people, and to giving our first responders the training, equipment, and resources they need to respond to terrorist attacks; jointly to the Committees on Transportation and Infrastructure, Energy and Commerce, and the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 36: Mr. FROST.

H.R. 44: Mr. FOLEY.

H.R. 49: Mr. HAYES, Mr. COBLE, Mr. SPRATT, and Mr. MILLER of Florida.

H.R. 110: Mr. SCHROCK.

H.R. 195: Mr. DEMINT.

H.R. 235: Mrs. BLACKBURN and Mr. KLINE.
H.R. 284: Mr. FROST and Ms. SOLIS.
H.R. 303: Mr. CANNON.
H.R. 339: Mr. SESSIONS.
H.R. 375: Mr. LOBIONDO.
H.R. 394: Mr. BAIRD.
H.R. 401: Mr. MOORE.
H.R. 463: Mr. HOUGHTON and Ms. MCCOLLUM.
H.R. 465: Mr. SKELTON.
H.R. 466: Mr. CHOCOLA and Mr. WATT.
H.R. 490: Mr. MOORE.
H.R. 528: Mr. SHAYS.
H.R. 569: Mr. OBERSTAR.
H.R. 684: Mr. KING of Iowa.
H.R. 713: Mr. ABERCROMBIE and Mr. PALLONE.
H.R. 716: Mrs. MALONEY and Mr. PLATTS.
H.R. 792: Mr. RYAN of Ohio, Mr. PLATTS, Mr. SHUSTER, Mrs. MALONEY, Mr. HINCHEY, Mr. FEENEY, Mr. TANCREDO, and Mr. CHOCOLA.
H.R. 806: Ms. LINDA T. SANCHEZ of California and Mr. ABERCROMBIE.
H.R. 808: Mrs. JONES of Ohio.
H.R. 852: Ms. PELOSI, Mr. PALLONE, Mr. FROST, Mr. KILDEE, and Mr. OBERSTAR.
H.R. 919: Mr. WELDON of Florida.
H.R. 931: Mr. HERGER.
H.R. 942: Mr. LIPINSKI, Mr. TOWNS, Ms. ESHOO, Mr. BROWN of Ohio, and Mrs. MYRICK.
H.R. 965: Ms. ROYBAL-ALLARD, Mr. RUSH, Ms. NORTON, and Mr. HOYER.
H.R. 980: Mr. PLATTS.
H.R. 995: Mr. FRANK of Massachusetts.
H.R. 996: Mr. CLYBURN and Mr. MORAN of Virginia.
H.R. 997: Mrs. CUBIN, Mr. HERGER, and Mr. CALVERT.
H.R. 1005: Mr. GREEN of Wisconsin.
H.R. 1070: Ms. MCCOLLUM.
H.R. 1117: Mr. KING of Iowa, and Ms. GINNY BROWN-WAITE of Florida.
H.R. 1137: Mr. KING of Iowa.
H.R. 1169: Mr. CULBERSON.
H.R. 1172: Ms. JACKSON-LEE of Texas.
H.R. 1225: Mr. PRICE of North Carolina and Mr. YOUNG of Florida.
H.R. 1358: Mr. BERMAN.
H.R. 1530: Mr. PETERSON of Minnesota.
H.R. 1532: Mr. RYAN of Ohio, Ms. JACKSON-LEE of Texas, Mr. LOBIONDO, Mr. LANGEVIN, Mr. HONDA, and Mr. WELDON of Pennsylvania.
H.R. 1606: Mr. LEWIS of Kentucky.
H.R. 1633: Ms. ESHOO and Mrs. TAUSCHER.
H.R. 1676: Mr. BACHUS, Mr. MOORE, and Mr. DOOLEY of California.
H.R. 1708: Mr. LIPINSKI, Mr. GUTIERREZ, Mrs. TAUSCHER, and Mr. GEORGE MILLER of California.
H.R. 1720: Mr. LOBIONDO and Mr. BROWN of South Carolina.
H.R. 1749: Mr. NEY, Mr. KING of Iowa, Mr. SHUSTER, and Mr. BASS.
H.R. 1819: Mr. FOLEY.
H.R. 1858: Mr. EMANUEL, Mr. HOEFFEL, and Mr. SNYDER.
H.R. 1906: Mr. SANDERS.
H.R. 1958: Ms. MILLENDER-MCDONALD.
H.R. 2013: Mr. BEREUTER.
H.R. 2047: Mr. HAYWORTH, Mrs. JONES of Ohio, and Mr. BECERRA.
H.R. 2052: Mr. EVERETT, Ms. BERKLEY, and Mr. SMITH of Washington.
H.R. 2071: Ms. WOOLSEY, Mr. OBERSTAR, Mr. PRICE of North Carolina, Mr. FRANK of Massachusetts, Ms. ESHOO, and Mr. MCDERMOTT.
H.R. 2096: Mr. SHAYS, Mr. ANDREWS, Mr. MCHUGH, Mr. BONNER, Mr. LATHAM, Mr. CROWLEY, Mr. UPTON, and Mr. SCHIFF.
H.R. 2133: Mr. BARTLETT of Maryland.
H.R. 2134: Mr. WILSON of South Carolina.
H.R. 2198: Mr. HOEFFEL.
H.R. 2214: Mr. JANKLOW, Mr. BRADLEY of New Hampshire, Mr. BOEHLERT, Mr. NETHERCUTT, and Mr. CUNNINGHAM.
H.R. 2216: Mrs. JONES of Ohio and Mr. CALVERT.
H.R. 2233: Mr. SABO.
H.R. 2303: Mr. SIMPSON, Mr. OTTER, and Mrs. CUBIN.
H.R. 2318: Mr. GREEN of Wisconsin.
H.R. 2392: Mr. SCHIFF.
H.R. 2441: Mr. BACHUS, Mr. LEACH, Mr. MCCOTTER, Mr. ENGLISH, Mr. OXLEY, Mr. WHITFIELD, Mr. SIMMONS, Mr. PICKERING, Mr. TERRY, Mrs. MILLER of Michigan, Mr. SMITH of New Jersey, Mr. UPTON, Mr. KING of New York, Mr. BALLENGER, Mr. THORNBERRY, Mr. NETHERCUTT, Mrs. WILSON of New Mexico, Mr. JOHNSON of Illinois, Mr. ISSA, Mrs. NORTHUP, Mr. ROHRABACHER, Mr. HOUGHTON, Mr. CONYERS, Mr. ACKERMAN, Mr. GRIJALVA, Mr. BOUCHER, Mr. PAYNE, Ms. JACKSON-LEE of Texas, Mr. WYNN, Mr. TIERNEY, Mr. CASE, Mr. FARR, Mr. MORAN of Virginia, Mr. BERMAN, Mr. UDALL of Colorado, Mr. FROST, Ms. WOOLSEY, Mr. WELLER, Mr. LATOURETTE, Mr. FALEOMAVAEGA, Mr. BLUMENAUER, Mr. BELL, Mr. ENGEL, Mr. SNYDER, Mr. SMITH of Washington, Mr. BALLANCE, Ms. ROS-LEHTINEN, Mr. ROGERS of Michigan, Mr. DINGELL, Mr. FRANK of Massachusetts, Mr. PRICE of North Carolina, Mrs. BONO, and Mr. ROYCE.
H.R. 2442: Mr. FRANK of Massachusetts, Mr. FROST, Mr. THOMPSON of Mississippi, Mr. RAHALL, Mr. SPRATT, Mr. LEVIN, and Mr. GUTIERREZ.
H.R. 2462: Mr. ALLEN, Mr. DINGELL, and Mr. GORDON.
H.R. 2466: Mr. WELDON of Florida, Mr. LANTOS, and Mr. DAVIS of Illinois.
H.R. 2482: Mrs. NAPOLITANO.
H.R. 2497: Mr. CLAY and Mr. MCGOVERN.
H.R. 2498: Mr. GRIJALVA.
H.R. 2505: Ms. WATSON, Ms. NORTON, Mr. FARR, and Mr. RUSH.
H.R. 2515: Mr. HALL.
H.R. 2517: Mr. GREEN of Wisconsin.
H.R. 2526: Mr. MCDERMOTT.
H.R. 2556: Mr. AKIN.
H.R. 2563: Mr. JEFFERSON, Mr. GRIJALVA, Mr. RANGEL, Mr. FROST, Mr. BROWN of Ohio, Mr. MCNULTY, Mr. TOWNS, Mr. SPRATT, Mr. HINCHEY, Mr. BALLANCE, Mr. ABERCROMBIE, Ms. MAJETTE, Mr. BOUCHER, Mr. KUCINICH, and Mr. RUSH.
H.R. 2568: Mr. MICHAUD.
H.R. 2601: Mr. OWENS.
H.R. 2605: Mr. FROST, Mr. CLAY, Mr. GONZALEZ, Mr. UDALL of Colorado, Ms. NORTON, Mr. KUCINICH, and Mr. KENNEDY of Rhode Island.
H.R. 2622: Mr. FROST and Mr. RAMSTAD.
H.R. 2625: Mr. GRIJALVA, Ms. JACKSON-LEE of Texas, Mr. STARK, Mr. ABERCROMBIE, Mrs. LOWEY, Mr. INSLEE, Mr. MCGOVERN, and Mr. SANDERS.
H.R. 2665: Mr. BACA and Ms. KILPATRICK.
H.R. 2680: Mr. OLVER, Mr. BRADY of Pennsylvania, Mr. DUNCAN, Mr. MCNULTY, Mr. PASTOR, Mr. STRICKLAND, Mr. DEUTSCH, and Mr. TIERNEY.
H.R. 2704: Mr. BAIRD and Mr. ENGEL.
H. Con. Res. 56: Ms. HART.
H. Con. Res. 60: Mr. RADANOVICH and Mr. HOEFFEL.
H. Con. Res. 98: Mr. GARY G. MILLER of California, Mr. CAMP, Mr. BARTON of Texas, and Mr. BACHUS.
H. Con. Res. 119: Mr. FORBES, Mr. BARTON of Texas, and Mr. OWENS.
H. Con. Res. 164: Mr. OTTER.
H. Con. Res. 235: Ms. JACKSON-LEE of Texas, Mr. GILLMOR, Mr. SHIMKUS, Ms. CARSON of Indiana, Mr. THOMPSON of Mississippi, Mr. RYUN of Kansas, Ms. LOFGREN, Mr. WEINER, Mr. ROTHMAN, Mr. OWENS, Mr. MCNULTY, Mr. UPTON, Mr. SIMMONS, Mrs. JONES of Ohio, and Mr. FOLEY.
H. Con. Res. 240: Mr. CUMMINGS, Mr. MEEK of Florida, Ms. CARSON of Indiana, Mr. JEFFERSON, Mr. BISHOP of Georgia, Mr. BALLANCE, Mr. WATT, Mr. CONYERS, Mr. WYNN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mrs. CHRISTENSEN, Mr. DAVIS of Alabama, Mr. CLYBURN, Mr. SCOTT of Georgia, Ms. KILPATRICK, Mr. LEWIS of Georgia, Mr. SCOTT of Virginia, Mr. CLAY, Mrs. JONES of Ohio, Ms. JACKSON-LEE of Texas, Mr. DAVIS of Illinois, Mr. BELL, Mr. FRANK of Massachusetts, Ms. MCCOLLUM, and Ms. WOOLSEY.
H. Res. 38: Mr. PALLONE.
H. Res. 103: Mr. STRICKLAND.
H. Res. 136: Mr. SIMPSON.
H. Res. 304: Ms. HART.

DELETION 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. 20: Mr. GARY G. MILLER of California.
H.R. 1472: Mr. TANCREDO, Mr. PETERSON of Pennsylvania, Mr. VITTER, Mr. BACA, Mr. FORBES, and Mrs. JO ANN DAVIS of Virginia.
H.R. 2214: Mr. BLUMENAUER.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

23. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 193 of 2003 petitioning the United States Congress to not move the ''Head Start'' program from the Department of Health and Human Services to the Department of Education and that these monies set aside for this vital program not be ''block granted'' to the individual states; to the Committee on Education and the Workforce.

24. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 198 requesting that the President of the United States restore executive funding to many youth programs that were severely cut and that have helped produced productive members of society; to the Committee on Education and the Workforce.

25. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 199 of 2003 petitioning the United States Congress to restore funding to many youth programs that were severely cut during the 2003 fiscal year budget negotiations; to the Committee on Education and the Workforce.

26. Also, a petition of the Council of the County of Maui, Hawaii, relative to Resolution No. 03-53 urging the President and the United States Congress to recognize the value, importance, and successes of the Head Start program, to maintain the highest funding levels and to keep the Head Start program in the Department of Health and Human Services; to the Committee on Education and the Workforce.

27. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 196 of 2003 petitioning the United States Congress to restore cuts to Medicaid, including eliminating the President's proposed Medicaid cap that will increase the burden to New York and Rockland County from federally mandated and optional Medicaid programs; to the Committee on Energy and Commerce.

28. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 146 of 2003 expressing recommendation that President George W. Bush appoint Congressman Benjamin Gilman as United States Ambassador to Ireland; to the Committee on International Relations.

29. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 140 of 2003 petitioning the United

States Congress to enact The State and Local Aid and Economic Stimulus Act of 2003 (Senate Law S. 201 IS, HR 1211 IH); to the Committee on Government Reform.

30. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 182 of 2003 petitioning the United States Congress to restore funding to battered women's shelter and services program under the federal ''Violence Against Women Act''; to the Committee on the Judiciary.

31. Also, a petition of City of Detroit City Council, Detroit, Michigan, relative to a resolution urging the United States Congress to reject S. 659 and H.R. 1036, legislation which seeks to grant the Firearm Industry special protections against legal action; to the Committee on the Judiciary.

32. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 151 of 2003 requesting the United States Environmental Protection Agency to immediately implement without delay the remediation plan in the Hudson River; to the Committee on Transportation and Infrastructure.

33. Also, a petition of the Avoyelles Parish Police Jury, Marksville, Louisiana, relative to a resolution expressing support of the United States Armed Forces, the Reserves and the National Guard who, in call of their Commander in Chief, courageously stand ready to make the ultimate sacrifice so that all Americans can continue to live freely and without fear; jointly to the Committees on Armed Services and International Relations.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1950

OFFERED BY: MR. KENNEDY OF MINNESOTA TO THE AMENDMENT OFFERED BY: MR. HYDE

AMENDMENT NO. 1: In section 2103(a)(1)(C)(ii) of the amendment, add at the end before the semicolon the following: '', including, with respect to investment in the health of its citizens, a calculation of the amount of both public and private expenditures on health initiatives as a percentage of the gross domestic product of the country''.

H.R. 2673

OFFERED BY: MR. BLUMENAUER

AMENDMENT NO. 1: Under the heading ''AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS'', insert after the dollar amount on page 5, line 1, the following: ''(reduced by $800,000)''.

Under the heading ''OFFICE OF THE INSPECTOR GENERAL'', insert after the dollar amount on page 7, line 18, the following: ''(increased by $800,000)''.

H.R. 2673

OFFERED BY: MR. DAVIS OF ALABAMA

AMENDMENT NO. 2: Page 3, line 9, after the dollar amount, insert ''(reduced by $3,500,000)''.

Page 11, line 13, after the dollar amount, insert ''(increased by $2,000,000)''.

Page 13, line 5, after the dollar amount, insert ''(increased by $2,000,000)''.

Page 13, line 23, after the dollar amount, insert ''(increased by $1,500,000)''.

Page 14, line 14, after the dollar amount, insert ''(increased by $1,500,000)''.

H.R. 2673

OFFERED BY: MR. HEFLEY

AMENDMENT NO. 4: Add at the end (before the short title) the following new section:

SEC. ____. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by one percent.

H.R. 2673

OFFERED BY: MR. BALLANCE

AMENDMENT NO. 4: Under the heading ''COMMON COMPUTING ENVIRONMENT'', insert after the dollar amount on page 3, line 9, the following: ''(reduced by $8,656,000)''.

Under the heading ''OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS'', insert after the dollar amount on page 4, line 6, the following: ''(increased by $411,000)''.

Under the heading ''DEPARTMENTAL ADMINISTRATION'', insert after the dollar amount on page 6, line 3, the following: ''(increased by $2,005,000)''.

Under the heading ''CSREES-RESEARCH AND EDUCATION ACTIVITIES'', insert after the dollar amounts on page 11, line 13, and page 12, line 16, the following: ''(increased by $600,000)''.

Under the heading ''OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS'', insert after the dollar amount on page 16, line 12, the following: ''(increased by $5,000,000)''.

H.R. 2691

OFFERED BY: MR. HOLT

AMENDMENT NO. 2: At the end of the bill (before the short title) insert the following section:

SEC. 3___. None of the funds made available in this Act may be used to manage recreational snowmobile use in Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr. Memorial Parkway, except in accordance with National Park Service One-Year Delay Rule published November 18, 2002 (36 CFR part 7, RIN 1024–AD06).

H.R. 2691

OFFERED BY: MR. RAHALL

AMENDMENT NO. 3: Strike section 137.

H.R. 2691

OFFERED BY: MR. RAHALL

AMENDMENT NO. 4: At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds made available by this Act may be used to kill, or assist others in killing, any Bison in the Yellowstone National Park herd.

H.R. 2691

OFFERED BY: MR. MANZULLO

AMENDMENT NO. 5: At the end of the bill (before the short title), insert the following:

SEC.____. None of the funds made available in this Act may be used—

(1) to acquire manufactured articles, materials, or supplies unless section 2 of the Buy American Act (41 U.S.C. 10a) is applied to the contract for such acquisition by substituting ''at least 65 percent'' for ''substantially all''; or

(2) to enter into a contract for the construction, alteration, or repair of any public building or public work unless section 3 of the Buy American Act (41 U.S.C. 10b) is applied to such contract by substituting ''at least 65 percent'' for ''substantially all''.