HOUSE OF REPRESENTATIVES—*Tuesday, June 30, 1992*

The House met at 11 a.m.

Rabbi Arnold G. Fink, Beth El Hebrew Congregation, Alexandria, VA, offered the following prayer:

Fountain of all truth, goodness, and justice, at the start of this new day we turn to You for inspiration. Shower Your spirit upon those who today take concrete steps that will affect the fate and destiny of our Nation, our world, and all who live here. Imbue within us a measure of Your insight, so that what we say and do here may not be far from what You would wish. Remind us of the rich diversity that we are, that righteousness and peace may flow from the understanding that no man or woman has divine clarity on truth, but that each strives toward the right with humility. Close our ears to the din of small-minded people and open them to the cries of the oppressed, that what we say and do here may be judged by history, by our children, and our children's children as decent and proper. May it be said that today we added a small measure to the world's storehouse of good. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York [Mr. PAXON] please come forward and lead the House in the Pledge of Allegiance.

Mr. PAXON led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2905. An act to provide a 4-month extension of the transition rule for separate capitalization of savings associations' subsidiaries.

APPOINTMENT AS MEMBERS OF JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

The SPEAKER. Pursuant to the provisions of Senate Concurrent Resolution 102, 102d Congress, the Chair appoints to the Joint Congressional Committee on Inaugural Ceremonies the following Members on the part of the House:

Mr. FOLEY of Washington;
Mr. GEPHARDT of Missouri; and
Mr. MICHEL of Illinois.

APPOINTMENT OF CONFEREES ON H.R. 5260, UNEMPLOYMENT COMPENSATION AMENDMENTS OF 1992

The SPEAKER. The Chair appoints the following conferees on the bill (H.R. 5260) to extend the emergency unemployment compensation program, to revise the trigger provisions contained in the extended unemployment compensation program, and for other purposes:

From the Committee on Ways and Means, for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Messrs. ROSTENKOWSKI, FORD of Tennessee, DOWNEY, Mrs. KENNELLY, and Messrs. ANDREWS of Texas, ARCHER, VANDER JAGT, and SHAW.

As additional conferees from the Committee on Energy and Commerce, for consideration of section 105 of the House bill, and section 104 of the Senate amendment, and modifications committed to conference:

Messrs. DINGELL, SWIFT, ECKART, SLATTERY, SIKORSKI, LENT, RITTER, and RINALDO.

As additional conferees from the Committee on Government Operations, for consideration of title VI of the House bill, and modifications committed to conference:

Mr. CONYERS, Mrs. BOXER, and Messrs. LANTOS, WISE, SYNAR, HORTON, KYL, and CLINGER.

The SPEAKER. Without objection, the Chair reserves the right to appoint additional conferees or to make changes among the conferees.

There was no objection.

DEFUNDING THE COMPETITIVENESS COUNCIL

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

Mr. WAXMAN. Mr. Speaker, today this House will debate whether to continue funding the regulatory activities of Vice President QUAYLE'S Council on Competitiveness. The issue goes to the heart of our democratic system.

There are certain fundamental responsibilities that come with being a regulator. You have to implement the law as written by Congress; you have to comply with the public disclosure rules of the Administrative Procedure Act and the Freedom of Information Act; you can't give regulatory breaks to major campaign contributors; you have to avoid conflicts of interest; and you have to be accountable to Congress.

The Council deliberately violates each of these principles. That is why it is a direct assault on our constitutional system.

The New York Times had an editorial about the Council today. It called the Council's activities, "plainly illegal." And it said that the Council is "twisting the regulatory process against the express wishes of Congress."

The Nation cannot tolerate these illegal activities. The role of the executive branch is to "faithfully execute" the laws enacted by Congress—not to subvert these laws during the regulatory process.

We must defund the Council on Competitiveness.

DON'T LEAVE CONGRESS WITHOUT IT

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

Mr. GOSS. Mr. Speaker, it is fair to ask "Are we getting our money's worth?" when we talk about spending public dollars. I rise today to ask the majority leadership to clarify just what benefits accrue to the American taxpayers from the continued, open-ended expenditure of hundreds of thousands of dollars a year to keep open fully staffed offices of the former Speakers of this House. What value is received by the public for this expenditure? One of our former Speakers has deftly arranged to change the TV commercial phrase "Don't leave home without it" to "Don't leave Congress without it." Another former Speaker is reportedly using his taxpayer-paid staff and office support to write a book. I wonder if the public will share in the profits, but I think we all know the answer. I raise this issue in a truly bipar-

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tisan fashion—though I know it takes a leap of faith for some to believe we may someday have a former Republican Speaker who will also need our guidance in determining when enough is enough. I urge support for H.R. 3561, legislation that puts a reasonable limit on these unjustified and unlimited perks.

TRIBUTE TO GEN. JOHN ROGERS GALVIN

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

Mr. THOMAS of Georgia. Mr. Speaker, later today I and hundreds of others will gather at historic Fort Myer, VA, a few short miles from here.

We will be drawn together from across the country and the world to honor Gen. John Rogers Galvin, who has just retired as the Supreme Allied Commander, Europe, and the Commander in Chief, U.S. European Command. He now retires from the U.S. Army after a career of some 44 years.

Although I have not seen the program for today's ceremony, I am certain that General Galvin will be honored in a spectacular way, as befits a spectacular career in the service of our country.

A recent article on his retirement in the Washington Post said it with these words: "He departs (the Army) with a stature that leaves him arguably without peer among living generals."

Those are extraordinary words, but this is an extraordinary man.

I am confident that in the ceremony today, all due note will be taken of the fact that General Galvin has been an amazingly accomplished man in the art and the science of military leadership. Those who will speak will be far more qualified than I am to comment on General Galvin's demonstrated skill as a soldier.

Mr. Speaker, I am not an expert student of the military sciences. But after a decade in public service, I will lay claim to being something of an expert on people.

That is why I rise today in tribute to Jack Galvin.

I first met Jack Galvin in 1983, when I was a freshman Congressman, and he was a major general in command of the 24th Infantry Division (mechanized) at Fort Stewart, GA, in my congressional district.

His 2-year tour of command had only about 6 months remaining when I was sworn in as a Member of Congress. But when I expressed interest in learning all I could about the 24th, General Galvin took me under his wing. He is a scholar as well as a warrior. He is also an excellent teacher of Congressmen.

Although at the time I was a member of the House Committee on Agriculture, you would have thought that General Galvin considered me to be the chairman of the Armed Services Committee. He had the patience and the talent to do a very good job in taking a farmer-turned-Congressman and teaching him the basics about an Army division and the capabilities of our military in a very troubled and complicated world.

In retrospect, I have decided that Jack Galvin took that time because he is so loyal to the Army. He must have decided that it would be embarrassing for the Army to have me representing his 24th Division in the Congress if I had been left as well-meaning but as ignorant as he found me.

Over the years, I have had the honor of spending much more time with General Galvin, and of hosting him for meetings with my colleagues when he was commander in hot spots such as our United States Southern Command in Panama. Later, I had the honor of spending several days with him in his home in Mons, Belgium, during his tenure as Supreme Allied Commander in Europe.

I found then, just as I had found years earlier at Fort Stewart, GA, that Jack Galvin is a remarkable man. He is not given to bragging. He is down-to-Earth. He is always listening and learning, and every new subject is a new fascination for him.

It is America's good fortune that during his service as the military commander of NATO beginning in 1987, Jack Galvin was to preside over the pivotal facing down of our Communist adversaries. Then he was to preside over the diplomatic challenge of turning our former enemies into our potential new allies.

General Galvin will now turn his attention to writing what I hope will be several books about his experiences and his extraordinary insight into the turbulent changes of our times. I hope to purchase the first copy, because I know it will be a treasure.

Because Jack Galvin is a young man of 63, this day of retirement does not mark his passage into the pastures of relaxation. Rather, it marks a time in which we can celebrate his passage into a civilian life that will greatly enrich this country. And, from a selfish standpoint, I am glad that he is now closer to home.

But, Mr. Speaker, although this is not a swan song day for Jack Galvin, I cannot let it pass without this last observation:

When we look for reasons to remind ourself of the greatness of this Nation, we need look no further than to lives of men like John Rogers Galvin.

He is the son of a bricklayer, and the first of his family to finish college—the prestigious U.S. Military Academy at West Point, which he entered from service as an enlisted man in the Army.

He is a combat soldier who has won the Silver Star and many other decorations, and wears the badge of a senior parachutist and a Ranger tab.

When the mission called for it, he was a courageous combat commander. When another mission called, he was the courageous and innovative military commander and diplomat who walked with polished care through the labyrinth of international affairs.

Through all those tasks, he and his extraordinary wife, Ginny, have raised four wonderful daughters—Mary Jo, Beth, Erin, and Kathleen, who are already well on their way to remarkable accomplishments of their own. Jack, Ginny, and their children have endured the tough tasks of long separations as well as the endless series of moves that come with family life in the Army.

Wherever this family has traveled in the service of the United States, they have been a tribute to our country and to the men and women who serve in the military. They have gone above and beyond the call of duty.

Mr. Speaker, Jack Galvin is a Renaissance man, a citizen-soldier whose range of interests and accomplishments makes him a modern-day Thomas Jefferson.

The wonderful young men and women of the American military are blessed to have commanders with the integrity of Jack Galvin.

This Congressman, this Congress, and all of the citizens of America are blessed by God that a man like Jack Galvin has been a career soldier in the service of our country.

Today at Fort Myer, we will do a good job in trying to express the depth of our Nation's gratitude to Gen. John R. Galvin, although there are no words that are truly adequate to that task.

Fortunately, the most enduring tribute to Jack Galvin is his own record of service as a soldier in the U.S. Army. That record will be a beacon for years to come to light the path of countless young men and women who will follow his footsteps in military service.

GOOD NEWS FOR STUDENTS AND FAMILIES

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

Mr. BARRETT. Mr. Speaker, for once we have good news to share with the American people. The administration and Congress have worked together, to produce legislation that will benefit millions of Americans and still stay within our "paygo" rules.

Many of this Nation's 12 million students, and their families, have been demanding access to Federal financial aid. Small business owners, farmers and ranchers, and home-owners—the middle class—have been calling on us not to let the sophomoric politics of "winners" and "losers," derail the changes necessary to give them that

access. For once both sides listened, and yesterday the conference report on S. 1150, the Higher Education Amendments of 1992, was filed.

Through tough negotiations last week, a compromise on a direct loan demonstration program was finalized; clearing S. 1150 for enactment.

I am particularly pleased that provisions from my bill, H.R. 3411, which discounts farm, home, and small business equity, from financial need calculations, was included in the conference agreement. This will help 900,000 students gain access to Federal aid.

Let us see if we can make the goodwill that has been exhibited by the legislative and executive branches, continue for the rest of the session.

NO MONEY FOR AMERICAN CITIES

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

Mr. TRAFICANT. Mr. Speaker, the newspapers say that the $1 million aid package for America is hung up. Talks are stalled because they cannot find the money.

In addition, Congress is having a rough time trying to find money to incentivize enterprise zones for American cities. Meanwhile the other body says it is a matter of national security that we give Russia $12 billion.

Now, if this is not enough to warm your globe, Congress has already given $13 billion in foreign aid. Congress will give another $12 billion to Russia in foreign aid. Congress is having a rough time finding $1 billion for American cities.

□ 1110

The truth of the matter is, while Congress keeps concerning themselves with cold wars overseas, Congress is overlooking the hot wars in American cities. I say let us stop the foreign aid, stop the $12 billion, and put the money in America. After all, the American taxpayers deserve it. They earned it, the hard way.

PRESERVE THE COUNCIL ON COMPETITIVENESS

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

Mr. ROHRABACHER. Mr. Speaker, formerly, before coming to this body and before getting involved in politics, I was a journalist. People used to think that I asked the toughest questions as a journalist, but I only asked one question, and it was in different forms, admittedly, but it was all with the same question of everybody. It was, "How much is it going to cost, and who is going to pay for it?"

One of the biggest political shams that goes on in a democracy is that politicians try to promise people that they can do things for them for free and that nobody is going to have to pay anything, and there will be benefits that will just come out of the air. A lot of times they will promise Government programs and allude to a Government money pit in the District of Columbia that we can just shovel the money here and shovel it back into our local States and communities.

That we know is a fraud, one of the biggest, because the people have to pay for those services, the American people, the taxpayers, the consumers. Really, one of the worst shams on something for nothing is the idea that we can pass regulations on business and they will make things better and it will cost no one any money at all.

The fact is the Council on Competitiveness is trying to cut down this horrendous cost on the American people, and it should be preserved.

EMERGENCY ASSISTANCE FOR FRICH, TX

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

Mr. SARPALIUS. Mr. Speaker, imagine what it would be if we would have woken up Sunday morning, turned on our TV's, and found that the big one had hit California. Imagine how we would feel if we found out that in Los Angeles over half of their population, 650,000 people, would have lost their homes, homes would have been damaged or destroyed, businesses crumbled. The whole country would have rushed to their aid.

Thank God it did not happen, but it happened in my district, in the small town of Frich, which has only 2,335 people. Three tornados hit that town, destroyed over half of the buildings, caused $50 million worth of damage. It will cost $21,423 per person to put their town back to the way it was.

We all rushed to help LA and Chicago. Where is the difference in a big town and a small town? I challenge my colleagues and I challenge the President to try to help a little town like Frich, for those people that are struggling to put their community back together, and provide them with the same emergency assistance.

COUNCIL OF ECONOMIC COMPETITIVENESS

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

Mr. BALLENGER. Mr. Speaker, here we go again, some of my colleagues on the other side of the aisle are willing to play politics with the future of working Americans. In an attempt to discredit the fine work of the Vice President, it is likely that there will be an amendment to the Treasury and Postal appropriations that will eliminate funding for the Council on Competitiveness. Well, Mr. Speaker, does the old saying, "Penny wise and pound foolish" ring a bell?

Any attack on the Council is unwarranted. The fact is that the Council on Competitiveness has done great work. The Council has been part of a concentrated effort on the part of executive branch agencies, and the Office of the Vice President to reduce the burden of Federal regulations and increase our domestic and international competitiveness.

We all know that excessive regulations costs Americans jobs. The Council has worked to increase U.S. competitiveness, thereby creating jobs and economic opportunity.

Mr. Speaker, let my colleagues who wish to defund the important work of the Council on Competitiveness look into the eyes of patients who suffer from diseases such as cancer, AIDS, Alzheimer's, depression, and cystic fibrosis and tell them that the work the Council did to speed up the FDA approval of life prolonging and possible life saving drugs is of no use.

Congressional attackers have misled the American public with scare tactics. Congress is the boogieman here not the Council on Competitiveness.

URGING CONGRESS TO ENFRANCHISE AMERICAN CITIZENS IN U.S. TERRITORIES

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

Mr. DELUGO. Mr. Speaker, several joint resolutions have now been introduced—three in the House of Representatives and one in the other body—all calling for a constitutional amendment to eliminate the electoral college and provide for direct popular vote in the election of the President.

Three of these resolutions have been introduced in the past few weeks because there will most likely be three candidates in this year's race, which could trigger a constitutional crisis under the present electoral system.

Indeed, a constitutional crisis is a very real threat. But I rise today, Mr. Speaker, to bring to the attention of my colleagues an ethical and moral crisis that already exists—the denial of the right of American citizens residing in the territories of the United States to vote for President.

Is it a moral question? It is indeed, when these citizens must go to war but cannot have a say in choosing the Commander in Chief like their fellow citizens.

Even Americans living abroad have this right. But U.S. citizens living in a U.S. territory are disenfranchised.

It is patently unfair, immoral, and unethical to continue to disenfranchise these American citizens when all over the world democratic values are being adopted and people are being franchised, many for the first time.

Mr. Speaker, it was only in 1961 that the right to vote for President was finally extended to the U.S. citizens of the District of Columbia. Correcting that inequity took long enough.

Now, I say, "Enough" for the territories of the United States. It is time to give these American citizens the right to vote.

I have asked the sponsors of these various resolutions to include this in their proposed constitutional amendments, and I will be introducing a separate resolution on this issue.

I urge my colleagues to support this effort to correct a longstanding disenfranchisement of American citizens.

THE SITUATION IN SARAJEVO

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, according to Reuters this morning:

> Planeloads of emergency food and medicines reached Sarajevo on Tuesday for the first time since it came under siege three months ago.
>
> Representatives of the U.N. High Commissioner for Refugees were due to distribute 26 tonnes of food and medicines brought in by four French air force planes—the first to land since U.N. peacekeeping troops took control of Sarajevo airport on Monday.

The French have offered to fly in 120 marines to assist the U.N. forces already at the airport, and a battalion of Canadian troops is en route from Croatia and convoys could arrive as early as this evening. The Bosnian Serbian leader has promised safe passage over the highways leading to Sarajevo.

However, the situation is still dicey, with fighting reported between Serbian and Bosnian units, which have been firing at each other across the perimeter of the airport. According to CNN this morning, three U.N. peacekeepers were wounded in the crossfire.

But, Mr. Speaker, this is a start. The efforts of the United Nations, President Mitterand of France, and the French Air Force should be commended. Let us hope that this is a first step on the road to peace and stability not only in Bosnia-Hercegovina, but throughout the region.

INTRODUCING "JUMPSTART AMERICA"

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

Mr. APPLEGATE. Mr. Speaker, America needs a jumpstart to get the economy moving and to balance the budget. Congress and the White House do a lot of jawing, but they do not do anything about it.

Today I am going to introduce "Jumpstart America." It is based on real jobs, on the simple premise: no jobs, no income, no tax, no balanced budget. What I want, I want people who are on welfare to work. I want people, countries, and corporations, foreign and domestic, to pay the money that they owe the U.S. Government. I want to incentivize American industry. I want trade equity established to stop sending our jobs overseas. I want revenues cut in defense, revenues cut in foreign aid, and waste cut at all levels of Government, and we can do this with no new taxes.

I want the Members to give me a call. I want them to join me, because I will tell the Members, this one is a winner.

LEGISLATION PLANNED FOR MAINTENANCE OF AEROSPACE INDUSTRY, JOBS

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

Mr. LEWIS of Florida. Mr. Speaker, this week I plan to introduce legislation which will take a major step toward retaining the competitiveness of America's aerospace industry and ensuring the jobs of over a million aerospace workers.

My bill will establish a joint aeronautical research and development program between NASA and the Pentagon for the development of dual-use aerospace technologies.

Many people do not realize the extent to which NASA is involved in aeronautical research and how they have been instrumental in our $30 billion aerospace trade surplus. The second letter in NASA stands for "Aeronautics."

By combining NASA and Department of Defense expertise, we can ensure the superior status of both our military and civilian aerospace industries. Even more important, this can be accomplished without bringing down the firewalls, or new budget authority.

Mr. Speaker, we simply cannot let our aerospace lead dwindle in either the defense or civilian arena. I urge my colleagues to cosponsor this important competitiveness legislation.

□ 1120

SUPREME COURT DECISION

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

Mr. WEISS. Mr. Speaker, let us cut through the fog of misleading rhetoric on yesterday's Supreme Court Decision. The facts are that a woman's freedom of choice has been sorely compromised.

Do not be confused by the technicalities of yesterday's ruling, the Government has intruded upon a woman's individual right to make decisions about her body. More so, this is a blatant judicial pronouncement of Mr. Bush's cruel disregard for the privacy rights of not only American women but of every citizen in the United States.

If the Supreme Court will not safely defend a woman's reproductive rights, then, my colleagues, we must take action. We, the Congress of the United States, must pass the Freedom of Choice Act to insure that a woman's constitutional right to choose abortion remains safe and legal, regardless of where she lives. We must not allow Mr. Bush's contempt for women to prevail and we must not allow the back alley butchery of 20 years ago to become the reality of tomorrow.

OPPOSING REIMPOSITION OF WHALING

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

Mr. LAGOMARSINO. Mr. Speaker, I was very dismayed to learn that two NATO allies, Iceland and Norway, have chosen not to renew the international moratorium on whaling and once again engage in hunting down and slaughtering minke whales. I urge my colleagues to join me in condemning this needless, selfish action and supporting appropriate economic sanctions.

Congress recently passed a resolution, which I cosponsored, calling for a permanent extension of the International Whaling Commission's ban on commercial whaling. Whales and other marine mammals are extremely intelligent animals, harmless to man. There is no reason to kill these gentle leviathans and upset the ocean's fragile lifecycle upon which many of us ultimately depend.

The ocean and its maritime life are invaluable resources which must be responsibly conserved. As modern, industrialized nations, Iceland and Norway have provided no credible reasons to break the legitimate international ban on whaling other than to protect their obsolete whaling industries.

As this is 1992, not 1852, that claim is ridiculous. Times have changed. The "Pequod" sails from Nantucket to hunt Moby Dick no more. Oslo and Reykjavik should let the ghost of Captain Ahab remain in Davy Jones' locker and rejoin the rest of the world in banning the cruel, inhumane practice of whaling.

CONGRESS MUST UPHOLD A WOMAN'S RIGHT TO CHOOSE

(Mr. SCHUMER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, in 1980 a politician said of the 1973 Roe versus Wade decision affirming a woman's right to choose, "I happen to think it was right." It could have been me or a number of my colleagues. In fact, it was George Bush, who would soon reverse his position to gain acceptance as Ronald Reagan's No. 2 man. In short, George Bush made a deal with the devil 12 years ago, and yesterday over at the Supreme Court the devil called in his due.

Any of my colleagues who ascribe to the myth that Roe was left standing by yesterday's decision should heed the words of Chief Justice Rehnquist in his dissent. "Roe exists only as a storefront on a western movie set exists, a mere facade that gives the illusion of reality." President Bush is ready to kick in that facade the second Harry Blackmun moves out of the way. The majority of Americans, who are prochoice, cannot afford to give George Bush that chance in the next 4 years. Neither the Court nor the President will preserve any vestige of a woman's right to choose. It is up to the Congress.

FOREIGN POLICY ACCOMPLISHMENTS OF REAGAN/BUSH ADMINISTRATIONS

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

Mr. DREIER of California. Mr. Speaker, while it is not politically appealing to talk about foreign policy issues, it seems to me that today is an appropriate time to recognize two great accomplishments that came about because of the policies first of President Reagan and now of President Bush.

Today we have witnessed the inaugural of Fidel Ramos as the new President of the Philippines, and it is the first peaceful transition of government in over a quarter of a century. It was 1965 that we last saw a peaceful transition in the Philippines.

In his inaugural address President Ramos made a very bold and dynamic statement which I think bodes well for the future of the United States and for the rest of the world. He made a strong commitment to the policies of free trade and an end to protectionism.

Mr. Ramos led the charge in preventing six attempted coups against Corazon Aquino, and I believe he is very well suited to serve the people of the Philippines.

We also should recognize that we have seen for the first time the beginnings of disarming the Farabundo Marti National Liberation Front, the FNLM in El Salvador. I think that is another foreign policy success that has come about because of the policies of the two administrations.

OPPOSING THE McDADE AMENDMENT

Mrs. LOWEY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LOWEY of New York. Mr. Speaker, I rise today to urge my colleagues to oppose the McDade amendment to the Treasury-Postal appropriations bill, which would restore funding to the President's Council on Competitiveness.

Let's face it, the Council on Competitiveness does not promote competitiveness. What it does is provide privileged access to a favored few seeking to skew Federal regulations in their favor. The only thing the Council streamlines is White House access of special interests that are trying to gut environmental and public health laws.

For the rest of us, the Council has become a dangerous threat. For instance, the administration has used the Council to conceal its backsliding on environmental protection. In 1990, the President hailed the passage of the Clean Air Act. In 1992, his Council is destroying that law through loophole-ridden regulations.

The Council on Competitiveness should be renamed the "Panel of Privileged Access," and its chairman, DAN QUAYLE, should be renamed "Ombudsman for Moneyed Interests." That is Moneyed, with an "e."

SUPREME COURT DECISION PROHIBITING NONSECTARIAN PRAYER AT PUBLIC SCHOOL GRADUATION CEREMONIES

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

Mr. CALLAHAN. Mr. Speaker, I rise today to express my sense of dismay at the recent Supreme Court decision prohibiting nonsectarian prayer at public school graduation ceremonies.

Regrettably, the High Court's decision follows earlier action prohibiting American students from praying in the classroom. The June 24 decision, however, is particularly unfortunate since it denies to the graduates of our Nation's public school's privilege enjoyed each day by Members of this Congress: The opportunity to seek the Lord's guidance as they prepare for the challenges which lie ahead. Mr. Speaker, surely this too is not just another congressional perk.

Some, no doubt, will hail this decision as an added brick in the "wall of separation between church and State. But Mr. Speaker, I also believe that this wall of separation was constructed principally to protect the free exercise of religion, not to restrict it.

How strange that a benediction which urges its listeners "to do justly, to love mercy, [and] to walk humbly" should meet such staunch opposition. And how sad that the American Civil "Liberties" self-proclaimed defender of our constitutional rights, should proclaim the High Court's decision "terrific."

Mr. Speaker, I fail to see the victory in having Rabbi Leslie Gutterman's simple prayer banned from the school house. It seems that students today may be exposed to most anything—sex, violence, drugs, even racism—but somehow they cannot exercise what really seems more like a right than a privilege—the right to give thanks for God's many blessings. This, Mr. Speaker, is an outrage.

THE ADMINISTRATION'S BORDER ENVIRONMENTAL PLAN

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

Mr. TORRES. Mr. Speaker, soon Congress will take action on the 1993 appropriations bill to fund the President's Integrated Environmental Plan for the Mexican-United States border area.

The President is requesting over $182 million for 1993 to begin implementing EPA's border environmental plan.

The Bush administration would like for us to believe that the border environmental plan is part of its efforts to clean up the border's pollution. The President, and the EPA, would have us believe that the border plan is part of NAFTA's environmental commitment. However, the integrated border plan was conceived independently of NAFTA.

In order for the border plan to work, bilateral cooperation between the United States and Mexico is crucial. Yet, I question whether there can be any real bilateral cooperation between Mexico and the United States when Mexico has totally dismantled its environmental agency.

With the recent dismantling of SEDUE, Mexico's environmental agency, EPA may be dealing with one, two, and possibly three, newly created, highly decentralized Mexican agencies on environmental enforcement and ecological compliance.

Mr. Speaker, I may well support the border plan's appropriation, because the money will largely go to clean-up projects of the U.S. side. Yet, I believe that the border plan lacks sufficient funds, lacks adequate enforcement measures, and is not connected to the trade agreement.

While Congress moves to fund the border environment plan, I call upon the administration to comply with its commitments to Congress. I ask that the administration show more commit-

ment to the funding and protection of our environment.

Mr. Speaker, the environmental problems along the border will require more money, stronger political leadership from the administration, and a solid commitment from both governments to prevent further degradation of our natural resources.

□ 1130

CONGRESS SHOULD STUDY MARYLAND/HERITAGE FOUNDATION HEALTH REFORM PROPOSAL

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

Mr. STEARNS. Mr. Speaker, something revolutionary is happening in Maryland. It is called the consumer choice health plan and represents a basic change in the way the State conducts its health care business.

This proposal relies on market forces to control costs while delivering a superior product. It would also return a very basic right to Maryland residents—the freedom to choose their own health care.

Some of the Maryland plan's highlights include:

Every individual and head of household would have to enroll themselves and their dependents in a health-care plan.

Families would be given tax credits or vouchers to help buy their insurance and defray the costs of health care.

Employers who now provide coverage for their workers would no longer be required to pay the crushing costs of health insurance.

The Maryland health care plan is similar to a national plan offered by the Heritage Foundation here in Washington. Experts conclude that the Heritage proposal wouldn't cost the Federal Treasury a penny and might save $11 billion a year in reduced health costs.

Mr. Speaker, Congress needs to study the plans offered by the State of Maryland and the Heritage Foundation.

RUSSIANS NEED FREE ENTERPRISE, NOT BORROWED DOLLARS

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

Mr. DUNCAN. Mr. Speaker, the G–7 nations have sent approximately $60 billion in aid to the Soviet Union in the past 2 years. Now we are being asked to send $24 billion more.

In addition, the administration has recommended a $12 billion increase in the U.S. contribution to the International Monetary Fund, mostly for loans to the CIS, the former Soviet Union states. This is aid to a country that has greater wealth and natural resources than we do.

The Washington Times reported recently that over $100 billion in gold is missing and unaccounted for in the breakup of the Soviet Union.

Now, Forbes magazine has reported that Russia has oil reserves that could equal those of Saudi Arabia. James Clarke, a retired United States Geological Survey geologist who has studied the region for over 30 years, puts Russian oil reserves at 160 billion barrels. Daniel Yergin, president of Cambridge Energy Research Associates, says the reserves could be as high as 260 billion barrels.

Mr. Speaker, we will soon be called on to vote for a Russian aid package that we cannot afford and that we will have to borrow to finance.

What the Russians need is one thing: free enterprise, not borrowed United States dollars.

COUNCIL OF ECONOMIC COMPETITIVENESS

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

Mr. DELAY. Mr. Speaker, there is a saying that goes: "Give a child an inch and he'll take a mile". It is a sad day when this piece of conventional wisdom can be applied to our Nation's legislature but once again the entrenched imperial Congress is acting like the oversized child that it is. Refusing to relinquish its chokehold on our Nation's businesses, Congress is slowly strangling the economy.

As any businessman will tell you, over-regulation is one of the greatest obstacles entrepreneurs face. Refusing to listen to the pleas of industry, Congress gleefully adds to the burden of doing business in this country. Given the power to regulate our Nation's corporations, it has taken this power and run.

The latest intended victim of Congress's economic infancy is the Vice President's Council on Competitiveness. Employing a child's "Don't sit on my side of the car" mentality, Congress has taken offense at the Vice President's perceived encroachment. Blindly lashing out to protect its territory, Members of the House have introduced a bill to slash the salaries of two staffers. With this blatant strike, Congress has moved from mere stupidity to outright malice. Mr. Speaker, it is one thing to be ignorant. It is another to be malicious. Congress should put aside its infantile attitudes and set this country on the path towards economic growth.

THE BEGINNING OF A HAPPIER CHAPTER FOR THE ATLANTIC OCEAN

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

Mr. CARPER. Mr. Speaker, since 1920, over 150 municipalities have dumped their sewage sludge into the Atlantic Ocean. They did so because it was cheap, it was out of sight, it was out of mind.

In 1987 and 1988, tragedy visited our eastern shore as thousands of bottlenosed dolphins washed up dead along the Atlantic seaboard. They were joined by medical waste which closed beaches in New York and New Jersey.

Out of that tragedy some good has come. The Ocean Dumping Ban Act of 1988 was adopted. It imposed escalating fees on those who continued to dump the sewage sludge in our ocean. Those fees could only be used for one purpose, to help those municipalities to find ways to stop their ocean dumping of sewage sludge. That is what they have done.

Since 1992 began, only one municipality, New York City, was still dumping sewage sludge in our ocean. Now that practice, too, will end. At 4 p.m. yesterday, the last barge bearing sewage sludge set sail from New York City. When it returns to New York City tonight, no more will follow it.

A sad chapter in mankind's abuse of the Atlantic Ocean has come to an end. For the millions of families who will visit our shores and swim in our ocean this year and the years to come, a far happier chapter is about to begin.

GENERAL LEAVE

Mr. MCHUGH. 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 the bill H.R. 5487, which will be considered today, and that I be permitted to include extraneous matter.

The SPEAKER pro tempore (Mr. MCNULTY). Is there objection to the request of the gentleman from New York?

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1993

Mr. MCHUGH. 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. 5487) making appropriations for Agriculture, rural development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1993, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 1 hour, the time to be equally divided and con-

trolled by the gentleman from New Mexico [Mr. SKEEN] and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. MCHUGH]?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. MCHUGH].

The motion was agreed to.

□ 1138

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. 5487) making appropriations for Agriculture, rural development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1993, and for other purposes; with Mr. SPRATT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the bill was considered as having been read the first time.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from New York [Mr. MCHUGH] will be recognized for 30 minutes, and the gentleman from New Mexico [Mr. SKEEN] will be recognized for 30 minutes.

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

Mr. MCHUGH. Mr. Chairman, I yield such time as he may consume to the gentleman from Mississippi [Mr. WHITTEN], the distinguished chairman of the full committee, who also serves as chairman of this subcommittee.

Mr. WHITTEN. Mr. Chairman, your Committee on Appropriations has done its work again this year in a timely manner. We began hearings on January 23.

The President submitted his budget January 29. Our 13 subcommittees took testimony from nearly 5,600 witnesses on 246 days of hearings.

On April 29, we had full committee on an $8.16 billion rescission bill which the House passed on May 7, and the President signed on June 4.

On May 12, we had full committee on a dire emergency disaster supplemental bill which the House passed May 14, and the President signed on June 22.

On May 21, the conference agreement on the 1993 budget resolution was adopted and on June 11 the committee approved the subcommittee allocations.

The full committee has reported eight bills and this is the fifth bill to be presented to the House.

On Wednesday, our 10th bill will be reported from committee.

On Wednesday, our 13th subcommittee will complete markup.

So, Mr. Chairman, we have done our work on our regular bills as well as handling a very complicated rescission bill and an urgent disaster supplemental bill. The committee has done its work quickly and well.

Mr. Chairman, since 1945, Appropriations bills have been $188.8 billion below the total amounts requested by the various Presidents.

Since I became chairman in 1979, Appropriations bills have been $31.8 billion below the Presidents' requests.

We have done this with the overall support of the Presidents for, since 1979, of the 202 bills presented to the President, 188 were signed, 1 veto was overridden, and the rest were worked out.

We come today to what I believe is basic to the welfare of our people and also to the national economy—agriculture. It is very important to handling our international relations, for the people of many nations of the world need our food. A prosperous agriculture and sound rural economy is the quickest and best answer to solving many of the problems in our major cities and similar problems around the world.

Food, clothing, and shelter are basic to the well-being of all mankind. Our Nation's ability to produce this is not exceeded by any nation of the world, so our ability to produce food, clothing, and shelter is our chief asset as we set out to maintain our top position worldwide.

Agricultural products are our chief dollar earner in world trade. Our productivity and our know-how to produce food and other materials provides us with what the world about us needs.

American agriculture has done a fine job and it is time we use our ability and our know-how to hold, and in many cases, to regain our normal domestic and foreign markets.

In the process, agriculture is critical to bringing our national and international debt under control while continuing to control inflation at home.

My colleagues, we have made the case. Let me tell you of the work which has gone into the bill we present today. We have had 5 weeks of hearings with 235 witnesses.

We received over 600 written requests from Members of Congress and 26 Members of Congress testified before our subcommittee. Our hearing record totals 6,116 pages.

We have brought you a bill which addresses many of our Nation's needs, both for our cities and our rural areas:

Protection of health and welfare of our people by the Food and Drug Administration, and the food inspection programs of the Department of Agriculture;

The feeding programs such as school lunch, food stamps, elderly feeding, and the Women, Infant, and Children Program [WIC] which has proven so beneficial;

Rural development programs such as rural housing, water, and sewer;

The conservation programs which protect our soil and water resources for future generations; and

The research and extension programs which have helped make our agricultural system the most productive in the world.

My colleagues and friends, where are the hungry people of the world going to look for food, medical care, and all these things which are so essential to the well-being of the people? They look to the United States—which is out in front. Let us help to provide those necessities, for our people have the same needs as does our economy.

Finally, I wish to say thanks to BILL NATCHER for his contributions on the work of this subcommittee as well as other appropriations matters. I also wish to thank MATT MCHUGH of New York, JOE SKEEN of New Mexico, and JOHN MYERS of Indiana, and all the members of the Agriculture Subcommittee for the work they done on this year's bill.

We have been on the job in handling of the appropriations bills in this Congress, along with all the other things we have had to do.

Let me also say thanks to those in the Legislative Subcommittee for all their hard work along with all workers in the field of agriculture production, marketing, and distribution, as well as those engaged in research which is so very essential.

□ 1140

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

Mr. Chairman, the distinguished gentleman from Mississippi [Mr. WHITTEN] has personally asked that I manage this bill on his behalf, and of course I am honored and privileged to do so.

I have served on this committee and this subcommittee for 14 years now. I must confess that when I first joined the committee, I knew virtually nothing about agriculture, but sitting next to the gentleman or near the gentleman from Mississippi for those years, I have learned a great deal. I want to pay tribute to him today in part because this is the last time I will be speaking on this Agriculture bill and because personally I am very grateful to the gentleman not only for what I have learned, but for what he has contributed to this Nation for more than 50 years of service in this Congress, which as we all know is a record of service.

I also want to express my appreciation to the ranking member, the gentleman from New Mexico [Mr. SKEEN] who is always a delight to work with and who has contributed a great deal to this bill as well.

It has always been a privilege to serve on this subcommittee where there is genuine bipartisan support for the important programs funded by this bill. As you know, this is my last year

here and as I leave the Congress, I want to say a special thank you to all of my colleagues on this subcommittee for their willingness to share their knowledge and work together in support of the agriculture and consumer programs in this bill. I also want to thank our fine subcommittee staff, Bob Foster, Tim Sanders, Carol Novak, and Toni Savia, whose advice, dedication and support are invaluable to the Members in developing the bill. I would also like to pay special tribute to my own legislative assistant, Susan Warner, who has been invaluable to me.

Today we bring to the floor the bill which funds the Department of Agriculture and related agencies, such as the Food and Drug Administration, the Commodity Futures Trading Commission, the Farm Credit Administration, and the Farm Credit Assistance Board. The agencies we fund are critical to both farmers and consumers.

Mr. Chairman, this bill funds the producer programs, provides for rural development, agricultural research, and consumer health and safety programs. Sixty-three percent of the funds in the bill are devoted to the domestic feeding programs. It is a balanced bill, and it is certainly a lean bill.

The bill totals $59 billion, which is $1.4 billion below the President's budget request. Mandatory spending accounts for $45.3 billion of the total, leaving only $12.3 billion available for domestic discretionary spending.

The bill is $6.4 billion higher than last year, which is primarily accounted for by a $4.2 billion increase in the feeding programs and a $2 billion replenishment of funds for losses by the Commodity Credit Corporation [CCC], both of which are mandatory spending.

Of the total bill, $36.9 billion, or 63 percent, is for the feeding, consumer, programs. Agriculture programs represent $13.5 billion, including $9.2 billion for CCC. Conservation programs are $2.7 billion, while Farmers Home and Rural Development Related programs account for $2.9 billion. Foreign assistance programs—Public Law 480—are $2.1 billion. Related agencies, including the Food and Drug Administration, are $0.9 billion.

The recommendations we make today for discretionary programs total $12.3 billion in budget authority and $11.84 billion in outlays, which is at the subcommittee's outlay ceiling. Therefore, any increase to the recommendations will require an offsetting reduction.

In order to stay within our budget ceiling, the committee applied a number of rigorous standards in writing this bill. As a general rule, we held salary and expense accounts to this year's level, or below it if there are other savings. Loan programs were held to this year's level or lower. There are no new planning or construction starts, and there are no new grants or increases for existing grants. Funding for projects already underway are funded at this year's level or lower.

We have tried to address the concerns of the Members to the extent possible while staying below the budget ceilings. In the report we call attention to items requested by Members without earmarking or adding the funds.

To meet our outlay number, we deferred funding on the Wetlands Reserve Program, the Conservation Reserve Program, and we held the Market Promotion Program to $75 million. These actions will save almost $177 million in outlays.

For the WIC Program, we recommend $2.86 billion, an increase of $260 million. This is $20 million more than the President's request.

We have an increase in the function 150 subdivision, which can be used for additional Public Law 480 funds to assist with the famine in sub-Saharan Africa.

We provide $400 million for water and sewer grants, an increase of $50 million over this year. We were able to do this because water and sewer grants outlay at only 2 percent the first year.

We provide for increased pay costs for the health and safety agencies, the Food and Drug Administration and the Food Safety and Inspection Service. We also provide pay costs for the Soil Conservation Service because almost every farm in the United States must have a conservation plan by 1995 under the law, and the SCS staff has been stretched to the limit.

We provide partial funding for the Rural Development Administration. We have funded the Washington office and the seven regional offices, but we have funded no field offices at this time. We have provided that the field staff remain a part of the Farmers Home Administration and continue to operate under the Memorandum of Agreement under which they are now operating.

Mr. Chairman, there are many essential programs in this bill, but I would like to take special note of the WIC Program. As we all know, this program provides nutrition assistance for pregnant women and their children under 6 who live on limited incomes and are at nutritional risk. Numerous independent studies confirm that the WIC Program's approach of providing both supplemental food packages and nutrition counseling produces one of the most cost-effective Federal programs. WIC has helped to reduce infant mortality rates, prevent mental retardation, and enhance the health of vulnerable women and children. There is a savings to taxpayers of $3 in medical costs for every dollar spent on WIC. The increase provided in this bill, $260 million, will permit the program to modestly expand next year.

WIC continues to be a top priority for our committee, as it is for so many Members of the House. While recognizing that the budget is still tight, full funding should be our goal for the program. It provides essential assistance in a cost-effective manner, and for that reason has enjoyed bipartisan support.

Mr. Chairman, I believe it would be helpful to the Members if I took a moment to highlight the various accounts in the bill.

TITLE I—AGRICULTURAL PROGRAMS

Mr. Chairman, H.R. 5487 provides $1.5 billion, a decrease of $20 million below the fiscal year 1992 level and $30 million below the budget request, for agricultural research and extension activities funded through the Agricultural Research Service, Cooperative State Research Service, Extension Service, and the National Agricultural Library.

To assure the availability of a variety of wholesome and healthful food at the lowest cost in the world, H.R. 5487 provides $1 billion for the marketing and inspection services of the Department. This total includes $431 million for the Animal and Plant Health Inspection Service to provide for the arrest and eradication of infectious diseases or pests of animals, poultry, and plants; $490 million for the Food Safety and Inspection Service for the meat and poultry inspection program; and $68 million for the Agricultural Marketing Service to allow for continuation of all marketing services. Other agencies included in this total are the Federal Grain Inspection Service, Packers and Stockyards Administration, and Agricultural Cooperative Service.

The bill provides $9.2 billion for restoration of losses of the Commodity Credit Corporation, an increase of $1.95 billion above the amount appropriated for fiscal year 1992 and the same as the budget request. Included in this amount are funds for restoration of fiscal years 1990 and 1991 losses resulting from the following programs: The sum of $900 million for the Export Enhancement Program, $200 million for the Market Promotion Program, $300 million for the Federal Crop Insurance Program; $446 million in connection with domestic donation of commodities; $282 million in connection with export donations; and $7.1 billion for all other losses.

The bill provides $304 million for the Federal Crop Insurance Corporation for administrative and operating expenses and $714 million for the Agricultural Stabilization and Conservation Service for salaries and expenses.

The bill provides $142 million for the Economic Research Service, National Agricultural Statistics Service, and the World Agricultural Outlook Board for statistical and economic intelligence about the national and international agriculture conditions and outlook.

TITLE II—CONSERVATION PROGRAMS

H.R. 5487 provides $2.7 billion for the traditional conservation programs

funded through the Soil Conservation Service and the Agricultural Stabilization and Conservation Service. Of this amount, $862 million is for the Soil Conservation Service and $1.8 billion is for the Agricultural Stabilization and Conservation Service.

TITLE III—FARMERS HOME AND RURAL DEVELOPMENT PROGRAMS

Mr. Chairman, H.R. 5487 provides $2.6 billion in budget authority and $6.7 billion in loan authorization authority for the Farmers Home Administration. The bill restores funds for housing programs at the 1992 loan levels. Increased funds are provided for rural water and waste disposal grants.

The bill provides $287 million in budget authority and $2 billion in loan authorization authority for the Rural Electrification Administration. The bill restores funding for the Rural Electrification and Telephone Loans Program account and $844 million is included for the direct loan program.

H.R. 5487 provides a total of $37 million for the Rural Development Administration. This funding level only supports the Washington office staff and the seven regional offices. It does not include funding for State or district offices.

TITLE IV—DOMESTIC FOOD PROGRAMS

Mr. Chairman, for the Child Nutrition Programs the bill provides $6.7 billion. The amount is an increase of $606 million above the fiscal year 1992 appropriation and $194 million above the budget request.

The committee has always considered the Special Supplemental Food Program for Women, Infants, and Children [WIC] to be a high-priority program. In the last 10 years alone the committee has increased the program $1.7 billion. When the committee was considering program funding levels of the Department for fiscal year 1993, WIC continued to be a high priority. The bill provides $2.86 billion for the WIC Program. This is a $260 million, or 10 percent, increase over fiscal year 1992 and a $20 million increase over the President's budget.

Even though the benefits to participants of WIC are well documented, the committee concludes a provision that the Department work closely with States to better target participation to the most nutritionally at risk.

Mr. Chairman, the bill provides $26.7 billion for the Food Stamp Program. Included in this amount is $1.1 billion for the block grant for Nutrition Assistance to Puerto Rico, of which $10.8 million for the cattle tick eradication project in Puerto Rico is to be transferred to the Animal and Plant Health Inspection Service.

TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

Mr. Chairman, the bill provides an appropriation of $110 million for the Foreign Agricultural Service and $1.6 billion for the Public Law 480 Program.

TITLE VI—RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

H.R. 5487 provides $778 million for the Food and Drug Administration. This is an increase of $18 million above the fiscal year 1992 level.

For the Commodity Futures Trading Commission, the bill provides $47 million, the same as last year.

Mr. Chairman, this is a good bill and deserves the support of the House. It fosters economic growth and development in our rural communities, maintains vital producer programs, continues applied and basic research activities, and strengthens many of the consumer programs that promote public health and safety.

I urge my colleagues to support the bill.

□ 1150

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

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

Mr. Chairman, the consideration of this bill, I want to start by saying that it was a difficult session in which to consider this most important agricultural bill, because our chairman was temporarily indisposed. So we had to fill in and go through the hearing process. And I want to hand it to MATT MCHUGH, one of the greatest plaudits I can ever imagine giving anyone, because he stepped into the breach, filled a spot that was very difficult to take on and chair the subcommittee during the hearing process.

He did an outstanding job along with many others on the committee who filled in from time to time.

Mr. Chairman, I just want to say to the gentleman from New York, "MATT, we are going to miss you. You did an outstanding job."

We are delighted to have our chairman back and recuperating. Also I want to hand a little commendation to our friend, the gentleman from Kentucky, BILL NATCHER, who kind of led us all.

Mr. Chairman, it is these kind of folks who have had this kind of tenure in Congress that makes you think that this is a good place because you meet good people here, the best people that you will ever meet anywhere in the world, notwithstanding all the jabberwocky that goes on in the media, mostly undeserved.

These are really sterling individuals who know how to do their job and how to take on the responsibilities that they have to take on, and they do it well and with great gentleness and with great demeanor.

I just want them to know how we appreciate the fact that we have associated with them.

Mr. Chairman, we have come up with a good bill. Today we are placing before Congress our recommendation for funding for the fiscal year 1993 in the Agricultural, Rural Development, Food and Drug Administration, and related agencies in this appropriation bill. This year's allocation cap placed a considerable constraint on our subcommittee's ability to adequately address the needs of our Nation's agricultural community. In making that statement, I want to say, you know, we do wonderous things in this country but we take a lot of things for granted. One thing we take for granted most of all is our agricultural economic sector of our total Nation's economy.

Two and a half percent of the people in this country produce food and fiber that keeps us in good stead, keeps us well fed, well clothed, and we take them for granted because it is so easy. It is a hard business to be in, but they make it so easy for all of us who are consumers. We take them for granted day after day, and that is why this bill is so important and, I think, deserves a great deal of attention.

So the bill includes funding for several mandatory items, mandatory programs on the domestic and discretionary side, and this bill comes in at $12.3 billion in budget authority and $11.84 billion in outlays. That is an awful lot of money.

But it is a great big program and a great part of our economy.

Mr. Chairman, to reach these levels—and I think Mr. MCHUGH stated it, but I want to iterate it once again for emphasis—to reach these levels, our committee had to make some real tough decisions, including holding salary and expense accounts to last year's level for all agencies except those involved in health and safety; holding the loan programs to last year's level or lower; and taking the position of approving no new grants, construction or planning starts and programs; absolutely holding a level freeze or spending level as tightly as you possibly can without committing to any new starts at all. That was tough to do because there are a lot of things that need attention, particularly in the areas of research, buildings for research, and things of that kind.

We would like to have granted funds for all of those, but it just was not possible this year under the constraints of the budget resolution.

Despite these constraints, our committee was able to address the important priorities of the Congress, including the need to provide a significant increase for the WIC Program, which Mr. MCHUGH mentioned earlier, which received a 10-percent funding increase, and a significant increase was also provided for the employees of the Food and Drug Administration.

While we are on that particular subject, I want to make mention: We asked the Food and Drug Administration, which is under the Subcommittee on Agriculture Appropriations' purview, to do so many things, and in-

crease their activities and their responsibilities and so forth. But we were not giving them any more money to do that.

I think justifiably this was an area that we should have increased the funding, and we did it and I think we did it in a manner that is going to be exemplary and is responsible fundingwise.

The bill overall is a good bill and a good start. I am confident we can work out our differences along the way, and I am sure there are going to be a lot of folks who are going to challenge the spending at every level but they are going to have a tough time with this one because I think we have come up with a bill that is responsible and represents a barebones approach to this particular activity and the particular responsibility of ours.

Mr. Chairman, today I ask my colleagues in the Congress to approve the bill and move this package along to its next step in the process. I would also like to thank, once again, our chairman, the Members, and our staff. Particularly I want to mention the staff of this: Bob Foster, Tim Sanders, Carol Novak, who do an outstanding job working with us.

I want to pay a little special tribute to the four members of the subcommittee who are retiring after this session: the gentleman from Michigan [Mr. TRAXLER], the gentleman from New York [Mr. MCHUGH], the gentleman from Minnesota [Mr. WEBER], and the gentleman from New York [Mr. MRAZEK]. We will miss them and miss them sorely. We wish you all Godspeed.

With that, Mr. Chairman, I am going to end my remarks and reserve the balance of my time.

□ 1200

Mr. MCHUGH. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Chairman, I wish to point out that this bill is well within the limits set by the budget agreement and the budget resolution. As a matter of fact, it is $47 million less than the 602(b) subdivision, and I want to commend the distinguished chairman, the gentleman from Mississippi [Mr. WHITTEN]. I want to commend the gentleman from New York [Mr. MCHUGH] and the gentleman from New Mexico [Mr. SKEEN]. They have done a great job in meeting the limits in the budget resolution.

Mr. Chairman, I rise in support of H.R. 5487, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill for fiscal year 1993. This is the fifth of the 13 annual appropriations bills for 1993 to be reported to the House.

This bill provides $13.827 billion in total discretionary budget authority and $13.420 billion in total discretionary outlays, which are $47 million less than the 602(b) subdivision for budget authority and equal to the 602(b) subdivision for outlays, respectively, for this subcommittee.

I want to commend Chairman WHITTEN, the gentleman from New York [Mr. MCHUGH], and the ranking member of the subcommittee, the gentleman from New Mexico [Mr. SKEEN], for the work they have done in adhering to the limits set forth in the budget agreement and the 1993 budget resolution.

As chairman of the Budget Committee, I will continue to inform the House of the impact of all spending legislation. I have provided a "Dear Colleague" letter describing how each appropriation measure considered so far compared to the 602(b) subdivisions for that subcommittee. I will provide similar information about the remaining fiscal year 1993 appropriations bills.

I look forward to working with the Appropriations Committee in the future.

Factsheet

H.R. 5487, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, FISCAL YEAR 1993 (H. REPT. 102-617)

The House Appropriations Committee filed the report on H.R. 5487, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill for 1993 on Thursday, June 25 1992. The full House is scheduled to consider this bill on Tuesday, June 30, 1992.

COMPARISON TO THE 602(b) SUBDIVISION

The bill provides $13,827 million in total discretionary budget authority, $47 million less than the Appropriations 602(b) subdivisions for this subcommittee. The estimated total discretionary outlays in the bill are equal to the subdivisions for this subcommittee. These totals include amounts in both the domestic and international categories.

COMPARISON TO DOMESTIC DISCRETIONARY SPENDING ALLOCATION

The bill provides $12,263 million of domestic discretionary budget authority, $37 million less than the Appropriations domestic subdivision for this subcommittee. The bill provides $11,841 million of domestic discretionary outlays, which equals the domestic discretionary outlay subdivision for this subcommittee. A comparison of the bill to the domestic spending allocations for this subcommittee follows:

[In millions of dollars]

	Agriculture, Rural Development appropriations bill		Appropriations Committee 602(b) subdivision		Bill over(+)/under (−) committee 602(b) subdivision	
	BA	O	BA	O	BA	O
Discretionary	12,263	11,841	12,300	11,841	−37	
Mandatory[1]	41,123	32,370	41,123	32,370	32,370	
Total	43,386	44,221	53,423	44,221	−37	

BA = New budget authority.
O = Estimated outlays.
[1] Conforms to Budget Resolution estimates of existing law.

COMPARISON TO INTERNATIONAL DISCRETIONARY SPENDING ALLOCATION

The bill provides $1,564 million of international discretionary budget authority for P.L. 480 Food for Peach programs, $10 million less than the Appropriations international subdivision for this subcommittee. The bill provides outlays equal to the subdivision for international discretionary outlays.

[In millions of dollars]

	Agriculture, Rural Development appropriations bill		Appropriations Committee 602(b) subdivision		Bill over(+)/under (−) committee 602(b) subdivision	
	BA	O	BA	O	BA	O
Discretionary	1,564	1,579	1,574	1,579	−10	

BA = New budget authority.
O = Estimated outlays.

The House Appropriations Committee reported the Committee's subdivision of budget authority and outlays on June 11, 1992. These subdivisions are consistent with the allocation of spending responsibility to House committees contained in House Report 102-529, the conference report to accompany H. Con. Res. 287, the concurrent Resolution on the Budget for Fiscal Year 1993, as adopted by the Congress on May 21, 1992.

The following are the major program highlights for the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill for Fiscal Year 1993, as reported:

PROGRAM HIGHLIGHTS

[In millions of dollars]

	Budget authority	New outlays
Agriculture programs:		
Commodity Credit Corporation (mandatory)	9,200	
Market Promotion Program (MPP) limit	−62	62
Agricultural Research Service	695	522
Extension Service	418	293
Animal and Plant Health Inspection Service	441	366
Cooperative State Research Service	446	211
Federal Crop Insurance Corporation (mandatory in part)	590	315
Food Safety and Inspection Service	490	446
Agricultural Stabilization and Conservation Service	714	657
Conservation and rural development programs:		
Rural Electrification Administration:		
New loan subsidies	291	79
Administrative expenses	29	26
Farm operation and ownership loans:		
New loan subsidies	259	251
Administrative expenses	230	219
Rural Housing:		
New loan subsidies	705	331
Administrative expenses	427	380
Rental Assistance Program	320	7
Rural Development loans:		
New loan subsidies	117	6
Administrative expenses	59	52
Soil Conservation Service Conservation Operations	577	532
Watershed and Flood Prevention Operations	205	114
Conservation Reserve (mandatory)	1,579	1,567
Nutrition programs:		
Food Stamp Program (mandatory)	25,669	21,540
Child Nutrition Programs (mandatory)	6,675	5,478
Supplemental Feeding Programs (WIC)	2,860	2,688
Nutrition Assistance for Puerto Rico (mandatory)	1,051	1,047
Food donations for selected groups	257	209
Emergency Food Assistance Program	165	150
Other programs:		
P.L. 480, Food for Peace	1,493	1,134
Food and Drug Administration	778	640
Payment to the Farm Credit System (mandatory)	85	85
Commodity Futures Trading Commission	47	41

Mr. MCHUGH. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Kentucky [Mr. NATCHER].

Mr. NATCHER. Mr. Chairman, not too long ago two men were talking, and one said to the other that he could not think of the Secretary of Agriculture's name.

The second gentleman immediately said that he should not worry about that. The name that you ought to remember is JAMIE L. WHITTEN of Mississippi. He's been the best friend the American farmer has had in the last 50

years. That's the name that you ought to remember.

As my colleagues know, Mr. Chairman, the chairman of our Committee on Appropriations has been a little under the weather. When our chairman is under the weather, we circle the wagons and take care of our chairman.

As the gentleman from New Mexico [Mr. SKEEN] has pointed out, four of our Members on this subcommittee will leave us at the end of this year: The distinguished gentleman from New York [Mr. MCHUGH], who is now in charge of this bill, has been a member of our subcommittee since 1978; the gentleman from Michigan [Mr. TRAXLER], who is also chairman of the Subcommittee on VA, HUD and Independent Agencies, been a member of the committee since 1976, leaves us at the end of the year. The gentleman from Minnesota [Mr. WEBER], a member, not only of this Subcommittee, but the Subcommittee on Labor, Health and Human Services and Education, leaves us; and also the gentleman from New York [Mr. MRAZEK]. All four are able Members of this House, and we are going to miss all of them.

Mr. Chairman, all down through the years, for a period of 38 years, I have served as a member of this Subcommittee on Appropriations sitting next to my chairman, the gentleman from Mississippi [Mr. WHITTEN]. I know that, as far as this bill is concerned, in research, soil conservation, REA, marketing service, extension and every agency, my chairman has always seen to it that they are not only properly funded, but properly protected.

I remember one time, a number of years ago, they called from the White House. They wanted several of us to come down to talk about TVA. At that time President Eisenhower was in the White House and he was one of the able Presidents of this country. They had sold him on a bill of goods, that TVA should be sold.

The President said that we were called down so he could talk with us about this idea of selling TVA.

My chairman, the gentleman from Mississippi [Mr. WHITTEN], was there, and also, in addition, we had Mr. Carl Vinson of Georgia, who had the all-time record in the House, 50 years and 4 months, until my chairman, Mr. WHITTEN, went ahead of him on January 6 of this year with 50 years and 5 months.

The spokesman, Mr. Chairman, for the group there was my chairman, the gentleman from Mississippi [Mr. WHITTEN] and Carl Vinson of Georgia. They, of course, were against such a proposal.

Mr. Vinson turned to my chairman, Mr. WHITTEN, and said, "JAMIE, you talk to the President."

The gentleman from Mississippi [Mr. WHITTEN] explained to him about TVA and what it had done for the people in the Southern States and all that section of our country. Mr. Chairman, that President Eisenhower looked up, and he said that maybe he did not fully understand why such a proposal was submitted.

Mr. Chairman, we never heard any more about selling TVA. My chairman, the gentleman from Mississippi [Mr. WHITTEN] has believed and said all down through the years that, "If you take care of the soil and water in this country, and take care of the American farmer, you will continue to be able to produce our food and fiber."

Look what is happening in Russia today. They cannot produce enough food for their people. We do not have that trouble in this country. Agriculture is the largest industry in our country.

In addition, Mr. Chairman, I want to say a word about our friend, the gentleman from New Mexico [Mr. SKEEN], one of the able Members of this House. He and the gentleman from New York [Mr. MCHUGH] conducted the hearings in the main assisted by the gentleman from Illinois [Mr. DURBIN], and the gentleman from North Carolina [Mr. PRICE], and others from time to time. We present to our colleagues, Mr. Chairman, an excellent bill, and, on behalf of my chairman, the gentleman from Mississippi [Mr. WHITTEN], we recommend the bill.

Mr. Chairman, I keep a journal. I have 53 bound volumes. From time to time my chairman says to me, "How am I doing in your journal?"

Sometimes I kid him a little bit and say, "Mr. Chairman, not too well last week."

But I want every member in this committee to know that my chairman, the gentleman from Mississippi [Mr. WHITTEN], comes out well in my journal every week.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. WEBER].

Mr. WEBER. Mr. Chairman, I rise today in strong support of H.R. 5487, the Agriculture, Rural Development, and Related Agencies appropriations bill for 1993. The bill recommended by the committee totals $59 billion, Mr. Chairman, which is within the subcommittee's section 602B allocations. As we know, each of our appropriation subcommittees have been forced to deal with the needs of our Nation on a budget which has been drastically reduced. To his credit, the chairman of our subcommittee, JAMIE WHITTEN, has produced a bill which addresses the needs of rural America and also stays within tight budgetary constraints.

I also want to commend the ranking member of the subcommittee from New Mexico, JOE SKEEN. His dedication and support for the programs which directly affect rural America are second to none. I want to personally thank him for the time and effort that he put into this bill.

As I stated, Mr. Chairman, our committee was forced to deal with the needs of rural America through a budget that has been drastically reduced. Yet at the same time, we were obligated to provide substantial increases to the consumer food programs which now represent 63 percent of this bill. While we all support these programs, Mr. Chairman, I am afraid that those increases are coming at the expense of other agriculture programs which have a dramatic impact on rural America.

My fear, Mr. Chairman, is that the budget problems of the 1990's will shortchange the programs affecting production agriculture. In the Second Congressional District of Minnesota, agriculture is the backbone of our economy. This was dramatically pointed out in the mid 1980's when agriculture went through one of the worst depressions since the 1930's. While the rest of the country was enjoying stable economic growth, land valuations in my district were dropping up to 50 percent in 1 year. Hundreds of small businesses were forced to close their doors.

Almost 12 percent of this Nation's farmers, over 300,000, went broke and left the farm. In addition, many communities which heavily rely on agriculture are still trying to recover.

This bill, Mr. Chairman, was drafted in part with the experience of the 1980's in mind. The committee has directed resources to programs which assist farmers in becoming more efficient. In an effort to expand markets we have directed agriculture research to start concentrating more time and money on the development of new uses from traditional crops. And, the committee has funded rural development programs which will assist communities in diversifying their local economies. In an effort to assist a changing rural America, I think the committee has done an outstanding job of providing scarce resources to those programs.

Various members of the committee have pointed out the need for programs funded in this bill. I also want to take this opportunity to highlight a few programs that show the dedication of the committee in assisting rural America.

Mr. Chairman, the committee has provided over $660 million for the Agriculture Research Service. ARS conducts basic and applied research in the fields of livestock, plant sciences, soil and water conservation, and agricultural engineering utilization and development. The research conducted by ARS is of vital importance to the future of agriculture.

The committee has also recognized the need to assist communities in retaining and attracting industry and jobs. I was glad to see that we were able to provide $100 million for the business and industry loan guarantee program. Over 700 new jobs have been created in my district through the use of this economic development tool. The

program has leveraged private dollars into rural areas and has enabled local banks to provide financing and create more jobs. This type of success has taken place with relatively little cost to the taxpayer.

Mr. Chairman, this bill attacks drug abuse which is one of the most pressing issues facing rural and urban America. The committee provided over $10 million for extension's youth at risk program. This is a substance abuse prevention program which features teen teams. Groups of teenagers are trained to conduct their own alcohol and drug abuse prevention programs in fifth and sixth grade classrooms. This is a good program, Mr. Chairman, and I am proud that our committee made this type of commitment to the youth of our Nation.

Finally, Mr. Chairman, the bill includes language which directs the Secretary of Agriculture to expeditiously grant disaster relief for farmers facing economic disaster due to tornadoes and storms which swept through southwestern Minnesota. I appreciate this committee's willingness to work with me on this issue and I want to thank the Secretary in advance for his consideration of this matter. It is my hope that the President will release the $750 million in disaster relief as soon as possible.

Finally Mr. Chairman, this is a good bill for rural America, which means that it is a good bill for our Nation. I would encourage my colleagues in the House to vote for this bill.

Mr. MCHUGH. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, I want first to say how much I have enjoyed working with the gentleman from Mississippi [Mr. WHITTEN] and the other members of this subcommittee over the years that I have been a member of the Committee on Appropriations. The leadership of the gentleman from Mississippi is exemplary in showing that government can be the solution to a problem.

In 1969, when I became a Member of this body, people were leaving the First Congressional District. Leaving the small towns and rural areas.

Since that time, in part because of the capital investments made possible through past Agriculture, rural development, and related agencies appropriations bills, more than $200 million has been invested in housing, in water and wastewater programs, in industrial development grants and loans. As a result of these capital investments, we are now seeing new life in most of the small towns and rural areas of the First Congressional District. The outmigration has slowed. People are coming back home. We have jobs to offer them. They can work and live at home. Churches are constructed. Yes, government has extended a helping hand that has provided a solution.

Thus, we are beginning to see the revitalization of the heartland of America. New homes are being built.

By the way, these capital investments have occurred while the Congress was appropriating $93.8 billion less than Presidents have requested during that period of time. Thus, Congress has been fiscally responsible.

One good example of how revitalization of the heartland has occurred is the action taken last year by this subcommittee designating $800,000 for an industrial development grant for an impoverished, minority town in eastern Arkansas. Cotton Plant wants to build a catfish processing plant to provide jobs for its citizens. The catfish processing facility is planned; it is ready to go. It offers not only an outlet for farmers who produce fish, but also offers gainful employment to the people of Cotton Plant. The Arkansas Pride Fish Processing Plant is a success waiting to happen.

Mr. Chairman, I would like to ask the acting chairman of the subcommittee, the gentleman from New York [Mr. MCHUGH], a question. It is my understanding that the Office of Management and Budget has not given notice to the State Farmers Home Administration offices of the change in the law that was passed by the Congress last year which repeals the then $500,000 ceiling on industrial development grants. Thus the Cotton Plant Catfish Processing Plant has encountered difficulty in gaining release of the $800,000 from the Farmers Home Administration.

Would the gentleman from New York comment on the status of the repeal of the Farmers Home Administration ceiling and the outlook for deliberate action for rural development, and especially the Cotton Plant Catfish Processing Plant?

□ 1210

Mr. MCHUGH. Mr. Chairman, would the gentleman yield?

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

Mr. MCHUGH. Mr. Chairman, the gentleman is correct in his citing of the law. Last year in the appropriations bill, we did repeal that ceiling. So there is authority now to proceed beyond the ceiling.

As the gentleman has indicated and as we have put in our report this year, OMB has not given adequate notice or any notice, as far as we can tell, to the States. And, therefore, they are not proceeding.

But it is clearly the intent of the Congress, as expressed in last year's bill and again in our report this year, that that ceiling be disregarded and that the money be spent.

Mr. ALEXANDER. Mr. Chairman, so the gridlock that we are now seeing is a result of the Office of Management and Budget and not from the Congress.

The reason I bring this up is people back home in Arkansas do not understand why, when Congress passes a law and appropriates money, thereby directing the administration to take action on a priority matter, that no action is taken for over a year. It is difficult for people to understand why action is not being taken.

Is there a statement in the committee report that is being issued today which would tend to eliminate that problem?

Mr. MCHUGH. Mr. Chairman, if the gentleman will continue to yield, there is an expressed provision included in the report on page 103, which reads as follows:

> The regulation limiting the size of these grants was repealed by the fiscal year 1992 Appropriations Act signed into law on October 28, 1991. To date, the Department has not issued the notice that this regulation has been repealed. The committee finds this bureaucratic foot-dragging inexcusable.

Mr. ALEXANDER. Mr. Chairman, I thank the gentleman for his reply.

I hope that this additional action reinforcing the commitment of Congress to the Cotton Plant fish processing plant will be sufficient to move the administration into action so that we can continue to revitalize the heartland of America. Capital investment is essential to economic growth. The Arkansas Pride Catfish Processing Plant at Cotton Plant is a good investment in the future of America. Let's stop wasting time.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Indiana [Mr. MYERS].

Mr. MYERS of Indiana. Mr. Chairman, I thank my colleague for yielding time to me, and I rise to compliment the members of this committee as well as the staff for their very fine work in bringing this bill to the floor. It is not an easy task this year, as all of us on the Appropriations Committee have found. There has never been enough money, particularly this year, to fund the programs adequately. But this bill funds American agriculture, a basic industry in our Nation and one of the few basic industries left which touches everyone. We all eat.

But I am always concerned that so many people in this country do not realize the importance of agriculture. And they think that the dollars here in this bill all go to agriculture.

It has been revealed that almost two-thirds of this bill, goes for feeding programs and nutritional programs which take care of the needy and improve the nutrition of our society.

But of the total bill, $36,900,000,000 goes for feeding programs, almost two-thirds. Of that, $26,619,719,000 goes for food stamps—45 percent of this bill goes for food stamps. What a tremendous expense helping people.

Yet farmers may benefit somewhat. But the huge amount of this money

goes to someone else besides agriculture.

So I say today I certainly support this bill. I do compliment the committee for including language in the report requesting that the Secretary of Agriculture urge the President of the United States to release $755 million that has been previously appropriated in last year's supplemental for disaster programs.

Last Saturday afternoon I spent the afternoon reviewing in Indiana, in my congressional district, damages to thousands of acres of crops from a freeze about 2 weeks ago in Indiana. On several acres, on several farms, corn was almost shoulder-high, lying flat on the ground.

These farmers were not making money before, but with these tremendous losses, they need assistance, if they are going to stay in the business. Many of them are young farmers and just do not have the reserves.

So I am pleased to see that the Secretary of Agriculture hopefully will talk to the President. I think there is going to be a tremendous need. The frost and freeze hit not only Indiana, it hit a number of districts in Illinois, a tremendous loss to farmers, a tremendous loss to our society.

I do compliment everyone who touched this bill. It is a good bill, and I hope we get full support for it.

Mr. MCHUGH. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Chairman, I thank the gentleman for yielding time to me.

I support this bill, and I commend the staff and all the members of the subcommittee for what they have contributed to the development of this bill, although it is inadequate to meet the needs we face in 1993; but it is the most that we could do under the present budget situation.

We are talking here in this bill about the food industry, it is consumers of food, processors of food, the producers of food. We are talking about the most successful industry in the United States.

With some possible exceptions of pieces of the electronics industry, it has been the most successful in technology, transfer, not just in the last few years but agriculture has been in technology transfer ever since the Land-Grant Act.

The U.S. agriculture and food industry is the envy of the world because we are able to assure producers that they will at least get their cost of production if they do an efficient job and enjoy the right kind of weather, and at the same time provide cheap food for people who need it. And even cheap food for people who could pay more for food. Everyone in the United States benefits from the success of our food industry.

We are only spending $11 billion to assure producers that there will be some reasonable protection in the production of this food. That is infinitesimal in comparison to the results that we receive.

Most other countries of the world spend, relatively speaking, a lot more than that to try to increase the production of food and are not successful in doing so.

In addition to that, we have allocated $37 billion, more than 3 times as much, for programs to assure people in this country that they will receive food at a cut-rate price or free, if they need it. So we have been able to assure in this country that producers will continue with the incentive to produce food while at the same time assuring people who need cheap food or free food that they will receive it.

We have been able to do that for the smallest, relatively, price of anyplace in the world.

And then there is another function in here that should not be overlooked, and that is important today when most people live on food that they buy or trade food stamps for in the grocery store, they no longer can their food out of the garden. They no longer know the source of the food. And that is the part of the bill that deals with assuring us of not only safe but also wholesome food. Some people forget that we are not only interested in safety measured by microbiological methods but also in the wholesomeness of the food. We want protection against food being sold to us which may appear normal but was handled in a way that exposed it to filth or the kind of unwholesomeness that would have caused us to throw it away had we personally raised and processed it.

We do not want food that was handled in an unwholesome manner even if it is sterilized later and we don't need to have that kind of food in the food chain in this country. So that is an important part of this bill, too.

In addition to that, and it is for only a small amount of money compared to what the results are, $2.7 billion in this bill is for the conservation and improvement of the land. This, of course, is for the benefit of our children and our grandchildren and our great grandchildren for years to come. We should not only leave this soil in as good a condition as we found it, but in better condition.

I think this is the best we could do with the amount of money we had available. I ask a favorable vote on this bill.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Chairman, I thank my ranking member for yielding time to me.

I rise to talk this morning about an area of vital concern to me, that of research, cooperative extension, and land-grant programs.

□ 1220

In recent weeks it seems to me that Congress has had to deal with some difficult areas that are related to research, and some huge research and scientific areas such as the space program, NASA, super colliders, and others, programs that are easily stricken, easily attacked, and easily eliminated.

I have thought a lot about this general area, first with respect to agriculture. There is no doubt in my mind that the Cooperative Research Service through the years and the kinds of research that has gone on in land grant colleges has brought about the world's greatest advancement in food production and environmental conservation.

Mr. Speaker, much of the research, however, that has been done in this country in the past 50 years has been defense-related, and the spinoffs, of course, have been good for many other things, but we are moving out of that era. We are not going to have this cold war kind of defense going on, so the research that has been done there will have to be changed and we will have to move to an area such as this.

We need to make certain that this country maintains its technological leadership.

I think that the colleges that receive support in this bill are very important as part of that. We need to ensure, it seems to me, that over time this Congress does not allow the Government to become one that simply spends all of its time making transfers of income from one group to another; that indeed, we do invest in some new kinds of technology and new kinds of research, and I want to congratulate the committee for doing that in this bill.

I feel a little out of step here, in that all the Members have sort of had a reunion of committee members, but let me say that I appreciate the work that they have done. I know it is difficult.

Specifically, I want to thank the committee for considering and continuing to plan and study for an environmental simulator that is used to study the flow of water and fluids through the soil, so that we will have clean air and clean soil. I believe it is necessary for the Government to continue to invest and encourage this kind of research. I congratulate the committee on the work that they have done in this area.

Mr. MCHUGH. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Chairman, I rise in support of H.R. 5487, the fiscal year 1993 Agriculture, rural development, FDA, and related agencies appropriations bill. I commend Chairman WHITTEN, the floor manager, Congressman MATT MCHUGH, the members of the subcommittee and the subcommittee staff

for the hard work and long hours that went into crafting this bill.

On the whole, H.R. 5487 is an excellent bill that provides funding for many critical programs in the U.S. Department of Agriculture. This year has been very difficult for all the appropriations subcommittee's and the Agriculture Subcommittee was no different. Considering the shrinking budget and limited resources available to the subcommittee, H.R. 5487 is well-balanced and fair.

In particular, I want to highlight particular provisions of the bill which benefit agriculture in northern California. H.R. 5487 provides the final installment of Federal funding for the construction of the grape importation and clean stock facility at University of California-Davis. The grape importation facility will play a major part in the industry's effort to recover from the phylloxera problem. The new facility will enable California wineries to bring new stock in from Europe, ensure that it is clean and enable more rapid replacement of vines. However, the facility has broad implications for the entire domestic industry and will significantly increase the volume of stock that is brought into the country. The importance of this new facility is highlighted by the broad-based support it has enjoyed from throughout the country.

H.R. 5487 also provides $207,000 to continue planning for the pest containment and quarantine facilities also associated with the University of California. This facility is badly needed to improve research into pests, such as the white fly and africanized bee, many of which have already taken a significant toll on agriculture. There is currently no similar facility in the United States. The new facility will take pest research to the next level.

Phase I of the project will construct an 18,000-square-foot laboratory at University of California-Riverside to accelerate research leading to the development of biological and other natural pest controls. Phase II of the project will construct a 39,000 square foot facility on the University of California-Davis campus to support research in environmentally compatible pest management strategies, parasitoids, bioengineering, genetically altered organisms, and other crops, fruits, nuts, and vegetables.

This bill also gives the Soil Conservation Service authority to participate in a multiagency demonstration project which is currently exploring the potential for conjunctive uses of rice fields in northern California. The project will demonstrate the ability to use rice fields for winter water storage and migratory bird habitats. In addition, instead of the long-time practice of burning rice fields, the project will demonstrate more environmentally sound methods of breaking down rice straw and mitigating rice parasites. The Bureau of Reclamation and the Fish and Wildlife Service would also participate.

H.R. 5487 also continues the Animal and Plant Health Inspection Service's [APHIS] participation in creating a pest-free zone in Mexico. The creation of a pest-free zone would have a direct impact on California's ability to combat infestations of the Mexican fruit fly. The Mexican fruit fly is the second most destructive pest of California fruits and vegetables. Continued APHIS participation is crucial to making the pest-free zone a reality.

Mr. Chairman, I want to discuss the bill's treatment of the Market Promotion Program. Unfortunately, the budgetary constraints imposed on the bill resulted in a severe reduction in funding for the Market Promotion Program [MPP]. The MPP was reduced from $200 million to $75 million. California agriculture has benefited tremendously from the assistance that the MPP has provided in promoting American agricultural products throughout the world.

American agricultural exports account for about $40 billion in annual sales. Agriculture provides a positive balance of payments in the U.S. trade account of approximately $17 billion. Future growth in U.S. agriculture will depend on export growth. Expansion of agricultural exports is critical for related sectors of the economy. Each U.S. dollar of agricultural exports generates an additional $1.59 in economic growth. Every $1 billion in agricultural exports maintains 27,000 jobs.

The deep reduction in MPP funding could seriously jeopardize the enormous gains in foreign market that have been achieved since the inception of MPP. I look forward to working with the committee as we go to conference to try restore MPP to a funding level that is needed to substain American agricultural markets overseas.

Finally, Mr. Chairman, I want to congratulate the committee for their strong support of the Special Supplemental Food Program for Women, Infants, and Children [WIC]. This year, the committee increased WIC funding by $260 million for a total of $2.86 billion. WIC provides critical nutrition and health benefits to low-income pregnant women and young children. These benefits reduce infant mortality, avert low weight births, and help ensure that our Nation's needy children can learn in school and reach their full potential. And, WIC saves money. Each dollar invested in WIC's prenatal component saved between a $1.77 and $3.13 in Medicaid costs.

Overall, Mr. Chairman, H.R. 5487 is a strong bill for America. It continues support for our domestic agriculture industry while also providing its share of savings to apply toward deficit reduction. It is a fair and balanced bill, and I urge my colleagues to give it their support.

The CHAIRMAN. The Chair would advise that the time of the gentleman from New York [Mr. MCHUGH] has been consumed, and the gentleman from New Mexico [Mr. SKEEN] has 17 minutes remaining.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Missouri [Mr. COLEMAN].

Mr. COLEMAN of Missouri. Mr. Chairman, I support passage of this appropriations bill which funds the Department of Agriculture and related agencies for fiscal year 1993. I know that the Committee on Appropriations has had to make the kind of tough decisions necessary if we are to get the budget process under control.

I also want to commend the committee for recognizing the will of this Congress in funding the Rural Development Administration. However, I think it is important to emphasize that RDA is consistent with efforts now underway to streamline Department operations.

Indeed, RDA is not only consistent with those efforts, it represents a model of reform that other agencies would do well to emulate. RDA is a cooperative effort; working together, Congress and the administration have taken the most significant step in two decades to stabilize and rebuild the Nation's rural communities. With RDA, the Department for the first time will institutionalize rural development through one agency completely devoted to the economic needs of the Nation's rural communities. In RDA, we will have for the first time one agency responsible for Federal rural development policy and one agency with the ability to focus Federal programs to implement that policy.

RDA is a model for reform because it will not cost the taxpayers one additional dime. It represents fundamental reorganization of existing resources, not massive new programs and bureaucracy. It exemplifies the kind of approach to problem-solving that our current budget crisis demands form all levels of government, not just the Department of Agriculture.

Despite these facts, language in the committee report may unintentionally mislead Members concerning the reorganization of the Farmers Home Administration to create RDA. While the committee mentions the creation of seven regional offices, it fails to point out that when reorganization is complete, there will be 135 fewer offices within the RDA than are currently administering rural development programs within the FmHA. This net reduction of 135 offices was confirmed by Secretary of Agriculture Madigan when he appeared before the Committee on Agriculture last week to discuss reorganization of the department.

In funding RDA, the Committee on Appropriations has recognized the will of Congress that there be a focused

Federal rural development policy and one agency to implement that policy. The Committee on Agriculture continues to work with and support the Department as it undertakes the necessary reorganization to accomplish this objective through the Rural Development Administration. We must recognize that this decision is firm and there will be no turning back.

Mr. Chairman, in passing this appropriations bill the House will be doing much more than endorsing reform at USDA. It will be endorsing government by cooperation rather than confrontation and showing the American people that we can work together to make government work for them.

I urge my colleagues to support this appropriations bill which funds the Department of Agriculture.

□ 1230

Briefly, Mr. Chairman, I have a little colloquy I would like to enter into with the gentleman from New York [Mr. McHUGH].

Mr. Chairman, I have been asked by the Farmers Home Administration to clarify a matter in this bill.

Is it not true that the funds necessary for the State or district office activities under the memorandum of understanding between the Farmers Home Administration and the Rural Development Administration have been provided to the Farmers Home Administration under this appropriations bill for that purpose?

Mr. McHUGH. Mr. Chairman, if the gentleman will yield, the answer is yes.

Mr. COLEMAN of Missouri. I appreciate the gentleman's comments.

Mr. SKEEN. Mr. Chairman, I yield 3-½ minutes to the distinguished gentleman from Texas [Mr. ARMEY].

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

I would like to take a moment to commend the Appropriations Subcommittee on both their discernment and their prompt action. They have correctly seen that the market promotion program of $200 million will not stand up to scrutiny. The committee has understood that this program has generated considerable controversy and considerable embarrassment to America's agricultural policy. It is viewed by many as a corporate subsidy and has been criticized by GAO and not supported or substantiated by the Department of Agriculture.

Barring this committee's effort, I would have brought forward an amendment to kill the program outright. But the committee has seen fit to cut its funding from $200 million to $75 million.

Under the market promotion program the USDA has haphazardly doled out huge awards to industry associations, which in turn were used to generically advertised raw products abroad, or in many cases to give grants to large corporations. It is corporate welfare of the worst kind. Some of the largest corporations in America have received money under this program.

To name just a few, McDonalds Corp. got $465,000 to advertise Chicken McNuggets. Seagrams & Sons got $146,000 to push whiskey in Europe. Campbell's Soup got $450,000 to tell Latin Americans to have a V-8.

Sunkist received money, Pillsbury, Hudson's Bay Fur Sales, Ralston-Purina, Kal Kan Pet Foods, Gallo Winery, Dreyer's Grand Ice Cream, Ocean Spray Cranberries, Burger King, M&M Mars, and my favorite, Hershey's Chocolate, a company that never spent money advertising its product in the United States, somehow or other needs money to advertise its product abroad. Also Nabisco Foods, Quaker Oats, and even Paul Newman received funds from this program to promote his special brand of salad dressing.

Huge foreign corporations also received funds. Benetton of Italy, and Gunza, the biggest underwear manufacturer in Japan, for example, received funds under this program. Over 100 foreign firms received money under this program.

It is time that we end this kind of wasteful, ineffective, inefficient, and unnecessary use of the taxpayer's dollar. The committee I think has taken a tremendous step in pointing out that U.S. Government bureaucrats cannot identify foreign markets or make foreign products competitive in foreign markets.

Furthermore, the idea that these large, successful American corporations would not have enough good business sense to advertise their products abroad without seed money from the Federal Government is absurd. If in fact we funded marginal advertising, it is a waste of money. If we funded advertising that would have taken place anyway, it is a waste of money. I commend the committee.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska [Mr. BEREUTER].

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

Mr. Chairman, first this Member would like to take the opportunity to thank the members of the House Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies. The distinguished gentlemen from New York [Mr. McHUGH], the gentleman from Mississippi [Mr. WHITTEN], and the distinguished gentleman from New Mexico [Mr. SKEEN], the ranking minority member have been longtime supporters of agriculture and rural projects that are very important to Nebraska.

Mr. Chairman, this Member formally here would recognize that the members of the House Appropriations Committee and the House Appropriations Subcommittee have had to make difficult decisions regarding the funding of agricultural and food-nutrition-feeding programs, and vital research, and extension services to our Nation's land grant colleges.

Accordingly, I understand that no new grants, construction, programs or projects were funded. Nevertheless, I would like to express my gratification for the committee's general support and vote of confidence for "adequate support for the research pertinent to insect pests affecting grain sorghum and other crops in the Great Plains States" which is currently being performed at the University of Nebraska-Lincoln. This Member hopes and requests, that in the future, this important program will be funded at a level which adequately supports the significant research being carried on there.

Mr. Chairman, this Member also expresses his desire that three ongoing research projects at the University of Nebraska-Lincoln will continue to receive funds for ongoing studies and programs. Specifically, this Member asks that in conference, funding be granted for the food processing center, the rural policies institute and the sustainable agriculture systems research project. On issues ranging from food safety to sustainable agriculture, these projects are invaluable resources to the country's rural and agricultural communities.

Finally, Mr. Chairman, this Member would like to express his serious concern over the Committee's decision to fund the Market Promotion Program at $75 million rather than the proposed $200 million. While this member acknowledges that certain promotion efforts of the market promotion program need to be examined and perhaps reformed in certain areas, the overall importance of the program cannot be questioned. Especially at a time when the European Community stubbornly clings to exorbitant export subsidies for their agricultural products, this budget-driven decision to significantly cut our own marketing efforts abroad sends exactly the wrong message. This Member understands those cuts were primarily budget-driven and the Europeans should not misunderstand America's continued resolve not to surrender our export markets to them.

Mr. Chairman, the European Community continues to aggressively sell their agricultural surpluses throughout the world. Unless we adequately fund and support our marketing efforts of U.S. commodities, we stand the risk of losing important world markets to our competitors.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. GOODLING].

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

Mr. Chairman, I rise in support of H.R. 5487, a bill providing appropriations for Agriculture, rural development, Food and Drug Administration, and related agencies for fiscal year 1993.

As always, I want to commend and thank Chairman WHITTEN, the gentleman from New York [Mr. MCHUGH], and the Agriculture Subcommittee's ranking minority member, the gentleman from New Mexico [Mr. SKEEN] for their steadfast support of our Federal nutrition programs for our Nation's children and elderly.

In particular, I was very pleased to learn that the bill recommends current law level funding for the child nutrition account's school-based feeding programs, for the Child and Adult Care Food Program, and for the Commodity Procurement Program.

I did note that while the committee did not find it possible to separately fund the preparation of the training packages and menu planning guides needed to implement the dietary guidelines, the bill's report does advise the Secretary of Agriculture that he may use "any funds not needed for studies and surveys to continue other high priorities within the child nutrition programs with prior notification to the Committee." I would appreciate having the committee inform me at a latter date whether the Secretary has requested the use of study/survey funds to move forward on the implementation of the dietary guidelines.

I think that every Member is well aware that the committee has always considered funding for the Special Supplemental Food Program for Women, Infants, and Children [WIC] "to be of its highest priority." This certainly has again been demonstrated in this bill, which recommends a $260 million, or 10 percent, increase over the current fiscal year's funding level. I was saddened to see funding for the extension and soil conservation programs cut, while increasing funds for the Commodity Credit Corporation.

So in closing, Mr. Chairman, I would again like to extend my thanks to the committee for reiterating its strong support for our nutrition programs.

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Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. MCDADE].

Mr. MCDADE. Mr. Chairman, I rise in support of the Agriculture, Rural Development, Food and Drug Administration and related agencies appropriation bill for fiscal year 1993.

Mr. Chairman, I want to begin by paying my compliments to the distinguished chairman of the subcommittee, the gentleman from Mississippi [Mr. WHITTEN], to his close friend, the gentleman from New York [Mr. MCHUGH], who is making his last trip through and will surely be missed by all the members of the committee, and we wish him well as he goes on to other things in life. I especially want to thank the ranking Republican, the gentleman from New Mexico [Mr. SKEEN], who has done a superb job with the other members of the subcommittee and the staff in bringing us a bill that falls within the 602 limits of domestic discretionary for $12.3 billion in new budget authority and outlays of $11.8 billion.

The bill recommended by the committee totals $59 billion in new budget authority. I say with conviction that the members of the subcommittee, in my opinion, have performed a new miracle to make everything fit within the limits, and as usual, under very restrictive budgetary requirements given the level of interest that Members have in this bill.

The mandatory spending accounts, such as food stamps and CCC income support payments, in the bill, which are essentially beyond control or spending discipline of the committee, amount to 63 percent of the total or $39.9 billion, a $3.4 billion increase above fiscal year 1992. The bill is actually less than a hard freeze spending level below fiscal year 1992 for domestic discretionary programs. I offer my commendation to my colleagues for achieving this result. And is also essentially the same as the budget resolution, and is $1.4 billion below the President's budget request.

Once again, the subcommittee members have allocated an increase for the WIC Program, raising it by $260 million to a total of $2.86 billion. They have maintained the Farmers Home Administration low-income rural housing programs at last year's levels, and have provided $329.5 million in section 502 moderate-income loan guarantees, which is enough to maintain program participation across the Nation. They have also assured vital operations for the Food Safety and Inspection Service will be continued by providing a much needed $14.7 million increase, and they have continued to expand the financial resources for the Soil Conservation Service to meet their ever increasing responsibilities. With a small increase of $12 million more than fiscal year 1992. We should especially commend our colleagues on the Agriculture Subcommittee for their successful efforts in finding sufficient resources within such extremely restrictive budget constraints to increase funds for the Food and Drug Administration by $18.173 million.

The fiscal year 1993 bill for agriculture and rural development programs is a fair, reasonable, and equitable approach. It shares the burden equally for some popular program reductions such as new ARS and CSRS project requests in a balanced manner. This bill does a good job of setting our priorities for the agriculture and food assistance programs in a fiscally responsible way, and deserves our support.

Salary and expense accounts were held to last years level or lower except for increased pay lost for the health and safety agencies. Loan programs were held to last years level or lower. No new grants, construction or planning starts, and programs or projects were funded.

The Wetland Reserve and Conservation Reserve Program sign up were deferred for fiscal year 1993. The market promotion program was reduced to $75 million rather than the $200 million requested in the budget. The administration has expressed several serious concerns about these provisions in the bill, however they do not oppose the bill. Mr. Chairman, I believe the bill deserves the support of the House and I recommend a yes vote.

I urge the passage of this bill.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. UPTON].

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

Mr. Chairman, I am pleased to rise to commend the Agriculture appropriations subcommittee as well as the full committee for recognizing the importance of finding alternative sources of taxol. Taxol has shown great promise in curing many types of cancer, including breast and ovarian cancer.

Almost everyone is aware that taxol, the most important anti-cancer drug in years, is derived from the Pacific yew tree. This has caused great concern between the environmental community concerned about the harvesting of ancient forests, and the health community which is experiencing difficulty in obtaining enough taxol.

However, very few people are aware that a relative to the Pacific yew tree, the ornamental yew bush, is also a source of taxol. In fact, a historic cooperative agreement between the Cooperative State Research Service, the University of Mississippi, Ohio State University, and a consortium of commercial nurseries that grow ornamental yews is now providing the National Cancer Institute with the first taxol in usable amounts from any source other than the yew tree.

The ornamental yew bush is the only alternative that has made it out of the laboratory at this point. The best point about this potential source is that it is a renewable agricultural resource.

In this bill, the committee directs the Department of Agriculture to expand its research into a promising source of taxol, ornamental yew bushes. I commend the committee for its recognition of the importance of

this research to cancer patients hoping for a cure, environmentalists, and agriculture.

I am also pleased that the committee has directed the Agricultural Marketing Service to continue its wholesale market study in Benton Harbor, MI. AMS has completed elements of a study that recommends the establishment of a modern nonprofit fruit and vegetable marketing facility in southwestern Michigan.

Initial findings of the study show that a modern marketing facility for the more than 1,000 fruit and vegetable growers of southwestern Michigan is important to maintain the competitiveness of this industry so important to my area of Michigan. I am pleased that the committee has recognized that there are still necessary elements of the study to be completed.

Finally, I must say that I am disappointed that the committee has reduced funding for the Market Promotion Program. I agree with Secretary Madigan's statement that such funding cuts will seriously jeopardize the ability of U.S. agriculture to compete in high value exports. In Michigan we have seen how this program has had concrete results in opening apples markets in England and cherry markets in Japan. My experience is that this program does work as intended. My grape farmers of southwestern Michigan have also directly benefited from the name brand promotion of grape juice products overseas. I feel that this important export enhancing program should be supported.

Mr. SKEEN. Mr. Chairman, I yield the remainder of my time to the gentleman from Oklahoma [Mr. ENGLISH].

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

Mr. ENGLISH. I am happy to yield to the gentleman from Arkansas.

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

Mr. Chairman, I asked the gentleman to yield as the principal author and sponsor of the Rural Development Administration.

There has been a good deal of confusion that is occurring at the State level among Farmers Home Administration projects that may be transferred to the Rural Development Administration. Is it correct that the Rural Development Administration, in effect, went into business in the spring of this year about April 1?

Mr. ENGLISH. Let me say that the gentleman from Missouri [Mr. COLEMAN] is also one of the principal authors, and, indeed, the gentleman is correct.

Mr. ALEXANDER. And that all Farmers Home Administration projects that were pending at the State level prior to April 1, of this year will not be affected by any change of administration, by any change of the law, by any change of the regulations? Is that correct?

Mr. ENGLISH. The same rules and regulations apply, and the same people. The gentleman is correct. There was no change at that time.

Mr. ALEXANDER. But is it correct that if a Farmers Home Administration project is pending with the Farmers Home Administration prior to April 1, of this year that no change in the law would affect that application?

Mr. ENGLISH. The gentleman is correct, and let me also further state that none certainly is intended, and that project should be treated in the same manner as if RDA was not created.

Mr. ALEXANDER. So the Farmers Home Administration can continue administering projects pending before Farmers Home before April 1, of this year without any change in the regulations, without any concern for the establishment of the Rural Development Administration or rules and regulations that might be promulgated by the new administration?

Mr. ENGLISH. Any project in which an application was pending before the Farmers Home Administration before the creation this year of the RDA, that project then being transferred to RDA, there should be no impact.

Mr. ALEXANDER. I want to make certain that I am clear, if I am a Farmers Home administrator in Arkansas and there is a project pending before my administration before April 1, of this year that might be subject to transfer to Rural Development Administration, that I can go ahead and administer that project according to the rules and regulations of the Farmers Home Administration without regard to the Rural Development Administration, without the new set of regulations, without the new set of people administering the project. Is that correct?

Mr. ENGLISH. If the gentleman is asking me will the Farmers Home Administration continue to administer and to process an application that would normally go before the Rural Development Administration, no; the gentleman is incorrect. That would be transferred to the Rural Development Administration, but as far as the processing, the rules, the regulations and, in most cases, the people that are going to be working that project will all be one and the same.

Mr. ALEXANDER. I thank the gentleman.

Mr. TRAXLER. Mr. Chairman, I rise in complete support of H.R. 5487, the fiscal 1993 appropriations bill for rural development and agriculture. It is a very restrictive bill that funds only the most meritorious projects, and does so only after exhaustive hearings before our subcommittee.

As I come before this body for the last agricultural appropriations bill during my tenure, I want to take a moment to personally and most sincerely thank my colleagues on the subcommittee during the past 16 years for their support, their assistance, and their continuing education of this member regarding the specifics of the many programs operated by the Department of Agriculture. We work together in a truly cooperative, bipartisan fashion in the best sense of that phrase. It has been a privilege and an honor to serve with each of these individuals, and I wish them the very best.

I cannot say enough positive things about our most distinguished chairman, Mr. WHITTEN of Mississippi. He is truly the permanent Secretary of Agriculture. His perseverance over the years has made an immeasurable mark on our Nation's treatment of farmers and their needs. Someday someone might serve here for a longer period of time, but no one will ever serve any better.

Mr. SKEEN, our ranking minority member, serves in the excellent tradition created by our former colleagues Mark Andrews of North Dakota, and Virginia Smith of Nebraska. He is an excellent representative of his side of the aisle, and he constantly makes significant contributions to our proceedings.

Mr. MCHUGH deserves extra honors for his work this year. He has served very ably as the acting chairman during Mr. WHITTEN's absence, and when I was unable to take over as the ranking member due to my responsibilities of the chairman of the VA-HUD-Independent Agencies Subcommittee. Mr. MCHUGH will be missed. His knowledge, his genuine concern for the many people served by the feeding programs of USDA, as well as his genuine concern for the farm programs of our Nation will be a loss that this institution will have difficulty in replacing.

Mr. WEBER has been a most important member of our subcommittee. We have worked together on a number of projects, and I will miss him greatly.

I have great respect for every member of this subcommittee—Mr. NATCHER, Mr. DURBIN, Mr. SMITH of Iowa, Ms. KAPTUR, Mr. PRICE, Mr. MRAZEK, Mr. MYERS, and Mrs. VUCANOVICH. They will stay to carry on work that I expect to be even more difficult in the next few years. They have my very best wishes.

Mr. Chairman, I also must call attention to the excellent work provided through the years by the staff of this subcommittee. Bob Foster has served as the staff director of the subcommittee during my entire membership. He is a most valuable asset to the subcommittee and to the House. His assistance to members, his discretion, and his capabilities are to be admired. Tim Sanders has served for several years now as the chief person for a number of agencies under our jurisdiction, and his assistance has been equally valuable to me. Carol Novak, while only a relatively new member of the staff, is a most capable and intelligent individual who has handled many sensitive matters in a caring and expert fashion. Toni Savia has been a member of the staff during my entire tenure as well, and her work keeps all of us members well prepared and ready for our tasks. We have also been served ably over my time by Mr. Hank Moore, who now serves in a different capacity for the full Appropriations Committee, and Mr. Chip Hardin, who is in private industry at this time. To each of these valued people, I offer my strong and sincere thanks for the support that has made my membership on the subcommittee both more productive and enjoyable.

Mr. Chairman, this is a very tight bill. It is below the President's request. It provides precious few increases, except for mandatory and the most vital of discretionary programs. It is absolutely the tightest bill during my time here, and I hope our colleagues will appreciate this point.

Research programs, I am sorry to say, are frozen at last year's levels. There is not a single new program. There is not a single increase. Total funding is below that provided in fiscal 1992. Research is what takes us to our future, and what creates our future. Our budget situation is in effect putting our future on hold. I do not like it, but I realize that absent additional resources we have no other choice. Our no increases and no new starts policy treats everyone the same. We do call attention to a number of specific items within the committee's report so that the Department can bring greater resources to bear on each of these matters.

Efforts will be made to eliminate the special research grants program of the Cooperative State Research Service. That would be a vital mistake. Each of these grants has been the subject of hearings within our subcommittee. They are reviewed each and every year. It is probably easier to find out information about matters being reviewed by the Appropriations Committee than those reviewed by any other committee. Our hearings are indexed, and most importantly, they are published in full before the bill comes to the floor. No other committee to my knowledge can match that record.

Some argue that the grants are not competitively awarded. That depends upon how one defines competition. If competition begins when an idea is developed, then they are competitively awarded. If one defines competition as some grants are funded while others are not, then these are competitively awarded because each year we do not fund literally hundreds of requests. The grant proposals are reviewed by the scientists at the research institutions and are approved by the personnel of the Cooperative State Research Service before a single penny goes out. Some of our colleagues give the impression that there is no check whatsoever on these grants, when nothing could be further from the truth. It is true that many of these proposals are brought forward by producer groups. But what is wrong with that? Producers know their needs. They often have funded research programs of their own through checkoffs on their own production. They seek the Federal dollars often as a supplement to what is already underway. That is research in the best spirit of cooperation.

I can tell you that this methodology was followed with every single research grant going to Michigan. Each of them was the subject of our hearings before they were funded. Each of them was carefully reviewed by teams of scientists at Michigan State University. Each of them had to be approved by CSRS personnel before any money went out. There were checks on the system, and the research work being conducted is without question outstanding.

We have retained funding for all of the Michigan projects at last year's levels. Our work on animal waste disposal, apple quality, asparagus yield decline, bean and beet research, celery fusarium, Michigan Biotechnology Institute, stone fruit decline, and wood utilization research are available for anyone to review, and the researchers will be happy to discuss these projects with you.

We also provided the final $5,356,000 for construction of the National Food Toxicology Center at Michigan State University. I can think of no other agricultural research project of greater significance than this one. If people want to be assured of the safety and quality of our food supply, then we must have a research facility devoted to this work. For anyone to claim otherwise just doesn't understand one of the most significant needs we have. In fact, let me also point out that with the funding for the Agricultural Research Service's work in food toxicology, our report provides that these funds can be used for the development of onfarm diagnostic testing kits which are designed to determine pesticide residues. Farmers want to find ways to become better managers and to provide their consumers with greater assurances. This kind of research moves toward this goal.

Within funding for the Agricultural Research Service, we do maintain $900,000 for the Consortium of International Earth Sciences Information Network [CIESIN]. We also encourage the Department to include support from other USDA agencies, including the Cooperative State Research Service, the Extension Service, the National Agricultural Library, the Office of Information Resources Management, and the Soil Conservation Service.

Our funding for the Extension Service is also frozen at fiscal 1992 levels. I regret this situation, but believe it is the best that can be done under the circumstances. Extension programs are technology transfer—it is how we get research findings into the field and to the benefit our consumers. Extension people have often been criticized unfairly for the programs they run. They don't deserve criticism. They deserve thanks and admiration. Despite increasing demands, frozen funds, and the fact that people don't often enough say thank you for a job well done, they have continued to do their work. I want to offer my thanks to these people, and say that I will continue to do what I can to support meaningful increases for extension programs.

We have provided a modest increase in funds for conservation operations of the Soil Conservation Service, one of the very few increases within this bill. I am pleased that we were able to provide enough funds so that we can maintain an adequate number of personnel to deal with the conservation plan requirements imposed on farmers as a precondition for price support eligibility. These are hardworking individuals who will be even busier in the days to come, so they needed this increase as a priority.

I am happy that we were able to maintain funding for the subirrigation project. It is extremely worthwhile, and is approaching completion. To the extent that people are concerned about sustainable agriculture and renewable resources, they should appreciate the fact that this project is designed to reduce water contamination, increase the efficiency of the use of this resource, and safeguard adequate water supplies for producers and consumers alike.

This bill also provides funding for the many feeding programs of the Department of Agriculture. I have been an active supporter of these programs during my time here. I regret that we need these programs. They are both a testimony to the failure of our Nation to help Americans get adequate training and find reasonable jobs, while also being testimony to the fact that we need to have a sensitivity to those people who are not as fortunate as we might be ourselves. I regret that we need assistance programs, but I am thankful that we have them.

We have provided a very modest 5-percent increase in the Commodity Supplement Food Program. This $4.5 million will be well spent in trying to provide small increases in the caseloads of existing program operators, and hopefully will provide some room for some new program operators as well. The provision of commodities by this program to mothers, infants, children, and the elderly is vital, and it has been a long, hard road to get as far as we have.

We have spent years, it seems, fighting to get recognition for a very small feeding program. We have faced budget proposals that eliminated the program, or reduced the program, or just eliminated funding for the elderly, or proposed to phase out the elderly. We spent time trying to save a program when we should have been able to spend time trying to expand it. Some who opposed the program did so because they thought it was duplicative of other assistance. They made it sound as if someone was getting too much food when they barely had enough to get from 1 month to the next. Others opposed it because they thought that support for the elderly would weaken support for mothers, infants, and children. They made it seem as if we had a choice of which group should be supported, rather than fighting to find ways to support all those in need. We have had administrations of both parties who didn't do enough in the eyes of some, including me, but nonetheless should be thanked for what they did do. Solving a portion of the problem is better than solving none of it. We seem to have had some kind words for CSFP from Secretary Madigan at this year's hearings that help me leave here a bit more hopeful that the program has a few more friends than it did not long ago.

Throughout all of this, the wonderful people at Focus: HOPE in Detroit, MI, have continued to fight for the program. They have brought in others from around the country to help in the battle, and help they do need. Father William Cunningham and Mrs. Eleanor Josaitis are two individuals who can be proud of their work, and who can know that they made a difference in the lives of perhaps more than a million people over the years through their efforts on behalf of this feeding program and other causes with which they have been involved. These two people are the kind of individuals who help me and should help all of us retain a proper focus on the responsibilities of our work here—on the need to sometimes do the unconventional because the everyday just doesn't work anymore—on the need to remember that our job is to leave the world at least a slightly better place than we found it. For their vision, effort, and courage, I thank them. For their kindness in trying to help es-

tablish similar programs within my own congressional district, I particularly thank them.

Now the Department wants to provide more flexibility in the assignment of program caseloads so that those in need, regardless of age grouping, can be served. I am hopeful that this change will successful come forward, and I am happy that our report cautions the Department to undertake this change only in a way that does not disrupt the program.

But I do want my friends at the Department to know that even though other feeding programs are larger, serve more people, and may be more complex, the people served by CSFP are just as important as the people served by the myriad other programs. For that reason, it is no less important to devote time and resources to CSFP than it is to programs as large as WIC and Food Stamps. I offer this same caution to the advocates of hunger programs. Remember that the goal is to feed the hungry, and that there are several different ways to deal with a common problem. Do not close your eyes to any of these solutions.

Within the Foreign Agricultural Service, the market promotion program has come under a great attack, We reduced funding for this program from $200 to $75 million—a 62.5-percent reduction. Some argue that big corporations and foreign interests are benefiting from this program. Their claims seemed to be validated by the fact that the defense of MPP by USDA has been rather slow in coming. Check our hearing record for yourselves. At no point did anyone from USDA say "we know we had a problem. We have taken steps to correct it. We believe we have a solution. Leave the program alone. It provides returns far far greater than its expense." Some of these arguments were made separately, but never together. The best argument came in a letter from Secretary Madigan the day of our full committee markup on this bill—nearly 2 weeks after we completed subcommittee markup. Defense of the program has been coming in from its users, but this defense needs to be even stronger if we are yet to see restorations to last year's levels in the program. Beneficiaries of Government programs need to learn to be more aggressive about saying "We like the program. It is doing a good job. Please maintain it." It is far easier for someone to complain about a program, or to believe that funding will continue so that the only time communication is necessary is when an increase is requested.

Today, proposals will be made to further restrict this program. I believe that these restrictions are not wise. While there are some who believe that if a corporation is involved in a program, it is automatically bad for Government funds to be used, I am not of that opinion. When trying to penetrate a new market, a good marketer will use any tool at his or her disposal. If that means that we can sell more American chickens by trading on the good name of McDonald's, then if we are concerned about our farmers and what their standard of living might be, then we do preclude them from having the option of trading on a major brand name that may have market access not available to a commodity group. Would McDonalds or any other of the companies criticized in this program spend their own resources developing a market? Perhaps. Maybe even probably. But there is no guarantee that they would use American commodities in their processed goods if it wasn't for the incentive provided by the market promotion program. Have there been abuses? Possibly. Has action been taken to stop them? USDA says yes. Have we given their solutions a fair chance? No. Have detailed hearings been held in the House on this matter? Not sufficient hearings to justify the kind of amendments before us today.

It is amazing to me that we tell farmers that we want them to depend on foreign markets, but then every time we find a good foreign market program they can use, efforts are made to kill that new program. How can we sell in foreign markets if we do not promote what we have for sale? Please vote "no" on these amendments.

Of course, there are several ways to achieve the purpose of promoting our goods. The Michigan dry bean industry has presented me with a proposal to try a modified market development program in which they bring foreign buyers to our shores, rather than depending on promotional trips to theirs. Our report calls on the Department to give this proposal careful consideration within their available funds. I am hopeful this will be done.

Mr. Chairman, it has been a privilege to be a member of this subcommittee. The work has been of great importance, and the accomplishments have been most fulfilling. I know this is a bill that all of our colleagues can support, and I encourage them to vote "yes" on final passage.

Mr. DOOLEY. Mr. Chairman, I rise to express my strong support for the Market Promotion Program [MPP] and for my concern regarding the large cut in the program contained in this bill. This very important export promotion program has been cut by the committee by more than 50 percent to $75 million for fiscal year 1993. This drastic cut will make it more difficult for American agricultural producers to compete in the world market. This cut will serve no purpose beyond assisting our foreign competitors in seizing existing and emerging markets for high-value agricultural commodities from U.S. producers.

While the administration continues trade negotiations through the GATT and the proposed North American Free-Trade Agreement [NAFTA], it has become clear that the future of business in America is incumbent upon increasing foreign market access. The greatest benefit that we can hope to gain from any trade negotiation is the breaking down of barriers to foreign markets.

The MPP is designed to provide assistance to U.S. agricultural commodity groups to promote their products or products containing their commodity overseas. USDA estimates that each dollar of MPP money results in an increase in agricultural product exports of between $2 and $7. The USDA also estimates that the MPP creates up to 38,000 jobs.

Let me give you a real-life example of the positive results from the MPP. In a recent letter, the California Table Grape Commission provided me with information regarding their experience with the MPP and the Targeted Export Assistance [TEA] Act. During the 6 years that they have participated in the program: Offshore exports have grown 208 percent, from 2.5 million boxes to nearly 8 million boxes of grapes; export value has increased 233 percent, from $28 million to $93 million; and the industry has established a new record for grape exports each year of its participation in TEA and MPP, despite fluctuations in crop size, grape quality, market conditions, price, and other factors.

Clearly, the funds awarded to the Table Grape Commission have been successfully used to expand markets. And this is just one example. Countless other organizations report equally positive results from the MPP.

Another criticism that I have heard is that money is awarded to big corporations that don't need Federal assistance because they have other resources available to them. Mr. Chairman, as you know, funding is awarded to commodity groups or cooperatives and not to corporations. While many commodity groups work with large corporations, the goal of the program, to promote U.S. agricultural commodities, is being met. Even more importantly, the American farmers who grow the commodities have benefited. To use the California Table Grape Commission as an example again, the commission represents 850 fresh table-grape farmers. The average size of their farms is 97 acres. I'm sure that no one would disagree that the MPP program has benefited each of these small growers just as the program was intended.

Yet another criticism is that the funding should not be used to promote brand name products. There are two very important reasons that the MPP should continue to include branded advertising. First, as the committee report indicates, the future of agricultural trade is in high-value products. Generally, high-value products are sold under a brand name. A second concern is that the promotion paid for with Federal money should increase sales of American products. However, if we only allow promotion of oranges, there is no guarantee that consumers in Japan or Korea will purchase American oranges. Only with an identified brand can we guarantee the purchase of American products.

Mr. Chairman, it would be a mistake to allow the vocal critics of the MPP to eliminate or greatly diminish the usefulness of the program based on a few newspaper articles or isolated cases of poor judgment. I hope the House will continue to support the MPP and not dismantle one of the most successful programs that we have to deal with an increasingly competitive world market.

Mr. RAHALL. Mr. Chairman, I rise today in support of H.R. 5487, the fiscal year 1993 appropriation bill for rural development, Agriculture, and related agencies. Within the bill's total of $59 billion there is necessary funding for many programs which are extremely important to my State of West Virginia. However, I am pleased that though this represents a total of $6.5 billion more than the fiscal year 1992 appropriation, it is $1.4 billion less than the amount requested by the President.

As you may know, I am very concerned about the ability of small towns and communities to afford wastewater treatment facilities and public drinking water systems. I am pleased that the committee has again chosen to fund the Farmers Home Administration [FmHA] water and waste facility loan and

grant program. This measure provides $635 million in direct and guaranteed loans to help fund construction of water and sewer systems in rural communities. This is the same as in fiscal year 1992 and $35 million more than the amount requested by the administration, which proposed no guaranteed loan funding. The bill also appropriates $400 million for rural water and sewer system grants—14 percent more than in the current fiscal year and 33 percent more than the President's request. Grants are so important to communities in my state which can barely repay the interest on a loan, let alone the principal.

Housing is also a prominent concern in rural districts like my own. The Appropriations Committee's recommendation provides total fiscal year 1993 loan authorizations of $2.4 billion for FmHA rural housing programs. Although this appropriation is 5 percent less than in the current fiscal year, it is $634 million more than the amount requested by the administration.

Other funding of note to West Virginia is the $418 million for extension services. While this amount is below that of the current fiscal year, it is $600,000 more that the President's request. This appropriation will fund programs that are of vital interest to our land grant colleges and universities.

The Soil Conservation Service watershed and flood prevention operations are also at a level higher than the President requested. The measure provides a slight funding increase over fiscal year 1992 levels for the Soil Conservation Service [SCS] conservation operation, in order to permit the SCS to continue current activities.

Another agency of considerable significance to rural America is the Rural Electrification Administration. REA assists rural electric and telephone organizations in securing requisite funding for the delivery of electric and telephone service to nonurban areas. The fiscal year 1993 Agriculture appropriation sets aside $2 billion for REA lending authority. This is $264 million more than the administration requested, but $245 million less than the current fiscal year. The measure also provides for guaranteed loans to rural electric systems totaling between $813.5 million and $2 billion, and guaranteed loans to rural telephone system totaling between $120 million and $139 million.

In addition to housing and development programs, food programs are extremely important to my district. This bill provides for a total of $26.7 billion of the Food Stamp Program in fiscal year 1993. This is $3.4 billion more than the current year's appropriation.

Also, a program which I feel strongly about, the Special Supplemental Food Program for Women, Infants, and Children [WIC] is provided $2.9 billion in fiscal year 1993, $20 million more than was requested by the administration. Furthermore, the committee urges USDA, in consultation with the Centers for Disease Control, to include education efforts regarding child immunization among the services provided to participants in WIC and other nutritional programs.

The Emergency Food Assistance Program [TEFAP] is funded at the same amounts as the current fiscal year to purchase commodities and to help the States store and distribute this food.

Mr. Chairman, this is a very tight bill, but it represents a balanced approach to the problem of supporting necessary programs while recognizing budget constraints. I urge the passage of H.R. 5487. We will not forget the continued struggles of the backbone of our Nation, rural America.

Mr. RAY. Mr. Chairman, I rise in strong support for this well-crafted bill which makes appropriations for Agriculture and related agencies for fiscal 1993.

I understand the severe budgetary constraints under which the Appropriations Committee is forced to work this year. The committee must be commended for its work this year. While working to craft a bill which takes into account the fiscal realities, the committee has included funding for the highest priorities in agriculture, food safety, nutrition, and research.

Regarding research, I want to express my sincere thanks on behalf of pecan growers throughout Georgia and across the southern United States for language in this bill which directs the Secretary of Agriculture to provide funding for research in pecan diseases.

As the committee is aware, and as many members who are involved in the agricultural community are aware, pecan growers throughout the South experienced tremendous crop losses last year. The devastation was caused by an as yet unidentified disease which attacked approximately 90 percent of the pecan orchards from Texas to the Eastern Shore.

There is great concern that this disease, which destroyed half of last year's pecan crops in the affected areas, will worsen in the Southeast and spread to the Southwest. Because of the significant capital investment required to harvest pecans, and the limited variety of pecan cultivars available to farmers, growers will not be able to replace orchards that are destroyed by disease. It was feared that the spread of this disease could threaten to eliminate the pecan industry in the United States.

The generous consideration of this problem by Chairman WHITTEN and the concerned members of the House Appropriations Committee will help to ensure that the United States maintains a viable pecan industry for years to come. I am very pleased that the chairman chose to support the research efforts of the Southeastern Fruit and Tree Nut Laboratory located in Byron, GA. The USDA laboratory in Byron has a history of conservative management and has produced innovative and cost-effective strategies for the containment and elimination of some of the most destructive diseases affecting fruit and nut trees.

Again, on behalf of the many thousands of growers who have benefited from the research conducted at this laboratory, I thank the chairman for his assistance.

Mrs. SCHROEDER. Mr. Chairman, I rise in support of H.R. 5487, the Agriculture appropriations bill for fiscal year 1993, and specifically to comment on the funding level for the Women, Infants, and Children's Special Supplemental Feeding Program [WIC]. I would like to thank the chairman of the Agriculture Appropriations Subcommittee, Mr. WHITTEN, for his continued efforts to expand participation in this program beyond the current 55 percent of eligible women, infants, and children. However, I am disappointed that the committee has failed to raise funding to the level needed to permit the program to stay on track for full funding by 1996.

The evidence is compelling that WIC is among the most cost-effective programs we have. In April, a report by the General Accounting Office concluded that providing WIC benefits to pregnant women more than pays for itself within a year. These findings echoed evaluations contained in a 1990 Select Committee on Children, Youth, and Families report, showing that WIC provides significant savings in Medicaid costs, while reducing low birthweight births, infant mortality, and anemia among low-income children, and improving cognitive functioning.

Our Nation's business leaders have recognized the value of WIC. CEO's of Fortune 500 companies testified last year before the House Budget Committee that every $1 spent on WIC and related programs will save up to $10 over the next few years, because children who are adequately nourished as infants arrive at school ready to learn, and require fewer costly special education programs.

As a long-time advocate of programs that enable children to have a head start on life, I give my strong support to any increase in WIC funding. This number reflects a $260 million increase in the funds provided for WIC last year, an increase that is certainly encouraging. However, we cannot be fully satisfied until WIC is fully funded. This program was introduced in the 1960's, and despite nearly 30 years of proven cost-effective success, it is still not available to thousands of needy children. When are we going to fulfill our promise to our children?

Full funding for WIC is one of the best investments we can possibly make. If we truly care about our children—if we truly care about our future—then we must ensure that every single child has a chance for a healthy and hopeful start in life.

Mr. AUCOIN. Mr. Chairman, I rise in support of this bill. As we consider fiscal year 1993 appropriations for agriculture, rural development and the FDA, we also are appropriating funds for basic and applied agriculture research in various fields which include livestock, plant sciences, and nutrition. Agriculture is a key component of Oregon's economy and way of life. In Oregon we have 37,000 farms that produce more than 170 commodities. This bill provides loans which are vital to our farmers because they face recession and the sixth year of drought. I also support this bill for the programs vital to feeding our children, the elderly, and low-income people. Programs such as WIC and TEFAP are more important than ever as we strive to eradicate hunger in this country.

I would like to thank the committee for continuing to fund programs which are especially important to Oregon. The committee is continuing to support research on eastern filbert blight, small fruits research, Russian wheat aphid, soil erosion and water quality, and marketing and varietal development of potatoes.

Because of the tight spending caps, the committee was unable to fund any new grants or construction projects and froze existing programs at last year's level. While I understand the committee's policy, I am disappointed we

are not able to adequately fund other programs of merit. In my district, an existing project to construct a new seafood research laboratory in Astoria, OR, will have to wait, and critical nutrition research is jeopardized.

The original seafood lab, built in 1940 and operated by Oregon State University, has helped the Northwest seafood industry become one of the most productive and important in the world. But the current facility is inadequate to meet the demands of this dynamic industry. The new lab has the strong support of State and local governments, the community of Astoria, and private investment. The lab will be part of a larger complex, the Seafood Consumer Research and Education Center, which involves numerous activities in seafood including research, education, training, marketing, information, and promotion of seafood.

Mr. Chairman, this is an outstanding proposal that will greatly benefit the seafood industry and Astoria. I would hope that the conference committee will be able to fund this project at a level which allows construction to go forward this year.

Mr. Chairman, I would also like to recognize and draw attention to the ongoing medical research that has pioneered the identification of protective benefits of dietary calcium and other cardiovascular disease including high blood pressure, stroke, diabetes, reduction in premature birth rates, and low-birth-weight babies. Last year our colleagues in the Senate recognized the vital role that this research plays in today's medical science. As a result, current but temporary funding by USDA has allowed the Institute for Nutrition and Cardiovascular Research at Oregon Health Sciences University to continue its efforts designed to improve health and reduce the health care budget of this country.

Research focusing on the benefits of calcium continues to receive congressional support because of its critical contributions to the future financial integrity of the dairy industry as well as laying the foundation for low-cost strategies to promote health and reduce disease. Thus, continued funding for this research is imperative in our Nation's health agenda. It has implications for programs including WIC, the school lunch program, dairy price-supports, and dietary guidelines. I urge my colleagues to recognize the long-term importance of this research program and to work with me through the conference committee toward funding within the fiscal year 1993 agriculture appropriations process.

Mr. CONDIT Mr. Chairman, I rise today in strong support of the Market Promotion Program [MPP]. Contrary to popular belief by some members of this body, MPP is one of the most effective programs at the Department of Agriculture. By eliminating the Market Promotion Program, Congress will be sending a message to 38,000 Americans depending on jobs generated by the MPP that they are no longer needed.

The Market Promotion Program gives an additional boost for exporting U.S. agriculture products, particularly in situations where U.S. sales are hampered by other exporters unfair trade practices. The principle is simple: The U.S. Government shares with private industry the cost of developing, establishing, and maintaining export markets for U.S. products.

The Market Promotion Program often has been touted as the most effective of all the agriculture export promotion programs at a relatively small price. When compared to the Export Enhancement Program, which cost taxpayers over $1 billion annually, MPP, at a cost of $200 million annually is said to give U.S. taxpayers the biggest bang for the buck. Evidence of this is in recent USDA studies that estimate for each $1 billion of U.S. agriculture exports, approximately 30,000 jobs are generated in the U.S. economy. Also, for each $1 spent under MPP, sales of agricultural products increase $2 to $7. Thus, the $200 million spent annually under MPP generates $400 million to $1.4 billion in additional exports.

Because of actions taken by the Appropriations Committee to cut this program from $200 million to $75 million, the Department of Agriculture will be faced with limited abilities to effectively promote agriculture commodities abroad. If Congress eliminates MPP in its entirety, we are saying that American business can do without $2.23 billion in economic activity generated by the exports which result from MPP and $1.4 billion in exports generated by the Market Promotion Program. I say Americans do not want this.

I would like to inform members of the House that during the 1990 farm bill debate, the Agriculture Committee instituted program controls that are now being implemented by FAS. Guidelines included: Marketing plans that describe advertising or other market oriented export promotion activities; USDA was instructed to describe the manner in which assistance received by the eligible trade organization in conjunction with funds and services provided by the eligible trade organization will be expanded in implementing the marketing plan; establish market goals to be achieved as a result of the Market Promotion Program.

Also, the Secretary has been instructed to terminate any assistance made or to be made available if he determines that a trade organization is not: Adhering to the terms or conditions of the program; not adequately implementing approved marketing plan or not adequately meeting the established goals of the Market Promotion Program, and not adequately contributing its own resources to the Market Promotion Program.

In addition, the Agriculture Committee has directed the Secretary to monitor expenditures of funds received under the Market Promotion Program including: Evaluating the effectiveness of the program in developing or maintaining markets for U.S. agriculture commodities; evaluate whether assistance provided is necessary to maintain such markets; and a thorough accounting of the expenditure of MPP funds by the trade organization

The Agriculture Committee also set limitations on the Market Promotion Program assistance that will not exceed 50 percent of the cost in implementing the marketing plan.

Mr. EMERSON. Mr. Chairman, today I rise in strong support of the Agriculture, Rural Development, and Related Agencies appropriations bill for fiscal year 1993. I would also like to thank the chairman of the subcommittee, Mr. WHITTEN, and the ranking member, Mr. SKEEN, for their hard work and diligence in preparing such a balanced package within a highly constrained budget.

This legislation represents what has been a long and deliberative process which meets many of today's agricultural needs, but yet reflects much-needed fiscal responsibility. This legislation represents many difficult budget decisions that continue to prove that Agriculture is willing to pull its fair share of the budget reduction load.

Additionally, I am also pleased to note a particular item within this appropriations measure that continues to benefit agricultural producers across the Nation. For several years now, research on the soybean cyst nematode problem has been conducted in my district at the Delta Area Agriculture Research Center in Portageville, MO. This facility is ideally suited to conducting this research, given its extensive work in the past on the problem and the fact that many farmers in the country continue to face a serious cyst nematode problem.

By including this research as a part of the appropriations package, I fully believe we will be saving a number of farmers from financial ruin in the long run. Millions of acres of farmland continue to be contaminated with the cyst nematode, including major soybean-producing counties in Missouri, Mississippi, Iowa, Illinois, Arkansas, and Nebraska among others. It has been estimated that in 1990 the soybean nematode cost our Nation's farmers over $400 million in reduced yields. But because of the work being conducted on this problem, the Federal Government will easily save many times the $359,000 we will spend on soybean cyst nematode research next year.

Additionally, this measure includes funding for the rural electrification administration to meet the increasing needs of our Nation's rural electric systems. Over the years, insured REA loan funds have declined substantially despite continued inflation. Despite this, rural electric insured loans continue to meet growing rural development demands and the need for these job-producing and infrastructure-improving loan funds has never been more important to our rural towns and communities than today.

Likewise, there are many other fine projects and research efforts contained in this bill along with needed funding for the Supplemental Food Program for Women, Infants, and Children and continued funding for other vital domestic food and nutrition programs. I urge my colleagues to show their support for these valuable endeavors by giving favorable approval to this appropriations measure.

Mr. LAGOMARSINO. Mr. Chairman, I rise in opposition to H.R. 5487, the agriculture appropriation bill, and to express my strong support for the Market Promotion Program [MPP].

Given what we've seen in the media and the numerous "Dear Colleague" letters from my respected colleague and friend from Texas, I suspect several Members on our side of the aisle are wondering why I've risen in defense of a program characterized as corporate welfare and trade subsidies.

They know that I've spent almost 20 years in Congress fighting for free trade and self-determination of nations; and they know that I am a fiscal conservative opposed to wasteful government spending and subsidies. What they may not realize, however, is that the MPP is one of our best tools for breaking into foreign markets that have been closed to

American business by foreign tariffs, subsidies, and nontariff barriers.

As a senior member of the Foreign Affairs Committee, I've worked to ensure that free trade and self-determination remain the foundation of our foreign policy. After the Second World War, we made a strategic decision to create a global economy based on free trade. We did this because we knew that the United States could not long survive—and certainly not prosper—in a world that was not free.

In the short term, our policies have required tremendous sacrifices from the American people. We opened our markets to the world while we tolerated a degree of protectionism in the new European democracies. Despite the financial burdens, the lost jobs and markets for our products, we knew that it was in the overall best interest of the United States. And we were right.

Today, we are the strongest economic power in the world, and we have a global economy that is characterized—first and foremost—by free trade.

However, there is one notable exception to this success story: Agriculture. World agricultural trade is marked by massive government subsidies, high tariffs, and the most pervasive nontariff barriers imaginable. Foreign governments protect and vigorously pursue markets with government handouts and intervention.

The rules of the market as we know them do not apply. Despite the fact that American farmers and farmer cooperatives produce superior products at lower prices, they have a difficult time competing with foreign governments.

Given this situation we have two basic policy options; each with its own set of consequences.

The first is to do nothing. Yet by doing nothing, we are resigning ourselves—and our farmers—to failure. We will write off an entire sector of the global economy to protectionism. And we will send a message from Tokyo to Brussels that it's OK to lock up entire markets with trade barriers and subsidies.

The second, is to remain true to the principle of free trade and support policies which tear down barriers and combat production subsidies. As I see it, the real question is not if we should open foreign markets to American farmers, but how we should do it.

One choice would be to dump billions of dollars into production subsidies like the Europeans and most other countries so that our growers can compete on price alone. This floods world markets with commodities, drives down prices, destroys grower returns, and wastes billions of taxpayers' dollars.

Another option is the MPP. This program allows American farmers to penetrate foreign markets by creating a demand for U.S. products abroad. The MPP provides farmer cooperatives and companies with financial incentives to undertake long-term market development initiatives.

MPP marketing strategies are designed to create demands for specific U.S. products and commodities like Sunkist oranges or American cotton. This aspect of the program is critical because it allows consumers to distinguish between American products and those from other countries. This is the only way U.S. growers can compete against subsidized crops on the basis of quality.

By increasing consumer demand, the MPP allows for increased production and grower returns. The MPP represents a fraction of what this country spends on program crop subsidies, yet it realizes billions of dollars in foreign agricultural sales and thousands of U.S. jobs.

When compared to the more traditional agricultural policies, the MPP has enjoyed considerable success in opening foreign markets during its short lifetime.

Agricultural trade represents 20 percent of the global economy, and—given a level playing field—our farmers and farmer cooperatives are the most competitive in the world. We should not turn our backs to this type of trade, and I strongly urge my colleagues to oppose further cuts or restrictions on the program.

The CHAIRMAN. All time for general debate having now been consumed, the Clerk will read.

The Clerk read as follows:

H.R. 5487

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, 1993, and for other purposes, namely:

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

Mr. Chairman, I will not take the 5 minutes, but I would like to stand and use this time, and through this means, to support H.R. 5487, this agriculture bill.

Mr. Chairman, I do commend the gentleman from Mississippi [Mr. WHITTEN], the chairman of the full committee and the dean of my delegation from Mississippi, for once again doing a remarkable job in bringing this bill, given the budgetary constraints placed against it.

I would also like to say to the gentleman from Kentucky [Mr. NATCHER], the acting chairman of the committee, that he has done a remarkable job also.

If I could point out just two things about this bill, Mr. Chairman, that makes it so worthy, the fact that this committee has made WIC funding a priority.

WIC received the largest increase in this bill, some $260 million. That is a pretty good increase, but I would like to tell the membership that it is very cost-effective, because we have learned from past participation in the WIC Program that this $260 million will result in substantial savings in the cost of Medicaid for newborns and mothers.

Also, I would like to thank the chairman of the full committee for including in this bill continued support for what we call the Yazoo basin flood project. We well know in Mississippi the need for this project to be completed, and I am really grateful for the inclusion of some moneys to the Soil Conservation Service's portion of the project which is called the Mississippi Delta Water Use Study, as well.

Last, if I have one regret, Mr. Chairman, I would like to express it, and it is that in this bill the committee zeroed out something that is known as the wetlands reservation bill. We know that it is needed. We know that it is beneficial, but, again, because of cost constraints placed against the bill, the wetlands reserve program was zeroed out, and I really hope that we know that it is essential and necessary and hope that at some point in time that some moneys could be made available for that.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE I—AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed $50,000 for employment under 5 U.S.C. 3109, $2,282,000: *Provided*, That not to exceed $8,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the Secretary may transfer salaries and expenses funds in this Act sufficient to finance a total of not to exceed 35 staff years between agencies of the Department of Agriculture to meet workload requirements.

OFFICE OF THE DEPUTY SECRETARY

For necessary expenses of the Office of the Deputy Secretary of Agriculture, including not to exceed $25,000 for employment under 5 U.S.C. 3109, $543,000: *Provided*, That not to exceed $3,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Deputy Secretary.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $5,756,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded in this Act, $596,000.

RENTAL PAYMENTS (USDA)

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Department of Agriculture which are included in this Act, $50,503,000, of which $5,000,000 shall be retained by the Department of Agriculture for non-recurring repairs as determined by the Department of Agriculture: *Provided*, That in the event an agency within the Department of Agriculture should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 10 per centum of the funds made available for space rental and related costs to or from this account.

BUILDING OPERATIONS AND MAINTENANCE

For the operation, maintenance, and repair of Agriculture buildings pursuant to the del-

egation of authority from the Administrator of General Services authorized by 40 U.S.C. 486, $25,700,000.

ADVISORY COMMITTEES (USDA)

For necessary expenses for activities of advisory committees of the Department of Agriculture which are included in this Act, $952,000: *Provided*, That no other funds appropriated to the Department of Agriculture in this Act shall be available to the Department of Agriculture for support of activities of advisory committees.

□ 1250

AMENDMENT OFFERED BY MR. JONTZ

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

The Clerk read as follows:

Amendment offered by Mr. JONTZ: Page 4, line 14, strike "committees." and insert "committees: *Provided further*, That $120,000 of this amount shall be available for the National Organic Standards Board."

Mr. JONTZ. Mr. Chairman, I will be offering several amendments to this appropriations bill this afternoon that seek to implement some very important programs regarding the environment and regarding consumers that were authorized by the 1990 farm bill.

I appreciate the very difficult task that the subcommittee has had in meeting all the needs that exist with very limited funds; nonetheless, I believe it is a mistake not to fund some of the very important initiatives that were in the 1990 farm bill that will help us make the transition in this country to more environmentally sensitive systems of agriculture.

My fear is that if we do not make these voluntary programs work we will be back facing mandatory controls on agriculture which are not in my opinion the best way to resolve the problem.

This particular amendment insures that there will be adequate funding for a program that was approved in the 1990 farm bill for the National Organic Standards Board. The purpose of the program is simple. By giving consumers a choice for organic food in the marketplace, we will be providing market signals to farmers who choose to farm organically.

By providing specifically for $120,000 in the appropriations bill we will be supporting the work of the National Organic Standards Board in the amount requested by the administration. This Board is comprised of farmers, organic food industry representatives, and environmental groups. Without funding, the important work of establishing national organic standards will be slowed or even halted.

It is necessary that we have national organic standards so that when the consumer goes to the marketplace, they know when they see the word organic that they are getting something organic, so that producers know the standards they, too, will have to meet in order to achieve what would be called an organic classification.

This is a very modest amount of money and we would not be adding any money, but rather providing that from this appropriation the $120,000 would be available for the National Organic Standards Board.

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

Mr. Chairman, I rise in reluctant opposition to the amendment and urge the Members to reject it.

Basically, the committee has cut in half the amount of funds requested by the President for advisory committees. There are 42 advisory committees which are established to provide the Department with a variety of expertise on a number of the questions which the Department has to cope with each year.

The gentleman's amendment would earmark almost 15 percent of what we have provided in this bill for advisory committees for just one of those 42 advisory committees. Undoubtedly, it is a useful committee, but I cannot say with certainty that it is more useful than any number of the other 42 committees that are proposed.

For example, is it more important than the National Advisory Committee on Meat and Poultry Inspection? Well, I am not sure, but the Department is going to have to make some tough decisions about which of these advisory committees to fund and by how much. This is not going to be an easy decision.

So, Mr. Chairman, I would suggest that the Committee on the Whole reject this amendment, which as I say would earmark almost 15 percent of all the funds available in this bill for just one of these advisory committees and leave the decision about the allocation of the funds to the Department itself.

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

Mr. MCHUGH. I am happy to yield to the gentleman from Indiana.

Mr. JONTZ. Mr. Chairman, I appreciate the position of the committee chairman. I have no doubt that there are a number of very valuable advisory committees and what a difficult task it would be to sort out the individual funding for each of them.

I would suggest to the chairman that the particular responsibilities which we, by law gave to the National Organic Standards Board must be completed if we are to have an Organic Standards Program.

I would say that this distinguishes the Organic Standards Board from the vast majority of the committees, because we are in a situation with this particular committee that if we do not give the standards written, if this committee cannot proceed on its work, then we will not have a program, and I would dare say you could not make that point with regard to the overwhelming majority of the other boards and commissions of which the gentleman speaks.

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

Mr. MCHUGH. Yes, I am happy to yield to the gentleman from Illinois.

Mr. DURBIN. Mr. Chairman, I would like to say to my friend, the gentleman from Indiana, that I share his concern and I think his effort here is certainly for a good cause, but we are faced with some very serious problems, as was described during the general debate preceding the amendments to this bill.

Of the 42 advisory committees proposed in the budget request, 20 of them are required by law, I might tell my colleague, the gentleman from Indiana. His particular committee that he is interested in, the National Organic Standards Board, is an important one. Some of the others are important as well.

What we have tried to say in the committee is that the Secretary should have the responsibility to decide which of these need funding and which of them, in fact, will provide critical information.

It will not be an easy choice, but I think the gentleman perhaps overreaches when he asks for one out of every $6 to be going to advisory committees to go to this particular one. There are some 41 other committees that I am sure feel they are equally well deserving.

Mr. SKEEN. Mr. Chairman, I also rise in opposition to the amendment.

I know it is well-intentioned, but we have already done this work. We have cut the advisory boards in half during this appropriations period, but I think the major thing is that we left a lot of discretion as to the importance of each of these boards to the Secretary of Agriculture. I think that probably would take care of the concern of the gentleman from Indiana, that if this is important enough the Secretary would have the flexibility and the opportunity to apply more funds to that particular Board.

So, Mr. Chairman, I maintain my opposition, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. JONTZ].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HAZARDOUS WASTE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the requirement of section 107g of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607g, and section 6001 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6961, $16,000,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department of Agriculture for hazardous waste management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Personnel, Finance and Management, Operations, Information Resources Management, Advocacy and Enterprise, and Administrative Law Judges and Judicial Officer, $25,014,000, for Departmental Administration to provide for necessary expenses for management support services to offices of the Department of Agriculture and for general administration and emergency preparedness of the Department of Agriculture, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department of Agriculture, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109: *Provided*, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551-558.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

For necessary expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded in this Act, $1,307,000.

OFFICE OF PUBLIC AFFAIRS

For necessary expenses to carry on services relating to the coordination of programs involving public affairs, and for the dissemination of agricultural information and the coordination of information, work and programs authorized by Congress in the Department, $8,925,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed $2,000,000 may be used for farmers' bulletins and not fewer than two hundred thirty-two thousand two hundred and fifty copies for the use of the Senate and House of Representatives of part 2 of the annual report of the Secretary (known as the Yearbook of Agriculture) as authorized by 44 U.S.C. 1301: *Provided*, That in the preparation of motion pictures or exhibits by the Department, this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

INTERGOVERNMENTAL AFFAIRS

For necessary expenses for programs involving intergovernmental affairs and liaison within the executive branch, $468,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, as amended, $62,786,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(8) of the Inspector General Act of 1978, as amended, and including a sum not to exceed $50,000 for employment under 5 U.S.C. 3109; and including a sum not to exceed $95,000 for certain confidential operational expenses including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95-452 and section 1337 of Public Law 97-98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $24,554,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ECONOMICS

For necessary expenses of the Office of the Assistant Secretary for Economics to carry out the programs funded in this Act, $580,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and service relating to agricultural production, marketing, and distribution, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, including economics of marketing; analyses relating to farm prices, income and population, and demand for farm products, use of resources in agriculture, adjustments, costs and returns in farming, and farm finance; research relating to the economic and marketing aspects of farmer cooperatives; and for analysis of supply and demand for farm products in foreign countries and their effect on prospects for United States exports, progress in economic development and its relation to sales of farm products, assembly and analysis of agricultural trade statistics and analysis of international financial and monetary programs and policies as they affect the competitive position of United States farm products, $58,720,000; of which $500,000 shall be available for investigation, determination, and finding as to the effect upon the production of food and upon the agricultural economy of any proposed action affecting such subject matter pending before the Administrator of the Environmental Protection Agency for presentation, in the public interest, before said Administrator, other agencies or before the courts: *Provided*, That this appropriation shall be available to continue to gather statistics and conduct a special study on the price spread between the farmer and the consumer: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225): *Provided further*, That this appropriation shall be available for analysis of statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis.

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, and marketing surveys, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, $80,941,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109.

WORLD AGRICULTURAL OUTLOOK BOARD

For necessary expenses of the World Agricultural Outlook Board to coordinate and review all commodity and aggregate agricultural and food data used to develop outlook and situation material within the Department of Agriculture, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), $2,367,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

OFFICE OF THE ASSISTANT SECRETARY FOR SCIENCE AND EDUCATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Science and Education to administer the laws enacted by the Congress for the Agricultural Research Service, Cooperative State Research Service, Extension Service, and National Agricultural Library, $560,000.

ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION

For necessary expenses to carry out the Alternative Agricultural Research and Commercialization Act of 1990 (7 U.S.C. 5901-5908), $4,500,000.

AGRICULTURAL RESEARCH SERVICE

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for), home economics or nutrition and consumer use, and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, $658,379,000: *Provided*, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $115,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That funds appropriated herein can be used to provide financial assistance to the organizers of national and international conferences, if such conferences are in support of agency programs: *Provided further*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available to conduct marketing research: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided the cost of constructing any one building shall not exceed $250,000, except for headhouses or greenhouses which shall each be limited to $1,000,000, and except for ten buildings to be constructed or improved at a cost not to exceed $500,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building or $250,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That 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 the foregoing limitations shall not apply to the purchase of land or the construction of facilities as may be necessary for the relocation of the United States Horticultural Crops Research Laboratory at Fresno to Parlier, California, and the relocation of the laboratories at Behoust, France and Rome, Italy to Montpelier, France, including the sale or exchange at fair market value of existing land and facilities at Fresno, California and Behoust, France; and the Agricultural Research Service may lease such existing land and facilities from the purchasers until completion of the replacement facilities: *Provided further*, That not to exceed $190,000 of this appropriation may be transferred to and merged with the appropriation for the Office of the Assistant Secretary for Science and Education for the scientific review of international issues involving agricultural chemicals and food additives: *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.

Special fund: To provide for additional labor, subprofessional, and junior scientific help to be employed under contracts and cooperative agreements to strengthen the work at Federal research installations in the field, $2,500,000.

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, $34,514,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That facilities to house bonsai collections at the National Arboretum may be constructed with funds accepted under the provisions of Public Law 94-129 (20 U.S.C. 195) and the limitation on construction contained in the Act of August 24, 1912 (40 U.S.C. 68) shall not apply to the construction of such facilities: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individuals for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH SERVICE

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, including $168,785,000 to carry into effect the provisions of the Hatch Act approved March 2, 1887, as amended, including administration by the United States Department of Agriculture, penalty mail costs of agricultural experiment stations under section 6 of the Hatch Act of 1887, as amended, and payments under section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301n.); $18,533,000 for grants for cooperative forestry research under the Act approved October 10, 1962 (16 U.S.C. 582a-582-a7), as amended, including administrative expenses, and payments under section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301n.); $27,400,000 for payments to the 1890 land-grant colleges, including Tuskegee University, for research under section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222), as amended, including administration by the United States Department of Agriculture, and penalty mail costs of the 1890 land-grant colleges, including Tuskegee University; $57,688,000 for contracts and grants for agricultural research under the Act of August 4, 1965, as amended (7 U.S.C. 450i); $97,500,000 for competitive research grants under section 2(b) of the Act of August 4, 1965, as amended (7 U.S.C. 450i(b)), including administrative expenses; $5,551,000 for the support of animal health and disease programs authorized by section 1433 of Public Law 95-113, including administrative expenses; $1,168,000 for supplemental and alternative crops and products as authorized by the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d); $400,000 for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977, as amended (7 U.S.C. 3318), to remain available until expended; $475,000 for rangeland research grants as authorized by subtitle M of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended; $3,500,000 for higher education graduate fellowships grants under section 1417(b)(6) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended (7 U.S.C. 3152(b)(6)), including administrative expenses; $1,500,000 for higher education challenge grants under section 1417(b)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended (7 U.S.C. 3152(b)(1)), including administrative expenses; $4,000,000 for grants as authorized by section 1475 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 and other Acts; $6,725,000 for sustainable agriculture research and education, as authorized by section 1621 of Public Law 101-624 (7 U.S.C. 5811), including administrative expenses; and $19,170,000 for necessary expenses of Cooperative State Research Service activities, including coordination and program leadership for higher education work of the Department, administration of payments to State agricultural experiment stations, funds for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which $10,250,000 shall be for a program of capacity building grants to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321-326 and 328), including Tuskegee University, of which not to exceed $100,000 shall be for employment under 5 U.S.C. 3109; in all, $412,395,000.

The CHAIRMAN (during the reading). For what purpose does the gentleman from Indiana rise?

Mr. JONTZ. Mr. Chairman, I offer amendments en bloc.

The CHAIRMAN. The Clerk will complete reading the paragraph and then report the gentleman's amendments.

The Clerk concluded the reading of the section.

PARLIAMENTARY INQUIRY

Mr. FAWELL. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FAWELL. Mr. Chairman, why is the gentleman from Indiana recognized?

The CHAIRMAN. The gentleman from Indiana, as the Chair understands it, has an amendment at the desk to diminish the amount that is appropriated. As the Chair understands, the gentleman has filed an amendment seeking to delete the appropriation. The logical order appears to allow the gentleman to offer his amendment first and then the gentleman from Illinois [Mr. FAWELL] may offer his amendment.

AMENDMENTS OFFERED BY MR. JONTZ

Mr. JONTZ. Mr. Chairman, I offer amendments en bloc.

Mr. MCHUGH. Mr. Chairman, I reserve a point of order on these amendments.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. JONTZ: Page 15, line 9, strike "$57,668,000" and insert "$54,068,000"; Page 16, line 13, strike "$6,725,000" and insert "$11,168,000"; Page 17, line 11, strike "$33,611,000" and insert "$30,250,000"; Page 18, line 1, after the semicolon insert "payments for the sustainable agriculture technology development and transfer program under section 3(d) of the Act, $2,000,000."

□ 1300

The CHAIRMAN. Does the gentleman from New York [Mr. MCHUGH] wish to make his point of order?

POINT OF ORDER

Mr. MCHUGH. Mr. Chairman, I do insist upon my point of order.

I make a point of order against the amendment since it, in effect, calls for the en bloc consideration of two different paragraphs in the bill, two or more. The precedents of the House are clear in this matter: Amendments to a paragraph or section are not in order until such paragraph or section has been read; and, therefore, the amendment is not in order in its present form.

The CHAIRMAN. Does the gentleman from Indiana [Mr. JONTZ] desire to be heard?

Mr. JONTZ. Mr. Chairman, I regret the Chairman seeks to make this point of order. We did not have the opportunity to go to the Committee on Rules to seek a rule to protect amendments which would allow us to cut funding in one place and to then reallocate that in another section.

I feel like we have some very fundamental decisions we have to make about priorities with regard to spending in this appropriations bill, but the Members should have an opportunity to make them on the floor.

This amendment seeks to take money from a number of earmarked grants and use them instead for increased funding for the sustainable agricultural research and education program.

The unfortunate situation is we have national needs with regard to research which are not being met because we have the sum of money which is in this bill for a whole host of individual projects.

I do not seek to debate the merits of the individual projects but simply to strike 10 percent off those projects and reallocate that to the item called sustainable agricultural research and education.

I am sorry if the gentleman, if the chairman does object to it. We will not have the opportunity to debate that issue on the floor, not have the opportunity to debate the merits of one source of funding, of one priority for funding for the other, because we had no opportunity to go to the Committee on Rules to get a rule to protect such an amendment. We are at the mercy of the chairman to see if he would allow this amendment to be offered. I would ask the gentleman to please allow the amendment to be offered so that we can debate the merits of the issue.

Mr. MCHUGH. Mr. Chairman, I would simply say the Committee on Appropriations has been criticized before for

getting limited rules. We brought this bill directly to the floor with no rule, and therefore the rules of the House apply. I am simply insisting on a point of order consistent with the rules of the House, and I do insist on the point of order.

The CHAIRMAN (Mr. SPRATT). For the reasons stated by the gentleman from New York, his point of order is sustained.

Are there any other amendments to this paragraph?

AMENDMENT OFFERED BY MR. FAWELL

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

The Clerk read as follows:

Amendment offered by Mr. FAWELL: Page 15, strike line 9 and all that follows through the semicolon on line 11.

Page 17, line 3, strike "$412,395,000" and insert "$354,707,000".

Mr. FAWELL. Mr. Chairman, I offer this amendment with my esteemed colleague and cochairman of the Porkbusters Coalition, Congressman TIM PENNY. Our amendment would cut $57.7 million for 85 special research grants funded through the Cooperative State Research Service [CSRS]. None of these grants has been specifically authorized, none has been competitively awarded, and none has had actual hearings.

All 85 projects were in the two porkbusters' bills for fiscal years 1991–92, H.R. 4315 and H.R. 2643.

Examples of projects we seek to cut are $120,000 for animal waste disposal; $387,000 for cool season legume research; $185,000 for lowbush blueberry research; and $340,000 for fish marketing.

These earmarks are the purest form of pork-barrel spending, not because of the subject matter of the 85 spending projects but because it completely bypasses established procedures and critera for spending.

If these projects are meritorious, they can be funded the old fashioned way by going through the process—specific authorization, competitive awarding, and science peer review. In addition, a parallel $97.5 million grant program—the National Research Initiative—exists which funds agricultural research with the appropriate level of scrutiny, competitive awarding and peer review. This National Research Initiative program, also run by the Cooperative State Research Service, was created in the 1990 farm bill to also fund agricultural research. All of the grants in the six basic categories are authorized, and spending projects are required to be peer reviewed, and awarded competitively.

The issue here is not the merit of the substance of these grant programs.

The fundamental problem with these grants is that they have not been authorized, not been competitively awarded, and not been subject to hearings. In this time of budget crisis, we should be more rigorous than ever in ensuring that taxpayers' money is spent only on spending projects determined to be of high national priority.

The interest groups that represent the taxpayers support our amendment, including the National Taxpayers Union, Citizens for a Sound Economy, and Citizens Against Government Waste. And for good reason.

Three weeks ago this body rejected a balanced budget amendment to the Constitution, promising the American people we could make the tough choices necessary to bring the Federal deficit under control without a constitutional mandate.

Obviously, we have a lot of work to do to accomplish that goal and this cut of $58 million is one of the thousand steps we must make. But I submit to my colleages that if we are unable—or unwilling—to cut funding for 85 projects which have basically bypassed the appropriation process, then I doubt very much we will make hard choices necessary to even significantly cut the projected $400 billion deficit for fiscal year 1993. If we can not start with cuts for research on animal manure and lowbush blueberries that have not gone through the appropriation process, how will we muster the courage to cut funding for a variety of national priorities.

One thing we ought to be able to cut is spending projects which never went through the process.

□ 1310

Mr. PENNY. Mr. Chairman, I rise in support of the amendment of the gentleman from Illinois [Mr. FAWELL].

Mr. Chairman, this amendment has been described by the gentleman from Illinois. It strikes a variety of special research grants funded in this legislation. Last year and the year before the gentleman from Illinois [Mr. FAWELL] and myself identified a number of projects in various appropriations bills which we deemed to be pork-barrel spending. We established criteria for such spending to include projects that had not been authorized by the appropriate committee, had not been requested by the administration, and were not deemed to have a national purpose, but instead accrued to the benefit, primarily, of localities, or served a parochial interest. These projects were categorized as pork-barrel spending, and our legislation sought to eliminate those kinds of programs from the budget.

Mr. Chairman, a year ago in the Agriculture appropriations bill we identified 141 such projects totaling $74 million. Our legislation, H.R. 4315, sought to strike or rescind those projects from the budget.

This time around the list of pork-barrel items has been reduced. There are only 85 such special research grants funded in this bill, but again it is our judgment that, because they have not been specifically authorized and have not been competitively awarded, that they should be categorized as pork-barrel spending.

These types of programs may not add up to a lot of money in the scheme of things, but they are indicative of a process that has no place in an era in which our No. 1 priority ought to be to reduce the Federal deficit. These kinds of projects can be funded through the normal procedure. There are grant moneys available to the cooperative State research service, and these projects could be competitively awarded through the normal process. It is our judgment that, if they are meritorious, they can and should compete in that arena and receive funding on that basis. Absent that kind of justification, we feel that it is appropriate for us at this point to strike the items from the appropriations bill.

Again, Mr. Chairman, The Fawell amendment would strike 85 projects totaling $57.7 million. I would ask the Members for support of the amendment.

Mr. JAMES. Mr. Chairman, I move to strike the last word and rise in support of the amendment that is pending here.

Mr. Chairman, we are about to spend $59 billion to fund the Department of Agriculture this year. I am wondering what we will have to show for it.

Last year we spent $200 million to fund the market promotion program. McDonald's got $465,000 to promote the Chicken McNugget. For that matter, Mr. Chairman, we gave Campbell's Soup $465,000 to tell people in Taiwan that they could have had a V-8 juice. This is a waste of money.

Last year we gave the Commodity Credit Corporation $7 billion to finance farm subsidies and crop insurance. I have nothing against crop insurance, Mr. Chairman, except when the Department of Agriculture insures the farmer at a rate where the Government is losing money. That is a problem, this does not make any sense to me, and I think it is a waste of money.

Mr. Cliff Tuttle of Jacksonville, FL, is tired of wasting money, Mr. Chairman, and so am I. He writes: "I am disgusted, frustrated and mad as hell."

This is a classic example of what happens when Government is allowed to grow far out of proportion to its needs. Mr. Chairman, this Government is out of hand. It has been mentioned many times that this Government has a $400 billion deficit and that it must take thousands and thousands of efforts on behalf of our behalf, little bites at a time and, in some cases, big bites, and this bill offers us many opportunities to make a significant effort toward reducing that deficit. That $400 billion has a geometric factor to it, and in just a very few years we will be deficit spending everything Government needs, and yet it seems that we approach every bill in the same way, that

we are still working on that mark where it is $400 billion in deficit.

Mr. Chairman, that concerns me. That concerns the American people. And that is frustrating to many of us in Congress, especially since we have the audacity to suggest, and many have, that we do not need a balanced budget amendment. It seems peculiar to me that we still proceed with business as usual, and it would seem that this bill, as has been pointed out just in this one amendment, and in many others, gives us a fantastic opportunity to examine the legitimacy of absolutely every expenditure. In this case and in this amendment they have not even passed through the authorizing committees, or the proper committees, in every instance. That is some major concern, I think, to most of us in the House, and, if we do not pay attention to our specific expenditures, we cannot——

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

Mr. JAMES. I yield to the gentleman from Illinois.

Mr. DURBIN. Mr. Chairman, I am sure my colleague from Florida is aware of the fact, that this subcommittee cut the administration's request from $200 million down to $75 million on the Market Promotion Program in the appropriation bill. He may also be aware——

Mr. JAMES. Mr. Chairman, reclaiming the balance of my time, I am sure that we have many superficial cuts, and I call them superficial, not in the context of that one cut, and the gentleman from Illinois [Mr. DURBIN] is smiling, but $400 billion is still a billion and a half or a billion——

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

Mr. JAMES. I mean $150 billion more than the entire defense budget.

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

Mr. JAMES. Although my time is relatively limited, I yield to the gentleman from Illinois one more time.

Mr. DURBIN. Mr. Chairman, is the gentleman from Florida [Mr. JAMES] aware that this subcommittee cut the President's request by $1.4 billion in this particular agency? Is the gentleman aware of that?

Mr. JAMES. Mr. Chairman, I am quite aware of all of the allegations of cuts.

Mr. DURBIN. Mr. Chairman, it is not an allegation. It is a fact.

Mr. JAMES. Yes; I am quite aware that there have been cuts in relationship to that bill. That is not the issue.

But is the gentleman aware that we are still right at a $400 billion deficit? Is the gentleman aware, if we keep going at this rate for 2 or 3 more years, that we will be doing nothing but deficit spending, and we only have 60 percent of our income tax now going to pay interest? Is the gentleman aware of that? Is the gentleman aware of such things as interest on interest? Is the gentleman aware that he is going to bankrupt this Nation, the Democrat Party is, and I do not want to be part of it while we sit here and have that kind of deficit?

Mr. Chairman, I am concerned about it.

Is the gentleman aware that we promised just a few days ago that we did not need a balanced budget amendment? We actually told the public we did not need a balanced budget amendment. We suggested that.

So, yes, we cannot make excuses in regard to this bill or in regard to any other while we still have that great big mark, that $400 billion deficit.

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

Mr. JAMES. I yield to the gentleman from Illinois.

Mr. DURBIN. Mr. Chairman, I just say to the gentleman, "I agree with everything you said."

Mr. JAMES. I thank the gentleman.

Mr. DURBIN. The deficit is a serious problem. This subcommittee addressed that by reducing expenditures in this bill to the point that many of the Members are complaining the cuts are too deep.

Mr. JAMES. Mr. Chairman, would the gentleman answer one question for me?

Mr. DURBIN. I would be happy to.

Mr. JAMES. With all of these fine cuts that are made, that the gentleman is suggesting are made, how much has it moved that $400 billion deficit? How much does it move it?

Mr. DURBIN. At least $1.4 billion from the President's mark.

Mr. JAMES. From the President's mark, and that is one-quarter of a percent.

I ask the gentleman, "Are you really suggesting that's enough? Are you actually suggesting"——

The CHAIRMAN. The time of the gentleman from Florida [Mr. JAMES] has expired.

Mr. SMITH of Iowa. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois [Mr. FAWELL].

Mr. Chairman, to start with let me point out that the program that the gentleman from Florida [Mr. JAMES] spotlighted is not a program included in this amendment anyway. The program he referred to is in another part of the bill. So, the comments that he made relative to that program, the criticism for it, if they are justified, are not justified in considering this particular amendment. We are dealing with the Agricultural Research.

However, Mr. Chairman, the gentleman from Florida [Mr. JAMES] does ask a question: What do we have to show for the Agricultural Research Service? We have plenty to show for the Agricultural Research Service.

The food industry is the most advanced technology transfer industry in the United States. It is the most successful industry we have. In the United States, we have actually produced food cheaper than anywhere else in the world. The food industry is the most efficient in the world. It is envied all over the world. We produce food cheaply, we keep producers in the production mode, and at the same time we have cheap food for people.

□ 1320

The gentleman from Illinois spotlighted animal manure disposal. I would point out that that grant is in Michigan, not in Iowa. Handling animal waste is one of the most important agricultural environmental problems we have. Two problems we have are how do we dispose of animal waste, and now do we dispose of human waste in this country? We are spending billions and billions of dollars trying to dispose of human waste.

Animal waste disposal is an environmental problem too. The swine industry has changed in the last 15 or 20 years. Large numbers of hogs are now raised in a small confined area, not spread out in fields where they can recycle the waste in the soil. This is important. If Members do not believe disposing of animal waste is important they should visit Holland. In Holland they are paying to haul animal waste to other countries. It is an environmental problem. If people build houses close to where the hog confinement facilities are, then there is a problem with the smell.

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

Mr. SMITH of Iowa. I yield to the gentleman from Illinois.

Mr. FAWELL. The only reason I asked the gentleman to yield is that he mentioned that we are talking about the agricultural research services. We are not. We are talking about Cooperative State Research Services. The agricultural research services are in-house services, as I understand it. We are not saying anything about that, nor are we in any way objecting to the competitive research program, which we think is run very well. It is the cooperative State research services only that we are referring to.

Mr. SMITH of Iowa. These are special research grants, and they come in the same categories. It is this kind of research that has been done in recent years. I remember several years ago when I had been in Arkansas and I came back and reported that I had seen a dike around a rice field. I wondered, what in the world are they doing there with deep water in a rice field? I found out they were propagating fish. I came back and said something about it. Members laughed about the idea that farmers would raise fish. But it is now one of the fastest growing and one of

the most important industries we have. We are importing 90 percent of our fish, and if it were not for the domestic fish industry, it would be more.

This is the kind of thing you can make fun of, but these research grants are important. One can go down this list and pick out some that do not have a name perhaps that seems important, but the fact of the matter is that these are important grants.

So let us not overlook the importance of these to the agricultural community as well as the consumers. If you want to look for proof, just look at what has been accomplished in the United States since we have had these kinds of grants. Professors should not be the only ones to sit around and decide what we need. That happens to be a peer review system largely transferred over to agriculture, and we know that in the peer review system the peers make sure their projects are reviewed before any others.

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

Mr. SMITH of Iowa. I yield to the gentleman from Illinois.

Mr. FAWELL. Mr. Chairman, I simply would point out that I agree with much of what the gentleman says. I want to make it very clear that I am not in any way attacking the substance of these research projects. The point I am trying to make is that there never was a hearing, there never was a competitive awarding, and there never was an authorization. That is all I am saying.

Mr. SMITH of Iowa. There was no hearing by the group you wanted to hear it but there were hearings. These have all been discussed two or three times.

Mr. FAWELL. Mr. Chairman, will the gentleman yield further?

Mr. SMITH of Iowa. I yield to the gentleman from Illinois.

Mr. FAWELL. I just beg to differ on the point of any hearings whatsoever.

Mr. SMITH of Iowa. We had hearings.

Mr. FAWELL. There were no authorization hearings whatsoever. The specificity of these grants is not in agreement.

Mr. SMITH of Iowa. The program was authorized.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. SMITH] has expired.

(On request of Mr. FAWELL and by unanimous consent, Mr. SMITH of Iowa was allowed to proceed for 2 additional minutes.)

Mr. FAWELL. Mr. Chairman, if the gentleman would continue to yield, I simply want to point out that the actual specificity of these research grants to which we make our reference actually never had any kind of a hearing. It was the report language where they were specified, and there never was any competitive awarding and there was never any science peer review, which is specified in the national initiative.

But that is what I am talking about. I am saying that if these are good projects, they can stand the light of day and they can go into the competitive research program of the Department of Agriculture, which I laud.

Mr. SMITH of Iowa. Mr. Chairman, I take back my time. If there is anything the people of the United States of America are tired of, it is people talking about the technicalities of how to proceed to accomplish something in the Congress. What difference does it make how we proceed? The fact of the matter is that they are good projects. That is what people are interested in. The substance is good. Never mind the technicalities of whether one committee handled it or some other committee. People are tired of that kind of nonsense. They want us to get to work down here and accomplish the things that need to be done in this country. This is an example of doing those kinds of things.

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

Mr. SMITH of Iowa. I yield to the gentleman from New York.

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

I would like to respond briefly to some of the questions the gentleman from Illinois raised. First of all, special grants are authorized. They are not authorized on a grant-by-grant basis, but there is legal authorization for special grants. Therefore, all these grants are authorized.

Second, I would refer the gentleman to the hearing record of our subcommittee in which each of these grants is discussed. I am not sure that it answers every question the gentleman might have about each grant, but nonetheless the point is that our hearing record does include reference to each of the grants that we are providing funds for here.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. SMITH] has again expired.

(On request of Mr. MCHUGH and by unanimous consent, Mr. SMITH of Iowa was allowed to proceed for 1 additional minute.)

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

Mr. SMITH of Iowa. I yield to the gentleman from New York.

Mr. MCHUGH. Finally, Mr. Chairman, I would say to the gentleman that there is a difference in the type of research that is done by the competitive grants and by special grants. If I may have the attention of the gentleman, let me say that competitive grants are in the nature of basic research, and I support the competitive grant program, as the gentleman does, because I think it is important for our country's research effort. These special grants are grants for applied research. They are designed to resolve a particular question, not so much in the nature of basic research but applied research. Therefore, they are of a different nature than competitive grants.

Finally, I would say that some of these special grants which are applied research grants are in fact awarded competitively by the Department. They are not all put in this bill because of a particular interest on the part of a college back home or a research effort back home. Some of the grants are awarded by the Department on a competitive basis.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. SMITH] has again expired.

(By unanimous consent, Mr. SMITH of Iowa was allowed to proceed for 1 additional minute.)

Mr. FAWELL. Mr. Chairman, will the gentleman yield further?

Mr. SMITH of Iowa. I yield to the gentleman from Illinois

Mr. FAWELL. Mr. Chairman, it is true, of course, that there is an authorization statute that does authorize these grants, but nowhere at any time has there ever been any hearings in reference to the authorizing of these specific grants. That is a point that I think is very important. As to the hearings which have taken place here, no real hearings, I am told, ever took place. They have had sort of mock hearings where we had the Department prepare questions and answers, but no hearings have ever taken place. I think if you will check the record, you will find that that is quite accurate.

Third, on these grants, unlike the other grant programs that the Department has, there is no peer review, there is no scientific input whatsoever. These are special research grants that, as a practical matter, are handled in this way. I understand how the system works. I do not mean to criticize any particular person, but it goes to those in the committee who have some time here, some years, and it is done that way. But there is no real review or analysis, and we have a $400 billion deficit because we are doing these special things for ourselves. I think we should take this type of criticism and say, yes, we ought to certainly follow the process used in the competitive program. Whether it is basic research or applied research, it should be the same.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. SMITH] has again expired.

(On request of Mr. MCHUGH, and by unanimous consent, Mr. SMITH of Iowa was allowed to proceed for 1 additional minute.)

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

Mr. SMITH of Iowa. I yield to the gentleman from New York.

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

First of all, let me be clear about this. The hearings we held in the sub-

committee were not mock hearings. Those are real hearings. We have witnesses that come before us. We ask the witnesses questions for the agencies. It is certainly true that in our hearings we do not ask the witnesses about each of these particular projects, many of which are ongoing projects that were commenced in earlier years. But it is true that with respect to each project we have submitted to the agency particular questions which elicit information about the projects, and we include that information in the hearings so that not only the gentleman but everybody else in this body can have an opportunity to learn about the individual projects.

The gentleman is not questioning any individual project. He is in a blunderbuss way suggesting that all of these projects, every single one of them, are pork barrel projects and that simply is not the case.

□ 1330

Mr. FAWELL. Mr. Chairman, if the gentleman would yield further, I tried to make it clear I am not suggesting that these projects are substantively pork-barrel projects, but rather they are procedural pork. I have here copies of the so-called hearings. There are questions and answers.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. SMITH] has again expired.

(By unanimous consent, Mr. SMITH of Iowa was allowed to proceed for 1 additional minute.)

Mr. SMITH of Iowa. Mr. Chairman, I yield to the gentleman from Illinois [Mr. FAWELL].

Mr. FAWELL. Mr. Chairman, I have been told there are no more hearings.

Mr. MCHUGH. Mr. Chairman, if the gentleman would yield further, I would simply indicate to the gentleman from Illinois [Mr. FAWELL] that this is the hearing record. If the gentleman would like to read it, it would reflect the questions and answers with respect to each of the projects. I do not know what the gentleman has in his hands, but this is the official hearing record, which is considerably thicker than what the gentleman has and it deals with each particular project.

Mr. FAWELL. Mr. Chairman, if the gentleman will continue to yield, was there competitive awarding? Was there scientific peer review as in the other programs?

Mr. MCHUGH. Mr. Chairman, I have explained the difference between those two programs.

Mr. FAWELL. I understand that. Whether it is applied research, which is the most questionable form of Federal subsidy anyway, we still should have obviously, competitive awarding.

Mr. SMITH of Iowa. Mr. Chairman, reclaiming my time. I understand what the gentleman would like to do. He would like to reach some pork barrel projects. But he has selected the wrong place to look. These are important projects. Not one of them is a new project. They are important projects, and this is just not the place to try to save a few nickels at the expense of the future of this country.

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

Mr. Chairman, I am getting a little weary and I suspect a number of other Members are as well of this constant attack on agricultural research. It is easy to make fun of strange sounding research projects. The gentleman offering this amendment makes sneering references to animal waste research, as though that is supposedly somehow laughable or trivial.

The President, to his discredit, did that in his rescission bill a few months ago. He sent up some funny sounding studies, asking they be rescinded.

It is always good for a laugh, I suppose, to single out agricultural research projects and to trivialize them and to make fun of them, and hold this up as an example of wasteful Federal spending.

Mr. Chairman, I had an interesting experience a few nights ago. I was speaking to a dinner at the school of veterinary medicine in my district, talking about the funding pressures that we are experiencing in this body and about agricultural research.

I started to read from that list of projects that the President was proposing to rescind. I think it is fair to say in most audiences titters would have begun as I read that list of funny sounding studies. But, you know, not one sound was heard as I read down that list.

I turned to the audience and I said to them, "You see what we are dealing with here. We are dealing with studies, every one of which is significant, every one of which you understand the importance of. Yet this is the hit list. This is the politically motivated hit list, and we are making these spending decisions based on somebody's cheap shots."

So this agricultural research is important, it is vital, it is an investment in our future. It is easy to take the cheap shots. But the fact is, as has already been stressed, this list of research projects is funded at a $57 million level, which is down from a $73 million level in fiscal 1992.

It is also true there are no new starts on this list, no new funding. It is a very austere list, it is a responsible list, and this research effort is an investment in our future. We ought to be able to do better in this body than to trivialize this type of research.

Mr. Chairman, I therefore strongly oppose this amendment.

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

Mr. PRICE. I yield to the gentleman from Illinois.

Mr. FAWELL. Mr. Chairman, the gentleman made one reference to cheap shots, and I certainly did not mean to imply that. I tried to reiterate over and over again I am not questioning the substance of these measures. There are a lot of laudable programs there.

What I am trying to suggest is all of us are going to have to learn anew that there are priorities among good programs, and we have to look at what is nationally significant.

Basic research is much more nationally significant than applied research and things of this sort. But each time one gets up and tries to point out these things, oftentimes that is the reply.

The gentleman from Iowa said, we are just dealing with a few nickels here. But we are dealing with $57 million. It is not big in terms of a $1.6 trillion budget, but it is very important. If we cannot take these toddling steps, we are never even going to be able to nick away at that deficit. That is all I am suggesting.

Mr. PRICE. Mr. Chairman, reclaiming my time, I have never minimized the amount of money involved here. On the contrary, I have stressed, as the subcommittee has stressed, the need for economies in this area and other areas.

I have, however, pointed out that this area of research is funded at a $57 million level, down from $73 million last year. The gentleman from New York [Mr. MCHUGH] has already pointed out the kind of hearing process we have been through, the kind of review process the subcommittee has undertaken.

This is just not as promising a target as the proponents would have us believe. This is solid research, a sound investment, and I urge this amendment be defeated.

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

Mr. Chairman, I want to second the comments of my colleague from North Caroline [Mr. PRICE]. There are a lot of giggles and titters when you hear my colleague from Illinois [Mr. FAWELL] get up and talk about manure research and that sort of thing. I really think that cheapens and diminishes the character of this debate.

Mr. Chairman, we are really talking about food and fiber production for the Nation. We are talking about the production of agriculture, which is central to our economy and certainly to the home State of the gentleman from Illinois [Mr. FAWELL] and myself.

Let me say at the outset that there are no new research projects in this bill. There is nothing in this bill in the research area relative to my congressional district.

Finally let me add to my colleague from Illinois [Mr. FAWELL], we have cut 25 percent of last year's spending on these research projects because of our deficit situation.

The gentleman from Illinois [Mr. FAWELL], who has offered this amendment, suggests that we have had mock hearings. I have to tell the gentleman I take exception to that. I think my colleague from New Mexico would join me.

I wish the gentleman from Illinois [Mr. FAWELL] could have attended 5 minutes of those so-called mock hearings and heard the testimony which the subcommittee entertained in order to consider these projects and the funding levels that were appropriate. Perhaps if the gentleman had attended even 5 minutes of those so-called mock hearings, he might have a different impression of what the subcommittee has been trying to do.

Let me talk about specifics here that I think are very important. In the first instance there is $134,000 for aflatoxin research. I do not know if that made the gentleman's list of so-called pork buster projects. I suppose it did.

I would say to the gentleman that when the Assistant Secretary of Agriculture, Dr. Plowman, was asked to comment on this particular research, he said, quoting form one of our so-called mock hearings, according to my colleague,

> It has had a big impact. We have had numerous conversations and conferences on the aflatoxin problem itself and have a research program to address that. It is costing the corn production industry a lot of money. It drives up the cost of corn and drives up the cost of meat as a consequence.

Mr. Chairman, I am sure my colleague, the gentleman from Illinois [Mr. FAWELL], Illinois being an agricultural State, follows closely what is happening in our corn production this year.

Illinois is No. 2 in the Nation behind Iowa. We are facing a drought. We are again facing the prospect of an aflatoxin outbreak that could cost Illinois corn producers and farmers across the Nation literally millions of dollars.

Surely my colleague, the gentleman from Illinois [Mr. FAWELL], the No. 2 corn producing State in the Nation, understands the critical importance of aflatoxin research. And does my colleague from Illinois know how much we are asking for? The sum of $134,000 for this aflatoxin research.

Mr. Chairman, last week my colleague had an opportunity to cut $450 million out of the Texas super collider. He said no. As a matter of priorities, he said that is important. But today the gentleman would stand to cut $134,000 out in corn research for his own home State of Illinois.

This is a little difficult for me to follow. Let me add, too, that the gentleman suggests that we should be cutting many other areas. The gentleman has suggested that we ought to be cutting research into ground water contamination.

The gentleman is fortunate to live in a suburban town in Illinois. Those of us who live in downstate and rural Illinois understand the critical importance of ground water contamination and the importance of determining agricultural techniques which will protect water sources. That is why we had hearings and that is why we reached the conclusion that this was worth funding, $125,000 in funding for research.

□ 1340

The gentleman from Illinois, my colleague who offers this amendment, resisted efforts last year to cut the space station, an $8 billion project. And yet today he wants to cut $125,000 in research for ground water contamination. If he is driven, as he said, not by the merits of the project but by the deficit, I wonder where his fervor was when we considered the collider and the space station and the star wars program that the gentleman refused to cut 2 weeks ago by $1 billion.

I would say to the gentleman, it is truly a question of priorities. These priorities reflect the fact that we have a deficit. We have reduced the amount of money in agricultural research by 25 percent. We are putting it in areas absolutely essential for the production of food and fiber in America.

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

Mr. DURBIN. I yield to the gentleman from Illinois.

Mr. FAWELL. Mr. Chairman, I do not know how many times I have to repeat the point that is very simple, if I have not done a good job in getting it across. I am simply expressing the fact that whether it is the superconducting super collider or whether it is for a research project in agriculture, I am asking only one simple thing.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. DURBIN] has expired.

(By unanimous consent, Mr. DURBIN was allowed to proceed for 2 additional minutes.)

Mr. FAWELL. Mr. Chairman, if the gentleman will continue to yield, and that is in any instance, whether it is the super collider or the space station or whatever it may be, we should all say that a simple thing we can adopt is that there ought to be hearings, authorized hearings in regard to the specific spending project that is involved and there ought to be simple peer review and there ought to be competitive bidding. Local school districts do this.

Mr. DURBIN. Mr. Chairman, reclaiming my time, the point I have made in my statement is that we have gone through hearings. We are debating a project that is authorized. For example, an aquaculture project is included in his list of cuts. The gentleman misspoke earlier when he said it is an unauthorized project. It is authorized in the farm bill. It was put there by our present Secretary of Agriculture, Mr. Madigan. It benefits the district of the gentleman from Illinois [Mr. EWING], the gentleman's neighbor. It is an important element in research. It has gone through the process. Yet the gentleman attempts to take agricultural research and look at it much more closely than when it comes to cutting funds for the super collider, which he refused to do a week ago, or cutting funds for the space station, which he refused to do last year, or cutting funds for the Star Wars Program, which he refused to do 2 weeks ago.

Why is it when it comes down to $57 million, the gentleman can work up this head of steam, but when it comes to billions of dollars in cuts, the gentleman is nowhere to be found.

Mr. FAWELL. Mr. Chairman, if the gentleman will continue to yield, if I have not gotten that point across yet, I never will.

Mr. DURBIN. Mr. Chairman, I do not think the gentleman will be able to.

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

Mr. Chairman, this is an interesting debate, and I do not intend to come here trying to talk about particular research. I obviously am someone who comes to the floor fairly consistently in support of doing research for the country. I think it is important that we have a research base for this country in order to have a viable agriculture industry, in order to have a viable industrial economy. Research is an important component part of that.

What I do challenge are the statements I heard a couple of minutes ago that virtually all this research had been subjected to good, stiff hearings and that all of it is absolutely meritorious and absolutely demands our funding despite the fact that we have a $400 billion deficit and a $4 trillion debt.

I took up the gentleman's challenge to take a look at the hearing record. When I go through the hearing record, I find out that the hearing record was not adversarial at all. In fact, the hearing record consists of one person, a Dr. Jordan telling the committee what each of these research projects is doing.

I cannot find anything in the hearing record where anybody even challenges Dr. Jordan, even asked him any questions. This is not an adversarial proceeding. These projects were not given very, very tight scrutiny. And let me talk about a couple of projects that I just picked off the list out of the committee report and then looked up in the hearing record. I just want the Members to know what it is that is down in this list that the committee regards as absolutely vital to spend money on and what the hearing record says about them.

The first one I just happened to pick off the list is mink research. Here is what the hearing record said about the mink research which is going to go on.

Dr. Jordan was asked, "Where will this work be carried out?"

Dr. Jordan: "Research will be conducted at Oregon State University."

The gentleman from New York [Mr. MCHUGH] says, "What will be the objectives of this research?"

Here is what we are going to fund, folks. This is what we are spending deficit money on. And I quote Dr. Jordan: "The research has not yet been initiated."

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

Mr. WALKER. I yield to the gentleman from Illinois.

Mr. DURBIN. Mr. Chairman, how much money is being spent on this?

Mr. WALKER. Mr. Chairman, I think 46, whatever the 46 relates to. Is that billion?

Mr. DURBIN. Mr. Chairman, if the gentleman will continue to yield, $46,000.

Mr. WALKER. Mr. Chairman, that is fine. We are about to have another bill come here in a few minutes where the Democrats are going to line up in concert and cut $86 million out of the Competitiveness Council; $86 million is going to come out of the Competitiveness Council, and we are going to have a real wing-ding out here later on today. So $46,000 might make up a little of that.

Here is what the money is going for. Dr. Jordan:

The research has not yet been initiated, but experiments are currently being designed to study aspects of the utilization of squawfish in mink diet. Arrangements are being made with the Oregon Fish and Wildlife Service to obtain the fish. Trials with young mink kits will involve feeding high levels of squawfish, up to 40 percent of their diet. Their responses will be assessed through growth data and the color and quality of their pelt.

Now, folks, that is what we are going to take $46,000 of taxpayers' money and spend it for.

Now, that may be a good, worthwhile thing to do. I am not certain that it is something that we ought to spend $46,000 on. That is a full salary of a couple of people in my district for 1 year.

I looked to make certain that we did not just have one program like this. I took another look. Here is something called the Rural Policies Institute. The Rural Policies Institute was also quizzed on Dr. Jordan. The gentleman from New York [Mr. MCHUGH] asked him, "Where is this work being carried out?"

Dr. Jordan said, "Research is being conducted at the University of Missouri, the University of Arkansas, and the University of Nebraska."

The gentleman from New York [Mr. MCHUGH]: "What has been accomplished to date?"

I want my colleagues to listen to this. This is a great explanation of just exactly the kind of thing the American people are most fearful of.

Dr. Jordan:

Through the use of typical community analyses, the consortium will be able to provide estimates of the impacts of programmatic proposals prior to their implementation and funding. To accomplish this primary analysis will require a concentrated database and input from experts outside the three institutions involved. First-year funding has been directed to solving these operational problems. Thus the first year's accomplishments lie mainly in the development of an appropriate organizational structure and operational procedures to make the policy analysis work.

Folks, we are spending $525,000 on that. And what did he say? I have absolutely no idea what that means.

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

Mr. WALKER. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, the gentleman mentioned the Rural Policy Development?

Mr. WALKER. Mr. Chairman, this is the Rural Policies Institute.

Mr. SKEEN. Mr. Chairman, if the gentleman will continue to yield, how much is it funded for?

Mr. WALKER. Mr. Chairman, $525,000.

Mr. SKEEN. Mr. Chairman, no, nothing.

Mr. WALKER. Well, I have it on, I have $525,000, and I have the money spread out in 1993.

Mr. SKEEN. Mr. Chairman, look at 1993. I think the gentleman will find that it is not funded.

Mr. WALKER. Mr. Chairman, the line goes clear through here.

Mr. SKEEN. Mr. Chairman, the line went clear through and beyond. Why does the gentleman not take another look at it?

Mr. WALKER. So that is one we cut?

Mr. SKEEN. Mr. Chairman, no, it just does not have any funding.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

(By unanimous consent, Mr. WALKER was allowed to proceed for 1 additional minute.)

Mr. WALKER. Mr. Chairman, it is listed in here as a funded program, as I understand it.

Mr. SKEEN. Mr. Chairman, if the gentleman will continue to yield, it was funded last year.

Mr. WALKER. It was funded last year. Why was this program cut out then? Is it because this explanation was not adequate to the committee?

Mr. SKEEN. Maybe that is the scrutiny that the gentleman was talking about.

Mr. WALKER. That is what I am trying to figure out. As I understand it, all of these programs that are still in here are authorized. Does that mean that the funding is going to continue for them? Is this program going to get any money?

Mr. SKEEN. Mr. Chairman, the Institute that the gentleman is talking about, as far as I know at this point, no.

Mr. WALKER. So the University of Missouri, the University of Arkansas and the University of Nebraska will get no money this year? That is a part of the hearing record. They will receive absolutely no money.

Mr. SKEEN. If this bill is passed.

Mr. WALKER. If this bill is passed. But the mink research will get money.

Mr. SKEEN. Mr. Chairman, we will send the gentleman one.

Mr. WALKER. The gentleman is going to send me a mink, after it has been pelted?

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

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

□ 1350

Mr. MCHUGH. The gentleman from Pennsylvania [Mr. WALKER] is batting 100 percent. Mink research is not funded, either.

Mr. WALKER. I must be misreading the report. Where the lines go clear through here, it appears to me as though that means that they continued to be funded.

Mr. MCHUGH. No.

Mr. WALKER. That is not the case? I thank the gentleman.

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

Mr. Chairman, I rise in opposition to the amendment. I think we have discussed it thoroughly, and so forth.

Let me make one comment, that first of all, this committee has taken its responsibility very seriously in these cooperative grants. Before we had this competitive grant system it had fallen into the position of being funded to about four to five major universities in this country, until we came up with the cooperative grants that we have initiated. Since that, it has spread the research, because there is no nationwide implication in each one of these particular projects. They are of a very specific nature in some areas, but then they are all important parts of the United States, given as a whole. It has spread that research across the United States. It has produced very important programs, very worthwhile programs.

Those that are not worthy of being funded have not been funded. They are scrutinized scrupulously each time that we go through the process of the subcommittee, Subcommittee on Rural Development, Agriculture and Related Agencies of the Committee on Appropriations, and I think that what we have done here is we are looking for something that is just not there.

I think it is a worthwhile effort to cut the expenses in funding government, and that is a worthwhile endeavor. I laud and applaud that, but I would say to the gentleman, they are barking up the wrong tree.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FAWELL].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 126, noes 295, not voting 13, as follows:

[Roll No. 243]

AYES—126

Allard
Allen
Andrews (NJ)
Andrews (TX)
Archer
Armey
Atkins
Ballenger
Barton
Bennett
Bentley
Bilirakis
Broomfield
Bunning
Burton
Callahan
Campbell (CA)
Cardin
Carper
Clement
Coble
Condit
Cooper
Cox (CA)
Crane
Cunningham
Dannemeyer
DeLay
Dickinson
Doolittle
Dornan (CA)
Dreier
Duncan
Erdreich
Fawell
Fish
Franks (CT)
Gallegly
Gaydos
Gillmor
Gingrich
Glickman
Goss
Gradison
Hancock
Hansen
Hefley
Herger
Hobson
Hopkins
Horn
Hunter
Hutto
Hyde
Inhofe
Ireland
James
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Lent
Lewis (FL)
Lloyd
Luken
McCandless
McCollum
McCrery
McGrath
McMillan (NC)
Meyers
Miller (OH)
Miller (WA)
Molinari
Moorhead
Murphy
Nichols
Nussle
Orton
Owens (UT)
Oxley
Packard
Pallone
Patterson
Payne (VA)
Penny
Petri
Porter
Ramstad
Ravenel
Ray
Rhodes
Riggs
Rinaldo
Ritter
Rohrabacher
Ros-Lehtinen
Roth
Santorum
Schaefer
Schulze
Schumer
Sensenbrenner
Shaw
Shays
Shuster
Solomon
Staggers
Stenholm
Stump
Swett
Taylor (NC)
Thomas (CA)
Thomas (WY)
Walker
Walsh
Weldon
Wylie
Young (FL)
Zeliff
Zimmer

NOES—295

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Annunzio
Anthony
Applegate
Aspin
AuCoin
Bacchus
Baker
Barnard
Barrett
Bateman
Beilenson
Bereuter
Berman
Bilbray
Blackwell
Bliley
Boehlert
Boehner
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Camp
Campbell (CO)
Carr
Chandler
Chapman
Clay
Clinger
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Conyers
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Espy
Evans
Ewing
Fascell
Fazio
Feighan
Fields
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Goodling
Gordon
Grandy
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Henry
Hertel
Hoagland
Hochbrueckner
Holloway
Horton
Houghton
Hoyer
Hubbard
Hughes
Jacobs
Jefferson
Jenkins
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Long
Lowey (NY)
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDade
McDermott
McEwen
McHugh
McMillen (MD)
McNulty
Mfume
Michel
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody
Moran
Morella
Morrison
Mrazek
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Panetta
Parker
Pastor
Paxon
Payne (NJ)
Pease
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Pursell
Quillen
Rahall
Rangel
Reed
Regula
Richardson
Ridge
Roberts
Roe
Roemer
Rogers
Rose
Rostenkowski
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Saxton
Scheuer
Schiff
Schroeder
Serrano
Sharp
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Spence
Spratt
Stallings
Stark
Stearns
Stokes
Studds
Sundquist
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Washington
Waters
Waxman
Weber
Weiss
Wheat
Whitten
Wise
Wolf
Wolpe
Wyden
Yates
Yatron
Young (AK)

NOT VOTING—13

Bevill
Bonior
Dymally
Gekas
Hefner
Huckaby
Jones (GA)
Lowery (CA)
Owens (NY)
Perkins
Traxler
Williams
Wilson

□ 1412

Messrs. THORNTON, SAXTON, GALLO, BOEHNER, and EDWARDS of Oklahoma changed their vote from "aye" to "no."

Messrs. RAY, RIGGS, HERGER, and DUNCAN changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. JONTZ

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

The Clerk read as follows:

Amendment offered by Mr. JONTZ: Page 15, line 9, strike "$57,668,000" and insert "$54,068,000".

Page 16, line 13, strike "$6,725,000" and insert "$10,333,000".

Mr. JONTZ. Mr. Chairman, this amendment goes to the question of what the priorities will be for the agricultural research that will be funded in this bill.

Regrettably, the gentleman from New York raised a point of order when I offered an amendment a few minutes ago. So I rewrote that amendment to strike 10 percent of the funds for the individual noncompetitive grants that are outlined in the committee report that we saw just a few minutes ago and used that money, which is a little more than $3 million, to increase the appropriation for the sustainable agriculture research and education program.

Mr. Chairman, it seems to me that the national needs with regard to agricultural research should come first, and this particular program has struggled along with very minimal funding. That is regrettable, because on the farm today there is a critical need for us to provide for farmers information about how they can conduct their farming practices in a more environmentally sensitive way. That is what this program would do.

It is a competitive grant program. It is the only Federal research and education program that focuses solely on sustainable agricultural systems and practices. It combines extensive farmer participation, intensive integration of research and preference for whole farm systems projects, and a partnership philosophy joining public agencies and private research.

The Congress, in 1990, authorized this program at $40 million. The bill that comes before us is $6.7 million. I seek to increase that by about $3 million, which would be just about a 50-percent increase.

With the total Federal Department of Agriculture investment in research and extension at $1.65 billion, even were we to fund this program at the full authorization level, we would only be talking about 2½ percent of the total. As it is, the current level of funding represents less than one-half of 1 percent of the total of agricultural research.

I want to repeat that point: At the current level of funding, the money that we have in the research and extension section of this bill for sustainable agriculture is less than one-half of 1 percent.

My amendment would increase that, and we would still be talking about less than 1 percent of the research money in this bill. Despite the fact that researchers have been discouraged from submitting proposals for this sustainable agricultural research program, the program has been able to fund less than 7 percent of the total number of preproposals submitted and less than 25 percent of the proposals that are requested to be made full proposals, and this would allow us to do much better.

Mr. Chairman, we face some very serious challenges in agriculture. We must find the means to produce the food and fiber that this country needs with less impact on the environment. Producers want to do it; consumers want to do it; this Congress wants to do it. If we do not fund the research necessary to give farmers the information they need to change their agricultural practices, then we will not see those changes made.

□ 1420

In the 1990 farm bill, we took what I would consider to be a relatively gentle approach to dealing with environmental issues. We said that we are going to provide incentives. We are going to fund research. We are going to fund extensions. We are going to give farmers a helping hand to make these changes. But if we do not fund them, farmers are not going to be able to make the changes and we are going to be back on the floor of this House in just a couple years considering the next farm bill and we will be voting on mandatory regulations for the agricultural producers of this country with regard to these environmental standards. If we do not do the research if we do not have the extensions—which I might add is not funded in this bill at all; no sustainable extension is part of this bill—if we do not provide the help to the producers that they need, we are going to have to face a different approach dealing with these environmental concerns.

So, Mr. Chairman, I would urge the committee to recognize the need to make sustainable agriculture a higher priority research than it is. All we are doing is taking 10 percent off all these earmarked individual grants that we have just been debating, noncompetitive, and putting them into the competitive grants program environmental sustainable agricultural research and education.

This is the direction we should be going in agricultural research. We are nowhere near the $40 million level of authorization. We are just providing a token increase for this very important appropriation.

Mr. McHUGH. Mr. Chairman, I rise in opposition to the amendment. I do so reluctantly again because, as the gentleman from Indiana has pointed out, the sustainable agriculture program is important.

Unfortunately, there is simply not enough money to do the things that need to be done in agriculture, including agricultural research. That is true not only of the Agriculture appropriations bill but many of the other appropriation bills that will be coming to the floor.

What the gentleman seeks to do, as he indicated, is to cut by 10 percent the research grants what we debated on the last amendment. As we pointed out at that time, we have already in committee reduced these special research grants for agriculture by about 25 percent. We reduced the amount of money by over $15 million.

I know that there are many Members in this body who approached our committee with legitimate and valid research proposals which we simply could not fund.

In this bill we are not providing any new money for new research programs or projects. Indeed, as I have indicated, we have already cut $15 million-plus from last year's number for these projects.

The gentleman's amendment would cut these agricultural projects by 10 percent more. For the same reasons that we argued in the last amendment, I would urge the Members to reject this amendment.

The second part of the gentleman's amendment would increase the account for sustainable agricultural research and education.

Now again, I am not arguing the merits of that program. What I am arguing is that when we are faced with very tight ceilings on the budget, we simply had to adopt an approach in this bill which limited virtually all programs to last year's amount, or in some cases less than last year's amount. That is true of this account. We have provided in this account the same amount of money as was appropriated last year, not because we do not think the program is worthwhile but because we are faced with very stringent budget ceilings.

If the gentleman's amendment were to pass, this would be one of the very few programs, and perhaps the only one which is not associated with human health, that would be increased above last year's level. While it is a good program, I think it is not strong enough to be made an exception to the general rule we had to follow to maintain our commitment to the budget ceiling.

I would remind the Members, Mr. Chairman, that we are $1.4 billion below the President's request, so the committee has used very stringent standards in writing this bill.

So far all those reasons, Mr. Chairman, I would urge the Members to reject the amendment, not on the merits of the program which the gentleman is attempting to increase, but in recognition of the budget constraints.

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

I, too, rise in opposition to the amendment.

Sustainable agriculture is a marvelous idea, worthwhile funding and so forth, but it is a narrow application versus a broad-based approach. The broad-based approach we have now and the way we have funded these special research grants I think is a better approach, because we have cut them 25 percent. To take another 10 percent off would narrow it even more, and I think that would be the wrong thing to do.

Mr. Chairman, I oppose the amendment.

Mr. MYERS of Indiana. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, your committee has attempted to prioritize the limited dollars we have. As the acting chairman of our committee, the gentleman from New York [Mr. McHUGH] has said, all are good programs, but particularly to strike the money from the contracts and grants for agricultural research would be the wrong thing to do.

I cannot speak for many of the programs, but I can speak about one that I am quite familiar with. That is the one at Purdue, the Midwest Plant Biotechnology Consortium. In this matching dollars from industry with dollars from these funds at Purdue, provide grants to do research on developing better plants so they can withstand the insects, the drought, maybe even the frost that hit Indiana. I may be a little optimistic, but there is a possibility that we can develop strains of corn and soybeans in the future that will be able to withstand this kind of weather.

Helping farmers to be more competitive in the world in order to make a profit, this is what this money goes for.

Now, I am totally opposed to the program the gentleman would add the money to, but to do the research in that area, starting from scratch today as we pretty much are doing, we are just not serving the best interests of agriculture.

If we really want to help farmers, and I think that is what this bill is all about, helping the consumers through farmers, making farmers able to be productive, to produce more for less and to withstand the elements of weather and insects and all the other obstacles that farmers have to contend with, this type of research the gentleman would be taking money from would make the farmers' job even more difficult than it is today. I think it would be a mistake.

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

Mr. MYERS of Indiana. I yield to my friend, the gentleman from Indiana.

Mr. JONTZ. I would think, Mr. Chairman, that the grant the gentleman speaks of could absorb a 10-percent cut, as could other grants on here that would be funded, but I would disagree with the gentleman that by spending money to help agricultural producers use their resources more efficiently that we are making things more difficult for them. I think quite on the contrary.

Mr. MYERS of Indiana. When did I say that?

Mr. JONTZ. The research that would be funded under the sustainable agricultural program would help agricultural producers to use resources more efficiently.

So I would hope the gentleman would agree with me that that would not be an obstacle to agricultural producers at all, but rather would be a help to them.

Mr. MYERS of Indiana. It may not be, but for the dollar, for the bang for the buck, we know we would get more out of this program that is an ongoing program of supporting institutions like the Biotechnology Center who are actually doing work today, ongoing work for the last 5 years, increasing productivity, making plants that will withstand the elements better, we know there we are getting more.

Now, to talk about the other program that we are looking to the future sometime, but for some reason you can cut the first program that is an ongoing program by 10 percent, but we funded the sustainable agricultural research at last year's level. I see nothing wrong with this. I think we did the right thing.

Mr. JONTZ. Mr. Chairman, if the gentleman will yield one more time, I appreciate the fact that many of our colleagues, many Members come before the committee. They have their different proposals. They may sound strange to some of us when we read through the list. We have blueberry research. We have got dairy goat research. We have got filbert blight. You can go through the list, it is a long list.

I appreciate the fact that the chairman of the subcommittees want to accommodate every Member; but my argument is that when we do that at the expense of important national research goals, that we are neglecting something important, and this is shortsighted.

I appreciate the research being done at Purdue University is very important.

Mr. MYERS of Indiana. There are some other places, too, besides Purdue, but I am familiar with Purdue because I have watched it there.

I will say this, that if I have to make a decision between voting for farmers out there who are struggling to make it today and voting for the environmentalists, I am going to vote for the farmers.

Mr. JONTZ. Mr. Chairman, if the gentleman will yield on that point, that is a unfair characterization. My proposal is not money for the environmentalists.

□ 1430

Mr. MYERS of Indiana. What about the agricultural research?

Mr. JONTZ. If the gentleman would let me finish.

Mr. MYERS of Indiana. Well, it is my time, but I will let the gentleman finish, yes.

Mr. JONTZ. The purpose of the research is to give information to farmers so that they can make changes in their management practices to produce the food and fiber this country needs with more sensitivity to the environment.

We are not doing this for the environmentalists; we are doing this for agriculture. I am sorry the gentleman does not see it that way, because the alternative is going to be a regulatory approach toward these issues, which the gentleman's producers and my producers are going to have a lot of trouble with.

Mr. MYERS of Indiana. The gentleman will get a chance on the next bill this afternoon which is coming up about helping people on rules and regulations. I hope the gentleman will vote with us then.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. JONTZ].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. MCHUGH. Mr. Chairman, I ask unanimous consent that the remainder of title I 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 New York?

There was no objection.

The text of the remainder of title I is as follows:

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities and for grants to States and other eligible recipients for such purposes, as necessary to carry out the agricultural research, extension, and teaching programs of the Department of Agriculture, where not otherwise provided, $33,611,000, to remain available until expended (7 U.S.C. 2209b).

EXTENSION SERVICE

Payments to States, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa: For payments for cooperative agricultural extension work under the Smith-Lever Act, as amended, to be distributed under sections 3(b) and 3(c) of said Act, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, $262,712,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $60,525,000; payments for the urban gardening program under section 3(d) of the Act, $3,557,000; payments for the pest management program under section 3(d) of the Act, $8,200,000; payments for the farm safety and rural health programs under section 3(d) of the Act, $2,470,000; payments for the pesticide impact assessment program under section 3(d) of the Act, $3,405,000; payments to upgrade 1890 land-grant college research and extension facilities as authorized by section 1447 of Public Law 99-198, $8,000,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, $950,000; payments for extension work under section 209(c) of Public Law 93-471, $1,010,000; payments for a groundwater quality program under section 3(d) of the Act, $11,375,000; special grants for financially stressed farmers and dislocated farmers as authorized by Public Law 100-219, $2,550,000; payments for the Agricultural Telecommunications Program, as authorized by Public Law 100-624 (7 U.S.C. 5926), $1,221,000; payments for youth-at-risk programs under section 3(d) of the Act, $10,000,000; payments for a Nutrition Education Initiative under section 3(d) of the Act, $3,530,000; payments for a food safety program under section 3(d) of the Act, $1,500,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978 under section 3(d) of the Act, $2,765,000; payments for Indian reservation agents under section 3(d) of the Act, $1,500,000; and payments for extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321-326, 328) and Tuskegee University, $24,730,000; in all, $410,000,000, of which not less than $79,400,000 is for Home Economics: *Provided*, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, as amended, shall not be paid to any State, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

Federal administration and coordination: For administration of the Smith-Lever Act, as amended, and the Act of September 29, 1977 (7 U.S.C. 341-349), as amended, and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301n.), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, $7,928,000, of which not less than $2,300,000 is for Home Economics.

NATIONAL AGRICULTURAL LIBRARY

For necessary expenses of the National Agricultural Library, $17,253,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $35,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That not to exceed $900,000 shall be available pursuant to 7 U.S.C. 2250 for the alteration and repair of buildings and improvements.

OFFICE OF THE ASSISTANT SECRETARY FOR MARKETING AND INSPECTION SERVICES

For necessary salaries and expenses of the Office of the Assistant Secretary for Marketing and Inspection Services to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service, Food Safety and Inspection Service, Federal Grain Inspection Service, Agricultural Cooperative Service, Agricultural Marketing Service, and Packers and Stockyards Administration, $550,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947, as amended (21 U.S.C. 114b-c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b); and to protect the environment, as authorized by law, $430,939,000, of which $83,362,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account, and of which $5,000,000 shall be available for the control of outbreaks of in-

sects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: *Provided*, That $500,000 of the funds for control of the fire ant shall be placed in reserve for matching purposes with States which may come into the program: *Provided further*, 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 per centum: *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as he may deem necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, as amended, and section 102 of the Act of September 21, 1944, as amended, and any unexpended balances of funds transferred for such emergency purposes in the next preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That none of these funds shall be used to develop, establish, or operate any user fee program for agricultural quarantine and inspection to prevent the movement of exotic pests and diseases from Hawaii and Puerto Rico as authorized by 31 U.S.C. 9701.

BUILDINGS AND FACILITIES

For plans, construction, repair, 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, $10,400,000, to remain available until expended (7 U.S.C. 2209b).

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry on services authorized by the Federal Meat Inspection Act, as amended, and the Poultry Products Inspection Act, as amended, $489,867,000: *Provided*, That this appropriation shall be available for field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building: *Provided further*, That none of the funds in this Act may be used to carry out the Streamlined Inspection System (for cattle) after April 1, 1993.

FEDERAL GRAIN INSPECTION SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, as amended, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, as amended, including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $20,000 for employment under 5 U.S.C. 3109, $11,397,000: *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, unless otherwise provided, the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building: *Provided further*, That none of the funds provided by this Act may be used to pay the salaries of any person or persons who require, or who authorize payments from fee-supported funds to any person or persons who require nonexport, nonterminal interior elevators to maintain records not involving official inspection or official weighing in the United States under Public Law 94-582 other than those necessary to fulfill the purposes of such Act.

INSPECTION AND WEIGHING SERVICES

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $42,784,000 (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 per centum with notification to the Appropriations Committees.

AGRICULTURAL COOPERATIVE SERVICE

For necessary expenses to carry out the Cooperative Marketing Act of July 2, 1926 (7 U.S.C. 451-457), and for activities relating to the marketing aspects of cooperatives, including economic research and analysis and the application of economic research findings, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), and for activities with institutions or organizations throughout the world concerning the development and operation of agricultural cooperatives (7 U.S.C. 3291), $5,640,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $15,000 shall be available for employment under 5 U.S.C. 3109.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs as authorized by law, and for administration and coordination of payments to States; including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $90,000 for employment under 5 U.S.C. 3109, $56,520,000; of which not less than $2,313,000 shall be available 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, unless otherwise provided, the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building.

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $52,861,000 (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 per centum with notification to the Appropriations Committees.

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

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $10,309,000 for formulation and administration of Marketing Agreements and Orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, 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)), $1,250,000.

PACKERS AND STOCKYARDS ADMINISTRATION

For necessary expenses for administration of the Packers and Stockyards Act, as authorized by law, and for certifying procedures used to protect purchasers of farm products, including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $5,000 for employment under 5 U.S.C. 3109, $11,996,000.

FARM INCOME STABILIZATION

OFFICE OF THE UNDER SECRETARY FOR INTERNATIONAL AFFAIRS AND COMMODITY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for International Affairs and Commodity Programs to administer the laws enacted by Congress for the Agricultural Stabilization and Conservation Service, Office of International Cooperation and Development, Foreign Agricultural Service, and the Commodity Credit Corporation, $551,000.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary administrative expenses of the Agricultural Stabilization and Conservation Service, including expenses to formulate and carry out programs authorized by title III of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301-1393); the Agricultural Act of 1949, as amended (7 U.S.C. 1421 et seq.); sections 7 to 15, 16(a), 16(f), and 17 of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590g-590o, 590p(a), 590p(f), and 590q); sections 1001 to 1004, 1006 to 1008, and 1010 of the Agricultural Act of 1970, as amended (16 U.S.C. 1501 to 1504, 1506 to 1508, and 1510); the Water Bank Act, as amended (16 U.S.C. 1301-1311); the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101); sections 202(c) and 205 of title II of the Colorado River Basin Salinity Control Act of 1974, as amended (43 U.S.C. 1592(c), 1595); sections 401, 402, and 404 to 406 of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 to 2205); the United States Warehouse Act, as amended (7 U.S.C. 241-273); title XII of the Food Security Act of 1985, as amended (16 U.S.C. 3811 et seq.); and laws pertaining to the Commodity Credit Corporation, $715,296,000; of which $714,134,000 is hereby appropriated, and $573,000 is trans-

ferred from the Public Law 480 Program Account in this Act and $589,000 is transferred from the Commodity Credit Corporation Program Account in this Act: *Provided*, That other funds made available to the Agricultural Stabilization and Conservation Service for authorized activities may be advanced to and merged with this account: *Provided further*, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $100,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That no part of the funds made available under this Act shall be used (1) to influence the vote in any referendum; (2) to influence agricultural legislation, except as permitted in 18 U.S.C. 1913; or (3) for salaries or other expenses of members of county and community committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, for engaging in any activities other than advisory and supervisory duties and delegated program functions prescribed in administrative regulations.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer, or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968, as amended (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, $5,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of his willful failure to follow procedures prescribed by the Federal Government: *Provided further*, That this amount shall be transferred to the Commodity Credit Corporation: *Provided further*, That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

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 amended, 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

ADMINISTRATIVE AND OPERATING EXPENSES

For administrative and operating expenses, as authorized by the Federal Crop Insurance Act, as amended (7 U.S.C. 1516), $303,896,000: *Provided*, That not to exceed $700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 508(b) of the Federal Crop Insurance Act, as amended, $285,794,000, to remain available until expended (7 U.S.C. 2209b); of which $58,768,000 is to reimburse the Federal Crop Insurance Corporation Fund for agents' commissions and loss adjustment obligations incurred during prior years, but not previously reimbursed, as authorized by section 516(a) of the Act, as amended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 1993, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be $9,200,000,000 in the President's fiscal year 1993 Budget Request (H. Doc. 102–178)), but not to exceed $9,200,000,000, pursuant to section 2 of the Act of August 17, 1961, as amended (15 U.S.C. 713a–11).

Such funds are appropriated to reimburse the Corporation to restore losses incurred during prior fiscal years. Such losses for fiscal years 1991 and 1992 include $667,020,000 in connection with carrying out the Export Enhancement Program (EEP), $114,196,000 in connection with carrying out the Market Promotion Program (MPP), $150,000,000 in connection with carrying out the Federal Crop Insurance Program, $314,763,000 in connection with domestic donations, $165,316,000 in connection with export donations, and $7,788,705,000 in connection with carrying out the commodity programs.

OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 1993, CCC shall not expend more than $3,000,000 for expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6961: *Provided*, That expenses shall be for operations and maintenance costs only and that other hazardous waste management costs shall be paid for by the USDA Hazardous Waste Management appropriation.

GENERAL SALES MANAGER

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the General Sales Manager, $8,641,000, of which $4,668,000 may be transferred from Commodity Credit Corporation funds, $2,731,000 may be transferred from the Commodity Credit Corporation Program Account in this Act, and $1,242,000 may be transferred from the Public Law 480 Program Account in this Act. Of these funds, up to $4,000,000 shall be available only for the purpose of selling surplus agricultural commodities from Commodity Credit Corporation inventory in world trade at competitive prices for the purpose of regaining and retaining our normal share of world markets. The General Sales Manager shall report directly to the Secretary of Agriculture. The General Sales Manager shall obtain, assimilate, and analyze all available information on developments related to private sales, as well as those funded by the Corporation, including grade and quality as sold and as delivered, including information relating to the effectiveness of greater reliance by the General Sales Manager upon loan guarantees as contrasted to direct loans for financing commercial export sales of agricultural commodities out of private stocks on credit terms, as provided in titles I and II of the Agricultural Trade Act of 1978, Public Law 95–501, and shall submit quarterly reports to the appropriate committees of Congress concerning such developments.

The CHAIRMAN. Are there any points of order to the remainder of title I?

If not, are there any amendments to the remainder of title I?

AMENDMENT OFFERED BY MR. GLICKMAN

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

The Clerk read as follows:

Amendment offered by Mr. GLICKMAN: Page 28, line 26, strike "$714,134,000" and insert "$694,134,000."

Mr. GLICKMAN. Mr. Chairman, if I get a satisfactory answer on the bigger picture of computer costs within the Department of Agriculture, it is my intention to withdraw this amendment. My concern has been that the Department is proposing about $200 million in major computer acquisitions at various places within the Department of Agriculture—the Agricultural Stabilization and Conservation Service, Farmers' Home, Soil Conservation Service, Federal Crop Insurance Service—without having a specific plan in hand to implement.

So what this amendment does is it cuts $20 million out of one of those agencies, the Agricultural Stabilization and Conservation Service. It was the only way I knew how to get at the problem of trying to reduce the computer purchases inasmuch as there is no separate line item called computer purchases.

The General Accounting Office has testified that it would be unwise for farm service agencies to make major inventory purchases or make major investments in modernizing their information technology, their computers, until they know what USDA's reorganized field structure looks like.

The purpose of this amendment is to make sure that the horse is before the cart. My fear is that the Department of Agriculture will spend tens, if not hundreds, of millions of dollars in new computer investment in technology and then, at some point down the line, make some changes in how they are organized and not make the changes in how to organize first.

I very much believe the Department of Agriculture needs to become more streamlined, more focused, and probably needs to go on a diet with respect to its staff.

As the GAO testified before the Senate Agriculture Committee on June 3:

Changes in USDA's field structure would have implications on any information technology modernization efforts that the farm service agencies are planning. After a decision is made on the streamlining, the field structure of USDA will need to develop plans to reflect the new organizational structure and ways of doing business.

However, these agencies are all currently planning to spend millions over the next 5 years modernizing their computers. As a result, the agencies are running the risk that they will acquire technology that does not meet the needs of a new field office structure or that must be significantly altered down the road. It would be unwise for farm service agencies to make major investments.

And I repeat, I am talking about tens, if not hundreds, of millions of dollars in modernizing their information technology until they know what USDA's reorganized field structure looks like.

So the point of this amendment is that I believe that while we are all pushing the Department of Agriculture to become leaner and meaner in its operations, more focused, some consolidations will occur, some streamlining will occur, so do not rush headlong into buying hundreds of millions of dollars of computers that may be irrelevant for the way USDA is going to look in the future.

Mr. Chairman, I offered this language to get a focus on the committee. I understand it is very difficult to pinpoint in the bill where computer purchases are taking place. Some of them occur in the Commodity Credit Corporation, some of them may occur within these line items.

Mr. Chairman, I would ask the gentleman from New York, who is managing this bill, if he could shed any informational light on this issue of computer purchases, particularly as the department begins to reorganize itself.

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

Mr. GLICKMAN. I am glad to yield to the gentleman from New York.

Mr. McHUGH. I thank the gentleman for yielding.

Mr. Chairman, I think I can reassure the gentleman to this extent. We have cut the budget that the President submitted by about $1.4 billion and, therefore, many of the agencies that the gentleman is referring to will find that they have a lot less money available than they though they would. Let me say first of all with respect to the ASCS, the Agricultural Stabilization and Conservation Service, there is no money in this bill for the computer equipment that the gentleman is concerned about. It is possible that CCC would have funding available for this purpose, but it is not in this bill.

Second, the Federal Crop Insurance Corporation has sustained a cut in this bill of $31 million as compared with the President's budget.

Inevitably, with that type of a cut, they are not going to be able to pursue any plans they might have had for equipment purchases, because the alternative would be to lay people off.

Third, the Soil Conservation Service, while it receives in this bill a modest increase of $12.4 million, it is for pay costs only.

The CHAIRMAN. The time of the gentleman from Kansas [Mr. GLICKMAN] has expired.

(By unanimous consent, Mr. GLICKMAN was allowed to proceed for 4 additional minutes.)

Mr. McHUGH. Mr. Chairman, will the gentleman continue to yield?

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

Mr. McHUGH. I thank the gentleman for continuing to yield to me.

Mr. Chairman, the Soil Conservation Service has indicated that it has no plans in fiscal 1993 for any significant purchase of a computer system. So even though they will get a $12.4 million increase, which covers only pay costs, they have indicated they are not planning on any systemwide or significant computer purchase.

Finally, the Farmers' Home Administration sustains a cut from this year's level in this bill of $31.6 million.

Again, with that type of cut, it is not going to be able to pursue any type of significant computer purchase that the gentleman is concerned with.

So my conclusion is that, based upon what we have done in the bill as compared to the President's budget request and given what the agencies, in the case of the Soil Conservation Service, have told us, there is no money in this bill which would be able to be used for significant computer purchases.

Mr. GLICKMAN. So as the department then is reorganizing, restructuring in the field office structure, I want to make sure that they know this Congress is not encouraging them to engage in a major new computer acquisition and that we are not countenancing that behavior right now.

Mr. McHUGH. I do not think the administration could do that even if it wanted to.

Mr. GLICKMAN. I thank the gentleman.

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

Mr. GLICKMAN. I yield to the gentleman from Kansas.

Mr. ROBERTS. I thank the gentleman for yielding.

Mr. Chairman, I was going to seek my own time, but I think I can make my point on the gentleman's time.

I would like to take this opportunity to thank Mr. SKEEN, my colleague from New Mexico, for his very determined leadership and help on agricultural appropriations.

Mr. Chairman, farmers and ranchers do not have a better friend then JOE SKEEN.

I would like to take this opportunity, since I will not have another opportunity, to say from the floor how much I respect the contributions of the gentleman from New York [Mr. McHUGH]. He is the epitome of comity and fairness not only in his work within the Agricultural Appropriations Subcommittee but in the chair as well. And the farmers and ranchers of Kansas will be losing a good friend with regard to his service.

Let me say that in talking with the Secretary of Agriculture as of this morning about the Glickman amendment, Secretary Madigan would like for me to respond in the following fashion by indicating that USDA requested $760 million for all agencies for information resources management.

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That is one budget. I know the gentleman's amendment is not germane or pertinent to this bill because the funding comes out of the CCC, but it raises a needed discussion that should be fully discussed. Of that amount, the $760 million, 22 percent is for new equipment. Now that would be roughly equal to the gentleman's amendment if it were across the board. I do not think he wants to do that. The balance is for personnel, space rental, utilities, programming and other miscellaneous payments to other organizations. Under the Secretary's direction, the USDA has completed and distributed to the agencies with guidance, and we call those "marching orders" because the secretary really feels strongly about it, for developing their long range plans from 1992, this year, until 1996. Work is in progress with other sections of this strategic plan with the full set of documents expected to be completed by the end of this year. This Office of Information Resources Management is using the long range planning and guidance process to strengthen this same review program. This will insure that agencies carry out their activities accurately and effectively in compliance with the USDA systemwide policies and their principles and their standards.

Now we have teeth in this study. I would say to the gentleman from Kansas [Mr. GLICKMAN] that this will also strengthen the USDA's ability to provide strong oversight of these kinds of issues, particularly the cross-cutting issues where the coordination is critical, and the Secretary made it clear, when testifying before the full Committee on Agriculture, that stronger systems management administration was needed. He is committed to it, to ensure that the USDA does provide the necessary best possible services to the participants. They have testified they have established the oversight responsibility to, quote, withdraw the authority of line agencies to purchase automated data processing equipment. They have used this authority on one agency to correct the problem that the new oversight process has highlighted.

Let me tell the gentleman that the task force is currently going around the country to try to look at restructuring the farm bill.

The CHAIRMAN. The time of the gentleman from Kansas [Mr. GLICKMAN] has expired.

(By unanimous consent, Mr. GLICKMAN was allowed to proceed for 2 additional minutes.)

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

Mr. GLICKMAN. I yield to the gentleman from Kansas.

Mr. ROBERTS. Mr. Chairman, I thank the gentleman from Kansas [Mr. GLICKMAN] for yielding to me.

As the gentleman knows, the gentleman from Texas [Mr. STENHOLM], and this gentleman, and Deputy Under Secretary Ann Veneman, and the director of the ASCS, and a representative from Farmers Home have gone to Kansas, they have gone to Texas, we have gone to California, to South Carolina; we are going to Illinois, and we are going to New York; we are asking farmers and ranchers themselves, and then SES employees, ASCS employees, and Farmers Home employees, "How can we better restructure the farm program? How can we better improve the delivery service? How can we make it more cost effective? What is the restructuring that we are talking about?"

I can tell the gentleman that in talking to many frustrated and angry ASCS employees, SES employees, Farmers Home employees, that they do want some reform and better computer capability. The Secretary knows that. We are on track. He is not going to permit the agencies to waste money on any new computers for offices that will be closed after the structure study is completed.

At the same time there are many computer projects that must proceed even while those studies are going on. So, the gentleman is on target with his concern. I think the task force is on top of it, and I personally think that Secretary Madigan is on top of it.

Mr. Chairman, I include for the RECORD the USDA statement by Secretary Madigan:

USDA STATEMENT BY SECRETARY MADIGAN

Secretary Madigan has demonstrated his commitment to sound management of the Department and to a serious analysis of its current field structure. He began his own review of field structure last winter and then called in OMB this spring to assist in that review. We must give the Secretary flexibility to manage the affairs of the Department and its agencies.

Secretary Madigan is not going to permit the agencies to waste money on new computers for offices that will be closed after the structure study is completed. At the same time, there are many computer projects that must proceed even while those studies are going on.

The Farm Service Agencies already have an extensive network of small computers in their field offices. Most of those were purchased and installed in the mid-1980's. They are old, many are wearing out. Some are at the point where it is more economical to replace them than to keep repairing them. This amendment would cut monies needed for those replacements.

Other parts of these funds are needed for programming and revising existing systems that will be used in whatever field structure may come. There are computer programs such as financial management systems that need upgrading and in some cases replacement. Some of those systems are inadequate to keep accurate accounts of program funds or control waste and abuse. Upgrading those systems would also be affected by this amendment. Delaying such work is just poor business, even in the short run.

The funds that would be cut by this amendment will be used to strengthen the agencies' abilities to deliver services to farmers, ranchers, small town residents and others.

Some specific impacts are as follows:

Agricultural Stabilization and Conservation Service (ASCS): Only two of the initiatives in ASCS's long range plan are directly related to supporting existing field operations. $33.3 million has been requested to support these two initiatives in FY 93. This represents approximately 44 percent of the total amount requested. ASCS ADP expenditures are primarily funded by the Commodity Credit Corporation, not appropriated funds. Cuts in appropriated funds only would have severe unintended results because these funds are for ADP staff, travel and other expenses, not ADP hardware.

Federal Crop Insurance Corporation (FCIC): This agency already completed a reorganization of its field structure to reflect delivery of crop insurance through private companies reinsured by FCIC. Few of its offices have any type of computer equipment. Funds for FY 93 are needed to give FCIC workers basic office automation tools to improve efficiency. The eventual cost of system delays and failures will be an insufficient risk protection program for the farmer.

Farmers Home Administration (FmHA): The agency would be in jeopardy of not being able to meet current service levels by not allowing it to adequately maintain our current critical systems and hardware infrastructure.

Soil Conservation Service (SCS): FY 93 funds are needed to complete development of computer software. Most of the SCS funds are planned for specific projects to improve technical soil analyses and assessments needed to support farmer assistance to implement soil conservation and water quality provisions of the 1990 farm bill. A reduction in funds will severely delay this work.

Mr. GLICKMAN. Again, Mr. Chairman, my point is to give time to the USDA to make recommendations on reorganization and consolidation and proceed with that before spending massive new sums on new computerization.

Mr. Chairman, given the commitment from the gentleman from New York [Mr. MCHUGH] and others that we are not giving the green light for any major new computer purchases that would impede consolidation and reorganization of the Department of Agriculture, which is desperately needed, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

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

Mr. Chairman, I want to say a word or two about priorities and about process, both of which, I think, are quite backward in this institution in the U.S. Government in general.

We have heard a lot of discussion lately about moral values, and it seems to me that, when we talk about moral values, what we are saying, asking about, is: What is most important that a nation cherishes? What is most important that a nation finds important?

Mr. Chairman, I would argue that, if a nation is serious about moral values, it will pay attention to those people in the society who are most vulnerable, who are most hurting, and in this instance, in this country, that is our children.

Mr. Chairman, it is a national disgrace that in the United States of America today we have by far the highest rate of poverty among children in the industrialized world. That is what we have-20 percent of our kids live in poverty.

Mr. Chairman, today there is an estimate of 5 million American kids who are hungry, that 1 million children are living out in the streets. From one end of this country to the other we have schools that are in bankruptcy, not providing kids with an adequate education. The child care system is not adequately dealing with the needs of children who need child care. We have hundreds of thousands of children who are not getting their basic inoculations against diseases that should have been wiped out 30 years ago.

So, the point that I want to make is that I have a real problem with the process and the priorities of this institution. What we should be talking about today is not one agricultural program, a good one, versus another good one. What we should be doing is throwing all of the priorities on the table and letting the American people help us choose in what direction this country should go in.

For example, Mr. Chairman, last week in voting for the energy and water appropriations we decided to put $4½ billion into new nuclear weapons research, $4½ billion into nuclear weapons research, but we are not adequately funding WIC, Head Start, or other children's needs. Last week we almost level funded the intelligence budget, the CIA, DIA. The cold war is over. We should be able to bring that budget down by 50 percent. We are almost level funding it, and yet we have school systems which are falling apart, kids who are not getting a fair shake.

So, Mr. Chairman, what I suggest is that perhaps the leadership of this institution begin to revise the process. Let the American people make a decision as to whether we give tax breaks to the wealthiest people in this country, whether we spend $280 billion a year on the military, or whether we deal with the most vulnerable people in this country, our children. If we have the political will to do it, we can wipe

out childhood poverty tomorrow, we could feed the hungry kids, educate those children who are in need.

That should be the priorities of this institution, and I am saddened that it is not.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II—CONSERVATION PROGRAMS

OFFICE OF THE ASSISTANT SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Assistant Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Soil Conservation Service, $563,000.

SOIL CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–590f) 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 by donation, exchange, or purchase at a nominal cost not to exceed $100; purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $576,539,000, to remain available until expended (7 U.S.C. 2209b); of which not less than $5,713,000 is for snow survey and water forecasting and not less than $8,064,000 is for operation and establishment of the plant materials centers: *Provided*, That except for $2,399,000 for improvements of the plant materials centers, the cost of any permanent building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same to any such building and with the exception of buildings acquired in conjunction with land being purchased for other purposes, shall not exceed $10,000, except for one building to be constructed at a cost not to exceed $100,000 and eight buildings to be constructed or improved at a cost not to exceed $50,000 per building and except that alterations or improvements to other existing permanent buildings costing $5,000 or more may be made in any fiscal year in an amount not to exceed $2,000 per building: *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 no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 (16 U.S.C. 590a–590f) in demonstration projects: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed $25,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e–2).

RIVER BASIN SURVEYS AND INVESTIGATIONS

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, in accordance with section 6 of the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1006–1009), $13,251,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $60,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED PLANNING

For necessary expenses for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1001–1008), $9,545,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1001–1005, 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, $205,266,000 (of which $36,091,000 shall be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701, 16 U.S.C. 1006a), as amended and supplemented): *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $20,028,000 shall be available for emergency measures as provided by sections 403–405 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203–2205), and not to exceed $200,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That $4,000,000 in loans may be insured, or made to be sold and insured, under the Agricultural Credit Insurance Fund of the Farmers Home Administration (7 U.S.C. 1931): *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), as amended, 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.

REQUEST BY MEMBER TO OFFER AMENDMENTS EN BLOC

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

Mr. McHUGH. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The amendment of the gentleman from Indiana [Mr. JONTZ] appears to target portions of the bill before us which have not yet been read. Does the gentleman seek unanimous consent to offer these amendments en bloc?

Mr. JONTZ. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Indiana seeks unanimous consent for an en bloc amendment.

Is there objection to the request of the gentleman from Indiana?

Mr. McHUGH. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

AMENDMENT OFFERED BY MR. JONTZ

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

The Clerk read as follows:

Amendment offered by Mr. JONTZ: Page 37, line 25, strike "$205,266,000" and insert "$158,909,000".

Mr. JONTZ. Mr. Chairman, it had been my hope that I could offer an en bloc amendment that would have provided for the proper funding of the wetlands reserve program. Unfortunately, I am forced to offer this in two component parts. First of all, an amendment to reduce money in the watershed and flood section of the legislation, and then, if this amendment is successful, an amendment to provide for $46 million of funding, which is the current level of funding, for the wetlands reserve program.

The wetlands reserve program is very important because it is a means of working with the agriculture producers of this country to provide for the conservation of our wetlands with some compensation to them.

The program, which was authorized in the 1990 farm bill, is a voluntary incentive-based program. Participants implement a wetlands conservation program and then receive cost assistance for the restoration of the wetland, and then participate in a long-term easement that we hope will result in a goal of 1 million acres enrolled by the year 1995.

The current year's appropriation of $46.4 million is limited to eight States. Indiana is not among those States. But I will say that the signup, which has just been concluded, has been extraordinarily successful for this program. Requests to participate exceeded 300,000 acres, which is several times more than the funding which is believed to be adequate for about 50,000 acres.

The unfortunate situation in this country is that our wetlands continue to disappear, despite the Clean Water Act, despite other provisions in the farm bill. If we are to achieve President Bush's goal of no net loss in wetlands, we must make this wetlands reserve program work.

In fact, the administration is wholeheartedly in support of funding wetlands reserve. They asked us to fund $160 million for this program.

Just this morning the Secretary sent a letter over to the Congress expressing that his major disappointment with this bill that is before us today is the failure to adequately fund wetland reserve and also additional enrollments in conservation reserve.

So the task that we face is how do we provide the funds for even continuing last year's level of appropriations for wetlands reserve. What the amendment before us does is to cut those funds

from the small watershed program, which would be funded at $205 million. Even at the level of funding which this amendment would contemplate, which would be about $159 million, that would be significantly more than what the administration proposed for funding for this small watershed program.

The small watershed program indeed has merit. At the same time I would argue that for the dollars spent we are going to get a lot more return for conservation, for water quality, by maintaining the existing level of funding for the wetlands reserve. The various channelization programs and drainage programs and other programs that are funded under the small watersheds I believe can be adequately funded at $159 million. Even with the passage of my amendment, we would be spending more than three times as much on the small watershed program as we are spending on wetlands reserve.

Mr. Chairman, all I am asking is let us adopt a funding level for wetlands reserve that at least maintains the existing level, that would not allow it to extend to a national program, but would allow the wetlands reserve program to go forward.

I believe that this is more in line with what is the administration's budget request, because we would be funding small watersheds very close to what the administration requested and even greater than what the administration funded. We would be funding wetlands at less than what the administration requested, but at least we would have an appropriation.

I would argue that this wetlands reserve program is one of the most important programs that we can fund to provide some compensation for farmers to use converted or farmed wetlands that are on their farms at the present time for their wetlands benefit.

Mr. Chairman, all of us in Congress have heard a great deal of debate over this past year about wetlands. Universally we have been told that there ought to be some compensation for farmers when they have a problem with wetlands. The Congress did that in the 1990 farm bill. It was Silvio Conte of Massachusetts who was the author of this proposal I think originally, and it was included in the farm bill on a bipartisan basis.

We ought to properly fund it. It is necessary for this amendment to pass to fund that proposal.

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

Mr. Chairman, I will be very brief. Essentially what this amendment does is significantly reduce the small watershed program, which has been in existence for some years and which is quite important to many of our State and local governments.

This is a program where the Soil Conservation Service works hand in hand with States and local governments on small projects to avoid soil erosion and other watershed problems. We actually could do much more in this country with the small watershed program in terms of flood prevention and erosion control. Unfortunately, as we indicated earlier, we are faced with some very tight budget constraints.

Therefore, what we did in this program, as we did in many other important programs, is fund the small watershed program at the current spending levels. What the gentleman's amendment would do would be to impose about a $50 million cut on that program. This is a very substantial reduction in what is an ongoing important program in States all across the country.

So we are faced here, as we have been before, with some very difficult choices. The gentleman wants to make room for the wetlands program, and there is controversy about the wisdom of going forward with that. I personally have no strong objections to it for some of the reasons the gentleman has cited.

However, we need to make some choices. The watershed program is an ongoing program, and if it is very important to substantially cut back on that program to make room for the wetlands program, it seems to me that is an important choice. But it is on that basis that I make my plea to Members to reject the amendment.

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

Mr. MCHUGH. I am happy to yield to the gentleman from Indiana.

Mr. JONTZ. Mr. Chairman, is not the wetlands reserve program on ongoing program?

Mr. MCHUGH. Mr. Chairman, reclaiming my time. It is a pilot program, which basically means that there are demonstration projects, including in my own State, for the wetlands program. It is a program that needs to be assessed in terms of its expansion. Not only in terms of how effective it is, but in terms of how much it is going to cost.

The fact of the matter is we do not know how much it is going to cost. It could be a very expensive program.

So it is a program which has begun on a pilot basis. It is not an ongoing program in the sense that the small watershed program is.

Mr. JONTZ. Mr. Chairman, if the gentleman will yield further, I wonder why the gentleman would find this program to be meritorious of no funding, the wetlands reserve program to be meritorious of no funding, when the philosophy of the gentleman with regard to small watersheds was to fund it at the current level? Why did you not fund the wetlands reserve at the current level?

Mr. MCHUGH. Mr. Chairman, reclaiming my time, as I indicated, we had to make some choices here. If the choice was between continuing the small watershed program at the current level or substantially cutting it and providing additional funding for the wetlands program in its pilot stage, it seems personally the choice should be to support the ongoing program which we know to be effective.

Mr. JONTZ. Mr. Chairman, if the gentleman will yield further, the goal of the wetlands reserve program is to enroll this acreage, some 1 million acres, by 1995. If we have only enrolled 50,000 acres this last year, how are we going to get to 1 million acres by 1995 without any funding for this coming year?

The gentleman claims this is a pilot program, but the fact is the only reason it is a pilot program is because the agriculture appropriations bill that we passed last year made it a pilot program. It was not passed as a pilot program by Congress in 1990, it was passed as a full-blown program with the goal of 1 million acres a year. Because last year this committee chose to fund it at the lower level, actually in the House it was not funded at all, but eventually there was some money put in, the $46 million, all we are trying to do now is maintain the level of funding that the bill in the final form included last year.

□ 1500

So the gentleman claims this is a pilot program, but it was not passed as a pilot program. And we are never going to reach the million-acre goal, if we do not have any additional enrollments.

Mr. MCHUGH. Mr. Chairman, as the gentleman understands, there is not enough money to do many things in this Government today. This happens to be one of them at the moment.

I understand the commitment of the gentleman to the program. If we had the money to fund it, there may well be funding here. But there is not enough money to do many things, and we are facing these choices on every appropriations bill.

I understand the gentleman has a different priority than the committee. He is perfectly within his rights to assert that priority. But we had to make a choice, and the choice the committee made was to continue the small watershed program at its current level.

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

Mr. Chairman, this is a very difficult situation, and I certainly appreciate the dilemma that the committee has found itself in in trying to fund a whole host of different programs. In many ways, it is like choosing between children.

I do want to stress the importance of some of the programs that have not had adequate funding and their relationship to the 1990 farm bill.

Basically what we attempted to do is to strike a balance in the 1990 farm bill, recognizing the needs of agriculture and farmers and also understanding that we have environmental needs in this Nation as well. And certainly there needs to be some kind of working between the two. We have to make sure that farmers, in carrying out their responsibilities to the Nation, do not in fact cause difficulties, environmentally speaking. So for that reason the approach that was taken in the 1990 farm bill was one that was agreed to both by farmers and by environmentalists, farm groups and environmental groups, one of a voluntary nature, one in which we had a series of incentives. And so I simply want to stress today, I understand the point of the gentleman from Indiana [Mr. JONTZ], and what he is attempting to do is to move toward the agreement that was made in the 1990 farm bill, making sure that we are reaching toward the balance that needs to be struck.

I just hope that the members of the Committee on Appropriations will fully recognize how important it is that the agreement that was made in the 1990 be kept and certainly how important it is that we made sure that there is a balance between agricultural needs and the environment in this country.

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

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

Mr. JONTZ. Mr. Chairman, I appreciate the point the gentleman makes, and I want to compliment the gentleman, as chairman of the Subcommittee on Conservation, Credit and Rural Development. The gentleman worked very hard to provide the help that agricultural producers need to make a transition to more environmentally sensitive means of production.

One of the stickiest problems we have to face is wetlands. I guess my question to the gentleman, as chairman of this subcommittee, would be, how are we going to be able to approach the whole wetlands issue and try to bring a proper balance so that agricultural producers can still stay in business if we do not have some program to compensate them in this way on a voluntary basis if they choose to take farm-converted wetlands and enroll them in the wetlands reserve? The gentleman is the one that has the responsibility in the authorizing committee for dealing with this area of the farm bill. The swampbuster requirement is one of the toughest areas of the farm bill to deal with.

I ask the gentleman, as the chairman of that subcommittee, what role does the wetlands reserve program play in order to meet those objectives?

Mr. ENGLISH. Mr. Chairman, what we are doing now, I think, is we are approaching the environment and agricultural needs as a total package as opposed to what we have done in the past in which they have been separate issues and have been approached as separate programs that really do not link up together.

I think it was a landmark agreement that was reached back in 1990 between environmental and agricultural groups, and the linchpin of that agreement is voluntarism. And that voluntarism is based on the fact that the U.S. Government would provide incentives for farmers to meet these goals and to meet these targets.

Certainly, those of us who are involved in the agriculture community and farmers would find that to be more preferable than other methods of reaching those objectives that have been advocated by some.

So it is very important, I think, that we have those incentives in place and at hand and begin to encourage our farmers to meet those goals voluntarily.

I think that virtually every farm group in this country would endorse that as a very important goal that has to be reached. And also, I think we have got to keep in mind that we do see changes taking place.

I have a great deal of sympathy with the Committee on Appropriations as they attempt to meet all the various needs that they find on the Agriculture Appropriations bill and do it with fewer and fewer funds. That is an almost impossible job.

I am hopeful that we recognize, and I want to underscore today, how important it is that we understand that we have to move to meet these environmental goals and do it voluntarily and do it with incentives. I think that that is a critical fact.

Mr. SKEEN. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I understand the concerns of the gentleman who sponsors the amendment and his aims and his objectives, but the bill, as it stands now, freezes the Small Watershed Program at last year's levels. And if we are going to take money out of that program, what we will do is dilute an operational and a good program to try to bolster another good program that is just getting off the ground. I think that is the wrong way to go under the circumstances. So I have to oppose the amendment because I do not think that we are going to help one new program or the Wetlands Program by diluting an existing program. That is why I oppose the amendment.

Mr. HAYES of Louisiana. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

I will not take all of my time. I rise in support of the amendment, but I have to do so making an observation.

The program, which is a very good one, has as its basis voluntarism. In other words, the properties that are subject to and important for water quality nevertheless are subject to the farmer wishing to participate in the program and a recognition that his rights of ownership of that property carry with it the decisionmaking process as to whether that farmer chooses to participate. I will support that any time, any place.

But more amusing to me, second, is that when the farmer volunteers the property, what is not used is the Manual of Delineation, found under section 404 of the Clean Air Act. In other words, they do not use the criteria of wetlands that they wish in a regulatory manner to impose upon landowners. Instead, they use a criterion on water quality, which looks like wetlands that we envision as in the coast of Louisiana. Or to put it bluntly, they would not take the stuff, they are telling them, as a wetland if "you are an involuntary farmer who does not want to convert."

So, yes, I will support this amendment. I will support voluntarism, and I will support true wetlands, just as I will stand up and oppose the Manual of Delineation and the criteria that turn private property rights over to the Government and from the individual in an effort to regulate freedom.

I am for this. But I am opposed to that, and those who can see the difference, I hope, will remember it when we reauthorize the Clean Water Act of 1972.

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

Mr. HAYES of Louisiana. I yield to the gentleman from Indiana.

Mr. JONTZ. Mr. Chairman, I appreciate the gentleman's statement. As the gentleman knows, we have different opinions about some aspects of wetlands. But we are in agreement that the Wetlands Reserve Program is a part of the overall strategy regardless of how we resolve swampbuster, regardless of how we resolve section 404.

The gentleman from Louisiana would agree with me that the Wetlands Reserve Program is a part of the total strategy we must have to deal with the wetlands issue; is that correct?

Mr. HAYES of Louisiana. Mr. Chairman, I would not be here in support of the gentleman's amendment if I did not disagree. And by the way, if the program were not supported strongly by my Louisiana farmers.

Mr. JONTZ. Mr. Chairman, if the gentleman will continue to yield, this will be the opportunity we have in this legislation to address the Wetlands Reserve Program. I would have preferred not to have to offer the cut in this way, but we have no choice, if we are to provide funds for wetlands reserves, but to do it in this way.

So I appreciate the gentleman coming to speak for the amendment be-

cause it is the opportunity that we have to provide funds for wetlands reserves.

Mr. HAYES of Louisiana. Mr. Chairman, this amendment is the best we can do at this time under this bill, and for that reason I intend to vote for the amendment of the gentleman from Indiana.

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

Mr. HAYES of Louisiana. I yield to the gentleman from Oklahoma.

Mr. ENGLISH. Mr. Chairman, very quickly, I just wanted to say, I think as we can see, we have vast differences with regard to these issues.

□ 1510

The voluntarism, the incentive approach, is one area in which we have reached common agreement. I hope that that is noted, not only by the committee, but I hope it is noted by the Members of the House. This is the preferable way to go, and I hope Members will move in that direction.

Mr. HAYES of Louisiana. Mr. Chairman, I thank the gentleman for his observation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. JONTZ].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 109, noes 308, not voting 17, as follows:

[Roll No. 244]

AYES—109

Andrews (ME)	Henry	Petri
Andrews (NJ)	Hoagland	Porter
Armey	Hughes	Ramstad
Aspin	Jacobs	Ravenel
Atkins	Johnson (SD)	Reed
AuCoin	Johnston	Richardson
Baker	Jontz	Ridge
Beilenson	Kennedy	Rinaldo
Bennett	Kleczka	Ritter
Berman	Klug	Roukema
Boehlert	Kostmayer	Sanders
Borski	Lancaster	Saxton
Boxer	Leach	Schulze
Brown	Levine (CA)	Schumer
Bryant	Lipinski	Sensenbrenner
Burton	Long	Shays
Campbell (CA)	Mazzoli	Sikorski
Cardin	McCrery	Smith (NJ)
Carper	McCurdy	Snowe
Conyers	McDermott	Solarz
Crane	McMillen (MD)	Staggers
Dannemeyer	Meyers	Stark
Dellums	Mfume	Stearns
Dreier	Miller (CA)	Torricelli
Dwyer	Miller (WA)	Upton
English	Molinari	Vento
Ewing	Moody	Walker
Fawell	Morella	Walsh
Foglietta	Mrazek	Waters
Franks (CT)	Nagle	Waxman
Gilchrest	Nussle	Weiss
Gilman	Olver	Weldon
Grandy	Owens (UT)	Wolpe
Hancock	Pallone	Wyden
Hayes (IL)	Payne (NJ)	Zimmer
Hayes (LA)	Pelosi	
Hefley	Peterson (MN)	

NOES—308

Abercrombie	Frost	Mink
Ackerman	Gallegly	Moakley
Alexander	Gallo	Mollohan
Allard	Gaydos	Montgomery
Allen	Gejdenson	Moorhead
Anderson	Gephardt	Moran
Andrews (TX)	Geren	Morrison
Annunzio	Gibbons	Murphy
Anthony	Gillmor	Murtha
Applegate	Gingrich	Myers
Archer	Glickman	Natcher
Bacchus	Gonzalez	Neal (MA)
Ballenger	Goodling	Neal (NC)
Barnard	Gordon	Nichols
Barrett	Goss	Nowak
Barton	Gradison	Oakar
Bateman	Green	Oberstar
Bentley	Guarini	Obey
Bereuter	Gunderson	Olin
Bilbray	Hall (OH)	Ortiz
Bilirakis	Hall (TX)	Orton
Blackwell	Hamilton	Oxley
Bliley	Hammerschmidt	Packard
Boehner	Hansen	Panetta
Boucher	Harris	Parker
Brewster	Hastert	Pastor
Brooks	Hatcher	Patterson
Broomfield	Herger	Paxon
Browder	Hertel	Payne (VA)
Bruce	Hobson	Pease
Bunning	Hochbrueckner	Penny
Bustamante	Holloway	Peterson (FL)
Byron	Hopkins	Pickett
Callahan	Horn	Pickle
Camp	Horton	Poshard
Campbell (CO)	Houghton	Price
Carr	Hoyer	Pursell
Chandler	Hubbard	Quillen
Chapman	Hunter	Rahall
Clay	Hutto	Rangel
Clement	Hyde	Ray
Clinger	Inhofe	Regula
Coble	Ireland	Rhodes
Coleman (MO)	James	Riggs
Coleman (TX)	Jefferson	Roberts
Collins (IL)	Jenkins	Roe
Collins (MI)	Johnson (CT)	Roemer
Combest	Johnson (TX)	Rogers
Condit	Jones (NC)	Rohrabacher
Cooper	Kanjorski	Ros-Lehtinen
Costello	Kaptur	Rose
Coughlin	Kasich	Rostenkowski
Cox (CA)	Kennelly	Roth
Cox (IL)	Kildee	Rowland
Coyne	Kolbe	Roybal
Cramer	Kolter	Russo
Cunningham	Kopetski	Sabo
Darden	Kyl	Sangmeister
Davis	LaFalce	Santorum
de la Garza	Lagomarsino	Sarpalius
DeFazio	Lantos	Savage
DeLauro	LaRocco	Sawyer
DeLay	Laughlin	Schaefer
Derrick	Lehman (CA)	Scheuer
Dickinson	Lent	Schiff
Dicks	Levin (MI)	Schroeder
Dingell	Lewis (CA)	Serrano
Dixon	Lewis (FL)	Sharp
Donnelly	Lewis (GA)	Shaw
Dooley	Lightfoot	Shuster
Doolittle	Livingston	Sisisky
Dornan (CA)	Lloyd	Skaggs
Downey	Lowey (NY)	Skeen
Duncan	Luken	Skelton
Durbin	Machtley	Slattery
Early	Manton	Slaughter
Eckart	Markey	Smith (FL)
Edwards (CA)	Marlenee	Smith (IA)
Edwards (OK)	Martin	Smith (OR)
Edwards (TX)	Martinez	Smith (TX)
Emerson	Matsui	Solomon
Engel	Mavroules	Spence
Erdreich	McCandless	Spratt
Espy	McCloskey	Stallings
Evans	McCollum	Stenholm
Fascell	McDade	Stokes
Fazio	McEwen	Studds
Feighan	McGrath	Stump
Fields	McHugh	Sundquist
Fish	McMillan (NC)	Swett
Flake	McNulty	Swift
Ford (MI)	Michel	Synar
Ford (TN)	Miller (OH)	Tanner
Frank (MA)	Mineta	Tauzin
Taylor (MS)	Unsoeld	Wise
Taylor (NC)	Valentine	Wolf
Thomas (CA)	Vander Jagt	Wylie
Thomas (GA)	Visclosky	Yates
Thomas (WY)	Volkmer	Yatron
Thornton	Vucanovich	Young (AK)
Torres	Weber	Young (FL)
Towns	Wheat	Zeliff
Traficant	Whitten	

NOT VOTING—17

Bevill	Huckaby	Tallon
Bonior	Jones (GA)	Traxler
Dorgan (ND)	Lehman (FL)	Washington
Dymally	Lowery (CA)	Williams
Gekas	Owens (NY)	Wilson
Hefner	Perkins	

□ 1533

Mrs. JOHNSON of Connecticut and Messrs. SANTORUM, LIVINGSTON, HOLLOWAY, and SAVAGE changed their vote from "aye" to "no."

Messrs. HANCOCK, SIKORSKI, RICHARDSON, DWYER of New Jersey, SCHUMER, WALKER, FOGLIETTA, MFUME, RIDGE, MAZZOLI, WELDON, DELLUMS, WEISS, and WYDEN changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1010–1011; 76 Stat. 607), and the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and the provisions of the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $32,516,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That $600,000 in loans may be insured, or made to be sold and insured, under the Agricultural Credit Insurance Fund of the Farmers Home Administration (7 U.S.C. 1931): *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 shall be available for employment under 5 U.S.C. 3109.

GREAT PLAINS CONSERVATION PROGRAM

For necessary expenses to carry into effect a program of conservation in the Great Plains area, pursuant to section 16(b) of the Soil Conservation and Domestic Allotment Act, as added by the Act of August 7, 1956, as amended (16 U.S.C. 590p(b)), $25,271,000, to remain available until expended (16 U.S.C. 590p(b)(7)).

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

AGRICULTURAL CONSERVATION PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry into effect the program authorized in sections 7 to 15, 16(a), 16(f), and 17 of the Soil Conservation and Domestic Allotment Act approved February 29, 1936, as amended and supplemented (16 U.S.C. 590g–590o, 590p(a), 590p(f), and 590q), and sections 1001–1004, 1006–1008, and 1010 of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973 (16 U.S.C. 1501–1504, 1506–1508, and 1510), and including not to exceed $15,000 for the preparation and display of exhibits, including such displays at State, interstate, and

international fairs within the United States, $194,435,000, to remain available until expended (16 U.S.C. 590o), for agreements, excluding administration but including technical assistance and related expenses (16 U.S.C. 590o), except that no participant in the Agricultural Conservation Program shall receive more than $3,500 per year, except where the participants from two or more farms or ranches join to carry out approved practices designed to conserve or improve the agricultural resources of the community, or where a participant has a long-term agreement, in which case the total payment shall not exceed the annual payment limitation multiplied by the number of years of the agreement: *Provided*, That no portion of the funds for the current year's program may be utilized to provide financial or technical assistance for drainage on wetlands now designated as Wetlands Types 3 (III) through 20 (XX) in United States Department of the Interior, Fish and Wildlife Circular 39, Wetlands of the United States, 1956: *Provided further*, That such amounts shall be available for the purchase of seeds, fertilizers, lime, trees, or any other conservation materials, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out approved farming practices as authorized by the Soil Conservation and Domestic Allotment Act, as amended, as determined and recommended by the county committees, approved by the State committees and the Secretary, under programs provided for herein: *Provided further*, That such assistance will not be used for carrying out measures and practices that are primarily production-oriented or that have little or no conservation or pollution abatement benefits: *Provided further*, That not to exceed 5 per centum of the allocation for the current year's program for any county may, on the recommendation of such county committee and approval of the State committee, be withheld and allotted to the Soil Conservation Service for services of its technicians in formulating and carrying out the Agricultural Conservation Program in the participating counties, and shall not be utilized by the Soil Conservation Service for any purpose other than technical and other assistance in such counties, and in addition, on the recommendation of such county committee and approval of the State committee, not to exceed 1 per centum may be made available to any other Federal, State, or local public agency for the same purpose and under the same conditions: *Provided further*, That for the current year's program $2,500,000 shall be available for technical assistance in formulating and carrying out rural environmental practices: *Provided further*, That no part of any funds available to the Department, or any bureau, office, corporation, or other agency constituting a part of such Department, shall be used in the current fiscal year for the payment of salary or travel expenses of any person who has been convicted of violating the Act entitled "An Act to prevent pernicious political activities" approved August 2, 1939, as amended, or who has been found in accordance with the provisions of title 18 U.S.C. 1913 to have violated or attempted to violate such section which prohibits the use of Federal appropriations for the payment of personal services or other expenses designed to influence in any manner a Member of Congress to favor or oppose any legislation or appropriation by Congress except upon request of any Member or through the proper official channels: *Provided further*, That not to exceed $6,750,000 of the amount appropriated shall be used for water quality payments and practices in the same manner as permitted under the program for water quality authorized in chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.).

AMENDMENT OFFERED BY MR. JONTZ

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

The Clerk read as follows:

Amendment offered by Mr. JONTZ: page 42, line 22, strike "$6,750,000" and insert "$30,000,000".

Mr. JONTZ. Mr. Chairman, this is the last of the series of amendments which I have to offer this afternoon to seek proper funding for the environmental and consumer initiatives in the 1990 farm bill.

Mr. Chairman, I appreciate the difficult position, the difficult situation the Agriculture Appropriations Subcommittee is in, and they have, as the chairman has explained, followed a procedure that they have level-funded many aspects of last year's bill.

One area where they did not level-fund is that there was a commitment in the last year's agricultural appropriations bill of $30 million for water-quality programs. You will not find that commitment in this year's bill.

What I seek to do with this amendment is to fund that commitment through the water quality incentives program. The water quality incentives program is a voluntary-incentive-based program to help farmers comply with State and Federal environmental laws by providing technical and financial assistance. This will help them to prevent pollution of surface and ground water by making more efficient use of fertilizers, of pesticides, and of animal waste. The program emphasizes areas where there are water resources that are vulnerable.

This is a traditional cost-share program where farmers are eligible to receive up to $3,500 a year, but it is a new program from the standpoint that it was specifically designed as part of the 1990 farm bill to avoid the regulatory approach to dealing with environmental quality. This program emphasizes improving farm management practices to allow highly productive cropland to stay in production.

It is one of the most cost-effective means of improving our water quality. The program is funded at the $6.75 million level for the coming year in this appropriations bill, but our proposal would substantially increase that so that it was up to the $30 million level for water quality, which was a commitment made in last year's program.

□ 1540

This is an extraordinarily important program because it is the approach that the 1990 farm bill uses to address our water quality challenges.

The farm bill envisions a 10 million acre water quality improvement enrollment, which would be 2 million acres a year. At the present time, we have enrolled, given the very limited funding, only a few hundred thousand acres. There is no way that we can reach the 10 million acre goal unless we have a substantially increased enrollment. At $30 million, we would be enrolling something a little shy of a million acres, which would help get us on the track toward the 10 million acre goal.

I can assure my colleagues in the House that if we reach the end of the 5 years of the farm bill and we only have a few hundred thousand acres enrolled in WQIP instead of the 10 million acres that we had intended to enroll that it would be very, very difficult to avoid a stringent regulatory approach to water quality.

Now, I want to add one more point, and that is this is a program that is supported by environmental groups and agricultural procedures both. This program is supported by the pork producers. This program is supported by the corn growers. This program is supported also by different conservation organizations, but this level of funding is comparable to what various agricultural production groups have suggested is necessary to make any progress.

So a vote against this amendment is a vote against helping agricultural producers meet their water quality objectives.

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

Mr. Chairman, once again, this is a classic example where the gentleman from Indiana is supporting a very worthwhile program. We have nothing against the program and a vote against his amendment should not be interpreted as opposition to the program for which he seeks to increase funding.

The problem we have is that there are limited funds and there are other water quality initiatives within ACP, programs which are also critically important for farmers.

In fiscal year 1992 we spent a total of $29,750,000 for water quality initiatives. Of that amount of money, $6.75 million was spent on the water quality incentives program the gentleman from Indiana wants to increase to $30 million.

We were inevitably faced with tradeoffs due to the fact that we did not have additional money. In some cases we had to cut programs below the fiscal year 1992 level. We are $1.4 billion below the President's request. With the allocation we had we tried to at least maintain programs which were good, even though we would have preferred in some cases to increase programs such as this one.

What we have done in this case, as we have done in many others, is to appropriate the amount of money which is provided in this fiscal year.

Now, if the gentleman's amendment passes, it means that there would inevitably be reductions in other worthwhile ACP conservation programs.

The gentleman thinks this program is more important, and he has every right to reach that conclusion, but experience has demonstrated that some of the other water quality initiatives in the ACP Program are critically important as well. When we are faced with these kinds of budget limitations the best we can really do is to maintain the commitment we have, and even then it is difficult to accomplish.

I would like to cite a number of examples of other types of water quality initiatives under this ACP Program that would be ill-affected if the gentleman's amendment would pass. During the current fiscal year we are spending $1.8 million on national water quality demonstration projects, $12.1 million on nonpoint source hydrological units, $9.1 million on ACP water quality projects, and $6.75 million on this program, the water quality incentives program.

Now, the administration has indicated to us, through the Department, that if this particular program is increased beyond the current level, these other water quality initiatives that I have mentioned would be reduced. So those are the tradeoffs we faced.

I sympathize with the gentleman's arguments on the merits of the program. I agree with him. The problem is we do not have the money to increase this program, while at the same time maintaining our commitment to other programs that are important.

So reluctantly, again I would urge my colleagues to reject the amendment.

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

Mr. McHUGH. Yes; I yield to the gentleman from Indiana.

Mr. JONTZ. Mr. Chairman, I appreciate the fact there are other important programs included under the umbrella of ACP; but the gentleman is telling us, if I understand his point, that out of a $194 million appropriation, we cannot spend $30 million for water quality improvement because it would jeopardize the $1.8 million, or would jeopardize the $12 million?

Mr. McHUGH. What I am saying to the gentleman is that in this fiscal year, out of the ACP program we are spending a little less than $30 million for water quality initiatives in total. Among the money that we are spending for water quality initiatives, $6.75 million is for the water quality incentures program.

In addition to that, we are spending $1.8 million on national water quality demonstration projects, and so on.

So I am talking here about that part of the ACP program that deals with water quality initiatives.

The gentleman has focused on one part of that to the exclusion of the rest, and I am simply saying that the committee could not ignore the rest.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. McHUGH. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I would point out, Mr. Chairman, that a lot of the other money has to do with water quality. I mean, you are building terraces, you are doing numerous things that affect water quality: so water quality is not limited to that one little thing that has a water quality title.

Mr. JONTZ. Mr. Chairman, if the gentleman will yield further, is not $174 million enough, or $164 million for everything else? Is not $164 million enough?

Here we are trying to increase this one appropriation to $30 million, but that would still leave $164 million for everything else.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. McHUGH. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. By 1995, Mr. Chairman, the farmers in the gentleman's district and my district have got to have a soil conservation plan in place to qualify for any farm program. They have got to do that largely through the assistance they are going to get under ACP. They are under the gun. They have got to have this funding. They do not have enough now. That is the reason we provided SCS with an increase above the 1992 level.

Mr. MYERS of Indiana. Mr. Chairman, I move to strike the last word.

Mr. Chairman, to the gentleman from Indiana, my colleague, is this amendment No. 4 that the gentleman has offered?

Mr. JONTZ. Yes, if the gentleman will yield, it is amendment No. 4.

Mr. MYERS of Indiana. It adds $23,250,000 to that program?

Mr. JONTZ. That is correct. If the gentleman will yield, last year there was a commitment in this bill to $30 million of water quality money. Now there is no such commitment in this bill.

This would attempt to achieve that commitment by funding water quality improvement at $30 million. That is what this proposal would do, but it would not change the overall appropriation for ACP. It would simply say that out of the $194 million that is going to ACP, we would use—what, 15 percent.

Mr. MYERS of Indiana. The gentleman is redirecting $23,250,000 from other programs to this program within ACP.

Mr. JONTZ. Mr. Chairman, could I ask the gentleman to repeat his question?

Mr. MYERS of Indiana. What the gentleman's amendment would do would be to redirect $23,250,000 from other ACP programs into this program.

Mr. JONTZ. That is correct. The gentleman is absolutely correct.

Mr. MYERS of Indiana. Mr. Chairman, I thank the gentleman.

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

Would the gentleman from Indiana be kind enough to tell me a little bit more about this comment that was made about funding level for WQIP of $30 million?

Mr. JONTZ. Mr. Chairman, if the gentleman will yield, that was the level that was noted in last year's appropriation bill, as I understand it.

Mr. DURBIN. We are having difficulty finding that. Does the gentleman have some reference on that?

Mr. JONTZ. Well, let me ask the gentleman, is $30 million too much out of $194 million to spend on WQIP?

Mr. DURBIN. I think my colleague, the gentleman from Iowa, has explained why it is too much, to cut from the agricultural conservation program.

This is the last year that the gentleman's farmers and my farmers have to come up with a conservation plan in order to qualify for the farm program.

□ 1550

The steps that they need to take to avoid soil erosion are consistent with our mutually held goals of environmental quality. For the gentleman to take money from the agricultural conservation program, which is seeking to avoid soil erosion, in the name of water quality I think is inconsistent.

In the earlier vote some people were coming to the well saying what is the environmentally proper vote on this issue? I would suggest to the gentleman that taking money out of the agricultural conservation program is not the environmentally proper vote because the gentleman is taking the wherewithal by which farmers are developing conservation techniques to avoid soil erosion, runoff, chemical runoff, nonpoint source pollution, and the like.

Mr. JONTZ. Mr. Chairman, will the gentleman yield for a moment?

Mr. DURBIN.I am happy to yield to the gentleman from Indiana.

Mr. JONTZ. I thank the gentleman for yielding.

The requirement that takes effect next year is the planning deadline.

Mr. DURBIN. Basically, they face a planning deadline.

Mr. JONTZ. Right. And the committee, to its credit, put additional money in for the Soil Conservation Service for technical assistance to help producers meet the planning deadline?

Mr. DURBIN. Yes.

Mr. JONTZ. So how will these construction programs help meet the planning deadline? They will not. The fact is that the gentleman is representing the situation that this ACP money is needed to meet the 1995 deadline, which it is not. It is not.

Mr. DURBIN. It is needed for the implementation deadline.

Mr. JONTZ. The 1995 implementation deadline; the deadline for implementa-

tion is not 1995. That is the planning deadline.

Mr. DURBIN. Reclaiming my time, the gentleman, I believe, is mistaken on that point. But I will allow my other colleagues to comment on it.

What I am saying to the gentleman is that he has a worthy goal; we share it. But he is taking money from a conservation program which is attempting to meet the same goal, to limit soil erosion.

Now, if the gentleman were standing here saying "I am not taking money from some environmentally sound program for an environmental program", perhaps he has a good point. But, in fact, he is robbing an environmentally important program, the conservation program, in order to fund another environmentally important program. The gentleman has now lived through the dilemma which this subcommittee faced and which the gentleman from New York [Mr. MCHUGH] has already described. We just do not have enough money to do it all.

Mr. JONTZ. If the gentleman would yield one more time, then why is it that the National Corn Growers, the National Pork Producers, the National Audubon Society, the National Wildlife Federation, all support this additional appropriation for WQIP? If this is not a better way of meeting the objectives of agricultural producers and the environment—to get the Audubon Society and the pork producers together on anything is quite an accomplishment. I would think the gentleman from Illinois [Mr. DURBIN] would rush to support such a proposal.

Mr. DURBIN. Let me say to my friend and colleague from Indiana we have more in common than not. But my guess is those organizations were very anxious to see the water quality incentive program funded. They might not be as anxious to see cuts in the agricultural conservation program, which the gentleman has suggested.

Unfortunately, that is the tradeoff, that is why I have to oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. JONTZ].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 18, noes 396, not voting 20, as follows:

[Roll No. 245]

AYES—18

Beilenson	Jontz	Ramstad
Borski	Kostmayer	Sharp
Brown	Long	Sikorski
English	Murphy	Solarz
Ewing	Owens (UT)	Vento
Grandy	Porter	Waxman

NOES—396

Abercrombie	Duncan	Kopetski
Ackerman	Durbin	Kyl
Alexander	Dwyer	LaFalce
Allard	Early	Lagomarsino
Allen	Eckart	Lancaster
Anderson	Edwards (CA)	Lantos
Andrews (ME)	Edwards (OK)	LaRocco
Andrews (NJ)	Edwards (TX)	Laughlin
Andrews (TX)	Emerson	Leach
Annunzio	Engel	Lehman (CA)
Anthony	Erdreich	Lehman (FL)
Applegate	Espy	Lent
Archer	Evans	Levin (MI)
Armey	Fascell	Levine (CA)
Aspin	Fawell	Lewis (CA)
Atkins	Fazio	Lewis (FL)
AuCoin	Feighan	Lewis (GA)
Bacchus	Fields	Lightfoot
Baker	Fish	Lipinski
Ballenger	Flake	Livingston
Barnard	Foglietta	Lloyd
Barrett	Ford (MI)	Lowery (CA)
Barton	Ford (TN)	Lowey (NY)
Bateman	Frank (MA)	Luken
Bennett	Franks (CT)	Machtley
Bentley	Frost	Manton
Bereuter	Gallegly	Markey
Berman	Gallo	Marlenee
Bilbray	Gaydos	Martinez
Bilirakis	Gejdenson	Matsui
Blackwell	Gephardt	Mavroules
Bliley	Geren	Mazzoli
Boehlert	Gibbons	McCandless
Boehner	Gilchrest	McCloskey
Boucher	Gillmor	McCollum
Boxer	Gilman	McCrery
Brewster	Gingrich	McCurdy
Broomfield	Glickman	McDade
Browder	Gonzalez	McDermott
Bruce	Goodling	McEwen
Bryant	Gordon	McGrath
Bunning	Goss	McHugh
Burton	Gradison	McMillan (NC)
Bustamante	Green	McMillen (MD)
Byron	Guarini	McNulty
Callahan	Gunderson	Meyers
Camp	Hall (OH)	Mfume
Campbell (CA)	Hall (TX)	Michel
Campbell (CO)	Hamilton	Miller (CA)
Cardin	Hammerschmidt	Miller (WA)
Carper	Hancock	Mineta
Carr	Hansen	Mink
Chandler	Harris	Moakley
Chapman	Hastert	Molinari
Clay	Hayes (IL)	Mollohan
Clement	Hayes (LA)	Montgomery
Clinger	Hefley	Moody
Coble	Henry	Moorhead
Coleman (MO)	Herger	Moran
Coleman (TX)	Hertel	Morella
Collins (IL)	Hoagland	Morrison
Collins (MI)	Hobson	Mrazek
Combest	Hochbrueckner	Murtha
Condit	Holloway	Myers
Conyers	Hopkins	Nagle
Cooper	Horn	Natcher
Costello	Horton	Neal (MA)
Coughlin	Houghton	Neal (NC)
Cox (CA)	Hoyer	Nichols
Cox (IL)	Hubbard	Nowak
Coyne	Hughes	Nussle
Cramer	Hunter	Oakar
Crane	Hutto	Oberstar
Cunningham	Hyde	Obey
Dannemeyer	Inhofe	Olin
Darden	Ireland	Olver
Davis	Jacobs	Ortiz
de la Garza	James	Orton
DeFazio	Jefferson	Oxley
DeLauro	Jenkins	Packard
DeLay	Johnson (CT)	Pallone
Dellums	Johnson (SD)	Panetta
Derrick	Johnson (TX)	Parker
Dickinson	Johnston	Pastor
Dicks	Jones (NC)	Patterson
Dingell	Kanjorski	Paxon
Dixon	Kaptur	Payne (NJ)
Donnelly	Kasich	Payne (VA)
Dooley	Kennedy	Pease
Doolittle	Kennelly	Pelosi
Dorgan (ND)	Kildee	Penny
Dornan (CA)	Kleczka	Peterson (FL)
Downey	Klug	Peterson (MN)
Dreier	Kolbe	Petri
Pickett	Schaefer	Tanner
Pickle	Scheuer	Tauzin
Poshard	Schiff	Taylor (MS)
Price	Schroeder	Taylor (NC)
Pursell	Schulze	Thomas (CA)
Quillen	Schumer	Thomas (GA)
Rahall	Sensenbrenner	Thomas (WY)
Rangel	Serrano	Thornton
Ravenel	Shaw	Torres
Ray	Shays	Torricelli
Reed	Shuster	Towns
Regula	Sisisky	Traficant
Rhodes	Skaggs	Unsoeld
Richardson	Skeen	Upton
Riggs	Skelton	Valentine
Rinaldo	Slattery	Vander Jagt
Ritter	Slaughter	Visclosky
Roberts	Smith (FL)	Volkmer
Roe	Smith (IA)	Vucanovich
Roemer	Smith (NJ)	Walker
Rogers	Smith (OR)	Walsh
Rohrabacher	Smith (TX)	Waters
Ros-Lehtinen	Snowe	Weber
Rose	Solomon	Weiss
Rostenkowski	Spence	Weldon
Roth	Spratt	Wheat
Roukema	Staggers	Whitten
Rowland	Stallings	Wise
Roybal	Stark	Wolf
Russo	Stearns	Wolpe
Sabo	Stenholm	Wyden
Sanders	Stokes	Wylie
Sangmeister	Studds	Yates
Santorum	Stump	Yatron
Sarpalius	Sundquist	Young (AK)
Savage	Swett	Young (FL)
Sawyer	Swift	Zeliff
Saxton	Synar	Zimmer

NOT VOTING—20

Bevill	Huckaby	Ridge
Bonior	Jones (GA)	Tallon
Brooks	Kolter	Traxler
Dymally	Martin	Washington
Gekas	Miller (OH)	Williams
Hatcher	Owens (NY)	Wilson
Hefner	Perkins	

□ 1613

Messrs. KLECZKA, HAMMERSCHMIDT, CUNNINGHAM, LIVINGSTON, and LEHMAN of Florida changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FORESTRY INCENTIVES PROGRAM

For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized in the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, $12,446,000, to remain available until expended, as authorized by that Act.

WATER BANK PROGRAM

For necessary expenses to carry into effect the provisions of the Water Bank Act (16 U.S.C. 1301–1311), $18,620,000, to remain available until expended.

EMERGENCY CONSERVATION PROGRAM

For necessary expenses to carry into effect the program authorized in sections 401, 402, and 404 of title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201–2205), $3,000,000, to remain available until expended, as authorized by 16 U.S.C. 2204.

COLORADO RIVER BASIN SALINITY CONTROL PROGRAM

For necessary expenses for carrying out a voluntary cooperative salinity control program pursuant to section 202(c) of title II of the Colorado River Basin Salinity Control Act, as amended (43 U.S.C. 1592(c)), to be used to reduce salinity in the Colorado River

and to enhance the supply and quality of water available for use in the United States and the Republic of Mexico, $14,783,000, to remain available until expended (7 U.S.C. 2209b), to be used for investigations and surveys, for technical assistance in developing conservation practices and in the preparation of salinity control plans, for the establishment of on-farm irrigation management systems, including related lateral improvement measures, for making cost-share payments to agricultural landowners and operators, Indian tribes, irrigation districts and associations, local governmental and nongovernmental entities, and other landowners to aid them in carrying out approved conservation practices as determined and recommended by the county ASC committees, approved by the State ASC committees and the Secretary, and for associated costs of program planning, information and education, and program monitoring and evaluation: *Provided*, That the Soil Conservation Service shall provide technical assistance and the Agricultural Stabilization and Conservation Service shall provide administrative services for the program, including but not limited to, the negotiation and administration of agreements and the disbursement of payments: *Provided further*, That such program shall be coordinated with the regular Agricultural Conservation Program and with research programs of other agencies.

CONSERVATION RESERVE PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the conservation reserve program pursuant to the Food Security Act of 1985 (16 U.S.C. 3831–3845), $1,578,517,000, to remain available until expended, to be used for Commodity Credit Corporation expenditures for cost-share assistance for the establishment of conservation practices provided for in approved conservation reserve program contracts, for annual rental payments provided in such contracts, and for technical assistance: *Provided*, That none of the funds in this Act may be used to enter into new contracts that are in excess of the prevailing local rental rates for an acre of comparable land.

TITLE III—FARMERS HOME AND RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR SMALL COMMUNITY AND RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Small Community and Rural Development to administer programs under the laws enacted by the Congress for the Farmers Home Administration, Rural Development Administration, Rural Electrification Administration, and Federal Crop Insurance Corporation, $572,000.

RURAL DEVELOPMENT ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Rural Development Administration, not otherwise provided for, in administering the rural development programs of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921–2000), as amended, section 1323 of the Food Security Act of 1985 (7 U.S.C. 1932 note), and title VI of the Rural Development Act of 1972, $37,066,000; of which $14,787,000 is hereby appropriated, $21,755,000 shall be derived by transfer from the Rural Development Insurance Fund Program Account in this Act and merged with this account, and $524,000 shall be derived by transfer from the Rural Development Loan Fund Program Account in this Act and merged with this account: *Provided*, That not to exceed $500,000 shall be for employment under 5 U.S.C. 3109.

FARMERS HOME ADMINISTRATION

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, as amended, to be available from funds in the Rural Housing Insurance Fund, as follows: $1,624,500,000 for loans to section 502 borrowers, as determined by the Secretary, of which $329,500,000 shall be for unsubsidized guaranteed loans; $11,330,000 for section 504 housing repair loans; $16,300,000 for section 514 farm labor housing; $500,000,000 for section 515 rental housing; $600,000 for site loans; and $200,000,000 for credit sales of acquired property.

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: low-income housing section 502 loans, $309,254,000, of which $6,096,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $4,578,000; section 514 farm labor housing, $8,029,000; section 515 rental housing, $356,550,000; and credit sales of acquired property, $26,780,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $427,111,000.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) of the Housing Act of 1949, as amended, $319,900,000; 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 1993 to carry out the Rental Assistance Program under section 521(a)(2) of the Act: *Provided*, That of this amount not more than $11,800,000 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 of this amount not less than $128,158,000 is available for newly constructed units financed by section 515 of the Housing Act of 1949, as amended, and not more than $5,214,000 is for newly constructed units financed under sections 514 and 516 of the Housing Act of 1949: *Provided further*, That $174,728,000 is available for expiring agreements and for servicing of existing units without agreements: *Provided further*, That agreements entered into or renewed during fiscal year 1993 shall be funded for a five-year period, although the life of any such agreement may be extended to fully utilize amounts obligated: *Provided further*, That agreements entered into or renewed during fiscal years 1989, 1990, 1991, and 1992 may also be extended beyond five years to fully utilize amounts obligated.

SELF-HELP HOUSING LAND DEVELOPMENT FUND PROGRAM ACCOUNT

For direct loans pursuant to section 523(b)(1)(B) of the Housing Act of 1949, as amended (42 U.S.C. 1490c), $500,000.

For an amount, for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct loans, $22,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $21,000.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

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, $555,500,000, of which $488,750,000 shall be for guaranteed loans; operating loans, $2,588,354,000, of which $1,500,000,000 shall be for unsubsidized guaranteed loans and $238,354,000 shall be for subsidized guaranteed loans; $3,752,000 for water development, use, and conservation loans, of which $1,415,000 shall be for guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $1,000,000; for emergency insured loans, $115,000,000 to meet the needs resulting from natural disasters; and for credit sales of acquired property, $125,000,000.

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, $33,599,000, of which $20,576,000 shall be for guaranteed loans; operating loans, $161,765,000, of which $15,350,000 shall be for unsubsidized guaranteed loans and $18,150,000 shall be for subsidized guaranteed loans; $499,000 for water development, use, and conservation loans, of which $43,000 shall be for guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $226,000; for emergency insured loans, $30,762,000 to meet the needs resulting from natural disasters; and for credit sales of acquired property, $31,825,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $230,179,000.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $2,750,000.

RURAL DEVELOPMENT INSURANCE FUND PROGRAM ACCOUNT

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928 and 86 Stat. 661–664, as amended, to be available from funds in the Rural Development Insurance Fund, as follows: water and sewer facility loans, $635,000,000, of which $35,000,000 shall be for guaranteed loans; community facility loans, $200,000,000, of which $100,000,000 shall be for guaranteed loans; and guaranteed industrial development loans, $100,000,000: *Provided*, That none of the funds made available in this Act may be used to make transfers between the above limitations.

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: water and sewer facility loans, $87,360,000; community facility loans, $8,410,000; and guaranteed industrial development loans, $5,440,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $58,208,000.

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

For the cost of direct loans $16,260,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812 (a)): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans of not to exceed $28,387,000.

In addition, for administrative expenses necessary to carry out the direct loan programs, $529,000.

RURAL WATER AND WASTE DISPOSAL GRANTS

For grants pursuant to sections 306(a)(2) and 306(a)(6) of the Consolidated Farm and

Rural Development Act, as amended (7 U.S.C. 1926), $400,000,000, to remain available until expended, pursuant to section 306(d) of the above Act: *Provided*, That of this amount, $25,000,000 shall be available for water systems to benefit the Colonias along the U.S./Mexico border, including grants pursuant to section 306C(c)(1): *Provided further*, That these funds shall not be used for any purpose not specified in section 306(a) of the Consolidated Farm and Rural Development Act.

VERY LOW-INCOME HOUSING REPAIR GRANTS

For grants to the very low-income elderly for essential repairs to dwellings pursuant to section 504 of the Housing Act of 1949, as amended, $12,500,000, to remain available until expended.

RURAL HOUSING FOR DOMESTIC FARM LABOR

For financial assistance to eligible nonprofit organizations for housing for domestic farm labor, pursuant to section 516 of the Housing Act of 1949, as amended (42 U.S.C. 1486), $11,000,000, to remain available until expended.

MUTUAL AND SELF-HELP HOUSING

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $8,750,000, to remain available until expended (7 U.S.C. 2209b).

SUPERVISORY AND TECHNICAL ASSISTANCE GRANTS

For grants pursuant to sections 509(g)(6) and 525 of the Housing Act of 1949, $2,500,000, to remain available until expended.

RURAL COMMUNITY FIRE PROTECTION GRANTS

For grants pursuant to section 7 of the Cooperative Forestry Assistance Act of 1978 (Public Law 95-313), $3,500,000 to fund up to 50 per centum of the cost of organizing, training, and equipping rural volunteer fire departments.

COMPENSATION FOR CONSTRUCTION DEFECTS

For compensation for construction defects as authorized by section 509(c) of the Housing Act of 1949, as amended, $500,000, to remain available until expended.

RURAL HOUSING PRESERVATION GRANTS

For grants for rural housing preservation as authorized by section 552 of the Housing and Urban-Rural Recovery Act of 1983 (Public Law 98-181), $23,000,000.

RURAL DEVELOPMENT GRANTS

For grants authorized under section 310B(c) (7 U.S.C. 1932) of the Consolidated Farm and Rural Development Act to any qualified public or private nonprofit organization, $20,750,000: *Provided*, That $500,000 shall be available for grants to qualified nonprofit organizations to provide technical assistance and training for rural communities needing improved passenger transportation systems or facilities in order to promote economic development.

SOLID WASTE MANAGEMENT GRANTS

For grants for pollution abatement and control projects authorized under section 310B(b) (7 U.S.C. 1932) of the Consolidated Farm and Rural Development Act, $3,000,000: *Provided*, That such assistance shall include regional technical assistance for improvement of solid waste management.

OFFICE OF THE ADMINISTRATOR

For necessary salaries and expenses of the Office of the Administrator of the Farmers Home Administration, $600,000: *Provided*, That no other funds in this Act shall be available for this Office.

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farmers Home Administration, not otherwise provided for, in administering the programs authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1921-2000), as amended; title V of the Housing Act of 1949, as amended (42 U.S.C. 1471-1490o); the Rural Rehabilitation Corporation Trust Liquidation Act, approved May 3, 1950 (40 U.S.C. 440-444), for administering the loan program authorized by title III-A of the Economic Opportunity Act of 1964 (Public Law 88-452 approved August 20, 1964), as amended, and such other programs which the Farmers Home Administration has the responsibility for administering, $679,920,000; of which $23,802,000 is hereby appropriated, $404,846,000 shall be derived by transfer from the Rural Housing Insurance Fund Program Account in this Act and merged with this account, $215,712,000 shall be derived by transfer from the Agriculture Credit Insurance Fund Program Account in this Act and merged with this account, $35,539,000 shall be derived by transfer from the Rural Development Insurance Fund Program Account in this Act and merged with this account, and $21,000 shall be derived by transfer from the Self-Help Housing Land Development Fund Program Account in this Act and merged with this account: *Provided*, That not to exceed $500,000 of this appropriation may be used for employment under 5 U.S.C. 3109: *Provided further*, That not to exceed $3,985,000 of this appropriation shall be available for contracting with the National Rural Water Association or other equally qualified national organization for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That, in addition to any other authority that the Secretary may have to defer principal and interest and forego foreclosure, the Secretary may permit, at the request of the borrowers, the deferral of principal and interest on any outstanding loan made, insured, or held by the Secretary under this title, or under the provisions of any other law administered by the Farmers Home Administration, and may forego foreclosure of any such loan, for such period as the Secretary deems necessary upon a showing by the borrower that due to circumstances beyond the borrower's control, the borrower is temporarily unable to continue making payments of such principal and interest when due without unduly impairing the standard of living of the borrower. The Secretary may permit interest that accrues during the deferral period on any loan deferred under this section to bear no interest during or after such period: *Provided*, That, if the security instrument securing such loan is foreclosed, such interest as is included in the purchase price at such foreclosure shall become part of the principal and draw interest from the date of foreclosure at the rate prescribed by law.

RURAL ELECTRIFICATION ADMINISTRATION

To carry into effect the provisions of the Rural Electrification Act of 1936, as amended (7 U.S.C. 901-950(b)), as follows:

RURAL ELECTRIFICATION AND TELEPHONE LOANS PROGRAM ACCOUNT

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), shall be made as follows: rural electrification loans, not less than $625,035,000 nor more than $933,075,000; and rural telephone loans, not less than $219,325,000 nor more than $311,025,000; to remain available until expended: *Provided*, That loans made pursuant to section 306 of that Act are in addition to these amounts but during fiscal year 1993 total commitments to guarantee loans pursuant to section 306 shall be not less than $933,075,000 nor more than $2,100,615,000 of contingent liability for total loan principal: *Provided further*, That loans may be modified in an amount not to exceed $266,000,000: *Provided further*, That as a condition of approval of insured electric loans during fiscal year 1993, borrowers shall obtain concurrent supplemental financing in accordance with the applicable criteria and ratios in effect as of July 15, 1982: *Provided further*, That no funds appropriated in this Act may be used to deny or reduce loans or loan advances based upon a borrower's level of general funds: *Provided further*, That no funds appropriated in this Act may be used to implement any other criteria, ratio, or test to deny or reduce loans or loan advances.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), as follows: cost of direct loans, $157,609,000; cost of loans guaranteed pursuant to section 306, $35,475,000; and for loan modifications, $47,880,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $29,163,000.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

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 amended, as may be necessary in carrying out its authorized programs for the current fiscal year. During fiscal year 1993 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be not less than $177,045,000 nor more than $210,540,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), $35,000.

In addition, for administrative expenses necessary to carry out the loan programs, $8,632,000.

DISTANCE LEARNING AND MEDICAL LINK PROGRAMS

For necessary expenses to carry into effect the programs authorized in sections 2331-2335 of Public Law 101-624, $5,000,000, to remain available until expended.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

For loans authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $9,215,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct loans, $2,546,000.

OFFICE OF THE ADMINISTRATOR

For necessary salaries and expenses of the Office of the Administrator of the Rural Electrification Administration, $243,000: *Provided*, That no other funds in this Act shall be available for this Office.

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the provisions of the Rural Electrification

Act of 1936, as amended (7 U.S.C. 901-950(b)), and to administer the loan and loan guarantee programs for Community Antenna Television facilities as authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1921-1995), and for which commitments were made prior to fiscal year 1993, including not to exceed $7,000 for financial and credit reports, funds for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $103,000 for employment under 5 U.S.C. 3109, $37,795,000; of which $29,163,000 shall be derived by transfer from the Rural Electrification and Telephone Loans Program Account in this Act and $8,632,000 shall be derived by transfer from the Rural Telephone Bank Program Account in this Act: *Provided*, That none of the funds in this Act may be used to authorize the transfer of additional funds to this account from the Rural Telephone Bank: *Provided further*, That none of the salaries and expenses provided to the Rural Electrification Administration, and none of the responsibilities assigned by law to the Administrator of the Rural Electrification Administration may be reassigned or transferred to any other agency or office.

TITLE IV—DOMESTIC FOOD PROGRAMS

OFFICE OF THE ASSISTANT SECRETARY FOR FOOD AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Assistant Secretary for Food and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service and the Human Nutrition Information Service, $542,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751-1769b), and the applicable provisions other than sections 3 and 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1773-1785, and 1788-1789), $6,674,521,000, to remain available through September 30, 1994; of which $2,384,066,000 is hereby appropriated and $4,290,455,000 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 funds appropriated for the purpose of section 7 of the Child Nutrition Act of 1966 shall be allocated among the States but the distribution of such funds to an individual State is contingent upon that State's agreement to participate in studies and surveys of programs authorized under the National School Lunch Act and the Child Nutrition Act of 1966, when such studies and surveys have been directed by the Congress and requested by the Secretary of Agriculture: *Provided further*, That if the Secretary of Agriculture determines that a State's administration of any program under the National School Lunch Act or the Child Nutrition Act of 1966 (other than section 17), or the regulations issued pursuant to these Acts, is seriously deficient, and the State fails to correct the deficiency within a specified period of time, the Secretary may withhold from the State some or all of the funds allocated to the State under section 7 of the Child Nutrition Act of 1966 and under section 13(k)(1) of the National School Lunch Act; upon a subsequent determination by the Secretary that the programs are operated in an acceptable manner some or all of the funds withheld may be allocated: *Provided further*, That only final reimbursement claims for service of meals, supplements, and milk submitted to State agencies by eligible schools, summer camps, institutions, and service institutions within sixty days following the month for which the reimbursement is claimed shall be eligible for reimbursement from funds appropriated under this Act. States may receive program funds appropriated under this Act for meals, supplements, and milk served during any month only if the final program operations report for such month is submitted to the Department within ninety days following that month. Exceptions to these claims or reports submission requirements may be made at the discretion of the Secretary: *Provided further*, That up to $4,083,000 shall be available for independent verification of school food service claims: *Provided further*, That $1,322,000 shall be available to operate the Food Service Management Institute.

SPECIAL MILK PROGRAM

For necessary expenses to carry out the special milk program, as authorized by section 3 of the Child Nutrition Act of 1966 (42 U.S.C. 1772), $14,898,000, to remain available through September 30, 1994. Only final reimbursement claims for milk submitted to State agencies within sixty days following the month for which the reimbursement is claimed shall be eligible for reimbursement from funds appropriated under this Act. States may receive program funds appropriated under this Act only if the final program operations report for such month is submitted to the Department within ninety days following that month. Exceptions to these claims or reports submission requirements may be made at the discretion of the Secretary.

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

For necessary expenses to carry out the special supplemental food program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $2,860,000,000, to remain available through September 30, 1994.

COMMODITY SUPPLEMENTAL FOOD PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)), including not less than $8,000,000 for the projects in Detroit, New Orleans, and Des Moines, $94,500,000, to remain available through September 30, 1994: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

FOOD STAMP PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011-2029), $26,719,691,000; of which $2,500,000,000 shall be available only to the extent an official budget request, for a specific dollar amount, is transmitted to the Congress: *Provided*, That funds provided herein shall remain available through September 30, 1993, in accordance with section 18(a) of the Food Stamp Act: *Provided further*, That up to 5 per centum of the foregoing amount may be placed in reserve to be apportioned pursuant to section 3679 of the Revised Statutes, as amended, for use only in such amounts and at such times as may become necessary to carry out program operations: *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 work fare requirements as may be required by law: *Provided further*, That $345,000,000 of the funds provided herein shall be available only to the extent necessary after the Secretary has employed the regulatory and administrative methods available to him under the law to curtail fraud, waste, and abuse in the program: *Provided further*, That $1,051,000,000 of the foregoing amount shall be available for Nutrition Assistance for Puerto Rico as authorized by 7 U.S.C. 2028, of which $10,825,000 shall be transferred to the Animal and Plant Health Inspection Service for the Cattle Tick Eradication Project.

FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)), section 4(b) of the Food Stamp Act (7 U.S.C. 2013(b)), and section 311 of the Older Americans Act of 1965, as amended (42 U.S.C. 3030a), $224,513,000.

For necessary expenses to carry out section 110 of the Hunger Prevention Act of 1988, $32,000,000.

THE EMERGENCY FOOD ASSISTANCE PROGRAM

For necessary expenses to carry out the Emergency Food Assistance Act of 1983, as amended, $45,000,000: *Provided*, That, in accordance with section 202 of Public Law 98-92, these funds shall be available only if the Secretary determines the existence of excess commodities.

For purchases of commodities to carry out the Emergency Food Assistance Act of 1983, as amended, $120,000,000.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, $103,535,000; of which $5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp coupon handling, and assistance in the prevention, identification, and prosecution of fraud and other violations of law: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $150,000 shall be available for employment under 5 U.S.C. 3109.

HUMAN NUTRITION INFORMATION SERVICE

For necessary expenses to enable the Human Nutrition Information Service to perform applied research and demonstrations relating to human nutrition and consumer use and economics of food utilization, and nutrition monitoring, $10,788,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

Mr. McHUGH (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title II and all of title III and IV 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 New York?

There was no objection.

The CHAIRMAN. Are there any points or order to these provisions of the bill?

The Chair hears none.

The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore. (Mr. PANETTA) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

A message in writing from the President of the United States was communicated to the House by Mr. McCathran, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1993

The Committee resumed its sitting.

The CHAIRMAN. Are there any amendments to title IV of the bill?

The Clerk will read.

The Clerk read as follows:

TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954, as amended (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 $125,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $110,023,000: *Provided*, That this appropriation shall be available to obtain statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis.

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

Mr. Chairman, as a longtime critic of the Market Promotion Program [MPP] and its predecessor, the Targeted Export Assistance Program [TEA], I'd like to commend the committee for taking a major step to scale back this wasteful program. The cut of more than 60 percent, from $200 million to $75 million shows that the veil on this program has been pierced. The program is finally being recognized for what it really is—a bloated corporate welfare program. I am glad that Members of Congress are finally looking at this program with a skeptical eye.

Since 1987 when I asked the GAO to conduct the first of several reviews of this program, I have had serious concerns about its purpose and its administration.

However, the fundamental question underlying MPP is this: In a time of runaway budget deficits, should the Federal Government be subsidizing the already huge advertising budgets of megacorporations like General Mills, McDonald's, Sunkist, and Oscar Mayer? Should the American public be shelling out money to advertise brand name products like M&M's, Gallo wine, and Paul Newman's salad dressing. I say no. I think if you were to ask a random sample of taxpayers this question you'd also get a resounding "no." Unfortunately, the louder voices of a few large special interests have been successful in keeping these wasteful aspects of MPP alive. At least until now.

I do not advocate the complete elimination of the program. The Government can and should play an important role in helping private companies promote their products in foreign markets. Increasing exports and expanding foreign markets help our total economy. However, this program has gone too far and has been completely unfocused and unscientific.

The committee's action will go a long way toward forcing USDA and the private marketing organizations that dole out MPP funds to channel money where it's really needed. However, we need to take further legislative action to set restrictions on who gets MPP funds, how they are used, and for how long. I look forward to working with Congressman KOSTMAYER and others on legislation to correct continuing program defects.

Over the years, the GAO has laid out a litany of conceptual and operational problems with MPP. Some of these have been adressed by the Foreign Agricultural Service [FAS]. Many of the more fundamental problems have not.

The GAO's latest examination, the preliminary results of which have been released, reviewed the MPP activities of seven participants in Japan. Their findings are troubling to say the least. While there are some success stories, there are too many failures.

Several of the promotional activities were completely useless because no market research had been conducted. The wrong type of Valentine's candy was targeted at the wrong audience and was displayed in location and manner that made it unappealing. The California raisin ads featuring the now-famous singing and dancing raisins frightened off the small children that they were intended to attract.

The GAO has stated:

> The Market Promotion Program's broad goals of encouraging the development, maintenance, and expansion of agricultural exports *can be used to justify program support under any market situation* (emphasis added).

This makes even thorough evaluation of the program a very slippery exercise. However, there has been little attempt to conduct any kind of scientific assessment. The GAO has found that FAS has completed only 10 program evaluations since the MPP was established in 1986.

What has the MPP's funding level said about our priorities? The GAO has pointed out that the entire Federal Government spends about $2.7 billion annually on export promotion. While agricultural products account for only 10 percent of total U.S. exports, USDA spends about $2 billion, or 75 percent of the Government total. Something has clearly been out of whack.

For too long, we have been wasting precious money on people who don't really need it. Too often MPP seems to be a program in search of a problem. A quote and a picture illustrate this well.

The quote: Ursula Hotchner, an official from Newman's Own, Paul Newman's food company was asked why the company was selected to receive TEA funding. "I don't know," she said. "Someone from the export council called me up one day from out of the blue and asked why don't we take the money. They said all we had to do was send in our advertising bills and they'd reimburse us. I figured, why not?"

The picture: On page 7 of the February 1989 issue of Northeast International Business sits Mr. Chris Catranis, Executive Director of the eastern U.S. Agriculture and Food Export Council, one of the nonprofit organizations through which MPP money is channeled. Mr. Catranis sits at his desk thrusting one dollar bills toward the camera. On the desk are two huge sacks of money. The picture's caption is titled "Mr. Money Bags." Says Mr. Money Bags—

> We've got a bag of money here and we're desperate for companies to give it to. Almost anybody who comes in here with a half decent program, who's willing to put up a 50 percent advertising match * * * will qualify for the money.

Is this a program we have really needed in its current form?

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

Mr. Chairman, the gentleman from New York [Mr. SCHUMER] has made some remarks critical of the MPP that need a response.

American agricultural exports account for about $40 billion in annual sales. Agriculture provides a positive balance of payments in the U.S. trade account of approximately $17 billion.

Future growth in U.S. agriculture will depend on export growth. Expansion of agricultural exports is critical for related sectors of the economy.

Each U.S. dollar of agricultural exports generates an additional $1.59 in economic growth. Every $1 billion in agricultural exports maintains 27,000 jobs.

MPP will be even more important as the GATT talks are once again moving forward. As you know, marketing assistance has already been ruled to be an acceptable form of government assistance in the talks.

MPP funds are matched on a one-to-one basis.

Secretary Madigan sent a letter to Members in which he clearly states the administration's strong support for MPP. It is an excellent letter that explains the program, how it works and what the benefits are for American agriculture.

I cannot understand why anyone would want to disrupt or eliminate one of the few programs that will be permitted to remain under GATT. Virtually every other country has developed programs similar to MPP. Under the amendments being offered today, we are

essentially telling our Nation's farmers that we will once again turn our backs on them.

American agricultural products are of the highest quality in the world. The only way we can sell our products is by marketing our high-quality products. MPP provides U.S. agriculture with the resources to do this marketing. In most cases, U.S. agricultural products are more expensive than those of our foreign competitors. The only advantage we have is quality.

According to Secretary Madigan:

The European Community, our main competitor in the high-value market, paid out direct subsidies of nearly $1.5 billion to producers and exporters of high-value products.

Many claim that MPP does not support small farmers. To the contrary, small businesses accounted for 84 percent of the 287 firms participating in the MPP last year.

Many of the large corporations that the Kostmayer amendments seek to cut out of the MPP are actually cooperatives, like Sunkist and Blue Diamond.

The benefits derived from successful marketing overseas are returned directly to the cooperatives, which are owned and operated by the individual growers. Most of these coop members are small businesses.

Without MPP, coops would not be able to advertise effectively overseas. Cooperatives are limited in the amount they can assess their members for advertising.

An amendment proposed by Mr. KOSTMAYER would deny these individual coop members the benefits of MPP. Blue Diamond's almond exports have increased by 33 percent since the beginning of Target Export Assistance/Market Promotion Program. Sunkist has also experienced significant growth with total annual exports valued at $400 million. Prune exports have increased by 41 percent since the inception of the MPP program.

Without MPP, coops would not be able to advertise effectively overseas. Cooperatives are limited in the amount they can assess their members for advertising.

The Kostmayer amendment also seeks to eliminate the use of MPP funds for advertising brand-name products. I cannot think of anything more ludicrous. Without being able to advertise Sunkist oranges, Sun-Maid raisins, or Blue Diamond almonds, consumers cannot differentiate between U.S. and foreign products. They will simply go to the store to look for almonds, and buy the cheapest brand. If that happens, we are out of business.

Many members have used the McDonald's example as evidence of abuse and corporate welfare in MPP. I think members simply do not understand how the MPP works.

The purpose of the Market Promotion Program is to open up new markets for U.S. agricultural products overseas. As everyone knows, McDonald's has thousands of stores overseas. At the same time, these stores are not required to purchase U.S. products, and in many cases they do not.

McDonald's has 42 stores in Singapore and 59 stores in Hong Kong. And, even though McDonald's has its own poultry processing plant in Malaysia, all 101 stores in Hong Kong and Singapore use only U.S. poultry and egg products. Why? Because of the MPP.

These 101 stores bought over $12 million worth of U.S. poultry products in 1991, which supported over 3,780 American jobs. This growth started from zero sales in both markets just 3 years ago.

United States poultry exporters were able to use MPP funds as leverage to require McDonald's stores in Singapore and Hong Kong to buy United States poultry products. MPP was used to advertise jointly McDonald's Chicken McNuggets and the U.S. poultry industry. As a consequence of McDonald's accepting this advertising arrangement, which used MPP funds, the American poultry industry locked these stores into buying U.S. products for 1 year.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PUBLIC LAW 480 PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1691, 1701–1715, 1721–1726, 1727–1727f, 1731–1736g), as follows: (1) $511,619,000 for Public Law 480 title I credit, including Food for Progress credit; (2) $52,185,000 is hereby appropriated for ocean freight differential costs for the shipment of agricultural commodities pursuant to title I of said Act and the Food for Progress Act of 1985, as amended; (3) $763,842,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title II of said Act; and (4) $333,594,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title III of said Act: *Provided*, That not to exceed 10 per centum of the funds made available to carry out any title of said Act may be used to carry out any other title of said Act: *Provided further*, That such sums shall remain available until expended (7 U.S.C. 2209b).

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct credit agreements as authorized by the Agricultural Trade Development and Assistance Act of 1954, as amended, and the Food for Progress Act of 1985, as amended, including the cost of modifying credit agreements under said Act, $343,092,000.

□ 1620

AMENDMENTS OFFERED BY MR. MILLER OF WASHINGTON

Mr. MILLER of Washington. Mr. Chairman, I offered an amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Washington: Page 69, line 2, strike "$343,092,000" and insert "$100,740,000".

Mr. MILLER of Washington. Mr. Chairman, last week in the Foreign Operations Assistance bill we started the debate on the efficacy of foreign aid and how we could improve and prune and reform foreign aid.

At that time I offered, with the support of several of my colleagues, an amendment to reduce the increase in capital contributions to some of the multilateral development banks.

Today we move to the Food Assistance program, and I must tell my colleagues here, as with the multilateral development banks and as with AID administration, I fear that not only are we developing in this country opposition to foreign assistance from isolationists to the left and right, who are just opposed to any assistance, but more and more groups that have supported foreign assistance and want to see it work are becoming increasingly disenchanted.

We have another example before us today and a chance to make a significant reform. The amendment I offer strikes approximately 240 million from the Public Law 480 Program, not from the part of the program that provides food aid for famine, for disaster relief, for all the worthwhile purposes that foreign assistance food aid should be for. There is a noble purpose here. It goes back to 1812, when we gave Venezuela food assistance after the earthquake and even in the 1800's, again when we came to the assistance of Ireland.

But lately there has been a shift in this program, and instead of giving food when there are emergencies, when there is famine, when there is disasters, more and more of these programs have taken on the air of subsidies that support American interests at home, go to foreign governments, frequently dictators abroad, and result not in helping people avoid famine but help in depressing the growth of the farm economy of the recipient nation and, thus, making it even harder to feed people.

As a result, a coalition of groups has been formed, ranging from taxpayer to environmental to poverty groups, that have become disenchanted with the title 1 part of the Public Law 480 Program, disenchanted that this program of concessionary loans often depresses local farm production, has put Korean farmers out of business in the 1960's and then, in the 1970's, resulted in competition in Somalia with local farmers and, in the 1980's, dumped nonfat dried milk into El Salvador and destroyed a growing Salvadoran dairy industry and, recently, recently continuously has dumped wheat in Egypt, helping to frustrate efforts to develop a wheat farming industry in Egypt, resulting in so much of that flour going in that it is not going to feed hungry people, it is being used to feed livestock.

All of that or most of that came out in a report done by our House Committee on Agriculture just 1 year or 2 ago. But not only has this had a harmful effect on some of the recipient nations. The result of this program has frequently been to actually displace market-based exports from this country and imports by these other nations. That has been attested to by CRS.

And not only that, this program has often discouraged the growth of free enterprise farm economies. It has encouraged countries like Tanzania and Ghana to set up multiple agencies which regulate and reregulate and subsidize and control their agriculture production, with the result that we are

not achieving what we want to do. We are not helping free farm economies to grow and prosper.

So what I am asking this House to do, a couple of weeks after we voted on the balanced budget amendment and rejected it, here is a chance to make a cut, a substantial cut, $240 million, and a cut that will not only save money, it will bring about some long overdue reforms to our food aid program.

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

Mr. Chairman, let me say that the efforts of the gentleman from Washington [Mr. MILLER] in trying to reform this program are really based on trying to have an overall foreign aid program and, to a large degree, this provision of the bill is related to foreign aid, a foreign aid program that really does what is really originally intended.

What we are trying to say is that it does not make any sense to have a program under this Public Law 480 Program that results literally in the destruction of domestic economies throughout the world. We can focus on a number of them, but one I guess that we should focus on immediately would be El Salvador and what the gentleman raised, the point that the gentleman from Washington raised about the milk issue in El Salvador.

Some Member, I believe, is going to be offering an amendment to one of these bills designed to reduce the aid for the Americas. I am not sure if that is the gentleman from Kansas [Mr. GLICKMAN] or whoever it is, somebody is going to be offering that amendment. That amendment is designed to reduce the amount of aid that we are providing to El Salvador.

I had an opportunity to visit El Salvador late last year. Listen to the economic problems that they are experiencing there.

One of the things that is absolutely critical about getting El Salvador completely democratized and to be able to get reconciliation in El Salvador is for the El Salvadorans to be able to develop an economy. In many respects they are different from Nicaragua, because Nicaraguans really had such a ravaged country in the middle of that civil war, there was no entrepreneurial spirit in Nicaragua. So they face a lot of problems much different than El Salvador.

But what one is struck by when one visits El Salvador is the fact that they have the possibility and the capability of developing a private sector free enterprise economy that would be the glue that would pull the reconciliation together and finalize things for the people of El Salvador, who really deserve peace.

Now, it makes no sense at all for us to be using this Public Law 480 Program to dump products on their market that destroys their local ability to produce and to flourish, not only domestically but also with their ability to export certain products, which contribute to their economic growth.

The other thing that we should talk about, the other entity that we should keep in mind that I am particularly touched by is Africa.

□ 1630

When we talk about Africa, the continent of Africa is undergoing tremendous transformation. We have seen so many countries that had a Marxist orientation who are truly trying to become free enterprise. In fact, there have been many people who have raised the issue of having international conferences, an issue that I earlier raised about 2 years ago. We ought to have an international conference on Africa to talk about how these countries have really changed and how investment opportunities exist.

What we do with Africa with this program, we dump product after product after product on the domestic economy of these countries in Africa. We destroy, just like when newly planted plants do not get enough water, they die, we are in the process of killing seedlings that are located in these countries in Africa who really want to develop local markets.

The gentleman from Washington [Mr. MILLER] mentioned Egypt. They have almost had riots because of the price of bread in Egypt, the price of grain. It has been an ongoing fight in the Egyptian economy for which the Egyptian Government has been under severe attack because the price of grain goes up. Yet in the process of this Public Law 480 Program we dump products on their market, kill their ability to develop things locally, domestically, so they can have greater control of their financial futures.

What the gentleman from Washington [Mr. MILLER] is trying to do is to get us back to a program that makes sense. I would urge everybody, including those on the Subcommittee on Rural Development, Agriculture and Related Agencies of the Committee on Appropriations, to take a look at this and to support the gentleman's amendment. We do not want to kill the 480 program when it comes to areas like emergencies, drought, famine, or whatever. But when it comes to dumping products on the markets of other countries and destroying their markets, we aggravate problems that we have in the world, and frankly, it ought to be stopped.

I want to join the gentleman from Washington [Mr. MILLER], and praise him for his ideas in terms of reforming this system, and ask the Members to look at this. The possibility may exist, as we get low or conclude this debate that I may offer a substitute to the amendment of the gentleman from Washington.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. KASICH] has expired.

(On request of Mr. MILLER of Washington, and by unanimous consent, Mr. KASICH was allowed to proceed for 1 additional minute.)

Mr. KASICH. Mr. Chairman, I may offer a substitute, because frankly, we do not think we can win the amendment of the gentleman from Washington [Mr. MILLER] on this major cut that we perform in the Public Law 480 Program. What I would intend to offer would be a substitute that would basically adopt the administration's request for a reduction in the levels that were approved by the committee. The administration feels as though they do not need to have the increase that the committee has authorized.

We really, in spirit, want to accept the entirety of the amendment of the gentleman from Washington [Mr. MILLER] because this overall program needs restructuring. We have been looking for vehicles with which to restructure it. Recognizing the reality that we probably cannot pass that, this substitute will be offered, and I would urge the Members on both sides of the aisle to support this substitute, and to begin the effort that is necessary in order to reform these programs so that they make sense and we no longer do things that, whether purposefully or not, destroy the local economies of our allies around the world.

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

Mr. Chairman, 10 years ago the United States of America was the greatest economic power on the face of the Earth. Here we are 10 years later and we are the greatest debtor Nation, owing the rest of the world, the greatest debtor Nation in the world. That has been caused by a number of things: government regulations, the trade deficit, but most of all I submit to my colleagues it is because of the budget deficit we experience year after year after year.

Mr. Chariman, I have been on this floor I don't know how many times talking about the deficit and the national debt. I do not want to belabor the point and go over it again and again, but I think the point needs to be made today that we have a $400 billion deficit, a $4 trillion national debt that has quadrupled in the last 10 years, and we continue to head down that very slick, slimy road to economic oblivion because we will not get control of our appetite for spending.

A perfect example is the bill that we are working on right now. I called the American Farm Bureau to find out what spending levels they would accept this year. They said they wanted to accept last year's spending levels. This bill is $6.5 billion, $6.5 billion, above last year's spending levels, and it has not been requested by the agricultural community in this country.

Listen to this. This is $3.9 million over the request and $1.9 billion in fis-

cal year 1992 for agricultural programs. It is $417.4 million more than requested, and $152.7 million more than in fiscal year 1992 for Farmers Home and rural development. It is $4.2 billion more than last year for domestic food and nutrition programs. That is an entitlement. That is pretty hard to control.

The fact of the matter is, this bill is $6.5 billion more than last year, and last year we experienced a $400 billion deficit. I say to my colleagues, in the next bill coming up, it is about $2.9 billion above last year.

When are we going to come to grips with this spending problem? There has been a book put out, and I have talked about it to the floor a number of times, by this gentleman named Larry Burkett called "The Coming Economic Earthquake." What he said in this book is, we are going to have either a massive depression or hyperinflation, which leads to the same basic conclusion. We are not doing anything about it. What in the world is wrong with us? Are we insane? We all know where we are heading, yet we continue to pass bill after bill that is higher than last year, and last year was an abomination.

I say to my colleagues today, this amendment is a step in the right direction. We should support the Miller amendment, but more than that, we should support a lot of amendments here today that will cut spending back to the levels that we had last year or very close to it. If we do not, we are leaving a terrible legacy to every young person in this country. The Members and I are not going to have to pay that bill, but our kids and grandkids are.

Remember the Grace Commission? Peter Grace, the chairman of the Grace Commission, as quoted in this book, says that by the year 2000, 8 years from now, it will take 102 percent of all personal income taxes to pay the interest on the national debt, to pay the interest. What are we doing about it? Absolutely nothing. We are going to leave this place today after voting for more bills to spend more money above what last year's spending levels were, and it is a step, a giant step, a Herculean step in the wrong direction.

We have to come to grips with this deficit. Otherwise we are going to face economic calamity in the not-too-distant future.

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

Mr. Chairman, I think it is important for us to really look at our foreign aid situation. I think it is very important for us to understand that we can no longer continue what we have been doing in the past as far as foreign aid is concerned. If we look at what happens in the World Bank and the IMF, they loan money to build these huge industries in developing countries, thinking that that will create jobs. Yet there is no foundation for a strong agricultural industry in those developing nations to even support huge industries or huge factories. They build big dams, or one way or another we just keep throwing money out there, and we are absolutely hurting the economies of some of these developing countries.

The American people are very upset that we continue to throw away money in foreign aid, so we need to be more creative. I think the gentleman from Washington [Mr. MILLER] has been very creative. On the foreign operations bill he had an idea that was used on the motion to recommit and this House accepted it. He has had other ideas that do not significantly change our presence in the world but change the way that we operate.

Mr. Chairman, the Food for Peace Program reflects our humanitarian tradition. Since the founding of our republic, Americans have generously responded to human suffering, whether from repression, acts of war, natural disasters, droughts, or famines. In fact, we take great pride in helping the truly needy, whether at home or abroad.

History, for example, indicates the United States provided emergency food assistance to Venezuela in 1812 following an earthquake, and to Ireland during the mid-1800's.

Despite its good intentions, however, food aid has been described by Vernon Ruttan as "the most popular and most controversial of United States assistance programs." Quoting again from Mr. Ruttan, Public Law 480's "inconsistencies have been driven, since the beginning, by the need to dispose abroad the agricultural commodities generated by failure to resolve the contradictions in domestic farm policy." Simply stated, the Food for Peace Program was begun in 1954 to eliminate the huge farm surpluses created by the Government's commodity price supports.

Other analysts have not been so generous. Jim Bovard, who writes for the Cato Institute, states:

> While sometimes alleviating hunger in the short run, the program usually lowers the price at which Third World farmers can sell their crops. This depresses local food production, making it harder for poor countries to feed themselves in the long run.

This concern was also expressed in House Report 101-569, which accompanied the reauthorization of the 1990 farm bill. Specifically, it states:

> The Committee is concerned over reports that U.S. food aid has undermined domestic agricultural production in some recipient countries. For example, in El Salvador, shipments of non-fat dried milk exceeded the amount of domestic consumption causing domestic milk prices to decline and domestic production to plummet. An aid study in 1988 also found that the volume of United States food aid to Egypt had become a disincentive to Egyptian farmers.

Concerning Egypt, a 1991 report by the Congressional Research Service went even further:

> Visitors to Egypt have also reported that bread made from Public Law 480 wheat or wheat flour is so available that it is sometimes used as livestock feed.

The program also has produced several unintended consequences. Based on a limited number of studies, CRS noted that:

> In some countries food aid has been shown to at least partially displace commercial imports; only in India in the 1960s does food aid seem to have definitively added to the overall demand for food without displacing commercial sales.

The same CRS report questioned the way in which the program is administered:

> Another criticism of the U.S. response to emergencies is that often more food than is required is shipped so that when growing conditions improve the existence of large stocks creates a disincentive for local food producers.

□ 1640

All I say is look at what this Public Law 480 is doing to the developing countries' ability to build agriculture as a base to their economies, and let us all think a little more creatively in what we are doing with our food aid to the world.

So I support the amendment of the gentleman from Washington and hope that my colleagues will also support it.

Mr. DE LA GARZA. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment.

Mr. Chairman, I had not intended to speak on this issue, but the debate has ranged far astray of what the realities of the situation are.

For example, we have had a discourse here about the budget and the deficit and the national debt, which is proper, but not in this forum at this time. Also that our committee, the Agriculture Committee, has split jurisdiction. Part of the jurisdiction belongs in the Foreign Affairs Committee and the domestic part with the Agriculture Committee. That in itself has caused some problems. But the main thrust here is that reorganization, or reform, or restructure, is not obtained by cutting the amount. Just a meat ax approach is not going to do what some of our colleagues are complaining about, because we have complained about the same items. It has been the administration of the program and not the funds that should be in question at this point.

But in behalf of agriculture, let me show that agriculture has not, has never been, is not the culprit in having an unbalanced budget, or in having a debt, or in having a deficit. I bring Members this chart. The red part shows the total budget of the United States of America, the taxpayers, $1,400,000,000,000. The little line that Members cannot see is how much goes

to agricultural programs. One-half of 1 percent of the total budget goes to agriculture. So we are not the culprits if we have an unbalanced budget or if we have a debt or if we have a deficit.

The most important part also, we have the pie chart which shows where the spending of the Department of Agriculture goes. All of this, more than 50 percent, the black, goes to nutrition programs in the United States of America, food stamps, school lunch, WIC, homeless, feeding the elderly. The red part, about 20 cents out of every dollar goes to agriculture programs. Again, this is not the culprit for an unbalanced budget, or the debt.

But this little blue line that Members cannot see, the tiny little blue line, that is Public Law 480. That is the foreign assistance part of the Department of Agriculture. That is what all of this eloquent demonstration is about. Two percent of the budget of the U.S.A. is what goes to foreign assistance. And I do not think that that amount merits this amount of concern.

Yes, we should balance the budget. Yes, we should reduce expenditures. Yes, we should have reform. Yes, we should have restructuring. But we do not do it by cutting the funds.

And there have been areas. Bangladesh is probably the best example of how Public Law 480 has worked. And it has worked in El Salvador, it has worked in Kenya, it has worked in Zambia, it has worked in the Horn of Africa, not only the grant food, but also the concessional sales. The problem is that now and then one goes astray.

But the secret of all secrets that is not a secret is we do not send it to them. They request it. Through my office come every month the leaders, agricultural leaders or ministers from the foreign countries requesting the Public Law 480 donation, and concessional sales. We do not say this is what we give.

Now, there have been some exceptions. The flour in Egypt, for example, that came for another reason. There is a vast, there is a vast movement from many of my colleagues here to have value-added products that you manufacture here in the United States and you send it to the other countries. We just had it in our committee, and there was an amendment offered by the ranking Republican member to dedicate 35 percent to value-added. And this is what his colleagues are not debating and are concerned about. I argued against imposing the value-added without some kind of restriction because we want the jobs here.

The CHAIRMAN. The time of the gentleman from Texas [Mr. DE LA GARZA] has expired.

(By unanimous consent, Mr. DE LA GARZA was allowed to proceed for 2 additional minutes.)

Mr. DE LA GARZA. So, Mr. Chairman, you see it is a confused situation because we want the jobs here. We want to mill the wheat and make the flour and then sell the flour under Public Law 480.

But here Members say it is going to displace local sales. Do you want the jobs in Kansas or do you want the jobs in Kenya?

I am afraid that here we are going into a situation where it is very popular now to bash foreign aid, to go against the foreigners; they do not speak English, they do not look like us. Well, some of them might look like me. But they do not look like the rest of my colleagues. And we are getting into that kind of situation.

But my dear friend, whom I respect, I have nothing but respect and admiration for him, this is not the thrust that we should be following. Yes, we need to restructure. Yes, we need to reform. But to just chop at the amount is not going to do what we are speaking about and what I agree is needed.

I would like to have the AID in another agency that is more responsible and responsive to the needs of the recipient and to the needs of the domestic, to the product that is being used.

□ 1650

I would think it would be more compatible, but that is not what the rules or the law stipulate, so I ask you, and in all sincerity, I agree with the thrust, when you say reform, when you say restructure, when they say possible abuse, when they say the possibility of misuse and the possibility of damaging the local economy, that we need to address, but you do not address that by cutting the funds.

You do not even send a message. The message should come from the principals including myself. Restructure the damn thing. Reform it if necessary to the extent that it is responsible. Because in the end it is the taxpayers' money that we are dealing with, and we have a solemn oath and we have a responsibility to protect that taxpayers' money.

But you are not going to protect it solely by slashing it off of this program. You are going to protect it by reforming the program, by restructuring the program and by having vigorous and strong oversight that has not been done in this case.

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

Mr. Chairman, I greatly appreciate hearing from the chairman of the Committee on Agriculture. I would agree with him that what we need to do is create more jobs here in America with food programs. That is why we are funding WIC and spending more money here on food programs here in the United States, which I fully support. That does not mean that we need to employ farmers to send crops overseas.

The answer is not, just because this is 2 percent of the Agriculture budget, that we should somehow ignore this because this is not a responsible area to go after. I think it is a responsible area for all the reasons cited by the gentleman from Ohio and the gentleman from Washington and even by the chairman himself, who says they have many complaints about these programs. He was not up here defending how these programs work. In fact, he was saying that they do not work.

I do not see why a program that does not work, that sends money by way of food overseas when we have problems here to address at home, should be funded. I think he made a very good argument for supporting the Miller amendment.

He mentioned, you know, we give money, we give food to Bangladesh. I am sure the chairman well knows we are going after title II of the food program, not title III, which is where Bangladesh gets most of its food aid. So we are going after where we see discreetly where the waste and abuse is in the food program, not title I, not title III, but title II.

In fact, we leave in the $100 million in the title II area, because that is where the Congressional Budget Office said was about that much money was used for disaster relief within the title II area, so we did not eliminate it completely. We have left the amount which is good, which CBO has characterized as effective use of this dollars-for-food program.

I want to commend the gentleman from Washington for the tremendous job he has done not only in his amendments last week on the foreign aid bill but this additional foreign aid amendment which goes at the heart of some of the bureaucracy and some of the waste that goes on in our foreign assistance program. This is the kind of stuff that we need when we are going to make very tough decisions, and it is absolutely incredulous to me that this House will not support an amendment, when 280 Members came to the floor and said they want a balanced budget, and the 100-and-some-odd that did not support it said that they supported the concept of a balanced budget, but we need to make tough decisions now.

This is not a tough decision. We have the chairman of the Committee on Agriculture saying that this is a problem program. We have the Congressional Budget Office saying $240 million of this money just is the problem, that $100 million is what the level should be, and we have a very responsible amendment here to cut out a big chunk of change that is going overseas, and we can direct that money within this bill which is over the limit, as the gentleman from Indiana said, to provide funding for WIC which is just now going to be added on to the deficit.

It is a responsible vote to cut this program. And I will go into a little detail.

I am not an expert in African and Asian food programs, but I will quote from a book by Graham Hancock titled "Lords of Poverty." Mr. Hancock is a former East African correspondent for The Economist.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. SANTORUM] has expired.

(By unanimous consent, Mr. SANTORUM was allowed to proceed for 2 additional minutes.)

Mr. SANTORUM. Mr. Chairman, I quote Mr. Hancock:

The drug of food aid: The taste for wheat is a relatively new phenomenon in Africa, but it is an important one. Because of it, traditional home-grown staples like maize are increasingly regarded as "low-class" peasant fare, and are going out of fashion; indeed, the continent now spends about $2 billion a year on wheat imports. Similar trends are also evident elsewhere in the Third World as refined white flour imposes its stodgy domain from Mexico to Indonesia and from Thailand to Peru.

It is the aggressive food aid policies of the United States that have most effectively "hooked" developing countries on the "fix" of Western farm produce.

Administering America's huge "Food for Peace" Programme under Public Law 480, the Agency for International Development operates on the streetwise principle that those who accept free handouts today will become paying customers tomorrow * * *.

In addition, every year—courtesy of the ever-patient taxpayer of course—U.S. agribusiness benefits from aid procurement orders * * *.

What is good for General Mills, Ralston Purina, or Quaker Oats, [however], is not necessarily good for the Third World. Indeed, in a number of cases, food aid has had an utterly devastating effect on the agricultural output of developing countries. As well as creating expensive addictions to non-indigenous cereals, and discouraging export-production of items like corn and rice * * * P.L. 480 has frequently served as a major disincentive to the efforts of local farmers to grow food even for domestic consumption. Simply stated, the dumping of large quantities of low-priced American grain in Africa and Asia make it economically impossible for small producers in those regions to compete.

South Korea has been hailed by a former Assistant Secretary for Agriculture as: "the greatest success story worldwide of the Food for Peace Programme in terms of contribution to the growth of that nation." While it is undoubtedly true that South Korea has grown, the role of U.S. food aid in this process is not so clear—and certainly not admirable * * *.

The main function of U.S. grain imports in the 1950's and 1960's seems to have been to allow the government to maintain a "cut-price food" policy that put many small Korean farmers out of business. Prices paid domestic rice producers, for example, were consistently below cost—with the result that millions of rural people were forced to seek jobs in the cities.

The following is a quote from Larry Minear, who is a representative for development policy of Church World Service.

"Can P.L. 480 be all things to all people? Korea is its most oft-cited success story * * *. Yet relations are now buffeted (1989) by growing anti-Americanism—a harvest in part of past food aid policies, as well as recent U.S. pressure for expanded access to Korean agricultural markets.

Several years ago two Korean farm groups wrote an impassioned letter to President Reagan.

"Acknowledging the importance of U.S. food aid in earlier years, they also lamented that food aid had 'not been used to develop Korean agriculture * * *. Instead, as American farm goods have continued to pour in, Korea's income from its own crops * * * has dropped, destroying Korea's agriculture.'"

Mr. Minear goes on to say,

Title II disaster relief programs have had a positive impact on the lives of the poor far outdistancing the benefits of title I,

So it is title I that we are going after, excuse me,

concession sales. In fact, classical food aid risks, disincentives to agricultural development, undesirable changes in consumption patterns, dependency on food imports, and assorted logistical complications are more frequently associated with large-scale title I than smaller-scale title II.

So it is title II that we are going after, and I apologize. It is title I that we are going after, not title II, which is the disaster aid, and that program is definitely eligible to be cut even as the chairman of the Committee on Agriculture said that it has problems.

We should adopt the Miller amendment.

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

Mr. Chairman, it is a pleasure for me to rise in support of this amendment.

The gentleman from Washington [Mr. MILLER], my good friend, colleague, and classmate, has once again shown his enormous understanding and compassion as he tries to eliminate, or at least reduce, the harmful effects of Public Law 480.

It is not the amount of spending on 480 that is of concern here. It is not the share of the national debt that is represented by spending on 480. it is not the share of the agricultural budget that is represented by spending on 480 that is contested here. What is contested here is the harm that is done to the developing nations and their rural struggling agricultural programs by 480.

Public Law 480 was legislation born under false pretenses. While it has been surviving all of these years under the guise of food for peace, it has, in fact, been a scheme to dump the unnecessary agricultural surpluses born out of the absurdities of American farm programs, and this is the way that happens: Because the farm lobby is so effective, because the special interest is so powerful, we have an enormous network of legislation that is first designed to hold the American domestic price above the market level which, in turn, encourages output in surplus.

□ 1700

As that surplus accumulated over the years, it became an embarrassment to the American agricultural establishment, both the bureaucracy here in Washington and the lobbies from across the country. So it became necessary to find a way to dump that surplus and it was decided that we would dump the surplus under the guise of charitable American giving and compassion in a program called Food for Peace.

Once again the politics of greed is wrapped in the language of love.

Did it provide food for the peoples of the developing nations? In some instances, yes, temporarily, but did it provide for them an increase or a diminished ability to feed themselves?

For those struggling agrarian enterprises across the world's developing theater where the infrastructure was incomplete, the technology was outdated, the labor was difficult, and the conditions were even more difficult, they never had a chance to cultivate the development of their agrarian sector because they always had to compete with cheap American surplus crops, and consequently they failed to develop the ability to feed themselves and remain independent.

This is a perfect example of legislation that Milton Friedman called laws that do harm.

Sure, there are winners and there are always gainers in the making of legislation. The gainers are the American agriculture and agribusiness establishment. The gainers are the American agricultural bureaucracy. The gainers are the American politicians that play to those special interest groups, but the losers are the poor hungry people across the globe who may have had the illusion of relief from their rich neighbor, but instead found their ability to develop the capacity to feed themselves undercut. All of this is seen by the gentleman from Washington [Mr. MILLER].

The horror stories are frightening. I would like to give one example from many of where this provided not food nor peace. In May 1984, 10 people were killed in Haiti when government troops fired on crowds rioting to protest corruption in the United States Food for Peace Program. When the Haitian farmers could not bring their crops to market because they could not compete with the cheap United States surplus dumped in their market, they protested and they were shot for their protest.

In other instances when governments tried to decline our surplus commodities, they were bullied into accepting it, contrary to the interests of their people and contrary to the interests of their developing agricultural sector.

Mr. Chairman, I commend the gentleman from Washington, and I urge a yes vote.

AMENDMENT OFFERED BY MR. KASICH AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. MILLER OF WASHINGTON

Mr. KASICH. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. KASICH as a substitute for the amendment offered by Mr. MILLER of Washington: Page 69, line 2, strike "$343,092,000" and insert "$317,800,000".

Mr. KASICH (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. KASICH. Mr. Chairman, let me just in a nutshell explain what this is. This is an effort to really kind of build a consensus here.

I want to commend the gentleman who is the chairman of the Agriculture Authorizing Committee. His statement is very constructive. We intend to be constructive here.

Frankly, in some respects, what we are trying to do is to make a change in the program by reducing an amount; but furthermore, of course, we would like to legislate the reforms of this program. We, however, cannot legislate on an appropriations bill; but what we are trying to do is establish the basis for real reform of this program. The substitute amendment makes a reduction of $26 million. It reduces the subsidy of these overall programs. It is a more modest proposal and really preserves the spirit of what we want to do in terms of reforming these provisions of the Public Law 480 program not related to disaster assistance and allow us, we would hope, to be able to come back next year.

While having achieved something this year, something definite this year, we would like to come back next year with a more appropriate vehicle to be able to enact the legislative reform changes that we seek.

I offer the substitute amendment, but to tell you it is Congressmen MILLER of Washington, SANTORUM, DELAY, and BURTON of Indiana all involved in the substitute. We do this in the spirit of compromise and would look forward to the members of the committee being able to accept this substitute.

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

Mr. Chairman, I would not have been able to support the prior amendment offered by my friend, the gentleman from Washington [Mr. MILLER], because the effect would have been to cripple the title I program of Public Law 480.

There are a number of questions which deserve to be explored. Certainly all of us agree that the effect of this program should not be to make it difficult or impossible for local farmers in developing countries to develop their own capacity to grow food. That is not in their interests and it is ultimately not in the interests of the United States, either.

On the other hand, there are many situations where there are food shortages in developing countries and title I has been a great help to many of these countries and their governments in terms of meeting their food shortages.

It is also, as the distinguished chairman of the authorizing Committee on Agriculture pointed out, a critically important program to American farmers, and indeed to American workers who are employed on the docks in this country where these commodities are shipped.

So it is a question which is at least nixed, and in my judgment the amendment which the gentleman from Washington offered in good faith, I am sure, went much too far.

On the other hand, in the spirit of compromise, I would be willing on this side to accept the substitute amendment offered by the gentleman from Ohio, the gentleman from Washington and others, as a way of at least sending a modest signal that there are some concerns which need to be addressed, and I am sure will be addressed by the authorizing committee.

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

Mr. MCHUGH. I am happy to yield to the gentleman from Texas.

Mr. DE LA GARZA. Mr. Chairman, I thank the gentleman for yielding to me. I concur with his wise decision and will support it, but I wanted to maintain my commitment that we need to have vigorous oversight. We agree with the reform need, that we need reorganization. It has been very difficult because of the disjointed jurisdiction here in the Congress and out there in the administration.

So as I said, I did not fault my colleagues on their cry for restructuring or reform, but rather the approach that was being taken.

With that, Mr. Chairman, I support the gentleman, who at this point if I do not have another opportunity want to commend him for the excellent way he has managed this legislation and what he has brought to the floor under very difficult circumstances. I commend him and the members of the subcommittee for the work they have done.

Mr. MCHUGH. Mr. Chairman, I thank the gentleman for his comments and for his commitment to look at this program.

Mr. MILLER of Washington. Mr. Chairman, will the gentleman yield?

Mr. MCHUGH. I yield to the gentleman from Washington.

Mr. MILLER of Washington. Mr. Chairman, I appreciate the willingness of the chairman of the Appropriations Subcommittee and the chairman of the Agriculture Committee to recognize the problems in this program.

I want to thank my colleagues from Texas, Pennsylvania, and Ohio, for their kind words.

We are not trying to bash foreign aid here. We are trying to save foreign aid. We are trying to get foreign aid that the American people can support.

While I think the original amendment would have left this program fully able to provide for humanitarian and disaster relief in the noble traditions of the American people, I think the compromise support of both parties will send a very constructive signal to all concerned that we are ready to take a look at restructuring and reforming this program.

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

Mr. MCHUGH. I am happy to yield to the gentleman from New Mexico.

□ 1710

Mr. SKEEN. I want the gentleman to know that we have no opposition, that we do accept the compromise. We think it is a good one.

Mr. MCHUGH. I thank the gentleman for his comments.

Mr. Chairman. The question is on the amendment offered by the gentleman from Ohio [Mr. KASICH] as a substitute for the amendment offered by the gentleman from Washington [Mr. MILLER].

The amendment offered as a substitute for the amendment was agreed to.

The CHAIRMAN. The question is on the amendment, as amended, offered by the gentleman from Washington [Mr. MILLER].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 410, noes 4, not voting 20, as follows:

[Roll No. 246]

AYES—410

Abercrombie	Bilbray	Carr
Allen	Bilirakis	Chandler
Anderson	Blackwell	Chapman
Andrews (ME)	Bliley	Clay
Andrews (NJ)	Boehlert	Clement
Andrews (TX)	Boehner	Clinger
Annunzio	Borski	Coble
Applegate	Brewster	Coleman (MO)
Archer	Brooks	Coleman (TX)
Armey	Broomfield	Collins (IL)
Aspin	Browder	Collins (MI)
Atkins	Brown	Combest
AuCoin	Bruce	Condit
Bacchus	Bryant	Conyers
Baker	Bunning	Cooper
Ballenger	Burton	Costello
Barnard	Bustamante	Coughlin
Barrett	Byron	Cox (CA)
Barton	Callahan	Cox (IL)
Bateman	Camp	Coyne
Bellenson	Campbell (CA)	Cramer
Bennett	Campbell (CO)	Crane
Bentley	Cardin	Cunningham
Berman	Carper	Dannemeyer

Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefley
Henry
Herger
Hertel
Hobson
Hochbrueckner
Holloway
Hopkins
Horn
Horton
Houghton
Hoyer
Hubbard
Hughes
Hunter
Hutto
Hyde
Inhofe
Jacobs
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Slattery
Slaughter
Smith (FL)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stenholm
Stokes
Studds
Stump
Sundquist
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Thornton
Torres
Torricelli
Towns
Traficant
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Waxman
Weber
Weiss
Weldon
Wheat
Whitten
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—4

Alexander
Bereuter
Hoagland
Smith (IA)

NOT VOTING—20

Ackerman
Allard
Anthony
Bevill
Bonior
Boucher
Boxer
Dymally
Gekas
Hefner
Huckaby
Ireland
Jones (GA)
Perkins
Skelton
Tallon
Thomas (GA)
Traxler
Williams
Wilson

□ 1734

Mr. HOAGLAND changed his vote from "aye" to "no."

Mr. PICKETT and Mrs. COLLINS of Michigan changed their vote from "no" to "aye."

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition, for administrative expenses to carry out the Public Law 480 title I credit program, and the Food for Progress Act of 1985, as amended, to the extent funds appropriated for Public Law 480 are utilized, $1,815,000.

DEBT RESTRUCTURING UNDER THE ENTERPRISE FOR THE AMERICAS

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct credit agreements as authorized by title VI of the Agricultural Trade Development and Assistance Act of 1954, as amended, $69,531,000.

SHORT-TERM EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than $5,000,000,000 in credit guarantees under its export credit guarantee program for short-term credit extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 211(b)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

INTERMEDIATE EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than $500,000,000 in credit guarantees under its export guarantee program for intermediate-term credit extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 211(b)(2) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

EMERGING DEMOCRACIES EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than $200,000,000 in credit guarantees under its export guarantee program for credit expended to finance the export sales of United States agricultural commodities and the products thereof to emerging democracies, as authorized by section 1542 of Public Law 101-624 (7 U.S.C. 5622 note).

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out CCC's Export Guarantee Program, GSM 102 and GSM 103, $3,320,000; of which not to exceed $2,731,000 may be transferred to and merged with the appropriation for the salaries and expenses of the General Sales Manager, and of which not to exceed $589,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Agricultural Stabilization and Conservation Service, to cover the common overhead expenses associated with implementing the Federal Credit Reform Act of 1990.

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

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

Mr. KOSTMAYER. I yield to the gentleman from Kansas.

Mr. GLICKMAN. Mr. Chairman, I could not hear. I have an amendment on page 69, line 13. I want to make sure I reserve the right to offer that amendment.

The CHAIRMAN. That paragraph was passed.

Mr. GLICKMAN. Mr. Chairman, I could not hear. I thought I was on my feet. I ask unanimous consent to be able to offer my amendment at line 15, page 69.

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

Mr. SKEEN. Mr. Chairman, I reserve the right to object.

The CHAIRMAN. The gentleman from New Mexico reserves the right to object.

Mr. KOSTMAYER. Mr. Chairman, reclaiming my time, the gentleman from Kansas [Mr. GLICKMAN] was sitting here. The gentleman jumped up. The gentleman's amendment was about a paragraph ago. The gentleman has just asked for unanimous consent to go back about a paragraph and be able to offer that amendment; that is all.

Mr. GLICKMAN. Mr. Chairman, if the gentleman will yield further, as I was sitting here, the gentleman from Pennsylvania [Mr. KOSTMAYER] asked me to yield so the gentleman could move to strike the last word to speak. I could not hear.

Mr. Chairman, I have been here 5 hours right here at this seat waiting to offer this amendment.

Mr. SKEEN. Mr. Chairman, we could not hear either. We did not know what the gentleman was trying to do or not do. I was not trying to be ornery, I just wanted to know what the Sam Hill was going on over there.

The CHAIRMAN. Is the gentleman from New Mexico [Mr. SKEEN] withdrawing his reservation of objection?

Mr. SKEEN. Mr. Chairman, I will just object.

The CHAIRMAN. The gentleman objects. Objection is heard. The gen-

tleman from Pennsylvania [Mr. KOSTMAYER] has the time.

Mr. KOSTMAYER. Mr. Chairman, while my friend, the gentleman from New Mexico [Mr. SKEEN], and my friend, the gentleman from Kansas [Mr. GLICKMAN], are trying to reach an agreement, let me speak very briefly about something that Members have heard about earlier today, and that is the Market Promotion Program.

I think the committee deserves to be commended for a number of changes they have made in this program, including a reduction in total funding from $200 million to $75 million. There are also instructions in the report, but not in the bill, that the program concentrate on value-added products, that is, products to which value is added in the United States by U.S. workers, second, that the program be focused on getting into new markets. And, finally, that the program be targeted to companies that truly need it.

Mr. Chairman, all of these changes make the program a better program. I had intended at this time to offer an amendment based on a bill I have introduced to effect the MPP Program, although I am informed that the House rules will prevent me from doing so.

□ 1740

That legislation, Mr. Chairman, goes somewhat further than the committee was prepared to go. I want to restrict the MPP Program to only U.S. companies. My bill sets a ceiling on the size of the companies which could receive a grant, limit assistance to companies with less than $500 million per year in gross sales.

The bill further states that the program would have to expire for each individual company's products after 5 years. It would place a cap on the annual amount that a company could receive: half a million dollars. And finally, it requires that the products promoted must contain at least 50 percent U.S. commodities.

Many Members who have spoken before, Mr. Chairman, have recited the long list of companies that are receiving large sums of money, essentially to pay for their advertising. I am not going to do that again. I rise only to commend the committee for making some changes, although I think not enough, and urge them to exercise very rigorously the oversight functions so that this program can really come to do what it was intended to do.

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

Mr. KOSTMAYER. I yield to the gentleman from Kansas.

Mr. GLICKMAN. Mr. Chairman, I renew my unanimous consent, since I could not hear, that I may be able to offer my amendment on page 69, line 13.

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

Mr. WALKER. Mr. Chairman, reserving the right to object, I know the gentleman is attempting to change the process so we can get back to his amendment. One of the problems that we have is that consistently when the minority seeks to get fair treatment with regard to the process here, it just does not happen. And very often we get absolutely no votes from the Democratic side when we are seeking fairness in the process for offering minority amendments.

Mr. Chairman, I do object.

The CHAIRMAN. Objection is heard.

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

Mr. Chairman, this is not right. The Chair has to protect Members in these circumstances.

The Chair had at his desk, at the desk my amendment that, in fact, the Parliamentarian had asked me if I was going to offer, which amendment, which I did. And I am sitting here and a lot of commotion is around here.

The gentleman from Pennsylvania asked if he could get in front of me quickly to move to strike the last word, which I said, "Yes," on.

I am not one of the Members that interferes with the operations of this House whatsoever. And if that is allowed to happen, then it is not fair to the Members of this body.

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

Mr. GLICKMAN. I yield to the gentleman from Iowa.

Mr. LEACH. Mr. Chairman, I would just like to say, even though I am profoundly opposed to the gentleman's amendment, that the gentleman was sitting there. It was quite clear he had every intention to offer the amendment. And as he said, he was not only sitting there for a few minutes but for many hours.

For the sake of the process, I think the gentleman is correct, that he ought to be given the right and that it is a small accommodation.

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

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

Mr. McHUGH. Mr. Chairman, I would hope the gentleman from Pennsylvania would reconsider. I know that the Members of the minority side have objected to a number of rules. We brought this bill to the floor without even seeking a rule. So it was totally open for any amendment that members on either side of the aisle wanted to offer.

The gentleman from Kansas [Mr. GLICKMAN] has obviously been a victim of the commotion. He is only a paragraph away. I would hope, in fairness—it seems to me only fair that he be permitted to offer his amendment. He has been here for 5 hours both sides have agreed to accept his amendment.

I hope the gentleman will reconsider.

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

Mr. GLICKMAN. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I merely objected in the first place to find out what in the world was going on because things were happening over there, and we had not had any notice of what was going on. And all of a sudden we were past that.

I would not do that to any Member and would not appreciate any Member doing it to me. I have had it done to me here in the past, and I would not do that to anybody else.

Mr. GLICKMAN. Mr. Chairman, I would say to my colleague, the gentleman from Pennsylvania [Mr. WALKER], could I have the gentleman's attention for a minute.

We came into Congress together, and we tried to be fair. I go sometimes on the theory that today is the first day of the rest of our lives. I think I have tried to be fair to the gentleman all these years, and I have personally not been a person who takes advantage of the rules of this place.

I think in all fairness, the gentleman ought to give me this opportunity. I am not asking for anything that is unfair or unreasonable.

Mr. Chairman, I ask unanimous consent again that I may be able to offer the amendment to page 69, line 13, that I have been waiting here 5 hours to seek.

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

Mr. WALKER. Mr. Chairman, reserving the right to object, I would simply say to the gentleman, he is one of the Members who has attempted over the years to be fair. And if an objection is not lodged, it would be simply out of personal courtesy to him.

I will tell the gentleman, however, that there have been many times here when this same kind of thing has happened to Members of the minority and where objection has been heard not only from the gentleman's side but often from the leadership of his side, often from the chairman handling a bill on the floor.

And consistently, then, if such things are put to a vote, the membership of the gentleman's side unanimously regards this as a procedural vote and votes down Republican attempts to bring things to the floor.

I would like to believe the gentleman that this is the first day of the rest of our lives and that from here on out we will be treated fairly, but my guess is that we are going to have a rule down here tomorrow which is going to make a special amendment in order on the Committee on Ways and Means tax bill to protect one special group that is a Democratic special interest group.

My guess is that we are going to have that come down here tomorrow, and we will not have a first day of the rest of the session even, let alone the rest of our lives.

I am concerned about this. I understand the gentleman has waited. I have often sat on the floor and waited hours and hours and hours and then been denied by some machinations on the gentleman's side.

The gentleman from Kansas [Mr. ROBERTS] the other night, the Committee rose rather than allow him to bring his amendment up on the gym.

Those are the kinds of votes that stick in the craw a little bit over here, and it does give me great concern.

Mr. Chairman, I withdraw my reservation of objection.

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

Mr. UPTON. Mr. Chairman, reserving the right to object, I would not like to object. I wonder if I might have just a brief colloquy with the gentleman from New York [Mr. MCHUGH] just for a moment.

The gentleman from New Jersey [Mr. ZIMMER] and I were planning to offer an amendment to deny subsidies for beekeepers later on. I was just wondering if we might see some comity in the process that would allow us to offer the amendment and seek a vote, if we should so desire.

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

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

Mr. MCHUGH. Mr. Chairman, it is my understanding that there are three amendments which are in the nature of limitations and, therefore, in the nature of legislative language. I would hope that it would be the will of the House to rise before we get to those amendments. But if it is, if I get a sense it is the will of the House that they want to stay here to consider those amendments, I will accede to that.

I would appreciate Members giving me a sense of that. My sense is that we have been on this bill now for 5½ hours, and there is another bill of significant proportion to be considered tonight as well. They are projecting a 10 o'clock finish. So I understand the gentleman's interest in that.

It is really a question of what is in the orderly interest of the House.

Mr. UPTON. Mr. Chairman, further reserving the right to object, could I ask unanimous consent that our amendment be made in order without the Committee rising?

The CHAIRMAN. The Chair would advise the gentleman that there is one unanimous consent request pending, so it would be out of order for the gentleman to make that request at this time.

Is there objection to the request of the gentleman from Kansas?

Mr. UPTON. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. UPTON. Mr. Chairman, I will then ask unanimous consent that both the amendment of the gentleman from Kansas [Mr. GLICKMAN] and the Zimmer-Upton amendment on beekeepers be allowed at some point before the Committee rises.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan that the gentleman from Kansas be permitted to return to page 69, line 13 to offer an amendment and that the gentleman from Michigan or the gentleman from New Jersey be permitted to offer an amendment notwithstanding clause 2(d) of rule XXI?

Mr. KOSTMAYER. Mr. Chairman, reserving the right to object, will the gentleman restate his request?

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

Mr. KOSTMAYER. I yield to the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, the unanimous consent request that I offered was that the amendment of the gentleman from Kansas [Mr. GLICKMAN] and the Zimmer-Upton amendment on beekeeping be allowed prior to the Committee rising.

Mr. KOSTMAYER. Mr. Chairman, further reserving the right to object, how about the amendment to be offered by myself, which the gentleman from New York [Mr. MCHUGH] said would be precluded by the Committee rising, and also the amendment to be offered by the gentleman from Utah [Mr. OWENS]?

The gentleman from Utah [Mr. OWENS] was told that he could not offer his amendment because the Committee was going to rise.

□ 1750

I just spoke to my friend, the gentleman from New York, in the Cloakroom, who indicated the Committee was going to rise and I could not offer my amendment, so two Democrats have lost the right to offer an amendment and one Republican. What is good for the goose is good for the gander. If the gentleman from Michigan [Mr. UPTON] is going to offer his amendment, we want to offer ours. Fair is fair.

Mr. UPTON. I would say to the gentleman, make the motion. I will not object to that.

Mr. Chairman, I ask unanimous consent that all four of the amendments be made in order before the Committee rises this evening, the amendment of the gentleman from Pennsylvania [Mr. KOSTMAYER], the amendment of the gentleman from Utah [Mr. OWENS], the Zimmer-Upton amendment, and the amendment of the gentleman from Kansas [Mr. GLICKMAN].

Mr. KOSTMAYER. Mr. Chairman, if I might clarify, the gentleman is asking unanimous consent that his own amendment, the amendment of the gentleman from Pennsylvania [Mr. KOSTMAYER], the amendment of the gentleman from Utah [Mr. OWENS], as well as the amendment of the gentleman from Kansas [Mr. GLICKMAN] all be made in order?

The CHAIRMAN. That is the unanimous consent request now put to the Committee by the gentleman from Michigan [Mr. UPTON].

Mr. FAZIO. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The Clerk will continue reading the bill.

The Clerk read as follows:

OFFICE OF INTERNATIONAL COOPERATION AND DEVELOPMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of International Cooperation and Development to coordinate, plan, and direct activities involving international development, technical assistance and training, and international scientific and technical cooperation in the Department of Agriculture, including those authorized by the Food and Agriculture Act of 1977 (7 U.S.C. 3291), $7,247,000: *Provided*, That not to exceed $3,000 of this amount shall be available for official reception and representation expenses as authorized by 7 U.S.C. 1766: *Provided further*, That in addition, funds available to the Department of Agriculture shall be available to assist an international organization in meeting the costs, including salaries, fringe benefits and other associated costs, related to the employment by the organization of Federal personnel that may transfer to the organization under the provisions of 5 U.S.C. 3581–3584, or of other well-qualified United States citizens, for the performance of activities that contribute to increased understanding of international agricultural issues, with transfer of funds for this purpose from one appropriation to another or to a single account authorized, such funds remaining available until expended: *Provided further*, That the Office may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1736) and the foreign assistance programs of the International Development Cooperation Administration (22 U.S.C. 2392).

SCIENTIFIC ACTIVITIES OVERSEAS (FOREIGN CURRENCY PROGRAM)

LIMITATION ON EXPENSES

For payments in foreign currencies owed to or owned by the United States for research activities authorized by section 104(c)(7) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(c)(7)), not to exceed $1,062,000: *Provided*, That not to exceed $25,000 of these funds shall be available for payments in foreign currencies for expenses of employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), as amended by 5 U.S.C. 3109.

TITLE VI—RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire of passenger motor vehicles; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, au-

thorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; $744,135,000: *Provided*, 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.

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, $8,350,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That the Food and Drug Administration may accept donated land in Montgomery and/or Prince George's Counties, Maryland.

RENTAL PAYMENTS (FDA)

(INCLUDING TRANSFERS OF FUNDS)

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, $25,612,000: *Provided*, That in the event the Food and Drug Administration should require modification of space needs, a share of the salaries and expenses appropriation may be transferred to this appropriation, or a share of this appropriation may be transferred to the salaries and expenses appropriation, but such transfers shall not exceed 10 per centum of the funds made available for rental payments (FDA) to or from this account.

DEPARTMENT OF THE TREASURY

FINANCIAL MANAGEMENT SERVICE

PAYMENTS TO THE FARM CREDIT SYSTEM FINANCIAL ASSISTANCE CORPORATION

For necessary payments to the Farm Credit System Financial Assistance Corporation by the Secretary of the Treasury, as authorized by Section 6.28(c) of the Farm Credit Act of 1971, as amended, for reimbursement of interest expenses incurred by the Financial Assistance Corporation on obligations issued through 1993, as authorized, $84,614,000: *Provided*, That not to exceed $809,000 of the assistance fund shall be available for administrative expenses of the Farm Credit System Assistance Board: *Provided further*, That officers and employees of the Farm Credit System Assistance Board shall be hired, promoted, compensated, and discharged in accordance with title 5, United States Code.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act, as amended (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed $25,000 for employment under 5 U.S.C. 3109; $47,300,000, including not to exceed $700 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $38,686,000 (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, including not to exceed the following amounts: official reception and representation expenses, $1,500; Office of Secondary Market Oversight, $300,000; Office of the General Counsel, $1,853,000; and Office of Congressional and Public Affairs, $500,000.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the fiscal year 1993 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 659 passenger motor vehicles, of which 654 shall be for replacement only, and for the hire of such vehicles.

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

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

SEC. 704. No part of the funds contained in this Act may be used to make production or other payments to a person, persons, or corporations upon a final finding by court of competent jurisdiction that such party is guilty of growing, cultivating, harvesting, processing or storing marijuana, or other such prohibited drug-producing plants on any part of lands owned or controlled by such persons or corporations.

SEC. 705. The cumulative total of transfers to the Working Capital Fund for the purpose of accumulating growth capital for data services and National Finance Center operations shall not exceed $2,000,000: *Provided*, That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.

SEC. 706. New obligational authority provided for the following appropriation items in this Act shall remain available until expended (7 U.S.C. 2209b): Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, Integrated Systems Acquisition Project, and the reserve fund for the Grasshopper and Mormon Cricket Control Programs; Agricultural Stabilization and Conservation Service, salaries and expenses funds made available to county committees; Office of International Cooperation and Development, Middle-Income Country Training Program; higher education graduate fellowships grants under section 1417(b)(6) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended (7 U.S.C. 3152(b)(6)); and capacity building grants to colleges eligible to receive funds under the Act of August 30, 1890, including Tuskegee University.

New obligational authority for the Boll Weevil Program and up to 10 per centum of the Screwworm Program of the Animal and Plant Health Inspection Service shall remain available until expended.

SEC. 707. 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. 708. Not to exceed $50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to Public Law 94-449.

SEC. 709. Funds provided by this Act for personnel compensation and benefits shall be available for obligation for that purpose only.

SEC. 710. No part of any appropriation contained in this Act shall be expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), pursuant to any obligation for services by contract, unless such executive agency has awarded and entered into such contract as provided by law.

SEC. 711. None of the funds appropriated or otherwise made available by this Act shall be available to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 712. 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 per centum 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. 713. None of the funds in this Act shall be used to carry out any activity related to phasing out the Resource Conservation and Development Program.

SEC. 714. None of the funds in this Act shall be used to prevent or interfere with the right and obligation of the Commodity Credit Corporation to sell surplus agricultural commodities in world trade at competitive prices as authorized by law.

SEC. 715. Notwithstanding any other provision of this Act, commodities acquired by the Department in connection with Commodity Credit Corporation and section 32 price support operations may be used, as authorized by law (15 U.S.C. 714c and 7 U.S.C. 612c), to provide commodities to individuals in cases of hardship as determined by the Secretary of Agriculture.

SEC. 716. None of the funds in this Act shall be available to reimburse the General Services Administration for payment of space rental and related costs in excess of the amounts specified in this Act; nor shall this or any other provision of law require a reduction in the level of rental space or services below that of fiscal year 1992 or prohibit an expansion of rental space or services with the use of funds otherwise appropriated in this Act. Further, no agency of the Department of Agriculture, from funds otherwise available, shall reimburse the General Services Administration for payment of space rental and related costs provided to such agency at a percentage rate which is greater than is available in the case of funds appropriated in this Act.

SEC. 717. In fiscal year 1993, the Secretary of Agriculture shall initiate construction on not less than twenty new projects under the Watershed Protection and Flood Prevention Act (Public Law 566) and not less than five new projects under the Flood Control Act (Public Law 534).

SEC. 718. None of the funds provided in this Act may be used to reduce programs by establishing an end-of-year employment ceiling on full-time equivalent staff years below the level set herein for the following agencies: Food and Drug Administration, 8,924; Farmers Home Administration, 12,225; Agricultural Stabilization and Conservation Service, 2,550; Rural Electrification Administration, 550; and Soil Conservation Service, 14,177.

SEC. 719. Funds appropriated by this Act shall be applied only to the objects for which

appropriations were made except as otherwise provided by law, as required by 31 U.S.C. 1301.

SEC. 720. 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. 721. None of the funds provided in this Act may be expended to release information acquired from any handler under the Agricultural Marketing Agreement Act of 1937, as amended: *Provided*, That this provision shall not prohibit the release of information to other Federal agencies for enforcement purposes: *Provided further*, That this provision shall not prohibit the release of aggregate statistical data used in formulating regulations pursuant to the Agricultural Marketing Agreement Act of 1937, as amended: *Provided further*, That this provision shall not prohibit the release of information submitted by milk handlers.

SEC. 722. Unless otherwise provided in this Act, none of the funds appropriated or otherwise made available in this Act may be used by the Farmers Home Administration to employ or otherwise contract with private debt collection agencies to collect delinquent payments from Farmers Home Administration borrowers.

SEC. 723. None of the funds in this Act, or otherwise made available by this Act, shall be used to sell loans made by the Agricultural Credit Insurance Fund. Further, Rural Development Insurance Fund loans offered for sale in fiscal year 1993 shall be first offered to the borrowers for prepayment.

SEC. 724. None of the funds in this Act may be used to establish any new office, organization, or center for which funds have not been provided in advance in Appropriations Acts, except the Department may carry out planning activities.

SEC. 725. None of the funds in this Act, or otherwise made available by this Act, shall be used to regulate the order or sequence of advances of funds to a borrower under any combination of approved telephone loans from the Rural Electrification Administration, the Rural Telephone Bank or the Federal Financing Bank.

SEC. 726. None of the funds in this Act shall be available to pay indirect costs on research grants awarded competitively by the Cooperative State Research Service that exceed 14 per centum of total Federal funds provided under each award.

SEC. 727. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries of personnel who carry out a Market Promotion Program pursuant to section 203 (7 U.S.C. 5623) of the Agricultural Trade Act of 1978, if the aggregate amount of funds and/or commodities under such program exceeds $75,000,000.

SEC. 728. None of the funds appropriated or otherwise made available by this Act shall be used to enroll additional acres in the Wetlands Reserve Program, as authorized by 16 U.S.C. 3837, beyond those acres enrolled as a result of the sign-ups conducted in 1992.

SEC. 729. None of the funds appropriated or otherwise made available by this Act shall be used to enroll additional acres in the Conservation Reserve Program, as authorized by 16 U.S.C. 3831-3845, beyond those acres enrolled as a result of the sign-ups conducted in 1992.

SEC. 730. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries of personnel who carry out the Agricultural Resource Conservation Demonstration Program pursuant to section 1465 of Public Law 101-624, as amended by section 203 of Public Law 102-237.

SEC. 731. Such sums as may be necessary for fiscal year 1993 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

Mr. McHUGH (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 84, line 12, 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 New York?

There was no objection.

The CHAIRMAN. Are there any points of order against the remaining provisions?

If not, are there any amendments to the remaining provisions?

PARLIAMENTARY INQUIRY

Mr. McHUGH. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McHUGH. Mr. Chairman, my unanimous consent request was to open title VII up to the last provision, which would still have to be read.

The CHAIRMAN. The last provision being the last three lines of title VII?

Mr. McHUGH. That is right, Mr. Chairman.

The CHAIRMAN. That is the Chair's understanding.

Mr. WALKER. Mr. Chairman, reserving the right to object——

The CHAIRMAN. The request has already been permitted. The Chair simply confirms that was the ruling of the Chair when no objection was entered at the time the request was made.

The Chair is now asking, are there any points of order.

PARLIAMENTARY INQUIRY

Mr. OWENS of Utah. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. OWENS of Utah. Mr. Chairman, I did not hear the acting chairman of the subcommittee state the reservation that three lines were reserved at the end in his original request.

The CHAIRMAN. That was part of the request.

Mr. OWENS of Utah. Mr. Chairman, I misunderstood the Chair. The parliamentary inquiry is, did in fact the acting chairman of the subcommittee reserve the last three lines in his original request for unanimous consent?

The CHAIRMAN. The gentleman is correct, he did.

Mr. OWENS of Utah. Mr. Chairman, he did not?

The CHAIRMAN. He did.

Mr. OWENS of Utah. I thank the Chair.

AMENDMENT OFFERED BY MR. OWENS OF UTAH

Mr. OWENS of Utah. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OWENS of Utah: Page 83, line 16, strike the comma and insert "with respect to tobacco subsidies or".

Mr. OWENS of Utah. Mr. Chairman, I do not think the Members know that hidden in this bill is $3.5 million to promote tobacco sales abroad. It is possible, as the acting chairman of the subcommittee has indicated, that I will not be able to get my amendment to a vote, because of his motion to rise and report, so, at the appropriate time, we will challenge the attempt to do that and require a vote on the motion to rise and report.

The only way Members may have the opportunity to vote on cutting this $3.5 million, or restricting, at least, any use of American funds to promote tobacco abroad, will be to defeat the motion to rise and report.

Mr. Chairman, when it comes to tobacco, the United States has become addicted to bad policy. In fact, our country is displaying a double standard of the worst kind. We have a schizophrenic policy. On the one hand, the United States has made a concerted effort to curb tobacco use and educate the public on the health risks of smoking. We have enacted programs to increase the excise tax on cigarette products, to place strong health warnings on cigarette products and advertisements. We have created a Federal office on cigarette products, on smoking and health, and have banned all smoking on domestic commercial flights.

On the other hand, and I am not sure if Members all realize this, but last year we gave $3.5 million in grants to tobacco farmers to promote tobacco overseas. Taxpayers are actually paying to help market and manufacture tobacco more efficiently, and this spring United States Trade Representative Carla Hills tried to persuade the Government of Taiwan to soften health warnings on cigarette packages.

Mr. Chairman, this policy is insane. In May 1992, the American Cancer Society cancer prevention study revealed that if current smoking rates continue, more than one-fifth of all people now living in developed countries will be killed by tobacco. Think of that. This is equivalent to the entire population of the United States. People now living will die from tobacco use, and our taxpayer dollars are helping kill them.

Mr. Chairman, the number of smokers in the United States has dropped 32 percent in 22 years. That is impressive progress here at home. In response, 2 years ago Vice President QUAYLE announced at a news conference that because Americans are smoking less, we should expand our exports of tobacco abroad. In other words, because our country is becoming smarter about the health risks of tobacco, the Vice President suggests we use our scarce tax dollars to create a growing demand for it abroad.

How does the Vice President explain away the Department of Health and Human Services advice? Hear the Vice President:

Secretary Sullivan comes at it from the health aspect. He has got reports that indicate quite strongly that smoking is injurious to one's health, but on the other hand, we are not going to deny a country an export from our country because of that policy.

□ 1800

The American taxpayers are paying billions of dollars each year for research and for cures for cancer, lung diseases and heart ailments, and at the same time these taxpayers are spending millions of dollars to promote these very same diseases overseas.

According to Kirk Wayne, president of the Tobacco Associates, a trade group which promotes tobacco exports, 50 million dollars' worth of new sales was generated last year alone as a direct result of these Federal grants. So our taxpayer dollars to promote American products, they are working for us, we are promoting America's tobacco, undoubtedly the best in the world, the most sought after, the best blended, the best tasting poison in the entire world. People all over the world, in fact, if you will pardon the expression, will die to smoke American tobacco, and today, unless this amendment is accepted, we, the Congress, are committing millions of dollars, American taxpayer dollars to peddle the ultimate carcinogen to the world.

What are we actually exporting here? Deaths, deaths that would have been American deaths before this enlightened age of declining American smoking. We are paying taxpayer dollars to export cancer and emphysema so our tobacco farmers can stay in business. That is too great a price for a humanitarian nation to pay to prop up a failing, a flawed industry.

This is the reality America must confront, and it is in fact a moral dilemma. We are spending $80 million each year to convince Americans not to smoke, and thereby saving countless American lives. How in the name of all that is moral and decent can we spend other millions to promote smoking by our neighbors in the world, our fellows on planet Earth in the sure knowledge that we are really promoting suffering and early death?

We can solve the moral dilemma right here and now. Let us kill this odious marketing subsidy today, not foreign consumers 20 or 30 years from now.

Mr. CAMPBELL of California. Mr. Chairman, I ask unanimous consent that the amendment of the gentleman from Utah [Mr. OWENS] be made in order before the motion to rise.

The CHAIRMAN. The amendment is already pending.

Mr. CAMPBELL of California. I ask unanimous consent that it not be subject to a challenge and that it be heard before a motion to rise.

Mr. HATCHER. Mr. Chairman, I object.

The CHAIRMAN. A timely point of order was not reserved, and consequently the amendment is pending.

Mr. DURBIN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Utah.

This is a bill to fund the U.S. Department of Agriculture. The supporters of this bill stand before us, and I am one of them, and speak in terms of the food and fiber needs of America and the world. The product of which we are speaking is neither a food nor a fiber. Tobacco is a deadly product which when used according to the manufacturer's directions will either kill you or cripple you.

The United States of America, through its Department of Agriculture, is subsidizing the export of this deadly product. There are $75 million reserved within this account to promote American agricultural products. That is substantially less than what was asked for by the Bush administration. I can tell Members that if we had given the $200 million asked for by the Bush administration that worthwhile products, agricultural products, food and fiber products would have been denied these same market promotion funds.

Instead, what we have seen by this administration through its U.S. Department of Agriculture is a subsidy of the export and promotion of this deadly tobacco product. The gentleman from Utah is correct. Our health policy and our agricultural policy are in conflict.

We have an opportunity today to stand up and make it clear that we are not two-faced when it comes to tobacco. We cannot say to Americans across the board protect your children from the harms of environmental tobacco smoke, we cannot say to American passengers in airplanes that it is dangerous for them to be exposed to smoking and secondhand smoke, and then promote this product overseas so that people can literally be killed around the world because of our promotion efforts.

For decades the United States of America has enjoyed a reputation of sending overseas cures for diseases, nutrition, ways to raise healthful crops so that developing countries can make it in the world, and I am very proud of that tradition. But that tradition is defiled by the fact that we take millions of our taxpayer dollars now and promote this addictive habit in developing countries around the world.

I would say to my friend from Utah I stand in support of his amendment. I hope that we can restrict the use of these market promotion programs and that they will not be used for tobacco products.

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

Mr. DURBIN. I am happy to yield to the gentleman from Kentucky.

Mr. MAZZOLI. Mr. Chairman, I want to thank the gentleman from Illinois and the gentleman from Utah, and confess that this is one of the more nervous moments of my life. But I support the gentleman from Utah's amendment.

I am from a tobacco State, but I think we have reached the point where it is impossible to ignore the reality that we are subsidizing something which is not healthy for the people who do not live here in the United States, when at the same time we are spending tens of millions of dollars in health care, and we are going to debate that issue very soon, health care costs which are at least in part avoidable if we can take better care of ourselves.

I think we have to do something for the tobacco farmers in my State of Kentucky. I think we have to be sure that we have a conversion program similar to the one that we are using to convert defense workers to jobs in the regular domestic sector.

But I think at this point, under these circumstances tonight, I think the gentleman from Utah's amendment is in order, and I appreciate the gentleman from Illinois yielding to me.

Mr. CAMPBELL of California. Mr. Chairman, I move to strike the last word.

PARLIAMENTARY INQUIRY

Mr. CAMPBELL of California. Mr. Chairman, if I might commence with a parliamentary inquiry, I wish to be sure that the amendment offered by my colleague from Utah would not be subject to a motion to rise. Am I so assured, Mr. Chairman?

The CHAIRMAN. A motion to rise and report will only be in order when the last three lines of the bill are read. The pending amendment comes prior to that point in section 727.

Mr. CAMPBELL of California. I thank the Chair.

I rise in support of the amendment offered by the gentleman from Utah, and I would offer an observation. I was impressed as well by the thoughts of my colleague from Illinois.

In offering export subsidies we support the production of tobacco. You cannot make a distinction, and say well, I am only supporting it for export overseas. When you create more of a market, when you create an economic incentive, you support the entire industry. Accordingly, to vote in favor of support of the export is to vote in favor of this domestic industry as well.

Many times when I address my constituents in town hall meetings I am asked what about the tobacco subsidies, do I not think we should get rid of them. I responded it has been very clever how this has been worked, that you cannot really find a line item in a budget called agricultural subsidies for tobacco. There are two things going on. One is an antitrust amendment which allows tobacco growers to get together

and suggest a price, which price is then passed along to Leggett & Myers, American Tobacco, Brown & Williamson, and ends up as a higher price to the cigarette smoker. This has the same result economically as though there had been a direct Government tax upon smokers and given as a subsidy to producers. But you cannot get at this one directly, because it does not say subsidy on it.

Today we have a chance to get at it directly. It does say subsidy. It just happens to be called an export subsidy.

I support the logic of the gentleman from Utah. It is a subsidy for an industry that should not be subsidized.

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

Mr. CAMPBELL of California. I am pleased to yield to my colleague from Kentucky.

Mr. ROGERS. Mr. Chairman, will the gentleman agree, aid granted to farmers in California in the form of water subsidies or other subsidies, those are subsidies to farmers?

Mr. CAMPBELL of California. There are subsidies to farmers of California.

Mr. ROGERS. Should they not also be stricken as well?

Mr. CAMPBELL of California. I believe all agricultural subsidies should be stricken.

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

Mr. Chairman, I have been in these fights for an awful long time, and I am not sure exactly where they are headed. But I would say to my colleague on the other side of the aisle who just spoke, a long time ago we took the subsidy out of tobacco growing.

If the gentleman is going to contend that it is in the best interests of antismoking efforts in this country to do away with the tobacco price support program so the companies can get a cheaper product, that is where his logic was headed, and I do not follow it.

Mr. CAMPBELL of California. Mr. Chairman, will the gentleman yield?

Mr. ROSE. I yield briefly to the gentleman from California.

Mr. CAMPBELL of California. Mr. Chairman, I will be very brief. Whether it is a cartel price or a subsidy, it is a grant of money to the grower.

□ 1810

A higher price does not result in less demand.

Mr. ROSE. It is not taxpayers that pay any subsidy in that price.

Mr. CAMPBELL of California. Mr. Chairman, will the gentleman yield further?

Mr. ROSE. I yield to the gentleman from California.

Mr. CAMPBELL of California. It is the grower who gets the subsidy from the consumer. It is a tax identical in economic effects to a tax on a cigarette package.

Mr. ROSE. The question before us in the amendment by the gentleman from Utah [Mr. OWENS] is whether or not a tobacco cooperative in Raleigh, NC, called Tobacco Associates will be allowed to use $3.5 million in market promotion funds to promote the sale of leaf tobacco overseas, not cigarettes, not manufactured cigarettes.

Now, WAYNE, I know this is popular in Utah. You made a great speech for home consumption, but let me tell you something, Philip Morris is smiling all the way to the bank, because they will not have to compete. They will not have to compete. They will not have to compete, WAYNE, with the Tobacco Associates organization that recently showed the Turkish Government how to make its own cigarettes.

Mr. OWENS of Utah. Mr. Chairman, will the gentleman yield?

Mr. ROSE. I am happy to yield to the gentleman from Utah.

Mr. OWENS of Utah. May I say to my friend, old friend, we came to the House together 20 years ago, first of all, that the rules, just so old friends do not get angry at each other, do not permit old friends to address each other in the first person on the floor of the House.

Mr. ROSE. I am not angry.

Mr. OWENS of Utah. Let me just say to my old friend who came to the House 20 years ago with me, this gentleman is saying that $3.5 million of American money has been spent in this year to promote the sale of American tobacco products abroad, and that is exporting death.

Mr. ROSE. Leaf tobacco.

Mr. OWENS of Utah. What is in cigarettes, I ask my friend, if it is not tobacco?

Mr. ROSE. The problem is that——

Mr. OWENS of Utah. It is not the paper that is lethal, is it, Mr. ROSE, Sir.

Mr. ROSE. No, it is not, Mr. OWENS. It is not, but the problem is here that you are undercutting a grower who is in the business of marketing a legitimate product overseas.

I know this is a very difficult distinction for many of you. I spend a lot of time making distinctions around this place.

This is one you all do not choose to make, and I regret that very much. But I would urge, and I am not going to ask for a recorded vote here, and I have no fear that the mood will be overwhelmingly in favor of adopting this amendment because of the reasons you have said, and I hope, Mr. Chairman, you could not reserve a point of order, do not call for a record vote on this, but let it be adopted by the House.

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

Mr. Chairman, I have great respect for my friend from North Carolina, but let me tell you how bad this program is.

The tobacco group, Tobacco Associates, applied for a grant from the Department of Agriculture to promote American tobacco overseas. Then they gave $650,000 of their money to the Turkish Government to build a machine that manufactures cigarettes with American tobacco, and then on top of that $650,000, Tobacco Associates gave themselves a $200,000 consulting fee, $850,000 of taxpayers' money, $650,000 of which went to the Turkish Government tobacco monopoly plus a $200,000 fee for consulting.

I think that is an outrage. I think it is wrong.

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

Mr. KOSTMAYER. I yield to my very good friend from North Carolina.

Mr. ROSE. I am amazed at the temperature we can achieve around here over this subject.

But do you know who the main people were that came to us and objected to this piece of equipment going to the Turks?

Mr. KOSTMAYER. No, sir.

Mr. ROSE. Philip Morris. Philip Morris says, "We want to be able to sell our own cigarettes."

Mr. KOSTMAYER. Reclaiming my time, I wonder if the gentleman from North Carolina disputes anything I said.

Mr. ROSE. I do not dispute anything you said.

Mr. KOSTMAYER. If I could reclaim my time, I will say to my very good friend, just remember two things, $650,000 to the Turkish Government to build a cigarette-making machine, $200,000 of American taxpayers' money for the consultant that gave the Turks the money. The gentleman does not dispute what I said.

That is just plain wrong. There is no way around it.

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

Mr. KOSTMAYER. I yield to my good friend, my very good friend, the gentleman from North Carolina, who came here with the gentleman from Utah [Mr. OWENS] 20 years ago.

Mr. ROSE. The gentleman knows, and I think the gentleman from Utah [Mr. OWENS] himself reported, that Tobacco Associates said that they were able to export $50 billion worth of additional leaf tobacco from the growers in our States, in Virginia and South Carolina and Kentucky and North Carolina, directly to Turkey so Turkey could make its own cigarettes.

Now, they were agricultural exports, aid the balance of payments, and I contend to you that if the Turks did not buy that tobacco from the United States grower, they would buy it somewhere else.

I understand the arguments that you are making, and I appreciate your position.

Mr. KOSTMAYER. Reclaiming my time, I understand the arguments that

gentleman makes. The gentleman says that by promoting this we are promoting the export of American tobacco.

Mr. ROSE. Absolutely.

Mr. KOSTMAYER. That is helpful to the economy of the States, and I understand it.

I just ask that, given the circumstances in the country, with the deficit we have, is this really something we ought to be doing, paying a $200,000 consultant fee to these people and $650,000 to the Turkish Government?

Mr. ROSE. And I have already agreed with the gentleman that the House probably overwhelmingly agrees with his position. I thank the gentleman for yielding.

Mr. KOSTMAYER. And I thank the gentleman from North Carolina.

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

Mr. Chairman, I will not take the entire time.

Mr. Chairman, I would just like to rise in support of the amendment and commend the gentleman from Utah, my colleague, from whom I had the distinct pleasure as a young law student to learn from him the legislative process.

He is absolutely correct on this amendment. How can we justify the expenditure of millions of taxpayers' dollars to subsidize a crop which we know is lethal, which we know kills people, whether it is for domestic or for foreign consumption? It is wrong.

The taxpayers do not want to spend their money on such a subsidy, and I support the gentleman's amendment very strongly.

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

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

Mr. Chairman, this amendment points out and gets at the heart of the insidious relationship between the tobacco companies and this Congress, and specifically the shell game that they are playing.

Because the gentleman from North Carolina [Mr. ROSE] is quite correct when he talks about this amendment in terms of promoting U.S. leaf abroad and helping U.S. tobacco exports, but at the same time that we are spending our taxpayer money to do this, to promote this deadly and lethal product, a product for which one in five people in the world will die a premature death as a result of the use of it, that the amount of domestic leaf, the amount of domestic tobacco leaf in U.S. cigarettes has declined dramatically.

In 1970, it was 80 percent domestic content. We are now down to less than 65 percent. So what the cigarette companies have done is they have squeezed out U.S. tobacco leaf growers.

The gentleman from North Carolina [Mr. ROSE] has spoken eloquently on a number of occasions and, at the same time, demanded subsidies. And where is this money going? This money is going overseas for machines which will process allegedly U.S. tobacco for tobacco cigarette manufacturing machines. But what happens to it?

We buy the machines. They start out with it, and sure as anything, they will switch and start using other leaf in short order.

We spent millions of dollars in Iraq financing them to set up plants to manufacture domestic Iraqi cigarettes, an absolute outrage, and then after they started the program, they stopped using American leaf.

The tobacco industry is perpetrating an absolute sham on the taxpayers. They are playing a game with us. There is not a single product that has a higher priority with the U.S. Trade Representative than tobacco.

□ 1820

Around the world the U.S. Trade Representative puts tobacco first, ahead of any other product. This is not a harmless kind of activity. What it is doing and what the emphasis on tobacco exports is doing is hurting our exports of other agricultural products, healthy ones. It is hurting the export of electronics and of other American manufactured products.

This amendment is an important amendment and I hope it is the start of a good effort.

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

Mr. ATKINS. I yield to the gentleman from Pennsylvania.

Mr. KOSTMAYER. Mr. Chairman, just for 30 seconds, if I could remind Members that when I stood up to speak awhile ago and the gentleman from Kansas [Mr. GLICKMAN] began all that long problem we had, this is the same program I was talking about. Just keep in mind that the $3.5 million for tobacco is part of a larger program of $200 million. From this program:

Pillsbury gets $3.2 million.

Dole, $2.5 million.

Welch's, $1.2 million.

Tyson's Chicken, $1.2 million.

Sunkist got $10 million.

Blue Diamond Almonds, $6.6 million.

Gallo Wine, $5.1 million.

McDonald's, to promote McNuggets in Japan, $465,000.

Campbell's Soup, $450,000.

Seagram's $146,000.

Del Monte, $70,000.

Whether we are subsidizing tobacco or subsidizing any of these products, we spent $200 million on it. The committee deserves to be commended because they have reduced it from $200 million to $75 million. They made some changes, but I wonder if we ought to be spending $75 million giving this money to enormous companies overseas to advertise their products.

Mr. NEAL. of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I appreciate very much the moral outrage of my colleagues, but I think you are in error and I want to point out how you are in error.

What you are talking about doing with this, and I agree with my friend, the gentleman from North Carolina, that I do not think I am going to have anything to do with the outcome of this vote. I think the amendment will pass overwhelmingly, but probably for the wrong reasons, because you are not going to affect one cigarette, whether one cigarette less or more is smoked. I think that is what you believe you are doing.

I believe you think that somehow by this amendment you are going to reduce the number of cigarettes smoked somehow, but you are not, because in countries where tobacco is legal people make choices. They choose one brand over another and they will either choose a brand made with tobacco from our country, or they will choose a brand made with tobacco from another country.

Now, I have got an answer for you. If you want to really solve this problem, bring forward some legislation that will just outlaw tobacco, just make cigarettes illegal. Bring it to the House. Let us get a vote on it and let us see what happens. See if you want to go home and tell your constituents, whatever they are, 40 percent of them that smoke, that you think they should be criminals under the U.S. Criminal Code.

If you do not do that, if you do not want to do that, then why not let people use the product of their choice.

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

Mr. NEAL of North Carolina. Yes, I yield to the gentleman from Utah.

Mr. ORTON. I would merely like to point out to my friend, Mr. Chairman, that we are not talking about making legal or illegal the use of a product. We are talking about spending U.S. taxpayer dollars to subsidize. I think there is a vast difference between spending dollars, which could be spent on other programs or could reduce the deficit, on that type of a product.

Mr. NEAL of North Carolina. Mr. Chairman, let me respond to my friend.

This money is not a subsidy. This is an export promotion program, as I understand it. I believe that is what the author of the amendment has in mind.

Now, I am not no expert on this, but what I understand that they do is they say, these Department of Agriculture officials who are engaged in promoting American products abroad—tobacco products, grain products, and other commodities—in countries where tobacco is legal, that they say, "We think this is a superior tobacco product."

To people who are going to buy tobacco in one form or another, they are

either going to buy tobacco grown in this country—as I understand it, tobacco provides a big part of our trade. It is one of the few positive elements in our trade position with the rest of the world.

Again, I think there is some misunderstanding here. It can be cleared up, by the way. It can be cleared up just by outlawing it, but I think what we are doing is we are basing what we are about to do on just misinformation. It is not a subsidy. We are not going to affect one person smoking a cigarette. You are not going to stop any person in Turkey or in the United States or in any country from smoking. You are just going to say that they are not going to use American tobacco.

Mr. OWENS of Utah. Mr. Chairman, will the gentleman yield?

Mr. NEAL of North Carolina. I yield to the gentleman from Utah.

Mr. OWENS of Utah. Mr. Chairman, does the gentleman, however, not agree that there is a schizophrenic policy here evident? The Federal Government is spending $80 million telling people not to smoke, hundreds of millions of dollars to treat people who have, and, on the other hand, spending, $3.5 million to help promote our tobacco products abroad. And that is a schizophrenic spending dilemma on top of a moral dilemma. We are exporting a product that we know will bring death; we are promoting its sale abroad.

Mr. NEAL of North Carolina. On that point, Mr. Chairman, like I say, and I honestly mean this, I appreciate the moral concern on this and other issues, there is no question in my mind about that; but I just do not think we are getting at it. I mean, this is nibbling around the edges.

Remember, I am really serious about this. You are not going to affect one cigarette; there is not going to be one cigarette less smoked in the world.

Now, let me get to the point of promoting our products.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

(By unanimous consent, Mr. NEAL of North Carolina was allowed to proceed for 2 additional minutes.)

Mr. NEAL of North Carolina. Frankly, I am at a loss. The question is only this. Since there is not any less tobacco used in any country, the question is will it be tobacco that is grown in this country or will it be tobacco that is grown in another country?

Now, I think the gentleman is saying that for moral reasons that the gentleman would rather have it be tobacco grown in another country. I do not know, but I think you all are trying to accomplish something, frankly, that you are not accomplishing with this amendment.

Mr. THOMAS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. NEAL of North Carolina. I yield to the gentleman from Georgia.

Mr. THOMAS of Georgia. Mr. Chairman, is it not true, and I think as the gentleman is talking about tobacco being bought from other countries, that it should be pointed out that at least in this country we have very careful controls and restrictions on the chemicals used on our crops and residue that results. In other words, we are growing under standards. Most other countries do not do this.

So as the gentleman has pointed out, we are simply turning the market to other areas where there is no quality control or standards. It just does not wash, in my opinion.

Mr. NEAL of North Carolina. I know we are going to lose on the amendment, and again I have the greatest respect for my friends who are talking about this. I know they are sincere, but honestly, the way to get at what you really want to get at is to bring us legislation that will outlaw the product.

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

Mr. NEAL of North Carolina. I yield to the gentleman from Pennsylvania.

Mr. KOSTMAYER. Mr. Chairman, the gentleman has made a good point. This is not going to reduce the number of cigarettes smoked, either in this country or anywhere in the world, and I do not think anyone here would contend that it would; but what it will do is eliminate those funds which subsidize tobacco, and I think they are a subsidy.

Mr. NEAL of North Carolina. No; it is not a subsidy.

Mr. KOSTMAYER. If I could just finish my statement, and I appreciate the gentleman yielding.

These funds, in the case of the example I gave, $650,000 went to Tobacco Associates, who then gave it to the Turkish Government to build a machine that is involved in the manufacturing of smoking products and cigarettes. That seems to me clearly a subsidy to the industry. It is taxpayers' money.

The question is not whether this will reduce smoking. The gentleman is right. It will not. The question is; Should American taxpayers be subsidizing this?

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. NEAL] has again expired.

(At the request of Mr. KOSTMAYER, and by unanimous consent, Mr. NEAL of North Carolina was allowed to proceed for 30 additional seconds.)

Mr. KOSTMAYER. The question, should American taxpayers be paying these funds for these purposes, I think the gentleman is quite right. We should not be.

Mr. NEAL of North Carolina. That is the judgment call, but I just want to say that the outcome of that is not what you anticipate.

All it means is that our trade deficit will go up. We will sell fewer of our products abroad; fewer of our people will be employed.

□ 1830

If that is what you want to accomplish, you do it.

Mr. ANDREWS of Texas. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I just want to mention a couple of statistics which have taken place in Southeast Asia. It is not about economics.

In Taiwan, since our Trade Representative has fought so hard to open up their markets in Southeast Asia, teenage smoking has grown 44 percent in 2 years. The overall smoking rates jumped 28 percent to 34 percent in Taiwan after years of steady decline. In Japan, college women are now four times as likely to smoke as their mothers smoked.

Mr. Chairman, we bear a great deal of the responsibility here. This country has seen just the opposite impact, as men and women learn much, much more about the risks of using tobacco products. Smoking has declined in America. And yet the hypocrisy of this policy is at the very time that the Surgeon General is discouraging smoking here among young teenagers, we are helping to open up these markets in Southeast Asia, encouraging young Southeast Asians to take up smoking. That is a hypocritical policy. And the gentleman's amendment will help put a stop to that.

This is an issue not just about economics; it is about leadership; it is about health care.

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

Thousands of U.S. farmers and tobacco workers and many related industries will be hurt if this amendment is agreed to. And I ask for what? Will tobacco not be produced in other countries if we end funds for the Market Promotion Program? Of course it will. Leaf tobacco and manufactured tobacco products are sold worldwide in legitimate channels of trade and commerce. Leaf tobacco is grown in more than 100 countries and tobacco products are manufactured in dozens of countries.

Eliminating these funds will only mean that U.S. tobacco producers will be less competitive on the world market and foreign buyers and users of tobacco will purchase the products from someone else. Why should we put our farmers and workers at this disadvantage? There is absolutely no evidence that smoking will be reduced anywhere as a result of this action. In fact, it has never been proven that this program has created a single new smoker, but it has only been successful in replacing foreign-grown leaf with American leaf in many cigarettes manufactured overseas.

Ending this program for tobacco not only means displacing American jobs but it means a loss of revenue. Trade in tobacco and tobacco products in recent years has produced one of the few bright spots in our national balance of trade. In 1991 the excess of tobacco exports over imports amounted to $5.6 billion.

I urge my colleagues to vote against the Owens amendment. It will not help anyone, but instead hurt American farmers and workers.

Mr. LANCASTER. Mr. Chairman, I am opposed to the amendment of the gentleman from Utah. I appreciate what the gentleman is trying to do, but this amendment will not stop one cigarette from being smoked anywhere in the world.

These moneys have been used to help domestic tobacco farmers market their crop in overseas markets. However, none of the funds are used for advertising or any kind of consumer demand stimulation.

For example, the program helped establish a plant in Turkey which makes use of United States grown tobacco. Hopefully, the Turks will continue to purchase United States tobacco. However, if this initiative had not been undertaken, the Turks would have still built their plant and manufactured just as many cigarettes. The only difference is that they would be using Brazilian or some other tobacco for their products.

Let me point out that the money we have spent in Turkey was extremely cost-effective. For every dollar spent, we generated $51 in additional export sales. Not including more than $100 million in 1991 purchases that will be shipped in 1992, the 5-year result has been sales of over $110 million in U.S. unmanufactured tobacco exports. Prior to this initiative, United States unmanufactured tobacco exports to Turkey were zero.

All this amendment will do is hurt my tobacco farmers, and their families, in small towns and communities across eastern North Carolina. The cigarette companies do not get one penny of this money. In fact truth be known, they do not like this program because it helps displace their name brand products. These companies are already using huge quantities of imported leaf for their products. If we do not help our domestic producers develop new markets, they will rapidly become part of our economic history.

Mr. Chairman, we must wake up to the economic facts. We have already sold our textile jobs down the river to Mexico and the Far East. Are we now going to do the same with our tobacco farmers? The European Community is now engaging in an unfair trade practice by subsidizing tobacco production at a level of $800 to $900 million per year.

I would point out that only a small amount of the total funding for MPP has been going to help tobacco farmers promote what they have grown. And grown legally I might add. Last year the MPP was funded at $200 million for all farm commodities. Of this amount, tobacco farmers received perhaps $3 million to promote overseas tobacco sales.

This year the Appropriations Committee is proposing to fund the whole program at just $75 million. If an across the board cut is made in all programs under MPP, it could mean that my home State tobacco farmers will receive only a very small amount of funding indeed.

Last, I would point out that as much as some of my colleagues do not like smoking or supporting anything to do with tobacco, this is a bad amendment. Tobacco is perfectly legal. What will be the next farm product that makes the hit list? Some argue strenuously that red meat is harmful, and causes heart disease. Should we stop promotion of red meat? This amendment starts us down a dangerous road.

Mr. ROWLAND. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Utah.

This is a significant economic issue to farmers in my area of Georgia and to all of the country's tobacco growers. The market promotion program helps promote the sales of leaf tobacco overseas and that provides a direct return to the farmers I represent and, in fact, to entire communities in farm belt areas.

The proponents of this amendment do not question the validity of export promotion programs for other commodities. Tobacco farmers have the same economic pressures as any other farmers. As long as we tell farmers that tobacco may be legally grown and sold, and that the consumption of tobacco is a matter of choice, there is no legitimate reason why we should deprive tobacco producers the programs that the Federal Government conducts for other commodities and to threaten them with economic hardship. And it is not only farmers that are affected, but every aspect of the economy in rural areas: retail sales, banking, the service industry. This amendment is a great injustice to the people in rural communities.

Mr. THOMAS of Georgia. Mr. Chairman, I must admit that I am bewildered that my colleague should choose to exclude one particular commodity from participating in a program geared to assist our farm sector.

The simple fact is that tobacco is grown legally and consumed legally both in this country and abroad.

I would suggest that my colleague from Utah, where there is no involvement in the tobacco industry, visit with the farm families in the South where tobacco has traditionally been grown. I would like to see him look those fine, upstanding, hard-working people, with considerable capital invested in their operations, in the eye and tell them that they have no right to a program that is open to every other agricultural commodity grown in the United States.

And he should explain to them why it is acceptable for them to be excluded from a program that supports promotions of other products that have been medically shown to be harmful to health when consumed in excess. And he should explain to them why the product is being excluded when clearly world marketplaces will purchase tobacco from alternative countries which do not mandate the same high standard of chemical control that is imposed by our country.

The bottom line is that tobacco products will be consumed abroad. In accordance, tobacco will be purchased. Why shouldn't it be American-grown, where it is produced and processed under the most healthy conditions possible?

My colleague might think it makes the Congress more honorable because it cuts its nose off to spite its face. To my way of thinking, it just leaves us without a nose.

Mr. ROGERS. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Utah.

Mr. Chairman, let me clear up the misunderstanding many of my colleagues have about tobacco and the Market Promotion Program. This is a program to build U.S. exports in areas where the United States has suffered from unfair competition in foreign markets.

Proponents of this amendment want you to believe this is a health issue, but it is not. It is solely a competitiveness issue. No Market Promotion Program funds are used to promote tobacco consumption. Eliminating tobacco from the program will not decrease tobacco sales and consumption. The fact is the United States grows less than 10 percent of the world's tobacco.

This amendment will only undercut U.S. farmers in international markets and allow our foreign competitors, such as the European Community, which subsidizes tobacco by almost $1 billion, to grab the international market. Once again, the United States will lose its position in the international market for a critical commodity which contributes an almost $6 billion surplus to our balance of trade.

This amendment will help no one, but it will hurt hundreds of thousands of American farmers and workers, numerous States which depend on this important revenue, and the Nation as a whole, which benefits from the trade surplus tobacco generates. The impact on my State would be tremendous—over 160,000 families derive income from tobacco, and tobacco contributes over $2 billion to Kentucky's economy. My State, and our Nation, cannot afford to lose this important revenue.

My colleagues, American jobs and American competitiveness are riding on this amendment, and I urge you to vote "no."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah [Mr. OWENS].

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

Mr. OWENS of Utah. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendment was agreed to.

The CHAIRMAN. Are there other amendments to this particular portion of the bill?

AMENDMENT OFFERED BY MR. GLICKMAN

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

The Clerk read as follows:

Amendment offered by Mr. GLICKMAN:

"SEC. . The following amount otherwise provided in this act for the following account or activity is hereby reduced by the following amount: Debt restructuring under the enterprise for the Americas, $34,531,000."

Mr. WALKER. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Kansas [Mr. GLICKMAN] will be allowed to proceed subject to the reservation of a point of order made by the gentleman from Pennsylvania [Mr. WALKER].

Mr. GLICKMAN. Mr. Chairman, this was an amendment that I tried to offer before, and because of the noise and confusion I was not permitted to do so.

Mr. Chairman, the amendment strikes the bill's appropriation of $69,531,000 to cover losses resulting from debt restructuring and forgiveness, and replaces it with or relieves it of $35 million from the bill. It cuts it from about $70 to $35 million.

The bill permits the President to reduce the amount of debt a country owes the United States for loans made under title I of Public Law 480. Title I authorizes concessional financing for the sale of agricultural commodities to developing countries, including loans with repayment terms of up to 30 years with grace periods of up to 7 years.

What I have done in this bill is recognize there may be some reason for debt restructuring, but in this period of very tight budgets we should not just be forgiving 70 million dollars' worth of debt to carry out the administration's objectives.

What my amendment does is reduces it in half; it says not $70 but $35 million will be allowed at the discretion of the President.

The administration proposes in fiscal year 1993 to forgive or otherwise restructure loans for the following countries: Costa Rica, El Salvador, Ecuador, Colombia, and Uruguay. Losses to the Government from the restructuring account for the appropriation in the base bill of $69,531,000. This amendment reduces that to $35 million.

All I am saying is in a period of tight budgets when Members are worried about fiscal sanity, it is no good for us just to approve carte blanche $70 million of debt forgiveness. I think there may be reasons for some of it, so I kept half of it in.

Mr. Chairman, this amendment cuts about $35 million from the bill. Now, I would point out that this amendment is consistent with the action the House took last week when it approved the foreign operations bill where the committee did not agree with the administration's request for, I think the sum was, about $200 million in debt restructuring and forgiveness. But the committee provided no funds for the program, a recommendation adopted by the full House.

I recognize there may be some cases for debt restructuring, but not the full $70 million. This amendment is offered by the gentleman from North Dakota [Mr. DORGAN] and myself to try to bring some sanity to the fiscal situation we have right now.

Before I yield to the gentleman from North Dakota [Mr. DORGAN], I would like to say—and I know the gentleman from Iowa [Mr. LEACH] is on the other side of this amendment—but I want to say from the bottom of my heart that I appreciate his not only good-naturedness but the fact that he showed a great deal of humanity and sensitivity when he argued for righteousness and justice on the House floor by allowing me to offer the amendment in the right place.

I also want to thank the gentleman from New Mexico [Mr. SKEEN] my friend, who showed a great deal of kindness to me as well.

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

Mr. GLICKMAN. I yield to the gentleman from Pennsylvania.

Mr. KOSTMAYER. I thank the gentleman for yielding.

Mr. Chairman, let me say this: This amendment, and I have great respect for my friend from Kansas, but I think Members ought to understand——

Mr. GLICKMAN. Mr. Chairman, if the gentleman is going to argue against the amendment, let me yield to my friend from North Dakota. The gentleman from Pennsylvania has already interfered with my plans once tonight and not in the best way that I would like.

Mr. Chairman, I yield to my friend, the gentleman from North Dakota [Mr. DORGAN].

Mr. DORGAN of North Dakota. I thank the gentleman for yielding. I was going to observe the last time the gentleman from Kansas [Mr. GLICKMAN] got into trouble was because of his yielding to the gentleman from Pennsylvania [Mr. KOSTMAYER].

So I appreciate the fact that the gentleman from Kansas has reconsidered.

Mr. Chairman, I rise to support the proposal by the gentleman from Kansas. We are talking here about $34 million. Inch by inch and step by step we ought to take a look at what these bills do. My suggestion is that my friend from Pennsylvania reserved a point of order, and I would expect the point of order not to be sustained. I think the gentleman brings this amendment in this section of the bill properly and properly crafted. I think the House would want to entertain this approach.

There are times when perhaps debt forgiveness is entirely appropriate and necessary. I think, however, we have seen in recent years a foreign policy around here in which it becomes sort of fashionable for Monday or Friday action to forgive debt here, forgive debt there, to accomplish something on the other side.

You know, these things ought to be done on their merits, and they ought to be subject to careful review. The sum of $34 million is a lot of money. I have a lot of folks in my district who would love to see $34 million of debt forgiveness, especially people who are farmers out there struggling to make a living, with depressed prices, drought, and other problems. So I think the gentleman has offered an amendment that the House ought to accept tonight. I hope that the House will accept it.

I am pleased to join the gentleman from Kansas [Mr. GLICKMAN] in this cut of $34 million.

Mr. GLICKMAN. Again, my point is a cut of almost $35 million, moneys that would go forgiving debt to countries overseas; we are going to keep in some of the funds but not all of them. In a period of tight budgets, we are trying to show fiscal restraint, and I urge my colleagues to support this amendment.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. WALKER] insist on his point of order?

Mr. WALKER. I do, Mr. Chairman.

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

POINT OF ORDER

Mr. WALKER. Mr. Chairman, I make my point of order under rule XXI clause 2(d), where it states that such amendments as this—reading from the rule—"If any such motion is rejected," meaning a motion to rise, "amendments proposing limitations not specifically contained or authorized in existing law for the period of the limitation or proposing germane amendments which retrench expenditures by reduction of amounts of money covered by the bill may be considered." That is the nature of this amendment.

□ 1840

Under the rule it can only follow after the motion to rise has been defeated, and the gentleman from New York [Mr. MCHUGH] has not yet offered the motion to rise.

So, therefore, Mr. Chairman, this amendment is not in order until after that particular motion has been offered by the gentleman from New York. This amendment, therefore, does not come timely, but must come, according to the rule, after the motion to rise.

The CHAIRMAN. Does the gentleman from Kansas [Mr. GLICKMAN] desire to be heard?

Mr. GLICKMAN. I would just say, Mr. Chairman, that there has been no intervening motion to rise. The amendment is very much like an across-the-board cut in spending which we have on virtually every appropriations bill. The gentlemen from New York [Mr. MCHUGH], Mr. Chairman, did not make a motion to rise, and it is not legislation on an appropriation bill. It is strictly a cut in spending that occurred elsewhere in the bill. So, I do not think the point of order lies.

Mr. WALKER. Mr. Chairman, if I might be heard further, the gentleman from Kansas [Mr. GLICKMAN] has just made my point. He just said the motion to rise has not been offered. The rule states specifically that, if any such motion, meaning the motion to rise, is rejected, amendments proposing limitation not specifically contained, and so on—and it is clear that the amendments can only be offered after such motion is rejected.

So, therefore, Mr. Chairman, the motion to rise would at least have to be made in a perfunctory way in order for this amendment to be in order.

Mr. GLICKMAN. Mr. Chairman, If I just may offer one more point, I do not think that the motion is germane to this particular amendment which is the amendment to just cut spending in the bill.

I realize that the gentleman from Pennsylvania [Mr. WALKER] is now un-

usually standing in the position of trying to prevent a cutting amendment, $35 million, from being offered to this bill, but I do not think that his point of order is germane to the language of the amendment.

The CHAIRMAN (Mr. SPRATT). The Chair will rule that the rule to which the gentleman from Pennsylvania [Mr. WALKER] refers clause 2 of Pub XXI deals with the legislation on an appropriations bill and refers to a Holman Rule retrenchment and not to a mere reduction in funds. This amendment relates solely to a reduction in the appropriation amount. It is not a retrenchment. It adds a section to the bill, and it adds it to the title of the bill dealing with general provisions. Consequently, the amendment is in order.

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

Mr. Chairman, first let me express my appreciation to the gentleman from Kansas [Mr. GLICKMAN] for crafting an amendment that was not quite as severe as originally drafted. It is only cutting half what the original intent was, but, nevertheless, this amendment does have the effect of undercutting rather profoundly the President's Enterprise for the Americas Initiative.

Let me just mention several ironies about this:

The first irony is that this whole philosophical approach stemmed from the Democratic side of Congress in the late 1980's. It was finally adopted by this administration. But this is philosophically a Democratic Party approach that has now been objected to as it is being put into practice by the administration.

While this administration is, quite frankly, not a very good trumpeter of good policy, there is a further irony, and that is that this whole initiative is far more progressive than the Alliance for Progress. Now we have the party that initiated the initiative, at least philosophically, objecting to a very progressive effort to have warmer, more thoughtful relations with our neighbors to the south.

As to the substance of the Enterprise for the Americas Initiative, the program was authorized in the 1990 farm bill. The program itself allows support for environmental and health care initiatives in Latin America. This particular effort is designed to support countries such as Costa Rica, El Salvador, Ecuador, Uruguay, and Colombia.

Let me also say that the Enterprise for the America Initiative is designed to be the cornerstone, not of just an administration, but of our country's efforts to have a new partnership with countries of Latin America and the Caribbean. It is a very symbolic, humanitarian issue. It is also a symbolic environmental initiative because a number of the programs are designed to use funds that would otherwise be repaid to the Treasury, to advance, often through nonprofit organizations, substantial environmental programs, as well as health care programs, south of the border.

Mr. Chairman, I would very respectfully ask that it be defeated with the recognition that this very progressive policy of the administration is born of this body.

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

Mr. LEACH. I yield to the gentleman from Pennsylvania.

Mr. KOSTMAYER. Mr. Chairman, I want to associate myself very strongly with the gentleman from Iowa [Mr. LEACH], and I want to point out what the administration has done here is very, very important and very worthwhile. They have said to the countries of Latin America, "We will forgive your $69 million in debt if you will use that $69 million in your own countries for the environment, for child development, and for health care."

We are not going to get the money anyway, and what the President has said in this initiative, which is a marvelous and very productive initiative, is, "Don't pay us back. We'll forgive you the debt, but only if you use it in your countries on these three projects."

What we are talking about is allowing them to take the money they owe us and use it in their own countries. If they do not use it in their own countries for child development, for health care and for the environment, then they have got to pay it back to us. I think that is very ingenious because I think it is unlikely we will get the money.

Now what the gentleman from Kansas [Mr. GLICKMAN] is doing is saying to that, "No, $35 million of that, no."

That is $35 million that will go to the environment in Latin America, to child care in Latin America, to health care in Latin America. It is money that we might have to spend in foreign aid if we did not spend it this way. It is a good deal for Americans. It is a good deal for Latin America. It is a tribute to this administration.

Mr. Chairman, I urge Members of the minority party to support the President when he is right, as he is in this case, and I hope we will, too.

Mr. LEACH. One more modest statement, Mr. Chairman.

The whole environmental conference at Rio was about programs of this nature and asking countries to commit themselves to it. As a government, we did not want to take some of these commitments. I thought we should have, among other things. Some of our commitments preceded that particular conference, and this is one of those that represents a program that I think many of us advocate.

Mr. GREEN of New York. Mr. Chairman, will the gentleman yield?

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

Mr. GREEN of New York. Mr. Chairman, I thank the gentleman from Iowa [Mr. LEACH], my good friend, for yielding to me. Historically, before the debt crisis hit, Latin America was a major trading partner of the United States and one with which we had a most favorable balance of trade. Then, as the debt crisis hit Latin America, the balance of trade, indeed all trade, collapsed, and the result was that we saw ourselves moving from a situation where we had a relatively even balance of trade worldwide to a deficit because we lost the markets in Latin America.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. LEACH] has expired.

(By unanimous consent, Mr. LEACH was allowed to proceed for 5 additional minutes.)

Mr. GREEN of New York. Mr. Chairman, will the gentleman yield?

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

Mr. GREEN of New York. Mr. Chairman, we saw the collapse of our markets in Latin America as the debt crisis collapsed the economies of the Latin American countries.

Now obviously this one bit of debt forgiveness is not going to solve the whole problem, but it is part of a larger effort to deal with the debt problem and rebuild our exports.

In this particular case, as I understand the situation, we are particularly looking towards helping El Salvador and Costa Rica in fiscal year 1993. Those are two countries which have borne the brunt of the terrible struggle in Central America during the 1980's. That was a struggle, in which the United States was very much involved, and, regardless of the position which Members took on one side or the other side of that struggle in El Salvador or Nicaragua, and regardless of the position they took on how that was impacting the surrounding countries in Central America, surely we can understand that we have an obligation now to try to assist those economies to recover, since the situation now seems to be on its way to resolution and we are now trying to help those countries rebuild there.

Mr. Chairman, it seems to me this aspect of the Enterprise for the American Initiative is just a very small step to make a contribution to that recovery. It is a case where we can do well by doing good because, first, we can help some countries which were very much involved in the problems in Central America, and, second, by helping ease the general Latin American debt problem we can help ourselves through rebuilding our export trade to Latin America, traditionally a major outlet for American goods.

I therefore urge my colleagues to oppose the amendment.

□ 1850

Mr. LEACH. Mr. Chairman, I appreciate the comments of the gentleman. If I could just for a second add further, the gentleman from New York [Mr. GREEN] puts the issue in a larger economic framework, which is very valid. Part of our strategy has been to restrengthen Latin America by debt forgiveness. Not only the United States, but a whole spectrum of other countries. Much of the rest of the world believes we have been taking advantage of them by forcing them into comparable programs of debt reduction, even though most of the trade benefits accrue to the United States itself. That is, frankly, a valid observation. But debt forgiveness is important for the health of Latin America as well as the United States.

Mr. Chairman, we have become a major beneficiary of an international debt reduction program. Our exports and our economy has benefited disproportionately to that of other countries that have followed United States leadership and taken like programmatic approaches.

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

Mr. LEACH. I yield to the gentleman from Kansas.

Mr. GLICKMAN. Mr. Chairman, to the brilliant statement of the gentleman from Iowa [Mr. LEACH], I would just like to make the following qualifier: there are a lot of laudable objectives which the gentleman and the gentleman from New York [Mr. GREEN] talked about. The gentleman from Pennsylvania [Mr. KOSTMAYER] talked about health care in Latin America and the environment in Latin America.

All I am doing in this amendment is cutting in half, from $70 million to $35 million, the debt forgiveness, so maybe those dollars can go to the health care and environmental needs of the United States. That is really the basic issue here.

Mr. DE LA GARZA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think we need some background as to the amendment before us and the thrust of what the legislation does.

First, for the first time in probably this century we have, from Mexico to Chile, with the exception of Cuba, democratically elected presidents. There has been a little setback in Peru, but nonetheless he was initially elected in a democratic election. They look to us. They try to emulate us.

Last week I had the privilege of attending a breakfast with 11 ministers of finance from the Latin countries. The report which they brought to us was so positive, so really unexpected, of how inflation was down and they were paying their debts. They were reducing corruption and were streamlining their governments. It was a very positive meeting with Secretary Brady and these ministers of finance.

The only thing they said was, "Don't leave us alone. Work with us." They didn't say "Give." They said "Work with us." And this is one way that we can work with them.

The sad part about it is they look to us as the leader of the world. But yet the initiative for the Americas, only one section is in law at this time, and that was a part in the 1990 farm bill that covered Public Law 480.

This morning from the Committee on Agriculture we passed a bill that will cover CCC debt. Here is an interesting program that many times people say, "Well, why don't these countries pay their debts or why don't we forgive it?"

They do not owe it to us, they owe it to private center banks, to First City, to Chase, and other banks.

But one of the areas they owe is the Commodity Credit Corporation, about $1.5 billion in nine Latin countries. The Paris Club and the restructuring of the debt has set that amount, and the going rate in the market is like maybe 40 cents to 60 cents on the dollar.

What this proposal does, it says not forgiveness, but we will allow you to pay the debt at the going commercial rate, which would be like maybe 60 cents on the dollar, if you take the savings and apply it to environmental projects back in your country in your own currency.

So it is a win-win situation, because we collect our debt at what would sell in the private sector in that amount 5, 10, 15 years earlier. We take the difference and let them use it for environmental purposes for their country.

In the case of Mexico, the legislation stipulates that it should be used in the Gulf of Mexico or on the border for environmental purposes. This is something being discussed in the North American Free-Trade Agreement.

So I wanted Members to have this background, that they are looking to us, eagerly wanting to work with us, and asking for assistance. Not only old-fashioned foreign aid where they were asking for guns, and ships, and tanks. We have now seen what has happened in the democratically elected areas.

But they still need help. We still have a moral commitment to El Salvador, we still have a moral commitment to Nicaragua, we still have a moral commitment to Chile, we still have a moral commitment to Argentina, because we were part of the process of getting democracy back into those countries.

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

Mr. DE LA GARZA. I would be happy to yield to my colleague from California.

Mr. LAGOMARSINO. Mr. Chairman, I want to commend the gentleman for his statement. For years and years and years the people on your side of the aisle, not the gentleman particularly, but the people on your side of the aisle criticized the administration for only having, as they called it, a military strategy for problems in Latin America.

Well, we have gone far beyond that. We have gone far beyond that.

As the gentleman from Iowa [Mr. LEACH] said, the idea for what we are doing here came primarily from the Democratic side of the aisle. I think it is a shame that people on that side of the aisle are trying to shoot down or cripple it.

Mr. DE LA GARZA. Mr. Chairman, reclaiming my time, I thank the gentleman. I usually do not want to say "this side of the aisle" or "that side of the aisle." We are dealing here with the House and a concern that I am expressing in a generic fashion. I hope that we do not come down to "this side" or "that side." That is not the purpose of my intervention at this time.

Mr. LAGOMARSINO. Mr. Chairman, if the gentleman will yield further, the point I am trying to make is we are at a position now where much of what we have done is starting to take effect in Latin America. I think that this program that the gentleman is defending is an excellent one. Probably the $35 million in and of itself is not that important, but the signal that we send, the signal that we would send by defeating this amendment, I think would be a very bad one.

The CHAIRMAN. The time of the gentleman from Texas [Mr. DE LA GARZA] has expired.

(By unanimous consent Mr. DE LA GARZA was allowed to proceed for 1 additional minute.)

Mr. DE LA GARZA. Mr. Chairman, the issue is in the best interests of the United States of America, security, and our own stability. The national security of the United States of America demands a stable Central and South America. Otherwise it will cost us a lot more than the amount being discussed today. We have already spent a lot more. We have already invested a lot more than the amount being discussed here.

Mr. Chairman, our very own national security, the stability in those areas, they look to us for assistance. I think it is time that we accept the responsibility, because in part we are morally responsible for the sustainment of democracy and freedom in those areas where we went and told them to emulate us, this is the way to go. We now have to be responsible and assist them in that endeavor.

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

Mr. Chairman, I rise in opposition to the Glickman amendment. Mr. Chairman, the last discussion by the chairman of the Committee on Agriculture,

the gentleman from Texas [Mr. DE LA GARZA], was certainly on point in several respects.

First of all, the gentleman talked about the importance of the Enterprise for the Americas Initiative and to the security of the United States and to its stability. I think the gentleman means stability of the hemisphere as well as our own. I would add to that the importance of EAI to exports, our exports, as a result of funding the full appropriations suggested by the appropriations subcommittee.

The distinguished gentleman from California [Mr. LAGOMARSINO] in a colloquy with Chairman DE LA GARZA mentioned the fact that we have extended a commitment to the nations of the Caribbean and Latin America by proposing EAI.

Indeed, 31 countries have agreed and accepted our commitment already and taken various actions such as tax and investment actions to take advantage of the Enterprise for the Americas Initiative we have extended to them.

Mr. Chairman, I oppose the Glickman amendment and support the funding of the prepared $69.5 million included in the Agriculture appropriations bill for restructuring the old debts that some countries in Central and South America which were incurred under the Public Law 480 program.

The authority for this type of debt restructuring was provided in the 1990 farm bill in order to help countries in the hemisphere that are willing to take very serious steps to reform their economies in ways that help trade, investment, and economic growth in the Western Hemisphere.

Supporting this reform process helps U.S. trade, U.S. exports, U.S. jobs. During the 1980's, exports to Latin America dropped dramatically, with real impact on United States exports, particularly of agricultural products. With big debt burdens, many countries were unable to buy U.S. exports or to attract private investors who say those debt burdens stretching far into the future. Instead these countries were forced to put tremendous resources into exporting themselves—anything to get the foreign exchange to pay the bills. Huge areas of rainforest were cut down to make ranches and farms that were not ecologically sustainable, with resulting sales of agricultural products at low prices in international markets just to meet the external debt obligations.

The 1990 farm bill saw that this was a vicious cycle—vicious for the United States economy and exports, vicious for the economic and political stability of newly elected democratic governments in Central and South America, vicious for the global environment. The farm bill authorized Public Law 480 debt restructuring under certain rigorous conditions, with the restructured principal payments continuing to come into the U.S. Treasury and the restructured interest payments allowed to go into environmental restoration and preservation activities in the Western Hemisphere.

In 1991, debt reduction agreements were concluded with Chile, Bolivia, and Jamaica. In each country interest payments on the new, reduced debt obligations will be channeled into local environmental funds. In fiscal year 1993 a number of new countries should become eligible for debt reduction under these terms.

The $69.5 million provided in the bill could be leveraged into substantial restructured benefits for up to five more countries including Costa Rica and El Salvador, resulting in total debt reduction of around $400 million and cash flow savings for the countries of more than $600 million over the life of these loans. In addition, $20 million would be generated for funds for local environmental and community development work by local nonprofit organizations in the countries.

Since 1990, the growth in United States exports to Latin America and the Caribbean has accelerated, while exports to the rest of the world have slacked off. In the first 3 months of 1992, U.S. exports to the region were up 32 percent compared to an increase of only 4 percent to the rest of the world. This is the fastest growing export market in the world for the United States.

This debt reduction authority can only be used by the President to the extent provided in appropriations acts.

This amendment would strike, some of this proposed appropriation and reduce thereby some of these many benefits to U.S. exports, U.S. agriculture, global environmental efforts, and our neighboring countries in the hemisphere. I urge my colleagues to support the committee's legislative language and proposed appropriations of $69.5 million for this element in EAI and the bill and to defeat this Glickman amendment.

□ 1900

The CHAIRMAN. The time of the gentleman from Nebraska [Mr. BEREUTER] has expired.

(On request of Mr. GLICKMAN, and by unanimous consent, Mr. BEREUTER was allowed to proceed for 30 additional seconds.)

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

Mr. BEREUTER. I yield to my distinguished friend, the gentleman from Kansas.

Mr. GLICKMAN. Mr. Chairman, I recall we had a discussion like this on the floor about 2 years ago on another issue, the gentleman knows that issue, but I would just say that I am not against the debt restructuring. It is just that at a time of very tight fiscal policy in this country, I am cutting $35 million out of $70 million.

Let us give it a chance to work and let us take that $35 million and apply it to the budget deficit of the United States.

Mr. BEREUTER. Mr. Chairman, I understand the good motives of the gentleman. I would be with him all the way if I did not think this amendment was going to cost us an extra amount. This proposed savings is going to cost us in jobs and exports. That is why I am opposed to it.

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

Mr. Chairman, I, too, rise in opposition to this amendment. There are political overtones to this amendment that I wish to explain.

I recognize my colleague from Kansas wanting to reduce the deficit and making the obviously strong argument that we could use this money at home, but what is happening in Latin America right now is democratization and a shift to market economy. The press goes to Eastern Europe and NATO and everyone talks about the democratization there but ignores our own hemisphere.

Mr. Chairman, this amendment would hit two countries the hardest: Costa Rica and El Salvador. These countries do not have big lobbyists running around. They do not have big constituencies. But they are two countries that have done almost everything we have asked them to do.

We asked them to liberalize their economy. We have asked them to institute market economies. El Salvador has gotten through a huge civil war, both the left and the right are together trying to rebuild their country.

This signal that we would send of cutting in half to these two small countries will send ripple effects throughout Latin America.

What we are seeing in Latin America is Argentina moving toward market reforms, democratizing, Brazil, Chile, Uruguay, Mexico.

If we look at what is happening internationally, the world is shifting into trading blocs. GATT is going to fail. What we have to do is integrate ourselves in our own hemisphere. And if we ease the debt burden to some of our friends in the hemisphere, if we increase our own exports, if we increase trade and we push democratization at the same time that we are liberalizing markets, the whole hemisphere benefits. And we move ahead with increased jobs for our people.

Mr. Chairman, I can get as partisan as anybody in this House, but one very positive initiative of this President has been the Enterprise for the Americas for the entire hemisphere. And it has been buttressed by the chairman of the Subcommittee on Western Hemisphere Affairs, the gentleman from New Jersey [Mr. TORRICELLI]. And what we are doing here is sending an unfortunate political signal, and the signal will be read like this: "OK. I am a small coun-

try. I have sought leadership from the United States. I have looked at what Costa Rica has done and the peace process in Nicaragua."

And we turn back and say this: "You know that agreement we had on the Enterprise for the Americas? We are now going to cut it in half."

And although it is a small amount to many of us. To those small countries, it sends an unfortunate political signal.

So I ask my colleagues to reject this amendment, and I understand my good friend's intentions.

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

Mr. RICHARDSON. I yield to the gentleman from Kansas.

Mr. GLICKMAN. Mr. Chairman, first of all, let us make it clear, this is no debt restructuring this year. We are not cutting anything for anybody. This is new authorization under the 1990 farm bill. The President has asked for $69.5 million. I am just asking, because of the fiscal realities of our country, that we bring it back to $35 million. No signal to anybody, no cuts at all.

Mr. RICHARDSON. Mr. Chairman, reclaiming my time, the gentleman is cutting one-half of that $69 million, and it is going to be debt relief, and it is going to hit Costa Rica. And it is going to hit El Salvador. That is the practical effect.

The political effect is going to be our friends in the hemisphere: "Look, we are not going to touch the Pakistans and the Indias and the Middle East countries, but we are going to go after you guys because you are small and you are not that strategically important."

That is going to be the political signal. So I ask my colleagues to proceed with an initiative of backing this Enterprise for the Americas. It is a good initiative. Let us give it a chance, but let us not take it out on El Salvador. Let us not take it out on Costa Rica. These are two good democratic countries that are our friends.

Let us reduce the deficit, but let us not do it on the backs against two countries in a hemisphere that is not as powerful as everybody else. I ask strong rejection of this amendment.

ENTERPRISE FOR THE AMERICAS INITIATIVE [EAI]

BENEFITS TO THE UNITED STATES AND TO THE REGION FROM THE EAI

Latin America and the Caribbean represent the fastest growing regional market for U.S. exports.

U.S. exports to the region have grown by 12 percent annually during the past 5 years—much faster than exports to the rest of the world.

Exports to the region have doubled since 1986—to $62 billion.

1 of every 7 dollars of U.S. exports now goes to Latin America and the Caribbean.

The United States accounts for 57% of the region's imports from industrialized countries, compared to 29% for Europe and 11% for Japan—we have the most to gain from stronger economies and more open markets.

Every $1 billion increase in U.S. exports generates 20,000 export-related jobs.

The Enterprise for the Americas Initiative will: Support economic growth and improve individual welfare throughout the region; open markets for U.S. exporters; expand opportunities for U.S. investors; and ease debt burdens, releasing resources for capital formation, imports, education, health, and the environment.

The United States will benefit through: Stronger growth at home, improved investment earnings, increased exports, more jobs, and better regional security.

To advance the EAI further, Congress needs to: Provide the necessary authorizing legislation (currently pending in the foreign aid bill rewrite); appropriate $286 million in FY '93 to fund debt reduction; and appropriate $100 million each year for 5 years for the U.S. contribution to the Multilateral Investment Fund.

ENTERPRISE FOR THE AMERICAS INITIATIVE—UPDATE

The President announced the EAI to spur a new partnership with our neighbors in Latin America and the Caribbean. The EAI proposed action in three areas of key importance to the region—trade, investment, and debt.

Trade

The goal of the EAI in the trade area is to promote free trade throughout the hemisphere. Congress' extension of fast-track implementing authority (thru 6/1/93) has allowed us to begin this effort by seeking to negotiate a North American Free Trade Agreement with Mexico and Canada.

We are also negotiating bilateral framework agreements with countries throughout the region to begin to reduce barriers to trade. We now have framework agreements in place with 31 countries in the Western Hemisphere: Mexico, Bolivia, Colombia, Chile, Costa Rica, Ecuador, El Salvador, Honduras, Peru, Venezuela, the Southern Cone countries of Argentina, Brazil, Uruguay and Paraguay, Panama, Nicaragua, the 13 Caribbean members of Caricom, Guatemala and the Dominican Republic.

Investment

To encourage countries to liberalize their investment regimes and thereby to help them compete for capital, the Initiative proposed creation of two new programs in the Inter-American Development Bank (IDB).

The IDB is actively engaged in its investment sector loan program. The IDB Board already approved loans to Chile, Bolivia, Jamaica and Colombia.

Diagnostic missions have also been sent to other countries, including Costa Rica, El Salvador, Uruguay, Trinidad and Tobago, Argentina, and Guatemala to discuss potential ISLs.

The Multilateral Investment Fund (MIF) is designed to assist countries in undertaking investment reforms that are fundamental to attract private capital into the region.

The MIF Agreement was signed by twenty-one countries at a White House ceremony on February 11, 1992.

The MIF has wide international support—the U.S. and Japan will each contribute $500 million, and Spain, Germany, Italy, France, Portugal, Canada, and 13 Latin countries have also pledged financial contributions.

Additional countries may participate, advancing the MIF toward the $1.5 billion funding target. Currently, pledges total approximately $1.3 billion.

Debt

To reinforce the incentives for economic reform, we propose to reduce existing debts to the USG of countries which are undertaking macroeconomics and structural reforms, are liberalizing their investment regimes, and have negotiated agreements with their commercial banks, as appropriate.

Under the authority we gained from Congress to reduce PL-480 obligations in the 1990 Farm Bill, we concluded debt reduction agreements in the summer of 1991 with Chile, Bolivia and Jamaica.

Local currency interest payments on the new, reduced PL-480 obligations will be channeled into local Environmental Funds established through an Environmental Framework Agreement (EFA) negotiated with each country which receives EAI debt reduction.

On September 5, 1991 President Bush announced the nine members appointed to the Environment for the Americas Board (EAB), the Board established by Congress to advise the President on the negotiations of EFAs and to review implementation of the environmental element of the EAI.

Environmental Framework Agreements are in place with all three recipient countries of EAI debt reduction.

The EAI's envisioned support for the environment is now a reality.

In addition to these actions by the U.S., the IDB has provided resources to Uruguay to help back its debt and debt service reduction agreement with commercial banks under the Brady Plan.

Looking Ahead

Full implementation of the EAI must await action from Congress. U.S. participation in the Multilateral Investment Fund, the reduction of AID debt, and swaps of nonconcessional loans require Congressional authorization and appropriations.

We have made great strides in advancing the new vision for the hemisphere embodied in the Enterprise for the Americas Initiative. Our neighbors in Latin America and the Caribbean have responded with enthusiasm to the prospect of increased trade, investment, and growth. Their commitment to economic reform is producing results. The Administration is committed to pressing forward to realize the full potential of the Initiative. We will be working with the Congress to ensure the continued success of the EAI.

EAI BUDGET COST—FISCAL YEAR 1993 ACTION

[In millions of dollars]

Fiscal year 1993 countries	Current administration estimates (June 1992)					
	Stock of debt outstanding[1]		Amount reduced	Budget cost of debt reduction		Funds to nature[2]
	AID	Public Law 480		AID	Public Law 480	
Argentina	35.3	.....	8.8	1.7	.....	6.4
Barbados	1.8	.....	0.5	0.0	.....	0.2
Chile	282.5	.....	70.6	25.2	.....	35.0
Colombia	475.9	.....	119.0	54.8	.....	58.9
Costa Rica[3]	331.1	117.9	94.3	.....	43.7	21.6
El Salvador	272.8	377.1	519.9	21.1	22.8	21.4
Guatemala[3]	194.5	100.3	108.4	50.0	.....	10.9
Jamaica[3]	464.9	.....	199.7	50.0	.....	29.3
Paraguay	31.7	1.7	26.7	9.6	0.4	1.7
Uruguay	35.1	1.6	9.2	3.6	0.0	4.3
Subtotal	2,125.6	598.6	.....	216.0	66.9	$189.7
Total	2,724.2	.....	1,157.1	282.9	.....	.....

[1] The final determination of the stock of debt will be resolved bilaterally. The amount of debt reduction anticipated could range from 25 to 80 percent for these programs. Eximbank and CCC debt is not addressed.

[2] The environmental funds reflect the flows from the full amount of debt reduction.

[3] Reduction of AID debt for Guatemala and Jamaica will be tranched over 2 years, for Costa Rica over 3 years.

The budget cost of this action as well as the amount of debt reduced, in fiscal year 1994 and fiscal year 1995 is as follows:

	Amount reduced	Budget cost
Fiscal year 1994:		
Costa Rica	162.7	50.0
Guatemala	127.5	47.0
Jamaica	172.2	43.0
Total	462.4	140.0
Fiscal year 1995:		
Costa Rica (Total)	$102.2	31.4

BENEFITS OF EAI DEBT REDUCTION

The Administration's EAI request for $286 million in FY 1993 could be leveraged into the following benefits for ten debtor countries in South America, Central America and the Caribbean that we believe will qualify in FY 1993:

Stock of debt reduced by over $1.1 billion.

For the group as a whole, each dollar of Budget Authority results in 4 dollars of debt reduction. For individual countries the leverage ratio may be higher (i.e., 1 to 11 for El Salvador).

Cash flow savings over the life of the loans of more than $1.9 billion.

Potential environmental/child development funds of more than $154 million (in local currency equivalent).

Additional tranches in FY 1994-95 for three of these countries, at an additional budget cost of $171 million, could be leveraged into additional debt reduction of $565 million, additional cash flow savings of $800 million, and additional environmental funds of more than $50 million.

The story is most dramatic for countries such as El Salvador, Jamaica, Costa Rica and Guatemala.

El Salvador: For a budget cost of about $45 million in FY 1993:

El Salvador's stock of debt could be reduced by as much as $500 million; with cash flow savings of more than $800 million; and potential environmental/child development funds of more than $20 million.

Such U.S. action alone would reduce El Salvador's debt to bilateral creditors by two-thirds.

Jamaica: The EAI action on PL-480 debt during FY 1991 reduced Jamaica's debt by $216 million and will provide environmental funds totalling $9 million.

Further action in FY 1993-94 at a budget cost of $93 million could result in additional reduction of Jamaican debt by $375 million, cash flow savings of $500 million, and funds for the environment/child development of about $25 million.

As a result of such U.S. action, Jamaica's debt to bilateral creditors would be reduced by one-third.

Guatemala: For a budget cost of about $97 million spread over FY 1993-94:

Guatemala's stock of debt could be reduced by $235 million; with cash flow savings of more than $385 million; and potential environmental/child development funds of more than $10 million.

Such U.S. action alone would reduce Guatemala's debt to bilateral creditors by almost 30 percent.

Costa Rica: For a budget cost of about $131 million spread over FY 1993-95:

Costa Rica's stock of debt could be reduced by $370 million; with cash flow savings of more than $500 million; and potential environmental/child development funds of more than $20 million.

Such U.S. action alone would reduce Costa Rica's debt to bilateral creditors by about 38 percent.

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

Mr. Chairman, I do rise in opposition to the amendment. Most of the arguments have been stated, and I will not take the full time.

I think this is an important issue. It is not just the symbolic issue. I dare say this debate is being watched very closely tonight by the governments of all the Latin American countries. There are many in this body that have criticized the President or this committee for including this money here for Latin American debt restructuring and reduction while at the same time we are ignoring the deficit here at home.

□ 1910

The rhetoric makes for a great soundbite—and I've heard it several times on the radio. But the logic is just plain wrong. Debt reduction for our Latin American neighbors is sound fiscal policy for the United States.

Why are we killing this program here today? One reason is the escalating budget deficit. I completely and totally agree. In fact, I just voted for an amendment that cut a project in my district. It was a worthwhile project—but they are all worthwhile. Unfortunately, we cannot afford them all. So, I voted against a project in my district for the greater good of reducing spending. However, killing EAI debt reduction, as this amendment would do, would have a detrimental impact on our own budget.

By killing EAI debt reduction; we are crushing Latin American hopes for dramatic economic improvement—improvement that in turn increases U.S. jobs due to boosted exports. More working Americans means more revenue—far more revenue—than would be saved by cutting the $35 million in the first place. We cannot forget the simple fact that the additional jobs that are gained as a result of increased exports helps our budget deficit and our economy. Therefore, I believe the subcommittee made a prudent decision in appropriating this $69.5 million for the most important foreign policy objective for this hemisphere.

Others would say that because interest rates have fallen so significantly during the past year and a half, Latin America has already benefited from a de facto $4.1 billion debt reduction. While this is a terrific benefit for Latin America, it's hardly reason enough for the United States to turn our back on the remaining debt problem in the western hemisphere.

And let me remind Members why the Enterprise for the Americas Initiative is so important to this hemisphere. Certainly the folks in Santiago, in Buenos Aires, and in Kingston will be watching closely the actions of this body today.

But the folks in Cleveland, Detroit, and Milwaukee should also be watching and listening.

The Enterprise for the Americas Initiative is this Nation's major policy to unify this hemisphere into a sphere of democracy, free markets and better standards of living.

Since the Presidency of John F. Kennedy, every American President has developed a major policy to improve relations with Latin America. The difference today—and why the Enterprise for the Americas Initiative is so important—is because we have a more receptive audience than ever before.

More Latin American countries are living under democracy than at any time in this century. And, more so than at any other time in our history, Latin America wants friendlier political and economic relations with the United States. Every Latin American nation, with the exception of Cuba, has signed an EAI framework trading agreement with the United States.

We are at the crossroads of a significant opportunity in this hemisphere. And the path to prosperity and harmonized relations between the United States and Latin America leads to goals—increased trade and investment, and decreased debt—that can only be achieved by the EAI.

And by reaching for these goals, we better ourselves. Exports to Latin America have doubled since 1986 to $62 billion. Indeed, 57 percent of Latin American imports come from the United States. And each billion dollars in U.S. exports creates 20,000 jobs here at home. That means that well over 1 million U.S. jobs are dependent upon trade with Latin America.

And trade with Latin America, in turn, is dependent on this Congress pursuing the American Enterprise Initiative, which will open up markets for more U.S. goods and investments while at the same time furthering democracy and a higher quality of life for partners in the Western Hemisphere. Debt reduction is a key pillar of EAI. Without it, the Enterprise for the Americas Initiative simply will not work as envisioned.

So, listen up Michigan, Wisconsin, Ohio, Illinois, and New York. Killing the EAI debt reduction component, as this amendment would do, hurts your States and your economies.

I urge opposition to this amendment.

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

Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman, there are people in our country who believe that we are no longer capable of fashioning a bipartisan foreign policy, and indeed, through much of the last decade Latin America alone has given more than ample proof of that belief. The Enterprise for the Americas Initiative is evidence that in this Congress, in this administration, that is no longer the case.

Conceived in a Democratic caucus, proposed by a Republican President,

supported in this Congress on a bipartisan basis, the Enterprise for the Americas Initiative is the foundation of American policy in Latin America in this decade. Its importance cannot be overstated. It is the successor to a decade of conflict, and war, and confrontation in Central and South America. It is many things, but it may be best defined by what it is not. It is not foreign aid.

Contrary to my friend, the gentleman from New Mexico [Mr. RICHARDSON], who stated that the most important beneficiaries are in Central America, the most important beneficiaries are in the United States, because it not only brings security, and stability, and development to the nations of Central and South America, it brings economic opportunity to the United States.

For more than a decade American exports to Latin America have been in a downward spiral. More than half of those markets have been lost, and the consequences for every State and every community in America have been profound. It is estimated that if we had not lost the markets of Latin America in the 1980's, 6 million more Americans would be working today. That is more than half of those who are now unemployed. Half of those markets were lost.

The significance of that is enormous. Latin America is buying more products from the United States than Japan, more than Germany, more than Italy, more than France. It is our largest market, and we are losing it. One of the most important reasons why is a mountain of debt, debt that will never be repaid, but because it remains on the books, because these nations struggle to do so, they are unable to enter into capital markets. They are unable to import.

Who suffers? The nation which has always dominated these trade markets, the American worker, the American company, the American farmer. That is why we conceived this program, and that is why it is so important today that it not be lost.

One final reason. For all of the Members who watched the conference in Rio, for all of the Members who are concerned about children in Latin America, in addition to the American worker, the money that is saved in this program goes into funds in each of these countries paid in their own currencies to buy land, to buy tropical forests, to save environmentally sensitive areas from development, consistent with what all of us believe should happen at Rio. And finally, to help with child welfare in food and medical programs, to be sure that the tens of thousands who are losing their lives to desperate poverty get some help.

I know it is easy to attack debt relief for Latin American nations in a time of austerity for America. But what we are giving up is nothing. It is debt that will never be repaid, and what we are getting is real, export opportunities for American workers, environmental protection and child protection for the desperately poor.

There is a reason why this administration and this Congress on a bipartisan basis were able to come together for Enterprise for the Americas. There is a reason, because it profoundly makes sense.

I also know it is a vote that can be misinterpreted, but it is an important vote. I ask today on a bipartisan basis that we stand up for the initiative. This is the foundation of American policy in Latin America in this decade, and it cannot be lost.

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

Mr. Chairman, I want to take just a moment to compliment both the gentleman from New Mexico [Mr. RICHARDSON] and the gentleman from New Jersey [Mr. TORRICELLI] for two of the most eloquent speeches I have heard on the floor this year, to tell the truth. What the gentleman from New Jersey [Mr. TORRICELLI] just finished saying, talking about the importance of this hemisphere being united, open trade, economic growth, the dignity of individuals in Central America, in all of Latin America, it is very, very accurate and very impressive.

□ 1920

The gentleman from New Mexico [Mr. RICHARDSON], who agonized for a long period of time over what we should do with issues like Contra aid and aid to El Salvador, found himself many times put in between two warring factions on this House floor and was forced to choose at times. I want to say how quickly we forget. I see MARY ROSE OAKAR on the floor, and I remember the painful debate that we went through affecting El Salvador. I happen to have had the good fortune to be in El Salvador the day that President Cristiani came back from the signing of the Mexico Peace Accord Agreement, and to see how hopeful he was that he could work with the enemy, an enemy that had fought the government for many years.

And of course, the people who were the big losers in El Salvador were the peasants, the people who got caught in the middle of this terrible war. Now we have an opportunity not only to have democracy, but to cement democracy, to make democracy a reality in the long term because of economic growth and the prospects of economic growth. The people in El Salvador, the Government leaders in El Salvador I guarantee are watching this debate tonight. They are hopeful that they can make their way through this morass. There are many people in El Salvador who would like to see this present Government fail, who would like to see the agreement disintegrate, who in some respects would like to see war begin. The potential for war can begin if the economy collapses.

I have great respect for the gentleman from Kansas and he is an outstanding Member of this House. But on this amendment I cannot agree with him because I think in this case the people of these countries—these fragile democracies who are trying to follow a path that we represent—are so sensitive to any of the signals that we may send that say, in one way or another, economically you are on your own, economically we do not care, economically we do not understand, we have our own problems, I think we have to be leaders on this issue. And for that reason, I think we have to reject the Glickman amendment.

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

Mr. KASICH. I yield to the gentleman from Iowa.

Mr. LEACH. Mr. Chairman, just very quickly, in the scope of this bill this is not a major dollar issue. But in terms of perspective, this is truly a referendum on a progressive Latin American policy.

If people believe in debt-for-nature swaps, if they believe in the Rio Environmental Treaty, if they believe in a bipartisan foreign policy which sprung from Congress—and I would stress primarily in the other body from the leadership of Senator BRADLEY—if they believe that an American Presidency should not willy-nilly be undercut, and particularly at this time when it is so progressively correct, I would urge with the greatest respect that we turn down this amendment.

Mr. GLICKMAN. Mr. Chairman, will my colleague yield?

Mr. KASICH. I am glad to yield to the gentleman from Kansas.

Mr. GLICKMAN. Mr. Chairman, I would hate to think that $35 million will bring down Central and South America, and it will not. This does not affect direct foreign aid at all. This is debt forgiveness under a new program. It was zero last year, zero, my friends, and I am saying $35 million this year. The administration wants $70 million this year. That is the nub of this amendment.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

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

Mr. BURTON of Indiana. Mr. Chairman, I just want to say that I have been for cutting spending any place we can. But we are giving literally billions of dollars to other parts of the world, billions.

One of the biggest problems we have with Central America, and Latin America, and Mexico is that we are having hundreds of thousands of people fleeing north and coming into the United States across the Mexican-American

border. It is extremely important that there be stability down there, and I just say to my colleague from Ohio that I agree with him 100 percent. This is one area where we must not be penny-wise and pound-foolish. There are a lot of other areas to cut spending that I am for, but this is not one of them.

Ms. OAKAR. Mr. Chairman, I move to strike the requisite number of words. I want to associate myself with my friend from Ohio [Mr. KASICH] and others. He was very eloquent as well.

Mr. KASICH. Mr. Chairman, will the gentlewoman yield for just one brief second?

Ms. OAKAR. I am happy to yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, in regard to what the gentleman said about $35 million, I think Members have to understand that the people in this region are watching everything now, and they are really, really panicking about their future.

We are going to mark up a Soviet aid bill, and we are going to talk about I do not know how many billions, and here we are talking about millions of dollars on our doorstep to cement something that we all fought for, for so very long.

I really appreciate the gentlewoman yielding.

Ms. OAKAR. I thank the gentleman.

Mr. Chairman, I just want to say that this entire initiative is part of a very intense and thoughtful proposal that was crafted with the help of our neighbors, and in a bipartisan way. And when the administration came to our subcommittee relative to this initiative, we were supportive because we thought it was the right thing to do.

First, we are part of the Western Hemisphere, and let us be honest about it. We have ignored this part of the world, and it is right in our own backyard. These are our neighbors.

Second, there is not a lot of hope of recapturing a lot of this debt. And what happens is this debt is held by the Export-Import Bank which is the financial tool for our own businesses. And by liberating that bank of this particular debt, we will liberate the Export-Import Bank's opportunities for our own businesses. And I think that is a factor that we ought to consider.

Last, it is true that we have a trade surplus with Latin America, that we indeed do create American jobs by exporting to this region of the world. So it is important that they have the cash flow to buy our products. My own State of Ohio is the third largest exporter in the country and we are proud of that, and some of our biggest customers are the countries in Latin America.

So, because of the fact that it is the right thing to do, the moral thing to do to reduce the poverty of this region of the world, our own neighbors, and for our own American jobs, I would ask Members to vote against the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. GLICKMAN].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 78, noes 333, not voting 23, as follows:

[Roll No. 247]

AYES—78

Allen	Franks (CT)	Patterson
Andrews (ME)	Gaydos	Penny
Andrews (NJ)	Glickman	Petri
Applegate	Hancock	Poshard
Bennett	Hoagland	Rahall
Bilirakis	Horn	Ramstad
Brewster	Hubbard	Ray
Bruce	Hughes	Reed
Clement	Jacobs	Roemer
Coble	James	Rogers
Condit	Johnson (CT)	Roth
Costello	Johnson (SD)	Sanders
Cox (CA)	Jones (NC)	Sensenbrenner
Crane	Jontz	Shays
Dannemeyer	Kanjorski	Sisisky
Derrick	Kaptur	Slattery
Donnelly	Kolter	Spence
Dorgan (ND)	Long	Stearns
Dreier	Martinez	Tanner
Duncan	Mazzoli	Traficant
Durbin	McCandless	Valentine
Early	McHugh	Visclosky
Eckart	Moody	Volkmer
English	Neal (NC)	Walsh
Evans	Obey	Wheat
Fazio	Orton	Zeliff

NOES—333

Abercrombie	Clay	Ford (TN)
Alexander	Clinger	Frank (MA)
Allard	Coleman (MO)	Frost
Anderson	Coleman (TX)	Gallegly
Andrews (TX)	Collins (IL)	Gallo
Annunzio	Collins (MI)	Gejdenson
Archer	Combest	Gephardt
Armey	Conyers	Geren
Aspin	Cooper	Gibbons
Atkins	Coughlin	Gilchrest
AuCoin	Cox (IL)	Gillmor
Bacchus	Coyne	Gilman
Ballenger	Cramer	Gingrich
Barnard	Cunningham	Gonzalez
Barrett	Darden	Goodling
Barton	Davis	Gordon
Bateman	de la Garza	Goss
Bellenson	DeFazio	Gradison
Bentley	DeLauro	Grandy
Bereuter	DeLay	Green
Berman	Dellums	Guarini
Bilbray	Dickinson	Gunderson
Blackwell	Dicks	Hall (OH)
Bliley	Dingell	Hall (TX)
Boehlert	Dixon	Hamilton
Boehner	Dooley	Hammerschmidt
Borski	Doolittle	Hansen
Boucher	Dornan (CA)	Harris
Brooks	Downey	Hastert
Broomfield	Dwyer	Hatcher
Browder	Edwards (CA)	Hayes (IL)
Brown	Edwards (OK)	Hayes (LA)
Bryant	Edwards (TX)	Hefley
Bunning	Emerson	Henry
Burton	Engel	Herger
Byron	Espy	Hertel
Callahan	Ewing	Hobson
Camp	Fascell	Hochbrueckner
Campbell (CA)	Fawell	Holloway
Campbell (CO)	Feighan	Hopkins
Cardin	Fields	Horton
Carper	Fish	Houghton
Carr	Flake	Hoyer
Chandler	Foglietta	Hunter
Chapman	Ford (MI)	Hutto
Hyde	Montgomery	Saxton
Inhofe	Moorhead	Schaefer
Ireland	Moran	Schiff
Jefferson	Morella	Schulze
Jenkins	Morrison	Schumer
Johnson (TX)	Mrazek	Serrano
Johnston	Murphy	Sharp
Kasich	Murtha	Shaw
Kennedy	Myers	Shuster
Kennelly	Nagle	Sikorski
Kildee	Natcher	Skaggs
Kleczka	Neal (MA)	Skeen
Klug	Nichols	Slaughter
Kolbe	Nowak	Smith (FL)
Kopetski	Nussle	Smith (IA)
Kostmayer	Oakar	Smith (NJ)
Kyl	Oberstar	Smith (OR)
LaFalce	Olin	Smith (TX)
Lagomarsino	Olver	Snowe
Lancaster	Ortiz	Solarz
Lantos	Owens (NY)	Solomon
LaRocco	Owens (UT)	Spratt
Laughlin	Oxley	Staggers
Leach	Packard	Stallings
Lehman (CA)	Pallone	Stark
Lehman (FL)	Panetta	Stenholm
Lent	Parker	Stokes
Levin (MI)	Pastor	Studds
Levine (CA)	Paxon	Stump
Lewis (CA)	Payne (NJ)	Sundquist
Lewis (FL)	Payne (VA)	Swett
Lewis (GA)	Pease	Swift
Lightfoot	Pelosi	Synar
Lipinski	Peterson (FL)	Tauzin
Livingston	Peterson (MN)	Taylor (NC)
Lloyd	Pickett	Thomas (CA)
Lowery (CA)	Pickle	Thomas (GA)
Lowey (NY)	Porter	Thomas (WY)
Luken	Price	Thornton
Machtley	Pursell	Torres
Manton	Quillen	Torricelli
Markey	Rangel	Towns
Marlenee	Ravenel	Unsoeld
Martin	Regula	Upton
Mavroules	Rhodes	Vander Jagt
McCloskey	Richardson	Vento
McCollum	Ridge	Vucanovich
McCrery	Riggs	Walker
McCurdy	Rinaldo	Washington
McDade	Ritter	Waters
McDermott	Roberts	Waxman
McEwen	Roe	Weber
McGrath	Rohrabacher	Weiss
McMillan (NC)	Ros-Lehtinen	Weldon
McMillen (MD)	Rose	Whitten
McNulty	Rostenkowski	Wilson
Meyers	Roukema	Wise
Mfume	Rowland	Wolf
Michel	Roybal	Wolpe
Miller (CA)	Russo	Wyden
Miller (OH)	Sabo	Wylie
Miller (WA)	Sangmeister	Yates
Mineta	Santorum	Yatron
Mink	Sarpalius	Young (AK)
Moakley	Savage	Young (FL)
Molinari	Sawyer	Zimmer

NOT VOTING—23

Ackerman	Erdreich	Scheuer
Anthony	Gekas	Schroeder
Baker	Hefner	Skelton
Bevill	Huckaby	Tallon
Bonior	Jones (GA)	Taylor (MS)
Boxer	Matsui	Traxler
Bustamante	Mollohan	Williams
Dymally	Perkins	

□ 1948

Messrs. VENTO, DIXON, and FOGLIETTA changed their vote from "aye" to "no."

Messrs. WHEAT, DONNELLY, VALENTINE, ROGERS, FRANKS of Connecticut, and RAHALL changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Texas: Page 84, after line 12, insert the following new section:

SEC. 732. The amounts otherwise provided in this Act for the following accounts and activities are hereby reduced by the following amounts:

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

Expenses, $52,060.

OFFICE OF THE DEPUTY SECRETARY

Expenses, $11,570.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

Expenses, $67,352.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

Expenses, $8,470.

ADVISORY COMMITTEES (USDA)

Expenses, $19,040.

HAZARDOUS WASTE MANAGEMENT

Expenses, $320,000.

DEPARTMENTAL ADMINISTRATION

Expenses, $342,030.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

Expenses, $22,420.

OFFICE OF PUBLIC AFFAIRS

Expenses, $208,050.

OFFICE OF THE INSPECTOR GENERAL

Expenses, $1,101,800.

OFFICE OF THE GENERAL COUNSEL

Expenses, $194,302.

OFFICE OF THE ASSISTANT SECRETARY FOR ECONOMICS

Expenses, $14,770.

ECONOMIC RESEARCH SERVICE

Expenses, $1,174,400.

NATIONAL AGRICULTURAL STATISTICS SERVICE

Expenses, $1,618,820.

WORLD AGRICULTURAL OUTLOOK BOARD

Expenses, $40,265.

OFFICE OF THE ASSISTANT SECRETARY FOR SCIENCE AND EDUCATION

Salaries and expenses, $11,670.

ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION

Expenses, $7,644.

AGRICULTURAL RESEARCH SERVICE

Expenses, $3,167,580.

COOPERATIVE STATE RESEARCH SERVICE

Payments, $826,710.

EXTENSION SERVICE

Payments, $419,190.

NATIONAL AGRICULTURAL LIBRARY

Expenses, $345,000.

OFFICE OF THE ASSISTANCE SECRETARY FOR MARKETING AND INSPECTION SERVICES

Salaries and expenses, $10,950.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

Salaries and expenses, $8,618,780.

FEDERAL GRAIN INSPECTION SERVICE

Salaries and expenses, $339,750.

AGRICULTRUAL COOPERATIVE SERVICE

Expenses, $160,420.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

Expenses, $1,130,400.

PACKERS AND STOCKYARDS ADMINISTRATION

Expenses, $237,500.

CONSERVATION PROGRAMS

OFFICE OF THE ASSISTANT SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

Salaries and expenses, $15,080.

SOIL CONSERVATION SERVICE

CONSERVATION OPERATIONS

Expenses, $9,438,765.

RIVER BASIN SURVEYS AND INVESTIGATIONS

Expenses, $$286,023.

WATERSHED PLANNING

Expenses, $143,011.

WATERSHED AND FLOOD PREVENTION OPERATIONS

Expenses, $3,432,218.

RESOURCE CONSERVATION AND DEVELOPMENT

Expenses, $572,046.

GREAT PLAINS CONSERVATION PROGRAM

Expenses, $429,034.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

AGRICULTURAL CONSERVATION PROGRAM

Expenses, $3,888,700.

FARMERS HOME AND RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR SMALL COMMUNITY AND RURAL DEVELOPMENT

Salaries and expenses, $7,130.

FARMERS HOME ADMINISTRATION

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

Administrative expenses, $6,410,632.

RURAL ELECTRIFICATION ADMINISTRATION

Salaries and expenses, $755,900.

DOMESTIC FOOD PROGRAMS

OFFICE OF THE ASSISTANT SECRETARY FOR FOOD AND CONSUMER SERVICES

Salaries and expenses, $12,290.

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

Expenses, $2,200,460.

OFFICE OF INTERNATIONAL COOPERATION AND DEVELOPMENT

Expenses, $295,435.

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

Salaries and expenses, $14,882,770.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

Expenses, $946,000.

FARM CREDIT ADMINISTRATION

Administrative expenses, $773,720.

□ 1950

Mr. SMITH of Texas (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 Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Chairman, by supporting this amendment, Members will challenge Federal managers to find an additional 10 percent savings in their overhead spending only.

This amendment will make agencies more effective in delivering services and benefits. The only program impact will be to make programs more efficient. My amendment does not ask one agency what it is not willing to ask of another. Each is to reduce their total overhead by 10 percent over the next 12 months. The decision as to how is left to Federal managers.

By setting goals to reduce Government overhead, Members are taking direct action to bring the cost of Government under control. In offering amendments to this and other appropriation bills, I intend to provide Members with an opportunity to be a part of the solution. Deficit reduction begins with bringing the overhead cost of Government under control.

My amendment is a modest first step down that path.

Mr. Chairman, this amendment would reduce the bill's total funding by less than one-tenth of 1 percent. The total spending of this appropriation bill is $59 billion. So what I propose to do is to cut that $59 billion one-tenth of 1 percent. All of those cuts will come entirely out of the overhead spending items, such as travel and supplies.

The largest reduction any given agency would absorb is 2 percent. Each reduction is based on each agency's own overhead. In business it is a rule of thumb that overhead can always be cut by 10 percent. Across America families and businesses have been meeting the challenge to control their costs in recent years. Americans understand what it means to act to control spending. It is the common-sense, practical kind of a step that they have already taken.

On behalf of the citizens, Congress should now take the same step. This is an amendment all Members should support. It picks no favorites, it applies to every agency, and it should be governmentwide policy.

Most importantly, Members should know that this amendment does not cut programs. I am not talking about programs or people or salaries. This is strictly cutting overhead Government spending. It does cut overhead costs such as travel and supplies.

Mr. Chairman, the question may be raised: Has the committee already cut this budget to the bone? To Members who may have such concerns, may I suggest that Federal managers, independent observers, many Members in this Chamber who are in daily communication with Federal agencies, and the vast majority of the American people would seriously question whether the bill before the House has yet reached bone.

Agencies affected by this bill will spend well over $7.6 billion, that is $7.6 billion, on travel, transportation and things, utilities, communications, rent, other services and supplies and materials in fiscal year 1993. It simply defies common sense to believe that Federal managers, when challenged by the Members in this body, will not be able

to find one-tenth of 1 percent in overhead savings, or $74 million, in this agricultural appropriations bill. I would encourage the Members to support this amendment.

Mr. PENNY. Mr. Chairman, I rise in support of the amendment of the gentleman.

I want to indicate my support for the amendment offered by the gentleman from Texas, and if the gentleman would respond, I would ask that he engage in a colloquy with a few questions.

Mr. SMITH of Texas. I would be happy to, and I appreciate the support of the gentleman for this amendment.

Mr. PENNY. First of all, I want to clarify the amount that would be cut by this amendment. Did the gentleman indicate that the total amount is less than one-tenth of 1 percent of all the money appropriated in this bill?

Mr. SMITH of Texas. The gentleman is correct. Of the $59 billion that this agricultural appropriation bill represents, we are talking about cutting $74 million, or one-tenth of 1 percent, all of it from overhead spending and nothing from people or programs.

Mr. PENNY. I thank the gentleman for his response.

I would further ask the gentleman to clarify the accounts that are affected by this amendment. As I read his amendment, he identified several administrative accounts within the Department of Agriculture, and his reductions are focused strictly in that category of overhead expenses.

Mr. SMITH of Texas. The gentleman is correct. We are talking about object classifications 21 through 26, overhead spending. Again, I appreciate the gentleman's support.

Mr. PENNY. Finally, could the gentleman share with me and with the membership the degree to which each account is cut? Let me rephrase that: What is the range or what is the greatest percent cut in any one of these administrative categories?

Mr. SMITH of Texas. Within each of these accounts, we are talking about a total cumulative cut of 10 percent. In other words, the Federal managers do not necessarily have to cut travel 10 percent or supplies 10 percent. We are talking about the cumulative total of the overhead spending and saying to the managers cut 10 percent of the whole, "You can take it where it best suits your needs."

Mr. PENNY. And they can apply that cut as they wish?

Mr. SMITH of Texas. That is correct.

Mr. PENNY. Within that budget, which is devoted to supplies, to travel, to other administrative overhead expenses?

Mr. SMITH of Texas. My friend from Minnesota [Mr. PENNY] is correct.

Mr. PENNY. I think the gentleman's amendment is well crafted. It certainly is an amount of reduction in this area that can be managed within the department. I think we ought to challenge the administration to tighten its belt in this area.

Mr. Chairman, I would remind the Members of the House that just a couple of weeks ago we basically applied a little belt-tightening to the legislative budget, and this amendment makes a comparable request of administrative agencies.

Mr. Chairman, I would urge adoption of the amendment.

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

I would strongly urge Members to reject this amendment.

Mr. Chairman, the gentleman suggests that this is a cut of one-tenth of 1 percent of the bill. But he evidently calculates that number based upon the total amount in the bill, which is $59 billion.

The gentleman calculates his cut on the basis of the total amount; however, $47 billion of that is mandatory spending, which cannot be affected by this or any other cutting amendment.

Therefore, the balance of $12 billion is the discretionary amount which would be subject to any cut of this kind.

Moreover, the gentleman, I think, assumes when he calculates his 10 percent cut agency by agency that we are using the President's budget request. The fact is we have reduced the President's budget request by $1.4 billion. And in doing so, we have limited severely the salaries and expenses of the various agencies we are funding.

In fact, in virtually all agencies, with the exception of three, we have limited salaries and expenses to the current spending level or less, which means that these agencies have to absorb their pay costs within the funds provided.

The Committee amounts in the bill will inevitably result in agencies cutting back on equipment purchases, a subject we discussed earlier on the issue of computers. The fact is that this amendment, while well-intentioned, I am sure, will have a very significant and serious effect upon a variety of agencies that are very important to this country.

□ 2000

For example, the Food and Drug Administration, to which Congress has been giving additional responsibilities. The Food and Drug Administration is under enormous pressure in terms of protecting public health and safety and in the review of drug applications. The agency is under some criticism for the delays which already exist in handling these applications. The FDA is under enormous strain, and its personnel needs are intensive. Personnel costs are most of the expenses in this bill, most of the appropriation. We, with great difficulty, increased salaries and expenses for FDA by about $18 million in recognition of this problem. It is one of only three agencies where there was an increase over current-year spending for salaries and expenses. The gentleman's amendment would cut about $15 million of the $18 million we provided for FDA. That would have a substantial effect, not only upon the agency, but on the protection which FDA provides to the public in terms of health and safety.

Mr. Chairman, I think it is important for the Members to understand the real-life implication of this kind of an amendment in terms of personnel.

Mr. SMITH of Texas. Mr. Chairman, will the gentleman yield?

Mr. MCHUGH. I yield to the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I want to respond to the gentleman from New York, my friend, and make a couple of points. I would like to respond to my friend from New York's first point in regard to the amount of cuts that have already been made.

I certainly appreciate the valiant effort that the gentleman from New York [Mr. MCHUGH] has made to make those cuts in the appropriation bill. In fact, most of the cuts have taken the bill to the 1992 levels, or even below, but most of the cuts that were referred to earlier were in foreign program areas. As far as the overhead spending goes, those levels remain about even with 1992, and of course the point of my amendment is to cut those overhead spending costs.

In addition to that, it is undeniable, Mr. Chairman, that in this bill there are $7.6 billion in overhead costs. It is only those costs that I am targeting by this amendment. I am not cutting programs, I am not cutting salaries, I am not cutting people. I am cutting such items as travel and supplies, and that $7.6 billion in this bill represents that overhead spending.

So, what I propose to do is to cut $74 million, or 10 percent of that $7.6 billion, in overhead spending, which amounts, again, to about one-tenth of 1 percent of the total $59 billion in this bill.

Mr. MCHUGH. Mr. Chairman, I reclaim my time and yield to the gentleman from North Dakota [Mr. DORGAN].

Mr. DORGAN of North Dakota. Mr. Chairman, I appreciate the gentleman from New York [Mr. MCHUGH] yielding to me.

Mr. Chairman, I rise to support the proposal, the initiative, of the gentleman from Texas [Mr. SMITH].

The CHAIRMAN. The time of the gentleman from New York [Mr. MCHUGH] has expired.

(By unanimous consent, Mr. MCHUGH was allowed to proceed for 3 additional minutes.)

Mr. DORGAN of North Dakota. Mr. Chairman, the gentleman from Texas

[Mr. SMITH] has done a fair amount of work on the issue of overhead spending and indirect costs. He is right. It goes to Congress, it goes to the executive branch, it goes to the government to say that, "If you can't cut some overhead, you can't cut anyplace."

Mr. Chairman, businesses that are in trouble, the first thing they look at is cutting indirect costs. For decades we say, "The way we fund government is we take what you spent last year, add to it inflation, and that's your new baseline." The gentleman from Texas [Mr. SMITH] is simply saying that we ought to be able to cut overhead expenditures, and I agree with him.

Let me just mention one item that was in a recent newspaper from USDA, one of the elements that USDA has in every office in every county in this country. The richest county in America in Connecticut has an office of ASCS designed to administer the farm program, but they had no farmers. Nobody signed up for the farm program. In fact, they had only six dairy producers in the entire county. But they found a way to give a grant to help haul manure from polo ponies because in that county they had more polo ponies than they had farmers.

As my colleagues know, the fact is there is plenty of waste, there is plenty of indirect costs that ought to be cut, and I commend the gentleman from Texas [Mr. SMITH] for his initiative. I think we ought to continue to exercise this in a number of appropriations bills.

Mr. MCHUGH. Mr. Chairman, reclaiming my time, I would like to make a point in conclusion.

There has been some mention that the gentleman from Texas [Mr. SMITH] has spent time on this amendment, and I appreciate that, but this committee has spent months on this bill. The fact is that, no matter what we cut in terms of these agencies, it is never enough for some Members. They want to come to the floor and cut further to demonstrate their own concern about frugality.

Mr. Chairman, I understand that, but I think it is important for the Members to understand, as well, what the implications are. For the Food and Drug Administration, for example, the effect of the amendment of the gentleman would be to freeze all hiring, would be to cut overtime for all but field product emergencies, and, finally, we are advised by the agency that they would have to cut 12 days of pay, or furlough all employees about 3 hours a pay period, throughout the year. The Soil Conservation Service would have to cut about 300 staff-years if this amendment passes.

Now we have tried very hard to restrain this budget. We have cut the President's budget by $1.4 billion. It has had an impact on salaries and expenses. If the agencies like FDA and the Soil Conservation Service are going to do the job we have given them, we can simply not cut deeper into the personnel that we expect to do that job.

So, Mr. Chairman, I would hope that the Members would reject the amendment of the gentleman from Texas [Mr. SMITH].

Mr. SMITH of Texas. Mr. Chairman, will the gentleman yield?

Mr. MCHUGH. I yield to the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I would like to follow up on the point made by my colleague, the gentleman from North Dakota [Mr. DORGAN], and I very much appreciate his support, and that is particularly the Government overhead spending has never ever been scrutinized. It has not been separated out, nor balanced, in our budget book. It has never been looked at specifically, as I intend to do this year, and Government overhead spending has now swollen to the point where it is $320 billion in the Federal budget.

Mr. DREIER of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Texas [Mr. SMITH]. As I look through this amendment, I am inclined to vote in favor of it, especially in light of the fact that the gentleman from Texas has taken a great deal of time to carefully scrutinize this. When I look at a couple of the items in here; for example, alternative agricultural research and commercialization, he proposes to cut $7,644, and I know that there are a litany of other places in which he wants to make cuts, but it seems to me, if he has been that careful in looking at what cuts can be made in particular areas to get it down to the dollar like that, I congratulate him for his fine work, and I urge support.

Mr. SMITH of Texas. Mr. Chairman, will the gentleman yield?

Mr. DREIER of California. I yield to the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I thank the gentleman from California [Mr. DREIER] for yielding and appreciate his support as well.

Mr. Chairman, what I want to do is make a couple of points before we wrap up the debate on this amendment. The first one I started to make a while ago, and that is it is not widely known that in the Federal budget today there is $320 billion in Government overhead spending. That has not been ever scrutinized individually before. There is no line item of Government overhead spending in our budget.

But what we need to do, Mr. Chairman, is to realize that over the last 20 years this Government overhead spending has now swollen to $320 billion, has increased at almost twice the inflation rate, and it is high time that we scrutinize that Government overhead spending and target it in this amendment.

Finally, Mr. Chairman, there is another point that I want to make, and that is that I appreciate the acting chairman, the gentleman from New York [Mr. MCHUGH], saying a while ago that the appropriation subcommittee has spent months looking at the appropriation bill, cutting in many instances, but again I want to repeat that most of those cuts have come in four program areas, not in the overhead area that I intend to target with this amendment. This amendment, again, is limited to Government overhead spending, such as travel and supplies. It amounts to one-tenth of 1 percent of a $59 billion Agriculture appropriation budget.

Mr. Chairman, I do not think it is asking too much for Members of Congress to support an amendment that scrutinizes that Government overhead spending really for the first time and targets it to the point of cutting only one-tenth of 1 percent of the overall $59 billion, again all from Government overhead spending.

Mr. DREIER of California. Mr. Chairman, I thank the gentleman from Texas [Mr. SMITH], my friend, for his contribution.

I would just say, as I look at $22,420 cut from the Office of the Assistant Secretary for Congressional Relations, that might be a good place for us to make some minor cuts.

I thank my friend for his offering this amendment and urge support of it.

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

Mr. Chairman, I know it is late. I know the Members are weary. But I hope they will pause for a moment before they consider this amendment and consider one very important aspect of it.

The gentleman from Texas [Mr. SMITH] is offering an amendment which is very similar to other amendments which have been offered on appropriations bills to cut overhead expenses. I have joined in voting for those amendments. But I would urge the gentleman to reconsider one particular aspect of his amendment.

□ 2010

The gentleman seeks to cut about $15 million from the Food and Drug Administration. I would say to the gentleman that you cannot make those cuts without cutting personnel. It is a simple fact of life.

We Members of the House of Representatives over the last 3 years have passed 13 separate pieces of legislation giving new responsibilities to the Food and Drug Administration. We wait expectantly day in and day out to hear a word from this agency which is seeking to approve drugs to cure diseases.

Mr. Speaker, let me give Members an idea of the scope of activities at the Food and Drug Administration. Think

for a moment if you will. Let me read a very brief list of what the Food and Drug Administration is working on. This will be affected by the amendment of the gentleman from Texas [Mr. SMITH]: drug approvals for AIDS; AIDS activities; AZT; blood safety; drug approval process; an insulin pill, and therapies for cancer and AIDS.

Mr. Chairman, I can state that I have taken it on myself to visit these FDA facilities, regional offices around the country. They are short-staffed at the moment. They cannot meet the current demands to review the food and medical devices and even to approve the drugs that we want to bring to the market quickly to save lives.

What the cut of the gentleman from Texas [Mr. SMITH] will do is to reduce the personnel at the Food and Drug Administration responsible for dealing with these life and death activities.

Mr. Chairman, we made an exception in our committee for the Food and Drug Administration. I will sit here and concede that point. We said this is a special agency. It needs the resources to do the important work that is set out for it to do.

What the gentleman's amendment does by cutting $15 million is to reduce, and I am not sure how much, but at least to reduce to some extent the likelihood that we will find cures for diseases, the likelihood that we will develop medical devices that will save lives.

How much will it save this country to take this $15 million away from the Food and Drug Administration and to penalize those opportunities?

Mr. SMITH of Texas. Mr. Chairman, will the gentleman yield?

Mr. DURBIN. I yield to the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I thank the gentleman for the point he has made. Let me repeat once again with overhead spending, I am not talking about the salaries, I am not talking about the programs the gentleman read, although I understand the point he made.

Mr. DURBIN. Mr. Chairman, reclaiming my time, I would say to the gentleman from Texas [Mr. SMITH], if he would read his amendment on page 6, lines 5 and 6, Food and Drug Administration, salaries and expenses, $14,882,770.

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

Mr. DURBIN. I yield to the gentleman from California.

Mr. FAZIO. Mr. Chairman, I appreciate the comments of the gentleman from Illinois [Mr. DURBIN]. There is no question this is a very responsible bill as it currently stands. Every agency in this department in its administrative costs is at last year's level or below, with the exception of FDA, which is being brought down in this amendment.

As the gentleman knows, the average increase per employee is 5.7 percent a year to keep up with the cost of benefits and the COLA and other things that other Federal employees deserve. So just to compensate for that, when you freeze these amounts, you are having cuts made.

Mr. Chairman, I think the gentleman's amendment therefore is not appropriate on this bill and I congratulate the gentleman from Illinois [Mr. DURBIN] on his comments.

Mr. SMITH of Texas. Mr. Chairman, if the gentleman will yield one more time, I would like to ask quite frankly, since there is one item that has been a point of contention with many Members who have spoken on the amendment, if I ask unanimous consent to modify the amendment and strike lines 5 and 6 on page 6 regarding the FDA, if that would make the amendment more acceptable to the gentleman from Illinois [Mr. DURBIN]?

Mr. DURBIN. Mr. Chairman, reclaiming my time, I would find the amendment more acceptable.

Mr. SMITH of Texas. Mr. Chairman, I ask unanimous consent to modify the amendment by striking lines 5 and 6 on page 6 of the amendment.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

The text of the amendment is as follows:

Modification to the amendment offered by Mr. SMITH of Texas: Page 6, strike out lines 5 and 6.

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

There was no objection.

The CHAIRMAN. The amendment is modified. The question is on the amendment, as modified, offered by the gentleman from Texas [Mr. SMITH].

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

RECORDED VOTE

Mr. SMITH of Texas. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 214, noes 191, not voting 29, as follows:

[Roll No. 248]

AYES—214

Allard
Allen
Anderson
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Aspin
Atkins
Bacchus
Baker
Ballenger
Barton
Bennett
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Borski
Broomfield
Bruce
Bunning
Burton
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Carper
Chandler
Clement
Coble
Condit
Cooper
Cox (CA)
Cox (IL)
Crane
Cunningham
Dannemeyer
Davis
DeLauro
DeLay
Dickinson
Donnelly
Doolittle
Dorgan (ND)
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Engel
Erdreich
Fawell
Fields
Fish
Ford (TN)
Frank (MA)
Franks (CT)
Gallegly
Gaydos
Geren
Gillmor
Gingrich
Glickman
Goss
Gradison
Grandy
Guarini
Hall (TX)
Hancock
Hansen
Hefley
Henry
Hobson
Holloway
Hopkins
Horn
Hughes
Hunter
Hutto
Inhofe
Ireland
Jacobs
James
Johnson (TX)
Jones (NC)
Jontz
Kanjorski
Kasich
Kennedy
Kleczka
Klug
Kolbe
Kostmayer
Kyl
Lagomarsino
Lancaster
Lantos
LaRocco
Leach
Lehman (CA)
Lent
Lewis (FL)
Lightfoot
Lipinski
Long
Lowey (NY)
Luken
Machtley
Manton
Markey
Martin
Mazzoli
McCandless
McCollum
McCrery
McCurdy
McEwen
McGrath
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Miller (CA)
Miller (OH)
Miller (WA)
Molinari
Moody
Moorhead
Murphy
Neal (MA)
Neal (NC)
Nichols
Nussle
Olver
Orton
Owens (UT)
Oxley
Packard
Pallone
Panetta
Patterson
Paxon
Payne (VA)
Penny
Petri
Pickett
Pickle
Porter
Pursell
Quillen
Ramstad
Ravenel
Reed
Regula
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Sanders
Santorum
Saxton
Schaefer
Schiff
Schroeder
Schulze
Sensenbrenner
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Slattery
Slaughter
Smith (NJ)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stallings
Stearns
Stenholm
Studds
Stump
Sundquist
Swett
Tanner
Taylor (NC)
Thomas (CA)
Traficant
Upton
Valentine
Vander Jagt
Vento
Volkmer
Vucanovich
Walker
Walsh
Weldon
Wylie
Young (FL)
Zeliff
Zimmer

NOES—191

Abercrombie
Alexander
Andrews (ME)
Annunzio
AuCoin
Barnard
Barrett
Bateman
Beilenson
Bentley
Bereuter
Berman
Blackwell
Boucher
Brewster
Brooks
Browder
Brown
Bryant
Cardin
Carr
Chapman
Clay
Clinger
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Conyers
Costello
Coughlin
Coyne
Cramer
Darden
de la Garza
DeFazio
Dellums
Derrick
Dicks
Dingell
Dixon
Dooley
Downey
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (TX)
Emerson
English
Espy
Evans
Ewing
Fazio
Flake
Foglietta
Frost
Gallo
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goodling
Gordon
Green
Gunderson
Hall (OH)
Hamilton
Hammerschmidt
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Herger
Hertel
Hoagland
Hochbrueckner
Horton
Houghton
Hoyer
Hubbard
Hyde
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Kaptur
Kennelly
Kildee
Kopetski
LaFalce
Laughlin
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (GA)
Lloyd
Lowery (CA)
Marlenee
Martinez
Mavroules
McCloskey
McDade
McDermott
McHugh
McNulty
Michel
Mineta

Mink	Rahall	Swift
Moakley	Rangel	Synar
Mollohan	Ray	Tauzin
Montgomery	Rhodes	Taylor (MS)
Morella	Rogers	Thomas (WY)
Morrison	Rose	Thornton
Mrazek	Rostenkowski	Torres
Murtha	Rowland	Torricelli
Myers	Roybal	Towns
Nagle	Russo	Unsoeld
Natcher	Sabo	Visclosky
Nowak	Sangmeister	Washington
Oakar	Sarpalius	Waters
Oberstar	Savage	Waxman
Obey	Sawyer	Weber
Ortiz	Schumer	Weiss
Owens (NY)	Serrano	Whitten
Parker	Skaggs	Wilson
Pastor	Skeen	Wise
Payne (NJ)	Skelton	Wolf
Pease	Smith (FL)	Wolpe
Pelosi	Smith (IA)	Wyden
Peterson (FL)	Smith (OR)	Yates
Peterson (MN)	Solarz	Yatron
Poshard	Staggers	Young (AK)
Price	Stokes	

NOT VOTING—29

Ackerman	Gekas	Perkins
Anthony	Hefner	Roe
Bevill	Huckaby	Scheuer
Bonior	Jones (GA)	Stark
Boxer	Kolter	Tallon
Bustamante	Lehman (FL)	Thomas (GA)
Dymally	Livingston	Traxler
Fascell	Matsui	Wheat
Feighan	Moran	Williams
Ford (MI)	Olin	

□ 2034

Messrs. THOMAS of Wyoming, DOOLEY, and GORDON changed their vote from "aye" to "no."

Mr. KOSTMAYER and Mr. RICHARDSON changed their vote from "no" to "aye."

So the amendment, as modified, was agreed to.

The CHAIRMAN. Are there further amendments?

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

Mr. Chairman, the gentleman from Michigan [Mr. UPTON] and I had intended to offer an amendment which could be called the Silvio Conte memorial amendment, which would have eliminated the honey support program. This is a sweet little program, as the Members know, that has been endorsed by the GAO, the OMB, and most recently by Bill Clinton, who moved up from third place to first place in the national polls as a result.

However, we have reached an agreement with the leadership of the authorizing committee on this matter, and to describe that amendment I will yield to the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Will the gentleman yield?

Mr. ZIMMER. I am happy to yield to the gentleman.

Mr. UPTON. Mr. Chairman, I thank the gentleman for yielding, and I thank the gentleman from New Jersey [Mr. ZIMMER] for his long and hard work. However, knowing that the hour is late and knowing that we have droned on and on and on with regard to this bill, I would simply ask that we might engage in a brief colloquy with the gentleman from Texas [Mr. STENHOLM] with regard to our ideas.

As I view it, I think that the consumer has been stung pretty hard by this program.

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

Mr. ZIMMER. I yield to the gentleman from Texas.

Mr. STENHOLM. Mr. Chairman, I appreciate the gentleman yielding to me.

Mr. Chairman, I appreciate very much my colleague's not offering the amendment tonight and recognizing that as a result of the 1990 farm bill, as we dealt with the honey program, yes, at the urging of our deceased colleague, Mr. Conte, we have brought the cost of the honey program from $100 million a year down to $6 million a year, and I appreciate that the Members do not at this point in time attempt to change that part of the farm program.

I will assure the Member as chairman of the Subcommittee on Livestock, Dairy, Poultry, and Honey that we will be watching the bottomline of this program very carefully over the coming year.

Mr. UPTON. Mr. Chairman, I thank the gentleman for his accommodation.

□ 2040

Mr. SKELTON. Mr. Chairman, I rise in strong support of H.R. 5487 and I commend the distinguished chairman of the full committee and the distinguished chairman of the subcommittee for their work on this bill.

Mr. Chairman, I rise in strong support of H.R. 5487. I commend the distinguished chairman of the subcommittee and full committee, for crafting a bill that meets the needs of rural America while considering our current budget constraints.

As chairman of the Small Business Subcommittee on Rural Development, and former chairman of the congressional rural caucus, I am pleased to see the continued support for rural America in this legislation. Cooperative extension, the Rural Electrification Administration, the Soil Conservation Service, and farm programs funded by this bill contribute to the quality of life for not only farmers but the entire rural community.

While this bill is titled "Rural Development and Agriculture Appropriations," the work of America's farmers benefits our cities as well. Programs funded by this bill contribute to ensuring an adequate supply of food at stable prices. Nutrition programs in this bill, such as the Emergency Food Assistance Program and the supplemental Food Program for Wome, Infants, and Children, provide nutritional needs to millions of our citizens in both rural and urban areas.

I strongly urge my colleagues to support this bill.

Mr. MCMILLEN of Maryland. Mr. Chairman, I rise in support of Representative SMITH's amendment to cut overhead spending for the agencies funded under H.R. 5487, excluding the Food and Drug Administration. This amendment is a strong step in the right direction to end wasteful Federal spending.

The Federal Government must take a hard look at spending priorities. Businesses, in difficult economic times, must cut costs to survive. The most logical places for these cuts to be made are in the areas which are least crucial to a business's profitability. Mr. Speaker, the Federal deficit demands that we take a hard look around and make the same difficult decisions. This amendment, by forcing Federal Managers to cut around 10 percent of the $7.6 billion they are appropriated for overhead, is a logical method of balancing the books.

Mr. HALL of Ohio. Mr. Chairman, if we all had our druthers, the bill before us today would probably take on a new face. We wouldn't be forced to choose between cuts in our environmental and conservation programs to enhance our research and development activities. We wouldn't be pressed to jeopardize the effectiveness of programs we know to be successful by cutting them back. And, we would have the opportunity to expand the critical nutrition services that we know to have a positive impact on the lives of vulnerable Americans. But, times being what they are, this is the situation we find ourselves in.

That being the case, I would like to take this opportunity to commend the members of the Appropriations Committee for their crafting of H.R. 5487, the Agriculture, Rural Development, Food and Drug Administration, and related agencies appropriations bill for fiscal year 1993. Given the enormous pressures of prevailing budgetary constraints, I believe that they have brought to us a balanced bill that, while not as far-reaching as many of us would like to have seen, nevertheless continues to demonstrate a balanced commitment.

With particular emphasis on our infrastructure of domestic food assistance programs, while I would like to have seen a full $3.1 billion in funding for WIC, the $2.86 billion provided in the bill does enable us to realize a modest caseload expansion. With the Emergency Food Assistance Program, we didn't get an increase for emergency food distribution services, but didn't suffer a cut either.

I would submit to my colleagues that these actions should not set the standards and priorities for our future considerations. We have to tighten our belts right now, but serious human needs dictate that we sustain our commitment to these programs which assure critical food assistance for those at risk.

Mr. ROGERS. Mr. Chairman, I am extremely disappointed that my colleagues voted to accept the amendment offered by the gentleman from Utah on the Agriculture and Related Agencies Appropriations Act for fiscal year 1993 to prohibit my tobacco growers from using the Market Promotion Program. I am appalled that my colleagues would unfairly single out this legal commodity from this important program.

Mr. Chairman, let me clear up the misunderstanding many of my colleagues have about tobacco and the Market Promotion Program. This is a program to build U.S. exports in areas where the U.S. has suffered from unfair competition in foreign markets.

Proponents of this amendment want you to believe this is a "health issue," but it is not. It is solely a competitiveness issue. No Market Promotion Program funds are used to promote tobacco consumption. Eliminating tobacco from the program will not decrease tobacco sales and consumption. The fact is the United

States grows less than 10 percent of the world's tobacco. This amendment will only undercut United States farmers in international markets and allow our foreign competitors, such as the European Community, which subsidizes tobacco by almost $1 billion, to grab the international market. Once again, the United States will lose its position in the international market for a critical commodity which contributes almost $6 billion surplus to our balance of trade.

This amendment will help no one, but it will hurt hundreds of thousands of American farmers and workers, numerous States which depend on this important revenue, and the Nation as a whole which benefits from the trade surplus tobacco generates. The impact on my State would be tremendous—over 160,000 families derive income from tobacco, and tobacco contributes over $2 billion to Kentucky's economy. My State, and our Nation, cannot afford to lose this important revenue.

My colleagues, American jobs and American competitiveness are at stake, and I am deeply disappointed that my colleagues voted to include this amendment in this bill. However, I will continue my fight to stop the anti-tobacco forces in Congress from taking away money and jobs from my constituents.

Mr. LEHMAN of California. Mr. Chairman, I rise today in support of the Market Promotion Program and to oppose the efforts that are underway to undermine the program's effectiveness.

The MPP program has provided a lot of bang for the buck. An Agriculture Department study found that each dollar of promotional assistance may increase U.S. exports by as much as $2 to $7. I think it is ironic that while Congress has been concerned for the need for a more competitive economy, we cut funding for a program that has proven effective against unfair trade advantages in foreign markets.

As we know, the Market Promotion Program provides funding to trade groups to help promote American farm goods overseas. The $200 million spent annually has benefited a variety of products, including many from California such as walnuts, raisins, citrus, and almonds that do not get the bulk of farm support provided in this country. Matching funds are required, and the promotional campaigns can target generic products or brand names. The latter is often more effective because consumers identify more closely with a brand name product and respond better to this advertising.

It is true that an approved marketing plan can provide direct funding to a corporation. But many of these corporations such as the often-cited Sunkist, represent thousands of small growers. The argument has been made that they can fend for themselves, but who better to take advantage of this program than a company with the ability and resources to capitalize in a foreign market. Even growers not associated with these companies benefit because of the heightened awareness foreign advertising provides—advertising, I might add, that small growers could not afford to fund even with help from the MPP program.

Increasing value-added exports through MPP creates jobs and is an effective trade strategy. Without it, we are unilaterally disarming ourselves of one of our most effective weapons considered an acceptable trade practice under GATT. MPP provides expanded opportunities through partnerships and collective advertising that could not be duplicated.

I ask my colleagues to recognize the significant value this program offers for a limited investment. Already, funding has been cut to $75 million. I am hopeful, that full funding can be restored in conference, but, failing that, I ask that no further restrictions be placed on the program. Let's put competitiveness first.

Mrs. LOWEY of New York. Mr. Chairman, I rise in support of the agriculture appropriations bill (H.R. 5487).

This bill funds the proven and very cost-effective women, infants and children [WIC] program that helps low-income women secure needed nutrition during pregnancy and to feed their children and learn essential nutrition skills. And this bill also funds the food stamp program which enables low-income Americans to purchase food to put on their tables.

But these are not the only aspects of this bill that are important to the health of our Nation. In addition, the agriculture subcommittee has agreed to provide funding for research aimed at eradicating lyme disease, a major public health problem which has been reported in 48 states and has an especially high incidence rate in my district in Westchester County, NY. In fact, Westchester County reported a 36-percent increase in lyme disease cases in 1991. We absolutely must bolster our efforts to eradicate this disease.

The committee has included $175,000 in the bill to fund research on deer tick ecology at New York Medical College, where researchers are testing methods to curb the spread of deer tick populations which transmit Lyme disease. The funding supported by the committee, which I would also note has won the support of the administration this year, will allow research on deer tick ecology to continue full speed ahead.

While recent announcements provide hope of eventual development of a Lyme disease vaccine, we still have no way of eliminating the cause of the disease—the infected deer tick—from our backyards and parks. This research is aimed at doing just that.

These funds are supporting ecological studies on the relationship between deer and deer ticks in residential areas like Westchester County. The goal of this work is to develop ecologically-sound methods of reducing tick populations, and, thereby, the risk of Lyme disease in densely populated areas.

USDA scientists are now working closely with New York Medical College researchers, providing technical assistance in planning and implementing their studies. They have developed a strong, positive working relationship which all involved want to see continue.

I thank Chairman WHITTEN and my colleague from New York, MATT MCHUGH, for assisting in this effort which will help lead to controlling the spread of Lyme disease, and I commend the subcommittee for their hard wok on this bill. It certainly deserves our full support.

Mr. LEHMAN of California. Mr. Chairman, I rise today in support of the Market Promotion Program and to oppose the efforts that are underway to undermine the program's effectiveness.

The Market Promotion Program has provided a lot of bang for the buck. An Agriculture Department study found that each dollar of promotional assistance may increase United States exports by as much as $2 to $7. I think it is ironic that while Congress has been concerned for the need for a more competitive economy, we cut funding for a program that has proven effective against unfair trade advantages in foreign markets.

As we know, the Market Promotion Program provides funding to trade groups to help promote American farm goods overseas. The $200 million spent annually has benefited a variety of products, including many from California such as walnuts, raisins, citrus, and almonds that do not get the bulk of farm support provided in this country. Matching funds are required, and the promotional campaigns can target generic products or brand names. The latter is often more effective because consumers identify more closely with a brand name product and respond better to this advertising.029

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Increasing value added exports through Market Promotion Program creates jobs and is an effective grade strategy. Without it, we are unilaterally disarming ourselves of one of our most effective weapons considered an acceptable trade practice under GATT. Market Promotion Program provides expanded opportunities through partnerships and collective advertising that could not be duplicated.

I ask my colleagues to recognize the significant value this program offers for a limited investment. Already, funding has been cut to $75 million. I am hopeful that full funding can be restored in conference, but, failing that, I ask that no further restrictions be placed on the program. Let's put competitiveness first.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1993".

Mr. MCHUGH. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SPRATT, chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration

the bill (H.R. 5487) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1993, and for other purposes, had directed him to report the bill back to the House with the sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. OWENS of Utah. Mr. Speaker, I demand a separate vote on my amendment, the Owens amendment.

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

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Page 83, line 16, strike the comma and insert "with respect to tobacco subsidies or".

The SPEAKER. The question is on the amendment.

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

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

The SPEAKER. The Chair will count.

One hundred eighty-eight Members are present, not a quorum.

The Sergeant at Arms will notify absent Members. The vote was taken by electronic device, and there were—yeas 331, nays 82, not voting 21, as follows:

[Roll No. 249]

YEAS—331

Allard
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Bacchus
Baker
Barnard
Barrett
Barton
Bellenson
Bennett
Bereuter
Berman
Bilbray
Bilirakis
Blackwell
Boehlert
Borski
Boxer
Brooks
Broomfield
Bruce
Bryant
Burton
Byron
Callahan
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clinger
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Crane
Cunningham
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Engel
English
Erdreich
Evans
Ewing
Fawell
Fazio
Feighan
Fields
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallegly
Gaydos
Gejdenson
Gibbons
Gilchrest
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Guarini
Gunderson
Hall (OH)
Hancock
Hansen
Harris
Hastert
Hayes (IL)
Hayes (LA)
Hefley
Henry
Hertel
Hoagland
Hobson
Hochbrueckner
Horn
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
James
Jefferson
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lantos
LaRocco
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHugh
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Montgomery
Moody
Moorhead
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Neal (MA)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Patterson
Paxon
Payne (NJ)
Pease
Pelosi
Penny
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Pursell
Rahall
Ramstad
Rangel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Rostenkowski
Roth
Roukema
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Savage
Sawyer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (TX)
Snowe
Solarz
Solomon
Staggers
Stallings
Stark
Stearns
Stenholm
Stokes
Studds
Swett
Synar
Tauzin
Taylor (MS)
Thomas (WY)
Torres
Torricelli
Towns
Traficant
Unsoeld
Upton
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Waxman
Weiss
Weldon
Wheat
Wilson
Wolf
Wolpe
Wyden
Wylie
Yates
Yatron
Young (FL)
Zeliff
Zimmer

NAYS—82

Abercrombie
Alexander
Allen
Anthony
Ballenger
Bateman
Bentley
Bliley
Boehner
Boucher
Brewster
Browder
Brown
Bunning
Camp
Clement
Coble
Coleman (MO)
Combest
Cramer
DeLay
Emerson
Espy
Gallo
Geren
Gillmor
Green
Hall (TX)
Hamilton
Hammerschmidt
Hatcher
Herger
Holloway
Hopkins
Horton
Houghton
Hoyer
Hubbard
Jenkins
Jones (NC)
Lancaster
Laughlin
Lewis (CA)
McEwen
McGrath
McMillan (NC)
Mollohan
Nagle
Natcher
Neal (NC)
Parker
Pastor
Payne (VA)
Peterson (FL)
Price
Quillen
Ravenel
Rogers
Rose
Rowland
Sarpalius
Saxton
Schaefer
Sisisky
Smith (OR)
Spence
Spratt
Stump
Sundquist
Swift
Tanner
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thornton
Valentine
Vander Jagt
Walker
Weber
Whitten
Wise
Young (AK)

NOT VOTING—21

Ackerman
Bevill
Bonior
Bustamante
Dymally
Fascell
Gekas
Gephardt
Hefner
Huckaby
Jones (GA)
Kolter
Livingston
Matsui
Moran
Perkins
Roe
Scheuer
Tallon
Traxler
Williams

□ 2102

Mr. ANTHONY and Mr. COLEMAN of Missouri changed their vote from "yea" to "nay."

Mr. NOWAK and Mr. HASTERT changed their vote from "nay" to "yea."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 2100

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

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

MOTION TO RECOMMIT OFFERED BY MR. DELAY

Mr. DELAY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. DELAY. In its present form, I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DELAY moves to recommit the bill H.R. 5487 to the Committee on Appropriations with instruction to report back the same forthwith with the following amendment:

On page 65, line 8 strike "only to the extent necessary".

The SPEAKER. The gentleman from Texas [Mr. DELAY] is recognized for 5 minutes.

Mr. DELAY. Mr. Speaker, I will not take the 5 minutes, but I must establish a little legislative intent.

The motion to recommit is a straightforward deletion of language in the bill which restricts or limits the amount of $345 million of funds made available for the Food Stamp Program which are made subject to the regulatory and administrative methods available by the Secretary of Agriculture to curtail fraud, waste, and abuse, in the Food Stamp Program.

By striking the language in the bill as proposed by the motion, which reads: "only to the extent necessary" enhancement of the Secretary's ability to control food stamp fraud, waste, and

abuse, will be assured to apply to the full amount limited in the bill of $345 million, rather than a lesser amount which will be permitted if the restrictive language remains in the bill.

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

Mr. DELAY. I am glad to yield to the gentleman from New York.

Mr. MCHUGH. Mr. Speaker, I thank the gentleman for yielding to me.

I would advise the gentleman and the House that we have no objection to the motion on this side.

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

Mr. DELAY. I am glad to yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Speaker, we have no objection on this side to the motion.

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

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was agreed to.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York [Mr. MCHUGH].

Mr. MCHUGH. Mr. Speaker, pursuant to the instructions of the House on the motion to recommit, I report the bill, H.R. 5487, back to the House with an amendment which is at the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment: On page 65, line 8, strike "only to the extent necessary."

The amendment was agreed to.

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

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

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 312, nays 99, not voting 23, as follows:

[Roll No. 250]

YEAS—312

Abercrombie
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Baker
Barnard
Barrett
Barton
Bateman
Bentley
Bereuter
Berman
Bilbray
Bilirakis
Blackwell
Bliley
Boehlert
Boehner
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Bunning
Byron
Camp
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fazio
Feighan
Fields
Fish
Flake
Foglietta
Ford (MI)
Frank (MA)
Franks (CT)
Frost
Gallo
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Goodling
Gordon
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Horn
Horton
Houghton
Hoyer
Hutto
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (NC)
Kanjorski
Kaptur
Kasich
Kennelly
Kildee
Kleczka
Klug
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (GA)
Lightfoot
Lipinski
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Mavroules
Mazzoli
McCandless
McCloskey
McCrery
McCurdy
McDade
McDermott
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Mfume
Michel
Miller (CA)
Miller (OH)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Owens (NY)
Owens (UT)
Panetta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Quillen
Rahall
Rangel
Ravenel
Ray
Reed
Regula
Richardson
Ridge
Riggs
Rinaldo
Roe
Roemer
Rogers
Rose
Rostenkowski
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Schiff
Schumer
Serrano
Sharp
Shaw
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Solarz
Spence
Spratt
Stallings
Stenholm
Stokes
Studds
Sundquist
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Washington
Waters
Waxman
Weber
Weiss
Wheat
Whitten
Wilson
Wolpe
Wyden
Yates
Yatron

NAYS—99

Allard
Allen
Archer
Armey
Ballenger
Bellenson
Bennett
Broomfield
Burton
Callahan
Campbell (CA)
Cox (CA)
Crane
Cunningham
Dannemeyer
DeLay
Dickinson
Donnelly
Doolittle
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Fawell
Gallegly
Gingrich
Goss
Gradison
Grandy
Hancock
Hansen
Hefley
Henry
Hopkins
Hubbard
Hughes
Hunter
Hyde
Inhofe
Ireland
Jacobs
James
Jontz
Kolbe
Kyl
Lagomarsino
Lent
Lewis (FL)
McCollum
McEwen
McGrath
Meyers
Miller (WA)
Molinari
Moorhead
Nichols
Nussle
Orton
Oxley
Packard
Pallone
Penny
Petri
Porter
Pursell
Ramstad
Rhodes
Ritter
Roberts
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Santorum
Saxton
Schaefer
Schroeder
Schulze
Sensenbrenner
Shays
Shuster
Sikorski
Slattery
Snowe
Solomon
Stark
Stearns
Stump
Thomas (CA)
Thomas (WY)
Walker
Walsh
Weldon
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—23

Ackerman
Bevill
Bonior
Bustamante
Dymally
Fascell
Ford (TN)
Gekas
Hefner
Huckaby
Jones (GA)
Kennedy
Kolter
Livingston
Matsui
Moran
Perkins
Scheuer
Staggers
Tallon
Traxler
Williams
Wise

□ 2124

Mr. GOODLING changed his 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.

Mr. RHODES. Mr. Speaker, during consideration of H.R. 5487, my vote was incorrectly recorded on Rollcall No. 248, the amendment by Representative LAMAR SMITH to reduce the Department of Agriculture administrative budget by 10 percent.

Had my vote been properly recorded on Rollcall No. 248, it would have reflected my intent to support the Smith amendment and my "yes" vote for passage of that amendment.

PROVIDING A 4-MONTH EXTENSION OF TRANSITION RULE FOR SEPARATE CAPITALIZATION OF SAVINGS ASSOCIATIONS' SUBSIDIARIES

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2905) to provide a 4-month extension of the transition rule for separate capitalization of savings association's subsidiaries, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

Mr. WYLIE. Mr. Speaker, reserving the right to object, and I do not intend to object, but I reserve the right to object to ask the gentleman from Texas [Mr. GONZALEZ] if he would please explain the legislation.

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

Mr. WYLIE. I yield to the gentleman from Texas.

Mr. GONZALEZ. Mr. Speaker, when the Congress enacted the Financial Institutions Reform, Recovery and Enforcement Act [FIRREA] we required that savings and loan companies separately capitalize their direct real estate investments, so that the insured institution would not bear the risks associated with real estate development. We also recognized that a reasonable time period should be provided in order for these investments to be phased into separately capitalized subsidiaries. FIRREA allowed a 5-year transition, and under the present schedule an additional capital deduction is required effective tomorrow.

There are about 324 institutions with direct real estate investments, worth approximately $3.2 billion. The capital phasedown scheduled to take effect tomorrow would require 15 percent of that amount to be deducted from the institutions' capital. As a practical matter, this would mean that a number of investments would be sold into an already weak market, with particular adverse effects in California.

The Office of Thrift Supervision believes the existing phaseout schedule is too stringent. The bill provides an extension until November 1. Between now and then the Congress may decide whether to modify the phaseout or leave it in place. The only effect of this bill is to postpone the phaseout until November 1.

Mr. Speaker, I include for the RECORD a letter from Timothy Ryan of the Office of Thrift Supervision in which he is recommending and affirming his desire to obtain this extension.

The letter referred to is as follows:

OFFICE OF THRIFT SUPERVISION,
Washington, DC, June 30, 1992.

Hon. HENRY B. GONZALEZ,
Chairman, Committee on Banking, Finance and Urban Affairs,
U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to urge the House of Representatives to extend the July 1, 1992, FIRREA-imposed deadline that requires thrifts to deduct from their capital 40 percent versus 25 percent of the amount of their investments in real estate subsidiaries to November 1, 1992. The same legislation was passed by the Senate last night.

Freezing the 25 percent deduction requirements for four months will not eliminate the need to revisit this issue. It will, however, provide Congress the necessary time to further address this matter. Thrifts have only one day before they will be subject to the increased capital deduction requirement.

It is important for reasons of safety and soundness that the FIRREA requirement be amended to allow thrifts adequate additional time to divest their real estate subsidiaries in light of current conditions in the real estate markets.

Sincerely,

TIMOTHY RYAN.

Mr. WYLIE. Mr. Speaker, I thank the gentleman from Texas [Mr. GONZALEZ] for his explanation.

Mr. DREIER of California. Mr. Speaker, will the gentleman yield?

Mr. WYLIE. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from California.

Mr. DREIER of California. Mr. Speaker, I thank the gentleman from Ohio for yielding to me under his reservation, and I simply would like to congratulate my friends, the gentleman from Texas [Mr. GONZALEZ], the gentleman from Ohio [Mr. WYLIE] and the gentleman from California [Mr. FAZIO], and I would like the record to show, Mr. Speaker, that this is simply a 4-month extension, and nothing more than that, and I would like to ask that of both the ranking member and the chairman.

Am I correct?

Mr. WYLIE. Mr. Speaker, the gentleman from California [Mr. DREIER] is correct. It is a simple 4-month extension for this transition rule for separate capitalization of savings association real estate subsidiaries, and the gentleman from Texas [Mr. GONZALEZ] has put in the RECORD the letter from Mr. Tim Ryan, the Director of the Office of Thrift Supervision, and in that letter he says, "If we don't delay this requirement now, 324 thrifts with $3.2 billion in investments will be affected."

Mr. Speaker, this bill will simply delay the requirement of deducting the reduction from capital requirements investments in real estate for 4 months under the transition rule. It does nothing else.

Mr. DREIER of California. Mr. Speaker, I think that is a very appropriate answer. We are actually going to be benefiting the U.S. taxpayer by moving ahead with this extension.

Mr. WYLIE. I think we are, and I compliment the gentleman for his observation, and I commend the gentleman from California [Mr. DREIER] and the gentleman from California [Mr. FAZIO] who have worked diligently to bring this bill here this evening to see what would otherwise cause a harmful effect, I think, if this application of the transition rule is not extended.

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

Mr. WYLIE. I yield to the gentleman from California.

Mr. FAZIO. Mr. Speaker, I simply want to add my voice to the chorus of thanks to the chairman, the gentleman from Texas [Mr. GONZALEZ], and to the gentleman from Ohio [Mr. WYLIE] for bringing this bill to the floor so expeditiously, and I also thank my good friend from Claremont, CA who knows the geography of every Member of the House, by the way, for this expeditious handling of this on their side of the aisle.

Mr. DREIER of California. Mr. Speaker, I thank the gentleman from Sacramento.

Mr. WYLIE. Mr. Speaker, the gentleman from California [Mr. FAZIO] is right on, and with that I withdraw my reservation of objection.

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

Mr. LAFALCE. Mr. Speaker, reserving the right to object, I will not object because I do favor this measure. However, Mr. Speaker, there are a couple of difficulties we do have.

I wish we could have had some prior notice, but, most of all, the difficulty I have is the rhetoric that we choose to use so selectively when we want to advance a bill such as this. We refer to FIRREA and its implementation of capital standards as having been much, much too stringent.

□ 2130

Those are your words, "much, much too stringent." At other times, though, when we talk about the implementation of certain capital standards for FIRREA, individuals are castigated as attempting to water down the provisions, trying to be weak, being in the pocket of the S&Ls, or some other type of institutions, and I think we should do away with such rhetoric.

I personally have long had difficulties with FIRREA. I opposed it. I thought at the time it was a prescription for financial disaster. I still do.

This is the type of action we should be taking and we should have taken in 1989. It is also the type of action we should be taking on a number of other capital provisions still in FIRREA, still overly stringent, still causing a credit crunch.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2905

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(t)(5)(D)(ii) of the Home Owners' Loan Act (12 U.S.C. 1464(t)(5)(D)(ii)) is amended—

(1) by striking "June 30, 1992" and inserting "October 31, 1992"; and

(2) by striking "July 1, 1992" and inserting "November 1, 1992".

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.

LEGISLATIVE PROGRAM

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

Mr. GEPHARDT. Mr. Speaker, I take this time to inform Members of the rest of the schedule for this evening.

We will be taking up a conference report on a price fixing bill. Obviously it could have as much as one hour of debate. There will likely be a vote on that conference report.

There could be other matters after that, but there will be no votes after the vote on the conference report on price fixing.

We will then tomorrow take up the votes that were rolled or put off this evening on any other matters that come up after the conference report, and then we will go on with our regular schedule for the rest of the week.

CONFERENCE REPORT ON S. 429, CONSUMER PROTECTION AGAINST PRICE FIXING ACT OF 1991

Mr. BROOKS. Mr. Speaker, I call up the conference report on the Senate bill (S. 429) to amend the Sherman Act regarding retail competition, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of June 22, 1992, at page 15659.)

The SPEAKER pro tempore. The gentleman from Texas [Mr. BROOKS] will be recognized for 30 minutes and the gentleman from New York [Mr. FISH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

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

Mr. Speaker, very rarely do economic principle and economic necessity come together so urgently as they do in the conference report accompanying S. 429 now before us—the Consumer Protection Against Price-Fixing Act of 1991.

For decades, this body has stood behind the distinctive American free enterprise system by refusing to tolerate, countenance, or condone any form of price-fixing in the economy. Why? Because price-fixing spells the death of open competition; because it strangles the possibility of having multiple players compete in an open and free-moving economy; and because it works a fundamental disadvantage to the ultimate consumer—the American public.

Since 1890, when the Sherman Antitrust Act was passed, we in this body, and in this branch have done well in holding firm to our principles. But starting in the mid-1980s, the economic landscape changed quickly and dangerously—ironically at the same moment that democracy, free enterprise and antitrust were being embraced by the newly liberated countries of Eastern Europe, price-fixing activity began resurfacing in America because of lax enforcement and confusing judicial decisions.

The reappearance of price-fixing is not just of academic interest: It is a real threat to Americans' pocketbooks and is now costing the American consumer more than $20 billion every year—not really the best prescription for stimulating the sluggish economy in the consumer spending sector.

Vertical price-fixing—or resale price maintenance—typically begins when a full-price retailer complains to a manufacturer about a discounter's competitive pricing. If the full-price retailer has enough economic clout, it can coerce the manufacturer to force the discounter to raise its prices to the full price level. Consumers will end up paying inflated prices and low-price retailers are deprived of their ability to compete.

For over 80 years, vertical price-fixing, in all its forms, has been illegal. However, in 1981, the Justice Department cooked up a bunch of theoretical reasons to break with this longstanding congressional policy and since that time, it has failed to prosecute a single vertical price-fixing case. Even worse, two Supreme Court decisions over the past decade have confused the law[1] and made it practically impossible for low price retailers, like discount stores, to get to a jury to hear their case.

If the economy is to revive quickly, it will be largely because Americans will spend their hard-earned dollars for affordable goods and services. But let's be candid: Americans are not spending for goods and services as they have in the past. In this environment, it is misguided, to say the very least, to permit vertical price-fixing—the effect of which is to make all Americans pay the Bloomingdale's price if they are going to purchase anything at all.

The House receded to the Senate version of the legislation after working with that body to ensure that the evidentiary standards were tightly drawn and that all businesses—large or small—would not be subject to litigation if the tests were not clearly met. One provision of the House bill not adopted by the conference was a well-meaning attempt to give special treatment to small businesses. But there were serious problems with this so-called small business amendment. The definition of small business as well as the burden of proof on small business were never clearly set out. Thus, the conference rightly feared that these ambiguities would lead to protracted litigation—just the opposite of what small business needs. Indeed, the conference version can provide clear application of the benefits sought for small business in H.R. 1470.

This measure may be the single most important consumer measure to be considered by Congress this year. That it has received such tremendous bipartisan support—under the cosponsorship of the gentleman from Illinois, Mr. HYDE—only attests to the recognized need to give consumers the full benefit of the American free enterprise system.

I urge you to join us in supporting the conference report.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to my friend, the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, when the gentleman talks of vertical price fixing, is that analogous to the keiretsu system in Japan?

Mr. BROOKS. Mr. Speaker, one might say that.

Mr. BURTON of Indiana. I just wanted to get that clarified, because people are not aware of that.

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

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

Mr. Speaker, I am strongly opposed to the conference report on S. 429. This legislation will be damaging to American industry, American productivity, and the American economy overall.

The primary end product of this bill is more litigation. More litigation means higher—not lower—prices for America's consumers. More litigation does not create new jobs, nor does it protect existing jobs. More litigation does not help American manufacturers and small businesses survive and prosper in a highly competitive world economy. I say to my colleagues that legislation has negative ramifications far beyond changes in the Federal antitrust laws and I urge you to keep this fact in mind as you consider this conference report.

On June 18, the conference committee met briefly on this legislation. At that time, a majority of the House conferees failed to support the House position and, instead, voted to accept the Senate version of this legislation in its entirety. Consequently, the conference version of this legislation does not contain the extremely important protection for small business that was embodied in the House bill by virtue of an amendment authored by the gentleman from California [Mr. CAMPBELL].

My colleagues will recall that when the House version (H.R. 1470) of this legislation was considered on October 10, 1991, an amendment sponsored by Congressman CAMPBELL was adopted by a 218 to 195 roll call vote. The Campbell amendment would provide certain businesses—particularly small businesses—with an important and essential defense in the treble damage legal ac-

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[1] As Thomas A. Piraino, Jr., a leading commentator in the area, has pointed out, the Court in one of the decisions, the *Sharp* case, chose to ignore the substantive economic effect of detrimental conduct at issue, falling back instead on formalistic line drawing that benefits neither the consumer nor the general economy. *See*, Piraino, "Sharp Dealing: The Horizontal/Vertical Dichotomy in Distributor Termination Cases," 38 *Emory* L.J. 311-367 (1989).

tions authorized by this bill. If they can demonstrate that they are "so small in the relevant market as to lack market power" they are protected against liability in these suits. Without this language, small businesses all across this country will suffer severely.

No one who opposes this ill-advised and unfair legislation argues or believes that manufacturers and retailers should be permitted to engage in price-fixing conspiracies. But both horizontal and vertical price fixing are illegal per se right now! In fact, vertical price fixing—the supposed focus of this bill—has been illegal since 1911. We don't need a new statute to tell us what is already the law.

Instead, S. 429 would invent supposed price-fixing conspiracies out of innocent and lawful business decisions. What S. 429 is really about is the alteration of evidentiary requirements in certain complicated types of antitrust cases. Specifically, those cases where it is alleged that a dealer's termination by a manufacturer occurred in furtherance of a resale price maintenance scheme. The bill would create an inference or legal presumption that a price-fixing conspiracy occurred when, in fact, no such conspiracy may ever have taken place. As drafted, S. 429 could easily result in courts and juries misinterpreting and treating many innocent and completely lawful business decisions as vertical price-fixing conspiracies.

S. 429 would reduce the level of evidence needed to proceed to trial by creating an inference of an unlawful conspiracy in certain fact circumstances. This inference would be based on evidence that is equally consistent with a totally different conclusion—that is, that a manufacturer made a lawful, unilateral decision regarding who will distribute and sell its products.

By its very nature, antitrust litigation is lengthy and time consuming. Typically, these cases take years to resolve. What the advocates of S. 429 know, is that if these weak cases get by preliminary motions for early dismissals; that is, motions for summary judgment, then the cost and the timeframe itself will force manufacturers to agree to money settlements, even though the facts don't support that result. Again, because of the availability of treble damages, S. 429 is certain to invite a substantial increase in these complex antitrust suits. So, the backlog of civil cases in our Federal courts will continue to mount and worsen.

The bill will discourage and inhibit manufacturers from terminating dealers who provide inadequate service or otherwise violate the terms of their contracts. Small independent dealers are also likely to suffer under this legislation. This is because manufacturers would have an incentive to open up their own distribution centers to ensure that adequate services are offered along with their product and will surely do so.

It is important to stress that it is completely lawful for a manufacturer to choose not to deal with a particular retailer or terminate an existing business relationship with a retailer for reasons unrelated to price. Typical examples of these reasons would include: circumstances where the retailer does not advertise the product as agreed upon, does not employ salesmen trained in the technical nuances of a product, does not provide adequate warranty and repair service, does not display the product in the fashion agreed upon, or does not stay within his assigned territory. Manufacturers are rightly concerned about the reputation and goodwill surrounding their products. Make no mistake about it, product reputations are made in the retail marketplace.

Unfortunately, the bill asks Congress to pick sides in antitrust litigation. It will unfairly tilt proceedings in favor of a plaintiff; that is, a discontinued dealer, merely upon the dealer's allegation of an antitrust violation. The unilateral decision of a manufacturer to select its own retail outlets is currently protected by the antitrust laws and has been since 1919. *U.S.* v. *Colgate*, 250 U.S. 300, 307 (1919). But certain advocates of S. 429 intend to change that situation by essentially overruling portions of the Colgate doctrine. What some proponents want from this legislation is to use the antitrust laws to gain more economic and legal leverage so that they can force a manufacturer to sell its products to them.

This bill is not likely to help consumers either. In fact, in significant ways, the bill is anticonsumer. For example, it will harm purchasers of products that require special servicing and marketing. If it is enacted, buyers can expect to receive less warranty protection and less repair service than is now the case. If you are purchasing a personal computer, a VCR, or a camera, warranty and repair service is a vital element of that purchase. This legislation could undermine the incentive to provide those additional services with those types of technical and complicated products.

Some would have us believe that a vote for this bill is a vote for discount prices. This is not only inaccurate—it is a ludicrous way to justify this departure from traditional antitrust law. In reality, this bill is about giving one side an advantage in litigation. It unfairly presumes a vertical price-fixing conspiracy has occurred in every instance where a retailer dealer is terminated by his manufacturer-supplier. Such a presumption defies everyday business practice and common sense. The bottom line is that this bill will cost us more money—both as taxpayers and consumers. That does not help discount stores or discount prices.

The legislation is strenuously opposed by the National Federation of Independent Business [NFIB]. Your vote on this conference report will be considered a key vote by that organization. Plain and simple, the deletion of the Campbell amendment from the conference report has made this legislation unacceptable to American small business.

This bill is also opposed by a variety of other business groups, including the chamber of commerce, the National Association of Manufacturers, the Business Roundtable, and the Computer and Business Manufacturers Association. Further, this bill is opposed by the Department of Justice and the Federal Trade Commission. If it reaches the President's desk in its current form, a veto of S. 429 will be recommended by his senior advisers.

In addition, it is opposed by the American Bar Association and the antitrust section of the City Bar of New York. I think it is particularly noteworthy that these two legal organizations are unequivocally opposed to S. 429—because they are the most qualified to understand its complexities and real consequences.

If S. 429 as reported by the conference committee is enacted into law, then Congress will have created a legal situation that will result in serious and costly harm to thousands of businesses—manufacturers and retailers—all across this country. The bill would establish a statutory presumption of unlawful price fixing and, as a result, weaken evidentiary standards in complex antitrust cases dealing with resale price maintenance. The bill would encourage plaintiffs to bring antitrust suits that would not be filed today. This legislation means more lawsuits and more cases going to trial.

Again, this legislation is a likely target for a Presidential veto. It will inhibit manufacturers from terminating dealers who provide inadequate service. It will harm consumers seeking products that require special services and marketing. It will make it harder for small businesses and new competitors to enter the market with new products and brands. It will subject small businesses to unnecessary, unsubstantiated law suits. In short, it is unwarranted, ill advised and unfair.

I strongly urge my colleagues to oppose the conference report on S. 429.

For the RECORD, I include the letter referred to earlier:

OFFICE OF THE ATTORNEY GENERAL,
Washington, DC, June 28, 1992.

Hon. ROBERT H. MICHEL
Republican Leader,
U.S. House of Representatives.

DEAR MR. LEADER: This letter presents the views of the Administration on the Conference Report on S. 429, a bill which would impose treble damages under the antitrust laws for alleged resale price maintenance agreements between manufacturers and distributors. The Administration continues its

longstanding opposition to such legislation. S. 429 will harm the economy and the sound administration of the antitrust laws by stretching and distorting the definition of conspiracy such that it would expose manufacturers to treble damage liability where no conspiracy existed and no prices were fixed. Accordingly, I and the President's other senior advisers would recommend a veto of the Conference Report on S. 429 if it reached the President's desk.

Our concerns with the bill remain as follows:

S. 429 would permit allegations of an unlawful price-fixing conspiracy to go to a jury trial based on little more than the fact that one dealer has been terminated in response to a complaint from a competing dealer. This would, in effect, turn legitimate business decisions by a manufacturer on how best to distribute its products into antitrust litigation, thereby encouraging additional lawsuits, increasing costs to consumers and subjecting manufacturers to treble damages.

The freedom of a manufacturer unilaterally to decide whether or not to distribute its products through a given dealer is an essential part of our free enterprise system and has a solid foundation in settled antitrust law. In part, manufacturers rely on feedback from their distributors to supply the goods and services that consumers desire. S. 429 would hinder this important exchange of information.

Contrary to its proponents' arguments, S. 429 would not benefit consumers but restrict the ability of a manufacturer to ensure that its distributors provide consumers valuable product expertise and product servicing.

The Office of Management and Budget has advised that it has no objection to the submission of this report and that enactment of S. 429 would not be in accord with the President's program.

Sincerely,

WILLIAM P. BARR,
Attorney General.

□ 2140

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

Mr. BROOKS. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. HUGHES], the distinguished chairman of the Subcommittee on Intellectual Property and Judicial Administration.

Mr. HUGHES. Mr. Speaker, I rise in support of the conference report on S. 429, the Price Fixing Prevention Act. In my judgment, it is a fair, balanced bill that will benefit American businesses and American consumers.

Let me congratulate the distinguished gentleman from Texas [Mr. BROOKS] for his work in bringing back a bill, a conference report that I think is in the interests of the American public.

□ 2150

I do not understand some of the arguments being made here today, and I do not understand why the business community is afraid of competition. Competition is the foundation of our free enterprise system, our entire economic system. Competition rewards, quality and efficiency, thus maximizing the benefits to society. Unfortunately, in recent years the Department of Justice and the Supreme Court in a series of decisions have backed away from their responsibilities in enforcing our antitrust laws and preserving our economy's competitive foundation. That has been the hallmark, really, of administrations all down through the decades, Democrat and Republican administrations.

Vertical price-fixing, and that is what we are talking about, or recent retail price maintenance, is a conspiracy between suppliers and their dealers to maintain inflated prices and avoid retail competition. Through such conspiracies the suppliers and dealers involved act as one monopoly, increasing their profits by keeping supply artificially low and prices artificially high. It is that simple. The goal is to profit not by offering the best value but by overcharging their customers, who cannot purchase those products at a fair price.

The conference report, among other things, unlike the House bill, reaffirms Federal policy against vertical price-fixing by codifying the 1911 Supreme Court holding that vertical price-fixing is illegal per se, and clarifies the evidential standards involved.

The standards in the conference report make it somewhat more difficult than the House-passed bill to bring a retail price-fixing action, and I regret that. Unlike the House measure, the agreement also specifies that courts must consider bona fide business justifications for a manufacturer which terminates or refuses to supply a discounter in deciding whether to dismiss the case before it goes to a jury.

The House bill, indeed, has more stringent requirements than when it left the House, and I regret that, but it is the best bill that we have. It is the only bill before the Congress, and it is important that we vote for it. I strongly urge my colleagues to stand up for the American principles of free enterprise and competition, to seize the chance to restore antitrust law to the American marketplace, and vote for S. 429.

Mr. FISH. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Speaker, as a Member of the Committee on the Judiciary, I have listened to testimony and analyzed the implications of this legislation for the last three Congresses. Because of my concern regarding the bill's likely adverse effects, I have voted "nay" on no less than five previous occasions. I remain convinced that this measure—in the form of this conference report—would be economically counterproductive for business and for our country.

The language of S. 429 is troublesome and erroneous because it presumes a price-related motive in every dealer termination case. The legal inference or presumption established by this bill assumes that a price fixing goal was in mind, when the identical facts could lead a reasonable judge or a reasonable juror to conclude otherwise.

Vertical price fixing conspiracies are per se violations of the Federal antitrust laws and should be punished. That is already the law. But, what the proponents of S. 429 are seeking to do is confuse and obscure the very clear distinction between illegal price-fixing conspiracies and legitimate, lawful business decisions.

S. 429 is a direct attack on the venerable "Colgate Doctrine" of antitrust law and attempts to undermine that landmark Supreme Court ruling. *U.S.* v. *Colgate*, 250 U.S. 300, 307 (1919). The Colgate decision made it clear that a manufacturer has a lawful, recognized right to decide with whom it will do business. There is nothing in the antitrust laws that interferes with the unilateral right of a manufacturer or wholesaler to select their retail outlets.

Manufacturers have a right to establish quality requirements and service standards for their retail outlets. Manufacturers have a recognized right to establish their own distribution systems and can lawfully terminate poor performing dealers for non-price reasons. If a dealer doesn't advertise or promote the product, doesn't train his sales staff, doesn't provide adequate repair and warranty services, or doesn't stay within his assigned territory, then a manufacturer has a right to end that business relationship. As we all know, the sales success of a product depends upon its goodwill—its reputation for quality and reliability—and that, ultimately, depends upon the consumer's impression in the retail marketplace.

Unfortunately, the conference committee deleted the language that was included in the House bill as a result of an amendment by my colleague from California [Mr. CAMPBELL]. The Campbell amendment would have exempted businesses without market power from the coverage of S. 429. That small business amendment was overwhelmingly adopted by this House, last October. Without it, S. 429 is totally unacceptable and the NFIB is urging a "no" vote on this conference report.

As I have said on numerous occasions, since our committee began consideration of this legislation—it seems to me that the large discounters like K-Mart, Burlington Coat Factory, WalMart, and others are doing extremely well. The fact is their sales are climbing each year. Also, the number of discount outlets grows larger every year. It is the small, individual main street retailer that has been in business for many years that is struggling in my area of the country and elsewhere. In fact, many of them have been forced out of business by the success of the discounters.

Congress should not be gerrymandering or micromanaging the antitrust laws so as to favor a particular class of litigants. This is bad legislation and deserves to be defeated.

Mr. BROOKS. Mr. Speaker, I yield one minute to the distinguished gentleman from Kentucky [Mr. MAZZOLI], the chairman of the Subcommittee on Immigration, Refugees, and International Law of the Committee on the Judiciary.

Mr. MAZZOLI. Mr. Speaker, I rise in very strong support of the bill that has been offered by the gentleman from Texas [Mr. BROOKS], our chairman, and sponsored also by the gentleman from Illinois [Mr. HYDE].

I think it all boils down to one thing, very simply, and that is do we want to be sure that in America today we protect the consumer. That is exactly what this bill does, it protects the consumer. It gives the consumer the very best price available. It protects the low cost or the low discount retailer who does want to serve a clientele for whom and for which price is important.

I would also like, Mr. Speaker, to make note of the fact that in a letter dated June 22, just earlier this month, among other attorneys general is Mr. Chris Gorman, my friend who is now the Attorney General of the State of Kentucky, who affirms his and the collective attorneys general's support for the bill before the committee tonight.

Mr. Speaker, I urge support of the conference report.

Mr. FISH. Mr. Speaker, I am happy to yield 3 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, I am very pleased to support this excellent bill. I applaud the conferees for a fine job of legislative craftsmanship which promises to save consumers billions of dollars a year in inflated prices while protecting manufacturers from frivolous lawsuits.

Vigorous competition on the basis of price is a cornerstone of our free enterprise system. Unfortunately, the Supreme Court's Monsanto and Sharp decisions in the 1980's significantly raised the burden of proof faced by discounters challenging supply cutoffs by manufacturers conspiring with competing dealers to maintain high and unchallenged retail prices. Discounters no longer have a fighting chance of winning antitrust actions, and manufacturers have become greatly emboldened in threatening terminations of supply. Unfortunately, examples are endless. A clothing manufacturer terminated its relationship with a discount chain because of pressure from a department store. A book publisher terminated a discount bookseller because of complaints by trade associations. A general merchandise discounter was threatened with a supply cutoff by appliance, computer, and toy manufacturers if it refused to increase catalog prices.

To combat these abuses, S. 429 would codify the eight decade old rule that vertical price fixing is per se illegal. The bill would then modify or overrule Monsanto and Sharp to the extent necessary to establish uniform and fair evidentiary standards in dealer termination cases. The heart of the bill is a simple and eminently reasonable proposition: When a retailer's request that a manufacturer work to curtail or eliminate price competition is the major cause of a discounter's termination, a jury should be allowed to decide whether there in fact existed a conspiracy to fix prices.

This standard will allow discounters to effectively fight for their rights and for those of consumers. But it will by no means interfere with the ability of manufacturers to terminate dealers unilaterally or for other legitimate reasons, such as rival dealers' complaints of a discounter's inferior service. Numerous safeguards have been built in for this purpose.

For example, claims of conspiracy which a judge finds implausible cannot go to a jury. A manufacturer can always present evidence of a nonprice rationale for termination. And remember, a jury ultimately has to find that a conspiracy existed for there to be any violation.

Let us reaffirm our good judgment of last October and pass S. 429. We can put the House of Representatives on record that we will not tolerate price fixing under any circumstances in America and we can move one step closer to winning a major victory for the consumers in our districts.

□ 2200

Mr. BROOKS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida [Mr. SMITH], a former member of the Committee on the Judiciary and now a very important member of the Committee on Appropriations.

Mr. SMITH of Florida. Mr. Speaker, I thank the gentleman for yielding time to me, and I commend him for all of the work he has done on this bill bringing it back from conference.

I want to talk about Xanadu Electronics, which sells to both Overpriced Ltd. and Too Cheap, Inc. Too Cheap is a discount retailer that makes money, even though its prices are less than those charged by the multiproduct-selling Overpriced chain.

One day, an Overpriced VP tells a Xanadu executive that Too Cheap is murdering Overpriced in a few markets. A moment or two later lo and behold, the Overpriced VP mentions that he might have to reduce the amount of space provided for Xanadu products in Overpriced stores nationwide. A few days later, Xanadu cuts off Too Cheap.

Now, Mr. Speaker, a rational person might reach two conclusions from this scenario: First, Xanadu's action bore no relation to the conversation that occurred between Xanadu and Overpriced; or second, Xanadu cut off Too Cheap to assuage Overpriced and to keep Overpriced business.

Without more evidence, no one, not I or anyone else can tell you exactly what occurred. And that is precisely the problem that S. 429 will overcome and seeks to overcome.

Under current law, no judge or jury would hear any additional evidence to decide whether an illegal price-fixing conspiracy occurred.

Under S. 429, that is all changed so that additional evidence may be supplied to make a rational decision in cases where prices and consumers are the most important things. And this is what we need to get to as the bottom line on this bill.

I have probably the biggest and one of the most successful discount malls in my district. In this time of recession it is doing an incredible landslide business from people who need these lower priced, American-made, well-made standard goods because they cannot afford to spend the money in other stores where these products are more costly, and sometimes overpriced. These malls, these stores serve a great American heritage, and a great American purpose, and for us to deny American consumers the ability to buy American products at the cheapest prices would be to deny the very competition that made this country great.

I commend the chairman for this bill and commend those who support it, and urge all of my colleagues to vote, as the gentleman from Illinois [Mr. HYDE] said, for American consumers.

Mr. FISH. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I rise in opposition to the conference report on H.R. 1470, the Price Fixing Act of 1991. I spoke against the bill when it came before the House last year because price fixing is already illegal, and has been since 1911. We have adequate protections against price-fixing. This bill is not necessary.

H.R. 1470 is bad for private enterprise and bad for small business. It will interfere with legitimate business decisions that have nothing to do with price fixing. And it will expose manufacturers, as well as small businesses, to costly and unnecessary lawsuits.

Dealers who have been terminated by a manufacturer for failing to follow service or warranty guidelines, for example, could file suit charging price fixing. A manufacturer should have the right to exercise quality control over the sale and service of its product. Such action is essential to protecting the reputation and quality of that product and it is not price fixing.

When the bill passed the House, it contained the Campbell amendment

that provided small business owners a defense against frivolous price-fixing lawsuits. The conferees stripped the Campbell amendment out of the bill.

That means small main street retailers could be subjected to expensive litigation on the basis of almost any communication they might have with a manufacturer.

A terminated dealer can more easily bring a charge of price fixing when none exists, and it will be up to the manufacturer and retailer to spend legal fees to fight the case. Let's face it, this bill will hurt mom-and-pop stores all across the country and will help the big discount chains. That is why the National Federation of Independent Business [NFIB] is strongly opposed to the conference report.

No one condones price fixing and those caught in such activity should be prosecuted.

Mr. Speaker, I have a manufacturer in my State that started 18 years ago in his basement. He now has 2,000 employees. He did it on his own. He makes electronic devices. He said he can beat the Japanese, he can beat the Koreans, and he can beat the Mexicans with a better product, and he can sell it cheaper, and make a profit. And he said, "The biggest problem I have is Congress passing laws and regulations that take a lot of time and hurt me in making a profit and giving jobs to people."

I urge a "no" vote on this conference report.

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in support of the conference report on the Price Fixing Prevention Act of 1991, and I wish to commend the gentleman from Texas [Mr. BROOKS] and the gentleman from Illinois [Mr. HYDE] for their work on this matter.

As we know, a 1988 Supreme Court decision severely tightened the evidentiary rules in price-fixing cases, making it difficult for discount businesses to function freely. Last fall the House passed H.R. 1470, a measure similar to the one before us today, designed to protect consumers from vertical price fixing. While the measure now before us incorporates the text of S. 429, it nonetheless fulfills our objective of preventing vertical price fixing. In addition, amendments made to this bill by the other body protect small businesses from frivolous lawsuits.

Mr. Speaker, since 1911 vertical price fixing has been illegal, but recently we have seen discount stores closing because of price-fixing agreements that restrict their access to quality name brand goods. A significant portion of our population, including those of moderate income and many of our older Americans, rely on discount stores for quality goods.

Accordingly, I urge my colleagues to support competitive pricing and a free market by supporting this important measure, the Consumer Protection Against Price Fixing Act, the conference report on S. 429.

□ 2210

Mr. FISH. Mr. Speaker, I yield 3 minutes to my colleague, the gentleman from New York [Mr. HOUGHTON].

Mr. HOUGHTON. Mr. Speaker, I rise in opposition to the conference report on S. 429.

The issue is vertical price fixing. It sounds bad: Big companies out to get the little companies. And, frankly, that is exactly what it is. But it is cast in the wrong way.

It is not the big manufacturers coming out to get the discounters. It is the discounters coming out to get the mom-and-pop stores. The facts are that price fixing has been illegal for many, many years. That is a fact. So it is not the issue.

The issue is whether discount stores can get cheap access to the courts under the guise of discrimination.

Let me tell you a story. There was a department store in the town in which I live, a small store, a good store which went out of business after 70 years. The same week that it went out of business, a large discount store made an announcement that it was getting into business.

The discount stores are doing just fine. The manufacturers have not laid a glove on them. It is the smaller stores with the small market share who are not.

So does this bill help those in trouble, the little guys? Not on your life. It helps the large merchandisers, because they have got the club. They can sue at the drop of a hat. Small guys cannot afford that. Most do not want it. But this gives those with deep pockets an anticompetitive edge.

The bill is not proconsumer. It is not procompetitive. I am afraid it is anti small business.

Frankly, at this particular time in our Nation's history, that is not good.

Mr. BROOKS. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma [Mr. SYNAR], a distinguished member of the committee.

Mr. SYNAR. Mr. Speaker, I rise in support of the conference report today.

For those of my colleagues who are back in their offices watching this on TV and for the people who are viewing this around the country, let me try to clear away the fog that seems to be evolving into the Chamber, because this is a very complicated and complex issue. And I think both sides of the argument will agree with that.

I would like to address three things. First of all, the issue of whether or not the National Federation of Independent Business is for or against vertical price fixing. The NFIB has switched on this position since 1982 when they testified before the Committee on the Judiciary and they offered very strong testimony at that time that they were vigorously opposed to any effort to weaken the laws against vertical price fixing.

This new adventure that they take us on tonight is completely opposite to that testimony that they offered to the committee in 1982. There is absolutely no reason to believe that they are for vertical price fixing. In fact, a number of their members since the debate that was held on this floor a matter of months ago have criticized the NFIB for representing their position. We have letters, for example, from the Service Station Dealers of America, as well as the National Association of Retail Druggists, who criticized the NFIB for holding out a position they do not hold, and that is that the vertical price-fixing provisions of this bill are critical to the operations of their businesses.

Second, you are going to hear in a matter of moments really the issue of this debate, and that is what is called market power. The market-power test which the conference committee rejected was rejected because we believe that vertical price fixing is a violation of the antitrust laws per se, and that market power should not play into that consideration. In fact, we have a litany of Supreme Court cases which point out time and time again that any level of market power does not in itself make a case against vertical price fixing. In fact, we even have one case where a 100-percent market share was not enough by which to really cause this to be triggered.

So when you hear the arguments from some of the Members who will speak after me with respect to market power, it is very clear that that is not the debate that we are trying to have here on the floor today. One final thing, and that is that I think it is important for us to try to say who are the winners here. The winners are basically the consumers of America. As the gentleman from Illinois said, by the passage of this bill we are literally going to save the consumers of this country billions of dollars while increasing the variety of goods which they have available on their shelves.

It is that basic principle, that basic principle that now has not only the AARP but the chief law enforcement officers of our country, the State attorneys general, and finally the Consumer Federation of America embracing this bill, demanding Congress to pass this bill to correct this problem which has existed for too long.

In summary, let me suggest to my colleagues that this is an opportunity to do a variety of things: First, to provide consumers billions of dollars of savings and better variety; second, to correct something that for too long has been on the books; but, finally, and

most importantly, to send a strong message to small business that we are going to do the types of things that will ensure they will be competitive in the decade of the 1990's and into the next century.

ANNOUNCEMENT BY THE SPEAKER P.T.

The SPEAKER pro tempore. (Mr. CARDIN). Let the Chair remind all Members that all comments should be addressed to the Chair, not to the viewing audience.

Mr. FISH. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, the legislation before us will help to ensure that the American consumer benefits from an open, fair, and free-market economy. Price competition is paramount to any market-oriented economy, and this fact—combined with the antitrust laws that preserve it—has been the cornerstone of my party.

Enforcement by the Federal Government in this area has been tepid at best, when what is needed is a strong commitment to the law. Also needed to ensure maximum competition in the open market is vigorous private enforcement against retail price maintenance. S. 249 serves to balance the scales: It provides the fair standards that a private plaintiff needs to sustain a legitimate price-fixing case and also affirms that retail price fixing is illegal per se.

This bill is a measured legislative effort to assure that legitimate suits challenging anticompetitive resale price maintenance agreements will receive fair hearings on their merits and I urge support for it.

Mr. FISH. Mr. Speaker, I yield 1 minute to the gentlewoman from Maryland [Mrs. BENTLEY].

Mrs. BENTLEY. Mr. Speaker, I thank the distinguished gentleman from New York for yielding me this time.

Mr. Speaker, the conference report on S. 429 should be supported. If we believe the cant and rhetoric of all of the free-trade, free-market economists and count past votes—in this House—for letting the market decide the economic future of this great Nation—then, this report should pass handily. What is more important in a free market than letting competition in the market place set the price?

But, in looking at some of the groups who would defeat this legislation—it seems that they support the free market concept up to the point that they must compete in the market . . . no holds barred.

My position on protecting the American market and the American producer from unfair foreign competition—many times from cartels or government-subsidized production—remains unchanged. My support of this legislation is to stop the approval and growth of monopolistic practices inside this Nation. This conference report on S 429 should be supported by every true free trade advocate if we are to continue to have even-handed trade in our American markets.

□ 2220

Mr. FISH. Mr. Speaker, I yield the balance of our time to the gentleman from California [Mr. CAMPBELL].

The SPEAKER pro tempore (Mr. CARDIN). The gentleman from California [Mr. CAMPBELL] is recognized for 6 minutes.

Mr. CAMPBELL of California. Mr. Speaker, I thank my colleague, the gentleman from New York, for giving me the opportunity to close the debate on our side.

I would also like to address to the Speaker that I would welcome a debate if my colleagues on the other side are interested in doing so.

I do not have notes. I have no prepared speech. When my remarks are finished, I would welcome any colloquy that anyone may wish to engage in, and if I have exceeded my 6 minutes, perhaps it could come out of the 13 minutes that the gentleman has reserved.

What we are speaking about here tonight is lawsuits. The typical situation is this. A manufacturer says, "Here is a product and I am going to let a retailer sell it."

Retailer A sells it for one price and retailer B sells it for a different price. Every day of the week retailer B complains to the manufacturer about retailer A. Some of those complaints have to do with, well, he is invading my territory, or complaints that she is not providing warranty service. It is standard. It happens every day of the week.

Now, occasionally one of those retailers will complain to a manufacturer and will say, "You know, that other retailer over there, she is cutting price."

And then the manufacturer has to decide what the manufacturer is going to do.

Under the Supreme Court precedents, the manufacturer may legally terminate that retailer who is accused of cutting price. It is perfectly legal, the Colgate doctrine, 1919.

What the manufacturer may not do is call back or on that same telephone call agree with the first complaining retailer and say, "You know, I will terminate that other retailer because you complained." Dr. Miles, 1911.

Now, that is the law that we have dealt with since 1919, the complete law.

You may terminate a distributor provided you have not agreed with another retailer to terminate that distributor on the basis of price. You may in your own mind think that is the reason. You may in your own mind have a dozen other reasons.

Now, we have lived with that law for many, many years.

The Supreme Court decided the Monsanto Case in 1984. In Monsanto, it deals with the following fact situation: One retailer complains to a manufacturer and says, "That other retailer is cutting price." And there was some evidence to suggest that the manufacturer wanted those retailers to maintain a price. There was a price list that had been circulated. That was it.

And the question was, could a jury be permitted to take the inference just from the fact that the manufacturer has circulated a price list, that the reason the manufacturer had terminated that retailer was the complaint of the other manufacturer for cutting price.

The Supreme Court said, no, that is not enough.

You see, that manufacturer might have terminated the retailer for a dozen other reasons. There was no evidence of an agreement with that first retailer who complained. You have got to have more.

In Monsanto, the Supreme Court said, "You must have evidence sufficient to dissuade the possibility that it was independent action by the manufacturer. You have got to prove that there was that conspiracy."

And that I suggest was consistent with the law from Monsanto and Dr. Miles.

Now, tonight we discuss a bill brought back from conference which changes that. What the bill we have before us does is to say when a manufacturer receives a complaint from a retailer and that retailer mentions price, that complaint may be enough to go to the jury to raise an inference of an agreement.

Now, the Brown amendments changed the bill as it came out of the House floor, but it does preserve this fundamental point. You can get to a jury on the question of whether the manufacturer terminated that other retailer because of price, simply on the basis of an inference because that first retailer called and complained about price.

Here is why I oppose the bill. That is a guaranteed lawsuit. It is a guaranteed lawsuit every day of the week.

The one bulwark against that kind of lawsuit was a motion to dismiss which the judge would rule on, based on Monsanto. The judge would say, "Hey, that is not enough. You cannot just claim that it was done on the basis of price because of one complaint. Show me more. Show me that evidence of agreement."

But if we pass this tonight, Mr. Speaker, it is enough to get to a jury. What does it mean to get to a jury? It means that the defendant is going to have to consider settling. It means that the defendant has got to face the probability of having treble damages possibly when there was no actual agreement and that a defendant faced with that kind of intimidation might

decide the wiser course is to settle out, the kind of intimidation that has led to so many lawsuits in this country and in my judgment has kept us from being as competitive as we would otherwise be.

So when this bill was on the House floor a few months ago, I offered my amendment, and my amendment said, look, at least if it is going to go to a jury or a judge on a motion to dismiss, at least allow the defense that we are too small to have affected any market power. We are too small.

The majority of this House agreed that that was an appropriate bulwark, an appropriate stopgap, because if you were the retailer who complained, you were suing not only against the manufacturer, but against the other retailer. That is why NFIB is making this a key vote. It is not because they are interested in protecting manufacturers. They are interested in protecting that one retailer whose only sin is calling up the manufacturer and suggesting a complaint about the other retailer, the sort of thing that happens every day of the week.

My colleagues, I tell you, there will be litigation every day of the week. Small business will be up against the prospect of treble damages. The one hope for this not to happen is my amendment. My amendment was stripped in conference.

Mr. Speaker, I urge if you supported the Campbell amendment, please vote "no" on the conference report.

Mr. BROOKS. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. SYNAR].

Mr. SYNAR. Mr. Speaker, would the gentleman from California engage me in some questions and answers for the benefit of our colleagues?

Mr. CAMPBELL of California. I would be pleased to.

Mr. SYNAR. First of all, Mr. Speaker, would the gentleman agree that the legislation that is before us requires that a retailer must demand that that wholesaler take action for it to be a legitimate case that he could take to court?

Mr. CAMPBELL of California. Mr. Speaker, if the gentleman will yield, that is how I read the Brown bill.

Mr. SYNAR. Would the gentleman also agree that the issue that is really at hand here is how much evidence needs to be presented in order that it would be considered by a jury?

Mr. CAMPBELL of California. I agree.

Mr. SYNAR. Is it not also the case from the gentleman from California that because of the Monsanto case that what we really have is the burden of proof on the potential retailer to have to prove a negative versus a positive in order to get to court?

Mr. CAMPBELL of California. With that I disagree, if the gentleman will yield further.

Mr. SYNAR. Briefly, because I have two more questions.

Mr. CAMPBELL of California. The gentleman may interrupt me anytime he feels I am talking too long.

The Monsanto case said that the complaining retailer had to put in sufficient evidence of an agreement, and that is affirmative. It is not proving a negative.

The court then in explaining said that an agreement means enough to rebut the inference that it was done unilaterally.

Mr. SYNAR. Finally, let me ask the gentleman, we have basically here the elements of that that we are debating and what the elements of evidence that have to be presented for a jury to consider, but it does not insure that the jury will consider, that the judge may also pull it before the jury has considered it; is that not correct?

Mr. CAMPBELL of California. Yes. This bill does not amend the rules of civil procedure in that regard.

Mr. SYNAR. The final point is that I understand and have worked with the gentleman over the years and I know he is not a conservative extremist, but if we were to take the proposition that the gentleman would offer and reject this bill, are we not really saying that we are afraid of the jury system, and therefore what we are trying to do is make sure that juries will never hear these types of cases?

Mr. CAMPBELL of California. Mr. Speaker, if the gentleman will yield further, no more so than in any civil action where a motion to dismiss is permitted or a motion on the pleadings or a motion for lack of cause shown in the complaint. The Federal rules of civil procedure, as my colleague and friend, the gentleman from Oklahoma knows quite well, allows many instances when a court may take an issue from a jury.

Indeed, before the Monsanto case, an issue could be taken from the jury if the defendant was able to prove that there was no inference of an agreement; so in that regard, it is no difference from the current status of civil procedure.

Mr. BROOKS. Mr. Speaker, I yield myself the balance of my time.

Like the gentleman from California, I am also concerned about protecting small businesses. And since small businesses are in far more danger of being victimized by a price-fixing conspiracy than by any frivolous antitrust lawsuit, it is essential that the bill not be undermined. Unfortunately, the gentleman's amendment—which I believe is completely well-intentioned—might have nullified the bill's protections, by creating a loophole that would have exempted even industry giants from liability. If you don't believe me, ask the U.S. Chamber of Commerce, which in a newsletter admitted that this amendment would exempt almost all businesses, not just small.

We have done everything within reason in this conference report—and perhaps a bit more than that, frankly—to assure all businesses, large or small, that they will not be subject to frivolous lawsuits.

The conference report includes several changes from the House-passed bill that go right to the heart of the concerns raised by certain elements in the business community that they might be unfairly charged with price-fixing. The goal here was to be fair to all potential defendants in developing appropriate standards. In addition, the House version contained language that might have led to protracted litigation for small businesses in attempting to prove that they were, in fact, "small." That is unsatisfctory, and the conference report avoids that problem. I would therefore urge Members to support the conference agreement.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of the conference report on S. 429, the Consumer Protection Against Price-Fixing Act.

I have supported this type of legislation since 1983 in the effort to reform our antitrust regulations and ensure that all consumers are able to purchase their products in a free market. And perhaps today more than ever, this legislation is needed as American consumers are turning more frequently to discount merchandisers to find the products they need at prices which fit their budgets.

The conference agreement before us is a good plan that will safeguard consumers and retailers from resale price maintenance and vertical price fixing.

In short, Mr. Chairman, vertical price fixing occurs when a manufacturer dictates the price a retailer may charge when selling the manufacturer's goods. This practice is anticompetitive and an unacceptable restraint of trade. If the retailer purchases the goods from the manufacturer, the retailer and the free market should determine the price offered to the consuming public. The price should not be artificially established.

Mr. Speaker, when price fixing occurs, the American consumer is the loser. In New Jersey, for example, a major department store demanded that a manufacturer halt the delivery of a product to a discounter who was underpricing the department store. The manufacturer—fearing the loss of this nationwide department store as a customer—dropped the discounter and refused to supply it with its products. Eventually, the discounter—fearing the loss of the manufacturer's other goods in all of its other stores nationwide—complied with the demand and stopped selling those goods at prices which undercut the department store. In the end, the consumers were forced to pay more than the retailers ever wanted to charge.

Unfortunately, during the 1980's as price fixing became more common, two Supreme Court decisions made it very difficult for a discount retailer to bring suits against a manufacturer under current antitrust laws. The Monsanto and the Sharp Electronics cases created special loopholes which enhanced the ability of manufacturers to set retail prices. As more

and more discounters felt threatened, the need for legislation became more imminent.

Since 1983, Mr. Speaker, I have cosponsored legislation to end the anticompetitive activities which we are addressing in the legislation before us today, S. 429. In the 98th Congress, I cosponsored House Joint Resolution 389 calling on the Federal Trade Commission to enforce existing antitrust laws. In the 99th Congress, I was an original cosponsor of House Resolution 303 which challenged the legitimacy of Federal vertical restraining guidelines. In the 100th Congress, I was an original cosponsor of H.R. 585—the forerunner to today's conference report and in the 101st Congress, I cosponsored H.R. 1236. Of course, I was also an original cosponsor of H.R. 1470, the House companion bill to S. 429.

Mr. Speaker, passage of today's conference report is a significant milestone in the battle waged by consumers and discounters against artificial price fixing. This legislation offers consumers real protection and helps restore the discounter's ability to provide goods at attractive prices. The conference report addresses the problems posed by the two Supreme Court decisions and allows new evidentiary standards which can be used to end vertical price fixing.

I would like to commend the officers and employees of the Burlington Coat Factory who have truly been leaders in the fight to end vertical price fixing. I am proud to report that the very first Burlington Coat Factory location was established in my congressional district, appropriately enough, in Burlington, NJ.

Mr. Speaker, I urge my House colleagues to support the passage of this legislation. Its enactment is long overdue.

The SPEAKER pro tempore. All time has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 175, nays 225, not voting 34, as follows:

[Roll No. 251]

YEAS—175

Abercrombie
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Aspin
Atkins
AuCoin
Bacchus
Beilenson
Bennett
Bentley
Berman
Bilbray
Blackwell
Borski
Boucher
Boxer
Brooks
Brown
Bruce
Cardin
Carper
Chapman
Clay
Clement
Collins (IL)
Collins (MI)
Cooper
Costello
Cox (IL)
Coyne
DeFazio
DeLauro
Dellums
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Downey
Durbin
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
Evans
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gejdenson
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Guarini
Hayes (IL)
Hertel
Hoagland
Hochbrueckner
Hoyer
Hughes
Hyde
Jacobs
Jones (NC)
Jontz
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kopetski
Kostmayer
LaFalce
Lantos
Laughlin
Levin (MI)
Levine (CA)
Lewis (GA)
Lowey (NY)
Luken
Manton
Markey
Matsui
Mazzoli
McDade
McDermott
McGrath
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Nowak
Oakar
Oberstar
Obey
Olver
Ortiz
Owens (NY)
Pallone
Panetta
Payne (NJ)
Pease
Pelosi
Pickle
Porter
Poshard
Price
Rangel
Reed
Richardson
Rinaldo
Rose
Rostenkowski
Roybal
Russo
Sabo
Sanders
Sangmeister
Sawyer
Schroeder
Schumer
Serrano
Sharp
Shays
Sikorski
Skaggs
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Solarz
Spratt
Stark
Stokes
Studds
Swett
Swift
Synar
Torres
Torricelli
Towns
Traficant
Unsoeld
Vento
Visclosky
Volkmer
Washington
Waters
Waxman
Weiss
Wheat
Wilson
Wise
Wolpe
Wyden
Yatron

NAYS—225

Allard
Allen
Archer
Armey
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Bereuter
Bilirakis
Bliley
Boehlert
Boehner
Brewster
Browder
Bryant
Bunning
Burton
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Carr
Chandler
Clinger
Coble
Coleman (MO)
Coleman (TX)
Combest
Condit
Coughlin
Cox (CA)
Cramer
Crane
Cunningham
Dannemeyer
Darden
de la Garza
DeLay
Derrick
Dickinson
Dooley
Doolittle
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
English
Erdreich
Espy
Ewing
Fawell
Fields
Fish
Franks (CT)
Gallegly
Gallo
Geren
Gilchrest
Gillmor
Gingrich
Goodling
Gordon
Goss
Gradison
Grandy
Green
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (LA)
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Horn
Houghton
Hubbard
Hunter
Hutto
Inhofe
Ireland
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Kanjorski
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Lancaster
LaRocco
Leach
Lehman (CA)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Machtley
Marlenee
Martin
McCandless
McCloskey
McCollum
McCrery
McCurdy
McEwen
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Morrison
Mrazek
Myers
Neal (NC)
Nichols
Nussle
Olin
Orton
Owens (UT)
Oxley
Packard
Parker
Pastor
Patterson
Paxon
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pursell
Quillen
Rahall
Ramstad
Ravenel
Ray
Regula
Rhodes
Ridge
Riggs
Ritter
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Rowland
Santorum
Sarpalius
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shuster
Sisisky
Skeen
Skelton
Slattery
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stallings
Stearns
Stenholm
Stump
Sundquist
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Upton
Valentine
Vander Jagt
Vucanovich
Walker
Walsh
Weber
Weldon
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—34

Ackerman
Annunzio
Anthony
Bevill
Bonior
Broomfield
Bustamante
Conyers
Davis
Dwyer
Dymally
Fascell
Gaydos
Gekas
Hall (OH)
Hefner
Horton
Huckaby
Jones (GA)
Kolter
Lehman (FL)
Lowery (CA)
Martinez
Mavroules
Perkins
Roe
Savage
Scheuer
Staggers
Tallon
Traxler
Whitten
Williams
Yates

□ 2257

Mr. RAHALL and Mr. MOODY changed their vote from "yea" to "nay."

So the conference report was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DIRECTING SECRETARY OF HEALTH AND HUMAN SERVICES TO EXTEND MEDICARE WAIVERS GRANTED TO TENNESSEE PRIMARY CARE NETWORK

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2901) to direct the Secretary of Health and Human Services to extend the waiver granted to the Tennessee Primary Care Network of the enrollment mix requirement under the Medicaid Program, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore [Mr. MCDERMOTT]. Is there objection to the request of the gentleman from California?

Mr. BILIRAKIS. Mr. Speaker, reserving the right to object, while I will not object, I take this reservation for the purpose of asking the gentleman from California [Mr. WAXMAN] to explain the bill.

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

Mr. BILIRAKIS. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Speaker, this legislation was introduced last Friday and passed the Senate the same day under unanimous consent. The purpose of the bill is to extend Medicaid waivers that apply to the Tennessee Primary Care Network through January 1, 1994.

Under current law, Federal Medicaid matching funds are not available for managed care plans which, after 3 years of operation, have a commercial enrollment of less than 25 percent of their total enrollment. The purpose of this requirement is to assure that prepaid plans that participate in Medicaid deliver a product of sufficient quality that at least one out of four of their enrollees are private patients.

The Tennessee Primary Care Network is a not-for-profit HMO that contracts with primary care physicians, community health centers, and specialists in 14 counties throughout the State to provide basic care to Medicaid beneficiaries. Enrollment is voluntary, and the Network currently serves about 26,000 individuals, about 97 percent of whom are Medicaid-eligible mothers and children.

In 1989, the Congress extended a waiver of the 75/25 rule to the Network through the period ending June 30, 1992. I am advised that the Network has been unable to meet the 25 percent commercial enrollment requirement over the past 3 years because the State's Medicaid capitation rates have been low, leaving it without sufficient capitalization to enable it to market to commercial accounts. This problem has now evidently been resolved.

Under the circumstances, I think it is appropriate to extend the Network's current waivers through January 31, 1994. This extension is very similar to that received by the Dayton Area Health Plan in Public Law 102–276, which we enacted earlier this spring. It will give the Congress an opportunity to review Medicaid managed care policy and legislate permanent reforms. This review has already begun in the Subcommittee on Health and the Environment, which yesterday held a hearing on financial integrity issues in Medicaid managed care.

If we fail to pass this legislation, the Network will no longer be able to function as an HMO. There would be no point to such disruption. It is my understanding that the minority has no objection to this unanimous consent request and that the administration has no objection to the bill. I urge its adoption.

Mr. BILIRAKIS. Mr. Speaker, reclaiming my time, I strongly support the request of the gentleman from California [Mr. WAXMAN].

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2901

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF MEDICAID WAIVER FOR TENNESSEE PRIMARY CARE NETWORK.

Section 6411(f) of the Omnibus Budget Reconciliation Act of 1989 is amended by striking "June 30, 1992" and inserting "January 31, 1994".

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.

WAIVING ALL POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 1306, ADAMHA REORGANIZATION ACT

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 479 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 479

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 1306) to amend title V of the Public Health Service Act to revise and extend certain programs, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read when called up for consideration.

□ 2300

The SPEAKER pro tempore (Mr. MCDERMOTT). The gentlewoman from New York [Ms. SLAUGHTER] is recognized for one hour.

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. DREIER], pending which I yield myself such time as I may consume.

During the consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 479 is the rule providing for the consideration of the conference report on S. 1306, the Mental Health and Substance Abuse Services Improvement Act of 1992. This rule is identical to the previous rule on the conference report which was considered on May 28. On that day, the House recommitted the conference report to address concerns over needle exchange programs. Controversies surrounding this issue have been resolved, and I am pleased to report that the revised conference report before us is consistent with the motion to recommit.

House Resolution 479 waives all points of order against the conference report and against its consideration. This rule is necessary so that we may expeditiously bring up the report which received unanimous bipartisan support by the conferees.

This legislation, Mr. Speaker, is the culmination of several years of negotiations over the reauthorization of Federal substance abuse and mental health programs. The agreement reorganizes the current block grant structure to be more responsive to the needs of communities in fighting substance abuse, and in responding to mental health needs. The measure authorizes funds for fiscal years 1993 and 1994, and creates several new worthwhile programs to offer help to children and families who suffer the effects of drug and alcohol abuse.

Mr. Speaker, this conference report is a carefully crafted compromise. The rule was voted out of the House Rules Committee by voice vote, and I urge my colleagues to adopt it.

Mr. DREIER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when we took up this rule in the Rules Committee early this month, I offered a motion that was subsequently defeated on a party line vote. The motion would have denied waivers against scope violations in the conference report.

Apparently, neither the House nor Senate passed bills included the interim methadone maintenance provisions or the funding allocation formula contained in the conference report.

Mr. Speaker, I support the reorganization of the Alcohol, Drug Abuse and Mental Health Administration, as well as its many important substance abuse, treatment and prevention programs. However, I do not believe that a conference committee is the appropriate place to be writing new and frankly, controversial legislation.

For this procedural reason, I oppose this rule.

Mr. Speaker, I yield 6 minutes to my very good friend, a hard-working member of the Committee on Energy and Commerce, the gentleman from Florida [Mr. BILIRAKIS].

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman from California for yielding this time to me.

Mr. Speaker, I question the process which leads us to this point. I question the procedures that have been used to try and pass this measure without the opportunity for effective dissent, without the opportunity to challenge specific provisions within the conference.

I believe this is a violation of my rights as an individual Member of this body. I do feel that my colleagues—even those who support the underlying measure—should question why we should allow this body to operate in a fashion which seeks to avoid direct votes on measures of importance to individual Members or, indeed, entire state delegations.

Why do we need this restrictive rule to shut off debate on points of order? Why do we need to insulate these provisions from legitimate challenge? Why cannot these provisions be questioned—do we really live in such fear of the standing rules of this body that we must avoid their every implementation?

Why must the door be barred to objection? Why must the Rules Committee act as an insurmountable gatekeeper to enforcement of the rules?

Let us defeat this rule. Then my colleagues can fairly decide whether I am right or wrong. My colleagues can then decide whether my objections have merit. They can use their own judgment and decide.

But this rule will hear none of it. This rule seeks to waive legitimate points of order—to prevent everyone in this body from hearing and voting on legitimate objections. This rule, in effect, says that the House cannot be trusted to operate under the very standards that we adopt at the beginning of each Congress.

Why, Mr. Speaker, do we ever bother to have rules or debate when we simply waive them at the slightest inconvenience? Why do we bother each January to solemnly vote in favor of standing rules if they are not worth the paper they are written on?

Yes, my major objection to this bill lies in the impact it has on my State and Congressional district. But who among us does not fight for their home interests?

I believe my colleagues should seriously consider how much further this House will suffer collectively when we operate under restrictive procedures and when we seek to ignore the very standards we set for ourselves. If we will not obey the rules we set, who will respect the laws we pass?

My situation is not unique. We all know the number of closed and modified closed rules that we approve. One can indeed argue that some limits to debate and amendments are necessary to allow this body to function. The Rules Committee certainly has a necessary purpose.

But it is no mistake that the Rules Committee is stacked in favor of the majority party. It is no secret that there are nine majority members and four minority members.

Thus, our very essence as a legislative body, the opportunity for debate and amendment is channeled through the most unrepresentative committee in Congress. I suppose this is a prerogative of power, but make no mistake, it is the plain, bold, unadulterated exercise of power that is used when restrictive rules are applied.

That power also lies within the conference committees. These bodies may act to accept, reject or modify provisions which the Members of this body have already approved. This is obviously necessary under our bicameral procedures.

However, the sole check on this power lies within our ability to enforce the rules of the House when a conference report is presented on the floor for consideration. The sole check on the work of the conferences lies here, now, in the consideration of this rule. If we shut the doors to the conference and then shut the doors to challenging its work product, what option do any of us have? If we are standing outside the door when the deal is cut, then are we forever left in the cold?

I perhaps have a more democratic vision of this institution. I see it as a place where competing interests can be debated, judged, and fairly voted on. I view our institution as an example to the rest of the world in the free exercise of debate and resolution.

All this is stood on its head when we ignore our own rules. We might as well tear up the civics textbooks that we use in our schools and replace them with copies of "The Prince." Rules don't matter. Only expedited procedures designed to cut off all points of order. The end justifies the means.

This may not be the most important bill the House will consider this session—but I want to ask my colleagues whether we should allow yet another waiver? Will we allow just another exception, because of perceived time or necessity?

I urge my colleagues to consider this point carefully. Today, my home State is being hurt—tomorrow it could be your State or your district. It could be your legislative work product which is simply deleted or altered in conference and then shielded by an action of the Rules Committee.

Stand in my shoes for a minute. Look into the mirror and ask if this is fair? Ask again, if this is how the people's House, how the exercise of democratic government should proceed?

Ask yourself whether this body should operate in an orderly fashion within generally understood rules, protective of minority rights—or shall we succumb to the moment, the pure force of the majority, the knowledge that our ox is not being gored, at least not this time.

Ask precisely why we must waive our own precedures and shirk from the very rules we enact. Ask why this is standard procedure. Why we do this time and time again.

I urge the Members of this body, in the interest of fairness and equity, not to adopt a rule for this legislation that will waive all points of order. Let us not take the easy way out. Let us insist that we follow the procedures we agreed to and respect the institution we are sworn to serve.

Please vote for fairness and for defeat of this rule. It is but one rule on one bill—but I believe it is symbolic of the disintegration around us, the avoidance of discipline, the breakdown of our institution. Vote no and let us start again.

□ 2310

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I yield 5 minutes to the gentleman from New York [Mr. RANGEL].

Mr. RANGEL. Mr. Speaker, I reluctantly rise in opposition to this rule. The members of the committee worked very hard to bring this legislation to the floor. But somehow there is a very controversial issue that is involved in the bill. It was not presented to us in the House, and it was not debated. It never came before the Senate and it was not debated. But somehow the conferees, in their wisdom, have decided that this controversial method of treating addicts should be placed in the bill, and that when the conference report comes up, the rule does not allow for Members to even raise a point of order on this issue that every professional treater of drug addicts would believe is not the best thing to do, and indeed is a dangerous thing to do.

Mr. Speaker, what I am talking about is what they call interim methadone maintenance, or minimum maintenance with methadone. I am not an expert in this, but it goes unchallenged that methadone is a drug that blocks the need for people taking heroin. It is taken orally, but it is more addictive even than heroin. And the fact of the matter is that in most all of our overdose cases that are in the emergency ward, methadone is included as one of the drugs that has been abused.

The Drug Enforcement Administration as well as the FDA are constantly investigating in the city of New York and other major areas where we have a lot of drug addicts the diversion that takes place in these methadone clinics where they do not have counseling, they do not have job training. The only thing they do have are people that may be trying to reduce their habits, and allowing the Federal Government to become the legalized drug peddler.

We had here in Washington a question raised by someone that was in the administration, Dr. Herbert Kleber, and he sent a letter, and I sent copies to my colleagues. He is the medical professor of psychiatry and director of the Division of Substance Abuse of the New York State Psychiatric Institute, but Dr. Herbert Kleber was also the former Deputy Director of Demand Reduction in the White House Office of Drug Control Policy, and is a widely respected drug abuse treatment researcher. He wrote:

> I have read your letter of May 18th to your colleagues concerning S1306 and concur with your recommendations to vote against S1306 because of the interim methadone maintenance (IMM) provision. IMM is not only a bad idea in itself—bad treatment can be worse than no treatment—it also carries the risk of undercutting effective treatment. Given the budget difficulties of many States, it is quite conceivable that full service slots will be sacrificed to expand IMM slots. This would worsen rather than improve the AIDS situation. We need to expand and improve the quality of drug treatment and leave the quick fixes to addicts. When I was deputy director of ONDCP I opposed interim methadone maintenance. It was a mistake then; it would be a mistake now.

How in God's name did the conferees think that they had raised themselves to the high level of expertise that they can challenge providers in this area? It is one thing to have an issue raised, debated and to lose on the floor. It is another to have the issue not be raised in the House, not be raised in the Senate, and then have the rule to say it will not be raised at all.

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

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

Mr. SHAW. Mr. Speaker, I would like to agree with the gentleman from New York. There is nobody in this House that has heard more testimony or is more knowledgeable in the area of drug treatment than my colleague, the gentleman from New York [Mr. RANGEL].

This is a very controversial issue. There is a lot of divergence of opinion on this particular issue, and this should not be protected by some rule and protected from the hearing process.

I compliment the gentleman from New York, and would encourage all of my colleagues to join with him and with me in defeating this rule.

Mr. RANGEL. I thank the gentleman.

I thank the gentlewoman from New York for yielding me the time.

Mr. DREIER of California. Mr. Speaker, I am happy to yield 2 minutes to the gentleman from Texas [Mr. DELAY] another opponent of the rule.

Mr. DELAY. Mr. Speaker, I want to congratulate the chairman of the Select Committee on Narcotics Abuse and Control for showing once again why he is such a distinguished Member of the House. I regret that the hour is so late that Members did not hear the presentation by the chairman about this very controversial issue.

I think it is unfortunate that Members may come to the House floor and look at the title of this bill and assume that it is a good bill, and assume that they can vote for it and feel comfortable about it. Yet, as the chairman so aptly points out, there is great controversy, and frankly the chairman gave my speech that I was about to give on this very controversial interim methadone maintenance program for drug addicts.

Members are not going to realize when they walk onto the floor of this House that if they vote for this rule they will be voting for addicting drug addicts, and if you do not have a program whereby the maintenance program is administered very closely with a lot of rehabilitative and counseling services closely connected to the methadone maintenance program, we would be just shifting addicts from being addicted to heroin to being addicted to methadone. And I do not think members of this House will want to vote in that regard.

I just hope that we will have our wits about us when we finally vote on this rule so that we can inform Members in a very quick and hurried way that they will be, in voting for this rule, voting for a very controversial program. I think it is really unfortunate, very unfortunate, and an abuse of the conference committees of this Congress to stick something like this in this conference report. I am sure the Members were not trying to hide it, but to stick it into a bill that a lot of Members would want to support, and not have the opportunity to debate it on this floor.

So I urge Members on both sides of the aisle to vote against this rule so that we can send it back and correct the problem.

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I yield 10 minutes to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, let me explain the situation before us. Our committee has worked for years on this legislation.

The alcohol, drug abuse and mental health program includes all of these programs, the block grant funds that flow to the States as well as research efforts into alcohol, drug abuse and mental health. There are a number of issues. We worked very hard on those issues, and I want to indicate to Members that the conferees on both the House and Senate side, both the Republican and Democratic side, every conferee agreed to support this bill.

□ 2320

We did not have dissent among the conferees. Now, when the bill was presented to the House some time ago, an issue arose about whether States ought to be permitted to use any of their funds for a needle-exchange program for IV drug abusers.

There was a motion to recommit which was passed.

The conference came back in and changed that provision. That was the only instruction we had.

Now, we have come back with the conference report. In this conference report, you cannot make everyone happy.

Some States wish they had more money allocated to them. Other States feel that they are being shortchanged.

We tried to balance it out as best we could.

I know there are some States that feel that they are aggrieved. I regret that fact. But if you take to give to them, you must reduce the amount that would go to other States.

Let me address the issue of this methadone interim program. When the bill left the House originally, the bill provided that if there is an IV drug abuser who wants to be treated in a drug clinic, a slot must be made available for that individual right away. Because what will happen if there is no drug treatment slot for that individual? You can imagine if someone comes in and says, "I am addicted to heroin, and I want to break this habit. Let me come into this drug treatment program," and he is told, "Come back in another month," well, you will never see that individual again.

The House bill provided that a drug treatment slot had to be available. When we got into conference, a number of States told us they did not think they could make it available to everyone on demand, and so we agreed to an interim step that the States, at their option, had to provide certain interim provisions, and they might well choose methadone as an interim method. They otherwise could provide counseling and other ways to deal with these people until they can get a full-time drug treatment or a full drug treatment slot available. But to turn someone away for fear that they may become addicted to methadone and tell them to come back in another month makes no sense at all.

We have another epidemic, aside from the use of drugs. We have the problem of AIDS. And if people are going to use IV drugs and share those drugs and have sexual relations after getting the HIV virus, that AIDS disease is going to spread.

The National Commission on AIDS recommended strongly that we have interim steps, and they said interim steps including, at State option, use of methadone.

Now, if this rule is defeated, let me explain the procedure. If the rule is defeated, the conference report would be brought up and subject to a point of order, technically because some of these issues are outside the scope, and a point of order would be sustained, and the conference report would fall, and the whole bill would be defeated.

The scope issue is an interesting one. In the original bill they spelled out an allocation formula in terms without dollars, and in the bill that came back we spelled out dollars. There is a question of whether, by spelling out dollars as opposed to the formula, even though it would come to the same conclusion, perhaps there is something that would be outside the scope and, therefore, we need a rule that will protect this bill for consideration in the House.

If people do not like the conference report, they can argue on the merits on that conference report and urge that it be defeated. What we see here, by those arguing to defeat this rule, is a way to use the procedures of this institution to defeat the bill and not let the membership come and hear the arguments.

Mr. GREEN of New York. Mr. Speaker, will the gentleman yield?

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

Mr. GREEN of New York. Mr. Speaker, I was extremely disturbed in my of-

fice as I heard this debate on methadone maintenance. I think it ought to be made very clear to this House that methadone maintenance is a clearly valid method of treating people with opiate addiction. It is not perfect. And, yes, I know that there are people who enter methadone maintenance programs and divert the methadone they get to the street. No one is ignorant of that who has a district which has an opiate addiction problem.

But the fact of the matter is there are hundreds of thousands, if not over a million, Americans who are in methadone maintenance who are leading normal lives, holding jobs, raising families, and living in a perfectly functional way after having a heroin addiction.

So to hear this criticism of methadone maintenance on this floor is something about which I am very concerned. Yes, I understand that drug-free treatment is a more ideal situation, but the fact of the matter is if you look at the records of the recidivism rate for drug-free treatment, it is very high. It depends, of course, on how you describe the intake, what the percentage of successful recipients is.

Some programs claim 50 or 60 percent, but the reality is that if you look at everyone who walks into the door in a drug-free treatment system and you really count everyone who comes in including those who walk out a day or two later, drug-free treatment is successful in perhaps 30 percent of the cases at this point.

Mr. WAXMAN. I thank the gentleman for his comment.

I think the idea would be to have people become drug free. But if they cannot have an opportunity to become drug free, I think if the State of New York, for example, wants to provide an interim methadone maintenance program so perhaps they will not be using IV drugs and sharing it and spreading the AIDS disease, I think the State ought to be able to do that.

Mr. GREEN of New York. If the gentleman will yield on that, I made exactly this point to the National Commission on AIDS several years ago when the issue came up, and we did not have enough money to provide the full level of social services that I would have liked to have seen in the methadone clinics, that it was more important, at least to get people out of using the needles and into the methadone clinics so they were not transmitting AIDS. And, yes, ideally if we had enough money, we ought to have the full level of social workers that the Department of Health and Human Services wanted, but at least get these people off the needles and into a situation where they were not using the needles and where AIDS was not being transmitted.

Mr. WAXMAN. That was the recommendation of the National Commission.

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

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

Mr. RANGEL. Mr. Speaker, I do not know who the gentleman from New York was debating or what he heard that annoyed him, but I do not argue with anything that he has said.

I am not here opposing methadone maintenance programs. What I am opposing on this floor is that what was put into this bill by the conferees.

The chairman of the committee admitted that this was not discussed in the House bill or the Senate bill, but they decided what would be best for the poor addict when they could not give the supportive services.

I do not think the gentleman from New York should say what he thinks is in the addict's best interests. What we are talking about in this bill that has not been debated that, at the very least, is controversial is passing out methadone without the supportive services the gentleman is talking about.

Now, it can very well be that with supportive services that we all would want drug free, that this addictive drug should be passed out under supervision.

I have seen these zombies that are receiving these drugs without counselors, with doctors that do not even see them, that just give them prescriptions to pick it up from other pharmacists in the neighborhood.

If you want to sweep it under the rug, if you want to say you just do not care what happens to these people, if you want to pass out drugs that are more addictive than heroin, you can do it, but let the issue be debated here.

Mr. WAXMAN. Reclaiming my time, let me indicate that the proposal is for interim use at the option of the State, and it seems to me that the alternative is to tell these people, "Come back in another month." But we do say do something in the interim at your choice including this as one option, and then after that, there must be a drug treatment slot available.

Mr. RANGEL. The death penalty is at the option of the State. What gives you the right, as a conferee, to give the State the option to pass out drugs without supportive services?

Mr. WAXMAN. What gives you the right to say that they should not be allowed to use methadone if they choose to at the State level as opposed to telling somebody to go on the streets and continue to use heroin and share the needles and continue the disease to be spread?

□ 2330

Mr. Speaker, the gentleman could be right. The gentleman could be 100 percent right. The only thing I am sharing with the gentleman and my colleagues is that you have no right to allow this controversial issue to be debated on this floor and not to give us the right to vote for it.

Mr. WAXMAN. If we give a rule for this bill, we will debate it on the floor. If we defeat the rule, then the bill will fall completely.

Mr. DREIER of California. Mr. Speaker, I said in my opening remarks this was a slightly controversial issue, and in that spirit, I am happy to yield 3 minutes to my friend, the gentleman from New York [Mr. GREEN], if he would like to respond to some of the things that have been said.

Mr. GREEN of New York. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I have no quarrel with the position of my friend, the gentleman from New York [Mr. RANGEL] that in the best of all possible worlds one would have the full panoply of social workers and other health professionals in every methadone clinic, but the real world that I looked at when I saw what was happening in my district was that either you are going to have people out on the street shooting up and transmitting AIDS, or else you are going to have them in methadone clinics taking a pill with orange juice and not contracting AIDS, and yes, the situation is not going to be ideal because we have not provided enough funding, and as a result the methadone clinic did not have the kind of staff that you would like to see it have and the gentleman from California would like to see it have and I would like to see it have, but we had a very hard choice, and the very hard choice was do you let more people into the clinic to get methadone and get them off the streets so they stop shooting up, or do you leave them on the streets shooting up and transmitting AIDS.

Given those choices, I want them in the clinic getting their methadone with the orange juice and not shooting up; and yes, if you find the money to provide the staffing for those methadone clinics, we all want that. We are not in disagreement with that, but given those choices, the choice I make is having them get the methadone, rather than shooting up and transmitting AIDS.

Mr. RANGEL. Mr. Speaker, will the gentleman yield on that?

Mr. GREEN of New York. Yes, of course, I yield to my friend, the gentleman from New York.

Mr. RANGEL. Mr. Speaker, my friend, the gentleman from New York, no one is asking what your choice or my choice is. The way I thought this body was supposed to function is that if a decision is going to be made and if indeed those who are in the field say that they challenge some of the things that the chairman has said and if I have letters from people in the administration that say that this is deadly and you are not dealing with people sometimes who are looking for treat-

ment, they are looking to get high with methadone.

Does the gentleman not think that at least the Members of this body should have had the opportunity to have debated it, to get the benefit of hearings?

What we are saying today is some conferees have decided that this is in the best interests of the country.

Mr. GREEN of New York. Mr. Speaker, if I may reclaim my time, this is an issue that I have debated, so I am well aware of it. It has been well considered by the National Commission on AIDS, so I do not think this is a new issue for this body.

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

Mr. GREEN of New York. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Speaker, I find these arguments a little disingenuous. If the rule is adopted, we will have a chance to debate this issue and the Members if they feel that this issue is one with which they disagree so strongly that they want to vote against the whole conference report, they will have the opportunity to do it. If we do not adopt the rule, however, we will not have any debate at all.

The gentleman from New York [Mr. RANGEL] or someone else can come up and make a point of order on a technical scope question and the whole thing has to be destroyed and all that effort and all this bill comes to nought. No one will get a chance to discuss it because the whole bill will fall, so all we are asking is the opportunity for a debate so that Members can work their will.

Mr. DREIER of California. Mr. Speaker, I yield 3 minutes to the very distinguished gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman from Lavern, CA, for yielding me this time.

I rise in opposition to the rule and to the conference report. I would like to associate myself with the remarks of my colleague, the gentleman from Florida [Mr. BILIRAKIS], on the subject of the rule.

What I would really like to do is ask my colleagues tonight, even though it is late, to reflect for a moment on the import of their vote on this legislation. Notwithstanding, some debate has already gone forward, and I think there should be more debate, I think the conclusion is without doubt that it should be defeated.

A "yes" vote means you feel comfortable handing out a highly addictive substance, methadone, and even if you hand it out with Florida orange juice, there is some doubt about the outcome of what we are really doing. When there are no treatment beds available for narcotic addicts, when we go to methadone, what have we really done? Putting aside the concerns that we have heard here tonight in the debate about this, I would like to ask if that is a minimum treatment measure for drug addicts, where is the minimum treatment measure for the State of Florida in this legislation which is an underlying concern I have?

Now, pardon my parochiality about this, but I will tell you, if this bill passes and this conference report is accepted, 8 months into this fiscal year funds which the State of Florida has already committed to maintaining treatment services are going to be reclaimed. We seem to have ended up at the bottom of the barrel in Florida. Florida ranks number 56 out of 56 States and territories in return on our Federal tax dollar. That is another story, but if this conference report is adopted and we go forward, 3,436 Florida residents will go without any services at all; 1,383 people will go without residential services that they have depended upon. Sixty-four percent of these patients are involved in our criminal justice system. What happens to them? They go back out into the community and probably will end up resuming bad habits and possible criminal activity.

Thirty-two percent of all clients are at risk of or already infected with the HIV virus, and they, too, will be back in the community, probably sharing injection equipment and putting thousands of others at risk.

This is not a question of a hiring freeze or halting new construction. This is retroactive, and in my view it is stupid.

This bill will yank the rug out from underneath thousands of people who with the help of the Federal dollars that are in this legislation, these folks are beginning to help themselves. I do not think we should deny them the chance to turn their lives around. I do not think we should assign them a lower priority for help than those who are not trying quite as hard to go straight, and I do not think we should send a signal that we penalize people who are trying to get a hold on their lives while we reward those who will not accept full responsibility for their actions.

I think the appropriate thing to do is to vote no on the rule and get rid of it; but if the rule passes and we have a debate, then I hope we vote no on the conference report and get back to the business that we are doing fairly well in Florida.

Mr. DREIER of California. Mr. Speaker, I am happy to report to my colleagues that I have no further requests for time. I do urge a no vote on this rule in light of the statements that have been made here, and I yield back the balance of my time.

Ms. SLAUGHTER of New York. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

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

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

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

The SPEAKER pro tempore. Pursuant to clause 5, rule I, the vote is postponed until tomorrow.

The point of order is considered withdrawn.

□ 2340

A TRIBUTE TO WESTVACO CORP.

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

Mr. HUBBARD. Mr. Speaker, I am very pleased to pay special tribute to Westvaco Corp. for being selected by the U.S. Department of the Interior as the 1992 winner of the prestigious National Wetlands Conservation Award. The award was bestowed upon Westvaco for the establishment of the Westvaco wildlife management area in western Kentucky.

My administrative assistant, Lorraine Grant, and I were privileged to attend this ceremony today as guests of Westvaco officials Ned Massee and Richard K. Boyd, Jr.

Westvaco Corp. has a long and distinguished history of environmental stewardship in the western Kentucky district which I represent, the State of Kentucky and in other States where the company operates. Accepting the National Wetlands Conservation Award on behalf of Westvaco at the awards ceremony held today at the Department of the Interior was Mr. John A. Luke, president and chief executive officer.

I am pleased to submit for the RECORD the following comments offered by Mr. Luke upon accepting the award presented by Hon. J. Michael Hayden, Assistant Secretary, Fish and Wildlife and Parks.

[From John A. Luke's Acceptance Speech, Tuesday, June 30, 1992]

Thank you, Secretary Hayden, for your very kind introduction. The award you have presented to Westvaco today adds luster and distinction to our long-standing programs of broad and responsible environmental stewardship. I accept it on behalf of all the men and women of Westvaco who have worked so diligently to make the Westvaco Wildlife Management Area a reality.

This wildlife management area is very important, I know, to Kentucky, the surrounding states, the area's communities, and sportsmen and outdoor enthusiasts nationwide. It stands as a vivid example of the numerous innovative and successful conservation projects that Westvaco has been involved in during its more than 100-year history.

I intend to focus my brief remarks on the depth of our commitment to the wise stewardship of our natural resources, the environment as a whole, and our wildlife management area in western Kentucky.

Westvaco's position as a major forest products company has always made it both good business and socially responsible "to have an unyielding commitment to the conservation of all of our natural resources. In fact, Westvaco owns 1.5 million acres of timberland in this country and Brazil. Now, before any eyebrows go up, let me hasten to add that our intensively managed forests in Brazil lie in a temperate zone more than 1,000 miles away from the nearest rain forest. We do not make paper from rain forest wood!

We manage all of our forests with the most advanced technology and sensitivity to ensure their multiple use. Wildlife finds a genuinely hospitable home in our woodlands, people enjoy a variety of recreational opportunities, and we grow and harvest wood to make our products and to provide good jobs—all in very compatible fashion with the most careful attention to the environment.

Healthy and rapidly growing forests are particularly important contributors to the environment, and our forests meet this standard. We plant more than two trees for every one we cut, and our young, vigorous forests are highly productive oxygen factories, consuming in that process far more carbon dioxide than we emit from our manufacturing operations. This is an environmental fact of global importance and one in which we take a very full measure of special pride!

For decades Westvaco has given priority to its wildlife and natural resource projects in the regions where we work—in South Carolina, Tennessee, Illinois, Virginia, West Virginia, and Kentucky.

We have proactively worked at the reintroduction of wild turkeys, the protection of bald eagle nest sites and red-cockaded woodpecker colonies, the management of deer, small game, and non-game populations, and the enhancement of trout streams, to mention just a few. We have also taken special care to protect important natural areas, historic sites, scenic values, and a variety of other uncommon areas on our lands. A very recent example is our participation in the program to protect South Carolina's Ashepoo-Combahee-Edisto River Basin, one of the East Coast's largest remaining, undeveloped, coastal estuaries, where Westvaco has 17,000 acres of forests.

Our proactive approach to the environment does not stop at the forest's edge. In fact, Westvaco has a long and outstanding record of environmental performance, and we look on ourselves as full-fledged environmental practitioners. We believe deeply in sound science, and we believe deeply in sound environmental practice.

We know that safe and healthy workplaces, communities, and products are essential to the conduct of a successful business, and we simply do not compromise. We would not be so naive as to profess perfection in these complex and demanding areas, but you can be assured that our commitment to health, safety, and the environment is absolute.

Of note is the fact that in 1991, Westvaco joined EPA's voluntary pollution prevention initiative known as the 33/50 project. While a significant number of American companies accepted the challenge to reduce certain emissions by 33 percent in 1992 and 50 percent in 1995, only a very few, including Westvaco, also voluntarily went beyond EPA's request. We plan to achieve our 50 percent reduction well ahead of schedule, and we have also voluntarily expanded our commitment to include the total volume of releases of chemicals reported by Westvaco under Section 313 of the SARA Title III.

With a corporate commitment to the environment born long before the EPA, Westvaco has invested more than $420 million in leading edge environmental systems across the company. We are adding to those investments at a rate of $35 to $50 million a year, and we spend some $50 million each year to operate these systems.

This environmental overview underscores that Westvaco's Wildlife Management Area is just another step in a long progression of activities that have positioned our company in the vanguard of American industrial performance. Establishment of the Wildlife Management Area, close by our Wickliffe paper mill, clearly demonstrates the harmony that can be achieved between manufacturing, forestry, and sound environmental practice.

There is no better testament to that fact than today's award which symbolizes the compatibility between the North American Waterfowl Management plan and advanced industrial practice. The waterfowl plan is the largest conservation program of its kind in the world—a multinational effort by the United States, Canada, and Mexico to reverse the steeply declining trend in waterfowl population. Success will require multistate as well as international cooperation, and it will require, as in our case, the voluntary participation of the private sector with the public sector.

At present, our Wildlife Management Area in western Kentucky includes about 3,000 acres of Westvaco's property located along the Mississippi River. The area serves as both a key wintering and migrating habitat for waterfowl as well as an important commercial forest resource in that segment of the Mississippi Flyway.

The estimates are that at peak levels this habitat will shelter some 60,000 ducks and 5,000 to 10,000 Canadian geese—maybe even more, and we have already seen indications that these predictions are well within reach. The site's potential will be enhanced even more by our work this summer, as we will install well and water control devices to manage moist soil units.

Our project in Kentucky is a joint venture, and each of our partners will play a major role in its success. We are proud to join together with the U.S. Fish and Wildlife Service and other federal agencies; the Kentucky state government and its agencies; the Kentucky local governments including those of Carlisle, Hickman, and Ballard Counties; the area's sportsmen; and our local and adjacent landowners in this environmental endeavor.

Our relationship with our major partner in this project—the Kentucky Department of Fish and Wildlife Resources—has been particularly gratifying and supportive. These professionals—Commissioner Don McCormick and his staff of biologists and administrators—have patiently and skillfully worked side by side with us to bring this project to its present state.

In closing, I would like to observe that our Wildlife Management Area is a superb example of what can be done when public wildlife agencies, conservation organizations such as Ducks Unlimited, and private enterprise team up for the protection and improvement of natural resources. It is our hope and our firm intention that this project will become a model for others throughout the country.

Thanks to the Fish and Wildlife Service for the honor bestowed on Westvaco today, and our thanks to one and all for helping to make this a very special day for Western Kentucky, for the men and women of Westvaco, and for all who believe in sound environmental practice.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. McDERMOTT). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion 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 4 of rule XV.

Such rollcall votes, if postponed, will be taken on Wednesday, July 1.

FEDERAL RESERVE BANK BRANCH MODERNIZATION ACT

Mr. NEAL of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4398) to remove outdated limitations on the acquisition or construction of branch buildings by Federal Reserve banks which are necessary for bank branch expansion if the acquisition or construction is approved by the Board of Governors of the Federal Reserve System.

The Clerk read as follows:

H.R. 4398

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 "Federal Reserve Bank Branch Modernization Act".

SEC. 2. ACQUISITION OR CONSTRUCTION OF FEDERAL RESERVE BANK BRANCH BUILDINGS.

The 9th undesignated paragraph of section 10 of the Federal Reserve Act (12 U.S.C. 522) is amended to read as follows:

"No Federal Reserve bank may authorize the acquisition or construction of any branch building, or enter into any contract or other obligation for the acquisition or construction of any branch building, without the approval of the Board.".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina [Mr. NEAL] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. ROTH] will be recognized for 20 minutes.

The Chair recognizes the gentleman from North Carolina [Mr. NEAL].

GENERAL LEAVE

Mr. NEAL of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill presently under consideration.

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

There was no objection.

Mr. NEAL of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill, the Federal Reserve Bank Branch Modernization Act, would remove the current limitation on the expenditures of Federal Reserve banks for the construction or acquisition of branch buildings.

The construction, expansion, or modernization of Federal Reserve bank

branch building is subjected to a cumulative ceiling of $140 million. The Fed has now reached this ceiling, and cannot proceed with needed construction projects. A few branch buildings will soon need renovation, or new construction, because they are very old, in excess of 30 years old, and do not provide adequate types or amounts of space for check clearing and cash services, and other important services the Fed provides or sells to the financial sector.

The main function of Reserve bank branches is to provide services, such as check clearing, electronic funds transfers, and transfers of Government securities, to financial institutions and the Treasury Department. Under the Monetary Control Act, the Federal Reserve charges for such services. Thus almost all the expenditures for branch renovation or construction will eventually be recovered, since the cost of this construction is built into the pricing of such services sold through these branches. The renovation or construction must first take place, however, and that is constrained by the outdated limitation on construction costs now in the Federal Reserve Act. By removing this limitation, we will permit the Fed to provide important financial services in the most efficient manner.

Mr. Speaker, I yield such time as he may consume to the author of the bill, the distinguished gentleman from Alabama [Mr. ERDREICH].

Mr. ERDREICH. I thank the gentleman for yielding this time to me.

Mr. Speaker, under current law the Federal Reserve may not build or substantially improve any of the 25 branches of the district banks if the total aggregate value of the branch buildings in the country would exceed $140 million. This limit has been effectively reached for some time.

The result is that the Fed is unable to renovate any of its branches to provided increased services. Removing the limit does not involve the spending of any Federal tax dollars. The Monetary Control Act requires that the activities of all Federal Reserve branch banks be self supporting, including the cost of the buildings. The services of these Fed branches include check processing, government securities processing, cash handling and other services required by the banking system.

By removing the dollar limit, the Board of Governors will be able to properly manage any renovation and will be able to anticipate the needs of the district bank branches. The Fed has told us that there are immediate needs at five locations across the United States—Nashville, San Antonio, Houston, El Paso, and Birmingham.

Mr. Speaker, I would also point out that this bill does not affect the buildings of the district banks, but only the branches of the district banks. The Federal Reserve Act has a dollar ceiling on the total value of all branches and that is simply out of date. With the passage of the Monetary Control Act in 1980 the Fed was required to make the branches self-sustaining, and the need for a dollar limit as a control measure is now past. This, plus the oversight of the Board, will provide an adequate control on the buildings of the district branch banks. I might point out that the same language was approved by the other body in their version of the banking bill last year.

I urge all my colleagues to support this minor change to provide adequate servicing to our banking system.

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

Mr. Speaker, the remarks of the chairman, the gentleman from North Carolina [Mr. NEAL], and those of the gentleman from Alabama [Mr. ERDREICH], the author of the legislation, are right on target.

Mr. Speaker, I am pleased to join in recommending swift passage of this long overdue bill the Federal Reserve Bank Branch Modernization Act.

Testimony at hearings before our committee is to the effect that the present authority is nearly used up for building additions and replacing aging buildings.

The testimony reported the situation is increasingly urgent and that the Federal Reserve has asked politely and repeatedly for permission to make these improvements.

While the Congress has many urgent matters before it, this request deserves our serious, immediate consideration and attention.

This bill would remove the current cumulative ceiling of $140 million, imposed in 1974, on Federal Reserve branch construction so as to allow procurement of the most efficient and up-to-date facilities.

The provisions of this bill have been long discussed and have substantial legislative history. In fact, legislation identical to this was passed by the Senate last year but dropped in the banking reform negotiations with the House.

There are no questions of establishing any new public policy here. This is a request for permission to proceed with greatly needed construction to improve existing and aging Federal Reserve branches in Birmingham, Nashville, Houston, San Antonio, and El Paso.

There are no taxpayers funds involved—only revenues earned by the Federal Reserve from selling services to banks and others and from interest collected on Government securities acquired in open market activities.

There is no budget impact because the cost of such construction is factored right into the prices the Federal Reserve charges for its services to banks and others.

Futhermore, money expended for these improvements must be approved by the Federal Reserve Board, which reports directly to Congress through our committee. The spending is subject to General Accounting Office audits as Congress may require.

Mr. Speaker, I have many questions and iconoclastic views on the Federal Reserve. For example, frankly, I believe the system should be more fully audited. The Federal Reserve System should be carefully monitored.

These issues, however, are not relevant to this bill. This legislation is solely to allow the Federal Reserve System to update its branches' facilities.

Mr. Speaker, I urge my colleagues to join in passing this legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. WYLIE], the ranking member of the Committee on Banking, Finance and Urban Affairs, but first I must say that this bill must be passed because it also affects San Antonio, TX, and we cannot overlook San Antonio when we deal with banking legislation.

Mr. WYLIE. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, the gentleman from Wisconsin [Mr. ROTH] really added the very important caveat there at the end.

Mr. Speaker, I urge strong support for this so-called Federal Reserve Bank Branch Modernization Act. H.R. 4398 is important to ensure that the Federal Reserve is able to procure the most efficient and up-to-date facilities for its branch offices. The Federal Reserve Act currently places a cumulative ceiling of $140 million on Federal Reserve branch construction. H.R. 4398 would remove this restriction on the acquisition or construction of branch banks by the Federal Reserve.

Federal Reserve Board members, Wayne Angell and Edward Kelley, Jr., testified on May 27 before the Domestic Monetary Policy Subcommittee in support of this legislation. In their written testimony Messrs. Angell and Kelley stated that:

> [t]he latest analysis of projected building needs from the Reserve banks suggest that either renovations, additions, or new facilities may be required in Birmingham, Nashville, Houston, San Antonio, and El Paso in the next 5 to 10 years. The remaining balance in the Branch Fund prohibits us from addressing these needs.

The Board members further stated that

> "* * * it is important that our facilities remain efficient. The provisions in [H.R. 4398] would enable us to provide facilities for delivering services efficiently to the nation's financial institutions and the U.S. Treasury."

It has been nearly 20 years since the Congress addressed the issue of branch construction for the Federal Reserve, and I believe it is time that we removed the current, outdated restrictions that prevent the Fed from obtaining the buildings it needs for its branch banks.

I would also point out that the cost of Federal Reserve branch banks is factored into the price of services the Fed charges its member banks. Therefore, as Mr. ROTH stated, this bill does not call for an appropriation from the Congress.

I would urge Members to support H.R. 4398.

Mr. NEAL of North Carolina. Mr. Speaker, I have no further requests for time.

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

Mr. NEAL of North Carolina. Mr. Speaker, I yield myself such time as I may consume so that I may submit for the RECORD a letter from the Congressional Budget Office concerning the budget treatment of this bill. The text of the letter is as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 29, 1992.

Hon. HENRY B. GONZALEZ,
Chairman, Committee on Banking, Finance, and Urban Affairs,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN. The Congressional Budget Office has reviewed H.R. 4398, the Federal Reserve Bank Branch Modernization Act, as ordered reported by the House Committee on Banking, Finance, and Urban Affairs on June 18, 1992. We estimate that enactment of H.R. 4398 would have no budgetary effects through fiscal year 1997.

H.R. 4398 would remove the limitation on Federal Reserve Bank spending for the acquisition or construction of branch buildings. The Federal Reserve Act, as amended, currently limits that spending to a cumulative $140 million, measured starting from 1947 when the first limit of $10 million was established. Since 1947 the limit has been increased several times, most recently in 1974. The limit applies only to the cost of the buildings themselves, not to the land, vaults, permanent equipment, furnishings, or fixtures. Since cumulative spending has now virtually reached the $140 million limit, the Federal Reserve Banks are unable to undertake new branch building projects.

Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended by the Budget Enforcement Act of 1990, sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1995. H.R. 4398 has no effect on direct spending but might result in a change in receipts. Because the Federal Reserve System remits its budget surplus to the Treasury, with the payment classified as a miscellaneous receipt in the federal budget, any additional operating costs can potentially reduce federal tax revenues. Based on information provided by the Federal Reserve Board, we estimate that the Federal Reserve would recover—through increased charges to depository institutions that use their services—any additional building costs prompted by enactment of H.R. 4398. As a result, we estimate that H.R. 4398 would not affect receipts. In addition, CBO estimates that no costs would be incurred by state and local governments as a result of enactment of H.R. 4398.

PAY-AS-YOU-GO-CONSIDERATIONS

[In millions of dollars]

	Fiscal year—			
	1992	1993	1994	1995
Changes in outlays	NA	NA	NA	NA
Changes in revenues	0	0	0	0

NA=Not applicable.

If you wish further details, please feel free to contact me or your staff may wish to contact Mark Booth at 226-2685.

Sincerely,

ROBERT D. REISCHAUER,
Director.

Enclosure

CONGRESSIONAL BUDGET OFFICE ESTIMATE[1]

The applicable cost estimate of this Act for all purposes of sections 252 and 253 of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be as follows:

[In millions of dollars]

	Fiscal year—			
	1992	1993	1994	1995
Changes in outlays	NA	NA	NA	NA
Changes in revenues	0	0	0	0

NA=Not applicable.

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 North Carolina [Mr. NEAL] that the House suspend the rules and pass the bill, H.R. 4398.

The question was taken, and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

WORLD WAR II 50TH ANNIVERSARY COMMEMORATIVE COINS ACT

Mr. TORRES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1623) to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the United States' involvement in World War II, as amended.

The Clerk read as follows:

H.R. 1623

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 "World War II 50th Anniversary Commemorative Coins Act".

SEC. 2. FINDINGS AND SENSE OF THE CONGRESS.

(a) FINDINGS.—The Congress finds that—

(1) the period of December 7, 1991, through September 2, 1995, will mark the 50th anniversary of the involvement of the United States in World War II;

(2) over 16,000,000 people served in the Armed Forces of the United States during that conflict;

(3) over 400,000 American men and women gave their lives in defense of freedom around the world during World War II;

(4) World War II fundamentally reshaped the international geopolitical landscape, as well as the economic, political, and cultural institutions of our Nation;

(5) the War involved a clear choice between democracy and tyranny and involved our Nation as a whole in a worldwide battle against the forces of fascism and oppression;

(6) the June 6, 1944, invasion of northern France, when in one day 176,000 Allied military personnel were landed on the beaches of Normandy, was one of World War II's most celebrated achievements;

(7) the "D-Day" invasion was the largest seaborne invasion in history and the ensuing 76-day Battle of Normandy was one of the largest land battles in history;

(8) the Battle of Normandy was a key to the Allied forces' eventual liberation of Europe; and

(9) numerous organizations and individuals across the United States have expressed interest in or are engaged in efforts to draw attention to the 50th anniversary of World War II.

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

(1) that the 50th anniversary of the involvement of the United States in World War II, the Battle of Normandy, and its other important battles should not go unrecognized at the national level;

(2) that the United States should recognize these anniversaries by minting and issuing coins to commemorate these anniversaries; and

(3) the minting of a United States coin to commemorate the Battle of Normandy and "D-Day" would be an appropriate concomitance to the commitment by the Republic of France that it will mint a French commemorative coin in recognition of the anniversary.

SEC. 3. WORLD WAR II COMMEMORATIVE COINS.

The Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue coins in accordance with this Act to commemorate the 50th anniversary of the involvement of the United States in World War II.

SEC. 4. SPECIFICATIONS OF COINS.

(a) DENOMINATIONS.—The Secretary shall mint and issue the following coins:

(1) FIVE DOLLAR GOLD COINS.—Not more than 300,000 five dollar gold coins, each of which shall—

(A) weigh 8.359 grams;

(B) have a diameter of 0.850 inches; and

(C) be composed of 90 percent gold and 10 percent alloy.

(2) ONE DOLLAR SILVER COINS.—Not more than 1,000,000 one dollar silver coins, each of which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) be composed of 90 percent silver and 10 percent copper.

(3) HALF DOLLAR CLAD COINS.—Not more than 2,000,000 half dollar coins, each of which shall—

(A) weigh 11.34 grams;

(B) have a diameter of 1.205 inches; and

(C) be minted to the specifications for half dollar coins contained in section 5112(b) of title 31, United States Code.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender as provided in section 5103 of title 31, United States Code.

SEC. 5. SOURCES OF BULLION.

(a) GOLD.—The Secretary shall obtain gold for minting coins under this Act pursuant to the authority of the Secretary under existing law.

(b) SILVER.—The Secretary shall obtain silver for minting coins under this Act only

[1] An estimate of H.R. 4398, as ordered reported by the House Committee on Banking, Finance, and Urban Affairs on June 18, 1992. This estimate was transmitted by the Congressional Budget Office on June 29, 1992.

from stockpiles established under the Strategic and Critical Minerals Stock Piling Act.

SEC. 6. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins authorized under this Act shall, in accordance with subsection (b), be symbolic of the participation of the United States in World War II. In addition, the design of the gold coin authorized under section 4(a)(1) shall be emblematic of the Allied victory in World War II and the silver coin authorized under section 4(a)(2) shall be emblematic of the Battle of Normandy.

(2) DESIGNATIONS AND INSCRIPTIONS.—Each coin authorized under this Act shall bear a designation of the value of the coin, an inscription of the years "1991-1995", and inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum". In addition, the silver coin authorized under section 4(a)(2) may bear a designation of the date "June 6, 1944" and an inscription of the words "Battle of Normandy" or "D-Day Invasion".

(b) DESIGN COMPETITION.—The Secretary shall sponsor a nationwide open competition for the design of each coin authorized by this Act.

(c) SELECTION.—The design for each coin authorized by this Act shall be selected by the Secretary from the results of the design competition under subsection (b) after consultation with—

(1) representatives of veterans organizations of the United States whose membership includes veterans of World War II, including—

(A) the American Legion;

(B) the Veterans of Foreign Wars of the United States;

(C) AMVETS (American Veterans of World War II, Korea, and Vietnam); and

(D) the Disabled American Veterans; and

(2) in the case of the one dollar silver coin authorized under section 4(a)(2), the Battle of Normandy Foundation and individuals designated by the Foundation from among individuals who are particularly knowledgeable, by reason of their education, training, or experience, about the history of World War II.

SEC. 7. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act may be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular combination of denomination and quality for the coins minted under this Act.

(c) COMMENCEMENT OF ISSUANCE.—The Secretary may issue the coins minted under this Act beginning on January 1, 1993.

(d) TERMINATION OF AUTHORITY.—Coins may not be minted under this Act after December 31, 1993.

(e) PROMOTION CONSULTATION FOR WORLD WAR II MEMORIAL.—The Secretary shall determine the role the American Battle Monuments Commission and any entity established by the Congress to assist the Commission in erecting a World War II memorial will have in the promotion, advertising, or marketing of coins authorized under this Act. This determination shall be made in consultation with the Commission and such an entity. The Secretary may enter into a contract involving the promotion, advertising, or marketing of such coins with the Commission and such an entity if the Secretary decides such a contract would be beneficial in the sale of the coins.

(f) PROMOTION CONSULTATION FOR NORMANDY MEMORIAL.—In consultation with the Battle of Normandy Foundation, the Secretary shall determine the role such entity shall have in the promotion, advertising or marketing of the coins authorized under this Act. The Secretary shall enter into a contract involving the promotion, advertising, or marketing of such coins with the Foundation if the Secretary decides such a contract would be beneficial in the sale of the coins.

SEC. 8. SALE OF COINS.

(a) IN GENERAL.—The Secretary shall sell coins minted under this Act at a price equal to the sum of the face value of the coins, the surcharge provided in subsection (d) with respect to such coins, and the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, and overhead expenses).

(b) BULK SALES.—The Secretary shall make any bulk sales of the coins minted under this Act at a reasonable discount to reflect the lower costs of such sales.

(c) PREPAID ORDERS.—The Secretary shall accept prepaid orders for the coins minted under this Act prior to the issuance of such coins. Sale prices with respect to such prepaid orders shall be at a reasonable discount.

(d) SURCHARGES.—All sales of coins minted under this Act shall include a surcharge of $35 per coin for the 5 dollar coins, $8 per coin for the one dollar coins, and $2 per coin for the half dollar coins.

SEC. 9. FINANCIAL ASSURANCES.

(a) NO NET COST TO GOVERNMENT.—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this Act will not result in any net cost to the Federal Government.

(b) PAYMENT FOR COINS.—A coin shall not be issued under this Act unless the Secretary has received—

(1) full payment for the coin;

(2) security satisfactory to the Secretary to indemnify the United States for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Government.

SEC. 10. USE OF SURCHARGES.

(a) 30/70 SPLIT OF SURCHARGES BETWEEN BATTLE OF NORMANDY MEMORIAL AND WORLD WAR II MEMORIAL.—Surcharges received from the sale of coins minted under this Act shall be distributed by the Secretary as follows:

(1) The first $3,000,000 received from the sale of coins shall be transferred to the Battle of Normandy Foundation and used to create, to endow, and to dedicate, on the 50th Anniversary of D-Day, a United States D-Day and Battle of Normandy Memorial in Normandy, France, adjacent to the largest World War II Museum in the world in Caen, France, and to encourage and support visits to the memorial by United States citizens, and especially students.

(2) The first $7,000,000 received from the sale of coins after the $3,000,000 referred to in paragraph (1) shall be deposited by the Secretary, subject to subsection (b)(2), in the fund established in the Treasury which is available to the American Battle Monuments Commission for the expenses incurred in establishing a memorial on Federal land in the District of Columbia or its environs to honor members of the Armed Forces of the United States who served in World War II and to commemorate the participation of the United States in that war.

(3) Of the amounts received from the sale of coins in excess of $10,000,000—

(A) 30 percent shall be transferred to the Battle of Normandy Foundation and used in the manner provided in paragraph (1); and

(B) 70 percent shall be deposited by the Secretary, subject to subsection (b)(2), in the fund described in paragraph (2).

(b) USE OF FUNDS IF NOT USED FOR MEMORIAL.—

(1) BATTLE OF NORMANDY MEMORIAL.—Of the amounts received by the Battle of Normandy Foundation under this section, any amount in excess of the amount spent by the Foundation for the uses described in subsection (a)(1) shall be transferred to the Secretary for deposit in the account provided for in section 8(b)(1) of the Act entitled "An Act to provide standards for placement of commemorative works on certain Federal lands in the District of Columbia and its environs, and for other purposes" and approved November 14, 1986, in the same manner as provided by law for the World War II memorial described in subsection (a)(2).

(2) WORLD WAR II MEMORIAL.—If the World War II memorial described in subsection (a)(2) is not authorized by Congress by December 31, 1995, the amounts described in paragraphs (2) and (3)(B) of subsection (a) shall be deposited by the Secretary in the account described in paragraph (1) of this subsection.

(c) AUDITS.—The Comptroller General of the United States shall conduct an annual audit of any books, records, documents, and other data—

(1) belonging to the Battle of Normandy Foundation, the American Battle Monuments Commission, and any agency or organization which receives any amount from the fund described in subsection (a); and

(2) relating to the expenditure of any amount received under subsection (a) or from the fund,

until all amounts received by the foundation, commission, agency, or organization under subsection (a) or from the fund have been spent and the expenditure of such amounts has been audited.

SEC. 11. REPORT TO CONGRESS.

The Secretary shall submit to the Congress a report regarding the activities carried out under this Act. The report shall be submitted by March 31, 1994.

SEC. 12. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out the provisions of this Act relating to the minting or selling of the coins authorized by this Act.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this Act from complying with any law relating to equal employment opportunity.

SEC. 13. COINAGE PROFIT FUND.

(a) DEPOSITS.—All amounts received from the sale of coins issued under this Act shall be deposited in the coinage profit fund.

(b) PAYMENTS.—The Secretary shall pay the amounts authorized under section 10 from the coinage profit fund.

(c) EXPENDITURES.—The Secretary shall charge the coinage profit fund with all expenditures under this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. TORRES] will be recognized for 20 minutes, and the gentleman from California [Mr. MCCANDLESS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. TORRES].

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

Mr. Speaker, I rise in support of the World War II 50th Anniversary Commemorative Coin Act.

My colleagues, Congresswoman MARCY KAPTUR of Ohio and Congressman SAM GIBBONS of Florida have worked closely with me and members of the committee to develop legislation which will honor our Nation's World War II veterans and leave a legacy for world peace.

The World War II 50th anniversary commemorative coins has been before the subcommittee for two consecutive Congresses and currently boast 243 cosponsors.

Last week, the House approved the World War II Memorial legislation, H.R. 1624. The memorial bill gives the American Battle Monument Commission the authority to proceed with the World War II Memorial in the District of Columbia. The memorial bill and the coin bill have been harmonized so that the surcharges from the coin will go to build the memorial.

Thirty percent of total proceeds from the coins will fund the D-Day Memorial in Normandy, France, and 70 percent will fund the World War II Memorial in Washington, with the first $3 million in proceeds to be directed to the Normandy Memorial which is poised for completion by June 6, 1994—the 50th anniversary of D-Day. Once again, I would like to thank my esteemed colleague from Ohio, Ms. KAPTUR, for her hard work over the past 2 years on behalf of the Nation's World War II veterans.

I ask you to join with me in support of commemorating this important era in our Nation's history by the minting of World War II commemorative coins.

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

□ 2350

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

Mr. Speaker, I have a number of reservations about this legislation.

However, my reservations are not about supporting a World War II Memorial.

As a veteran of that War, I support the memorial.

I am concerned about the structure of the World War II Commemorative Coin Program, and about the process which has brought this legislation before us.

During last week's debate on H.R. 1624, the gentleman from Alabama, Mr. DICKINSON, expressed his opposition to authorizing a memorial that relied on Government resources.

No matter how you look at it, a commemorative coin program uses Government resources.

I share Mr. DICKINSON's view that the World War II Memorial—and all proposed memorials—should be constructed solely with private donations.

Nevertheless, by passing H.R. 1624, the House has decided that issue.

With regard to the structure of the program, commemoratives are out of control.

In the past 10 years, there has been 10 commemorative coin programs. After today, in the past 3 months alone, we will have authorized seven.

That is clearly excessive.

I am also concerned about the timing of this program.

Experience has proven that the successful coin programs are centered around an event of national historic significance.

H.R. 1623, calls for the issuance of three coins in 1993.

The gold coin is supposed to commemorate the 50th anniversary of the Allied victory in World War II. That anniversary will be in 1995, not 1993.

The silver coin is supposed to commemorate the 50th anniversary of D-Day. That is June 6, 1994, not 1993.

We should not rearrange history to accommodate fund raising, or to avoid competition with a commemorative soccer coin.

In addition, if enactment of this legislation is delayed until this fall, it is doubtful that the Mint will be able to have the program ready to begin on January 1, 1993.

This is especially true since the legislation mandates a design competition for the coins. That competition will take several months.

Again, Mr. Speaker, I support the World War II Memorial. But I am not sure that this legislation will actually help that effort.

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

Mr. TORRES. Mr. Speaker, I yield 4 minutes to our distinguished colleague, the gentlewoman from Ohio [Ms. KAPTUR]. No one has worked more energetically on behalf of World War II veterans and a commemorative coin to build that memorial.

Ms. KAPTUR. Mr. Speaker, this bill tonight has been 50 years in the making, from the moment Japan bombed Pearl Harbor on December 7, 1941, to the days that victory was declared in Europe and in the Pacific in 1945.

As we move this bill which has over 250 cosponsors tonight toward House passage, I would like the record to show that the idea for its creation came from a humble veteran from Ohio's Ninth District, Mr. Roger Durbin, who served with the 90th Reconnaissance Unit of the 10th Armored Division during World War II. He is currently a resident of Richfield Township in Lucas County outside Toledo, OH. His dream was to commemorate all those Americans, 16 million of them, who fought in defense of freedom at its most compelling moment in this century. His desire was a simple one: to help create a place in our Nation's Capital where he could bring his grandson to explain the ideals for which he and others fought, and where Americans in years hence could visit and pay homage and tribute to those who preserved freedom for the Western world.

I will read from the original letter that he sent me over 4 years ago:

> I think it is kind of ironic for me to ask you for a World War II memorial. If it had not been for the World War II veterans, [Congress] would not be sitting today representing the American people in this, the best form of government in the world. Wouldn't it be nice to honor the World War II veterans with the memorial they deserve in our Nation's Capital while one-half of them are still living?

The consideration of this bill on the House floor tonight has been made possible thanks to several of my colleagues. I especially want to thank Chairman GONZALEZ of Texas of the committee of jurisdiction for the bill, namely the House Banking Committee, who saw the bill to passage in committee on June 18; Chairman TORRES of California, vigilant chair of the subcommittee of jurisdiction, namely the Subcommittee on Consumer Affairs and Coinage, who saw the bill through two subcommittee markups and escorted it to the Banking Committee and tonight to the floor; Mr. WYLIE of Ohio, ranking minority on the Banking Committee, whose support helped assure its passage on June 18; Mr. BARNARD of Georgia, a member of the subcommittee whose advice and accommodating spirit all along the way was greatly appreciated; and Mr. GIBBONS of Florida, a veteran of the 82d Airborne who worked long hours to broaden the bill to include provisions on D-Day and to solicit support for the bill in its entirety. I also want to recognize Chairman MONTGOMERY of Mississippi for his watchful and efficacious support over the 4 years it took to move the companion bill to H.R. 1623, the World War II Memorial Act, to passage by the House last Monday, and for his continued support for the coin bill tonight.

I also want to extend a sincere hand of gratitude to all of the veterans' organizations across our country who have worked so diligently to help gain cosponsorship for this bill, now over 250 Members of the House. In particular, I thank the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, the Military Order of the Purple Heart, the Polish Legion of American Veterans, the Normandy Foundation, and the Paralyzed Veterans of America.

Fifty-one years ago, our country plunged into this century's most profound War, World War II. The War was a nation-shaking, world-changing conflict which carried the intense involvement of sixteen million American citizens who became our World War II veterans. Over 600,000 were wounded. Over 400,000 died in defense of freedom.

American GI's fought heroically on all fronts, in the Pacific, the Atlantic, in Europe, Asia, the Mediterranean, and North Africa. The names and places are familiar to us all: Pearl Harbor, Midway, Coral Sea, Battan death march, Battle of the Bulge, Normandy, Omaha Beach, and dozens of other battles.

Yet, 4 years ago, when Mr. Durbin, the World War II veteran from Lucas County, asked me why there was no Memorial in the Capital to honor the veterans of World War II, I had no good response. How could I explain the prolonged, 50-year silence of the executive and legislative branches in the face of the incredible significance of this War for our people and the globe? America had done nothing in our Nation's Capital to see this War's heroes and heroines permanently commemorated—here in this city where U.S. involvement was debated and first declared.

Tonight, I have an answer for Mr. Durbin. Last week, the House voted to authorize the establishment of a World War II Memorial on Federal land in the District of Columbia by passing H.R. 1624, the World War II Memorial Act. I, along with 250 of my colleagues who cosponsored the bill and the more than 8 million surviving U.S. World War II veterans, heartily thank the Membership for its part in securing passage of the bill. Tonight, we ask you to complete your show of support for commemorating the War by voting for passage of H.R. 1623, the World War II 50th Anniversary Commemorative Coins Act.

In essence, this complimentary bill provides a funding mechanism to pay for the memorial that does not require appropriation of public funds. Rather, the World War II Memorial will be assured by the minting and the sale of 50th anniversary World War II commemorative coins to the general public. Specifically, the legislation authorizes the sale of three coins: 300,000 $5-dollar gold coins, 1 million $1-dollar silver coins, and 2 million half-dollar clad coins. The gold coin will be emblematic of the Allied victory, and the silver of the Battle of Normandy. Seventy percent of the total proceeds from the coins will fund the World War II Memorial here in Washington, and 30 percent will fund the D-Day Memorial in France, with the first $3 million in proceeds to be directed to the Normandy Memorial which is poised for completion first by June 6, 1994, the 50th international anniversary of D-Day.

As you know, commemorative coin bills are appropriate vehicles to use to privately raise funds for public purposes since the sale price of the coins exceeds their cost of production. H.R. 1623 is no exception. The coins are expected to net between $10—$22.5 million in surcharges available for the construction of the memorials, with specific language in the bill indicating that the legislation shall yield no net cost to the Federal Government. Further, this approach also will mint the coins, sell them, and maintain a special account solely for this purpose.

The numismatic community has projected a good market for the World War II coins. And the U.S. Mint estimates that it will sell at least 1.5 million coins. In addition, a recent independent market study on the 1996 Olympic coin cited the World War II set of coins as the most marketable following the Olympic coin and the Christopher Columbus coin.

Most importantly, these coins are crucial for the creation of the memorial. Though private funds will be raised to support the memorial's construction, over half of World War II veterans are no longer living. Thus it is essential that sufficient funds be raised to build the memorial and avoid problems of previous memorials. For example, seven memorials languished for more than 5 years each due to lack of private donations toward their establishment. I do not want to see the World War II Memorial suffer the same fate. The coin proceeds combined with private funding will provide a double-sided funding source which should be a sure-bet to meet the capital requirements necessary for building memorials—all without use of scarce taxpayer dollars.

In sum, it is time for Congress to pay tribute to those who offered their lives for the freedoms we enjoy today and the ideals of America. They asked nothing in return. Stand with me, my many colleagues, and with the veterans of World War II in support of H.R. 1623 during this 50th anniversary of 1991–95. Is it not truly fitting for us to nationally acknowledge these brave men and women who preserved democracy, and the idea of liberty, and built a foundation of peace during America's second century?

Mr. McCANDLESS. Mr. Speaker, I yield such time as he may consume to the distinguished ranking minority member of the Committee on Banking, Finance and Urban Affairs, the gentleman from Ohio [Mr. WYLIE].

Mr. WYLIE. Mr. Speaker, I rise today in support of H.R. 1623, the World War II 50th Anniversary Commemorative Coin Act, both as a World War II veteran and a cosponsor of this bill, and I am proud to say that I am an original cosponsor and would like to commend the gentlewoman from Ohio [Ms. KAPTUR] for introducing the bill and for her diligent, persistent effort in bringing us here this evening. I also commend the gentleman from Texas [Mr. GONZALEZ], without whose support this bill would not be here, and the subcommittee chairman, the gentleman from California [Mr. TORRES], for their efforts to insure consideration of this bill on the floor of the House this evening.

Mr. Speaker, I regret that I must disagree with my ranking member on the Consumer Affairs Subcommittee who is my good friend as to the timeliness of this bill. I think a little lead time will help insure the success of the bill.

H.R. 1623 authorizes a coin program to commemorate the 50th anniversary of the United States' involvement in World War II. The gold coin will be symbolic of the Allied victory in World War II.

The silver coin will commemorate the D-Day invasion and the ensuing Battle of Normandy. The Battle of Normandy was the largest land battle in history and was a key to the Allied Forces' eventual liberation of Europe.

Proceeds from the World War II Coin Program will be used to establish a World War II memorial in the Washington, DC area. If excess proceeds are available, or if the memorial is not established, the funds will be used to maintain other memorials commemorating military conflicts. These provisions ensure that the funds from this program will be used to honor our veterans and the battles in which they fought.

I am grateful for this opportunity to honor my fellow World War II veterans through the issuance of this coin. I urge my colleagues to express their support for the 16 million men and women who served in World War II and for the 400 thousand men and women who gave their lives in defense of freedom and democracy.

Mr. DICKINSON. Mr. Speaker, as a 3-year Navy veteran of World War II, I rise in opposition to H.R. 1623.

I strongly favor the erection of a monument in the memory of those who fought in World War II. I think it is unconscionable that we have gone nearly 50 years without an adequate commemoration of those who fought, died, bled, and sacrificed so much so that we could be here today to enjoy the fruits of freedom for which they paid the price. World War II marked a turning point in our Nation's history. We entered the conflict as one of many world powers but concluded the War as the undisputed leader of the free world. The collective efforts of millions of Americans made our victory possible, and our official thanks in the form of a national memorial are long overdue.

It is important to build a memorial honoring one of our Nation's greatest achievements while those who served and sacrificed can participate in its construction. With the upcoming celebration of the end of World War II, it is also important to begin this effort immediately. Between now and the target completion date of September 1995, there will be a number of anniversaries commemorating milestones on our road to victory, creating opportunities for every American to contribute to the funding of the memorial—no matter how big or small.

The sense of Congress was expressed in H.R. 5006, urging completion of the memorial in time for the 50th Anniversary celebration through private contributions raised by the Na-

tional World War II Memorial Fund. This passed on a voice vote June 4, 1992.

Now there is a difference of opinion about the best way to about building and funding the memorial. In my first conversations with the sponsor of this bill, the gentlewoman from Ohio [Ms. KAPTUR], I thought she was amenable to the idea of S. 2244, which provided a proven and streamlined approach. Then later she said no, holding fast to the idea that the Government bureaucracy should build it and finance it through the sale of commemorative coins. I do not think that is the way to go. It will take too long, and use taxpayer moneys. The coin bill on the floor today (H.R. 1623) is the financing mechanism for H.R. 1624, and I would refer my colleagues to the debate in the CONGRESSIONAL RECORD (H4987–H4993) on June 22, 1992.

As a proud veteran of World War II, I want to see this memorial built, and I want to see it done right. I have introduced legislation (H.R. 5437) to authorize the construction of a World War II Memorial, financed solely through private contributions in accordance with H.R. 5006. H.R. 5437 is the companion bill to Senator THURMOND's legislation (S. 2244) which relies solely on private contributions. This is the route taken for construction of the Vietnam Veterans Memorial, which raised $9.3 million and used no Federal funds. This is the best way to do it.

The National World War II Memorial Fund endorsed in H.R. 5006 is a registered 501(c)(3) corporation, established to fund, design, and build a fitting national memorial to honor all Americans who contributed in World War II. The establishment of the National World War II Memorial Fund was necessary because past legislation failed to gain support because it involved Federal funds and questionable funding mechanisms like this coin bill. The National World War II Memorial Fund is in complete compliance with the Commemorative Works Act, IRS regulations, GAO guidelines, will be annually audited by KPMG, Peat Marwick. Once established by law, the fund will be under review by a presidentially appointed advisory board.

The National World War II Memorial Fund is a team of dedicated professionals with direct and proven skills in national memorial development, including: The Vietnam Veterans Memorial, The Navy Memorial and The National Law Enforcement Officers Memorial. The team includes: Maj. Gen. Phil Monahan, U.S.M.C. (ret.)—Executive Director, Bob Frank & Company, Accounting. CPA's for Vietnam Veterans Memorial and National Law Enforcement Officers Memorial. Steve Cram & Associates, Fund Raising. Fund raisers for Navy Memorial, VFW, American Legion, National Association of Uniformed Services and others.

The private sector can raise the funds much more rapidly than we can by the selling of individual coins throughout the country, and I hope that we do not have to look back to this moment in 1995 and realize that the wrong approach was taken. If we follow the timeline of the Korean War Memorial, we won't break ground on the World War II Memorial until 1998. In fact, we fought the Korean War in half the time it took to reach the groundbreaking ceremony.

The approach on the floor today employs Federal funds through the authorization of a Federal commission to raise funds and establish the memorial, the minting of commemorative coins by the U.S. Mint, and the establishment of a fund in the Treasury for memorial expenses, managed and invested by the Treasury Department.

The Federal commission charged with joint handling of the Treasury account and raising private funds is The American Battle Monuments Commission [ABMC]. These responsibilities go beyond the mission of the ABMC, and would require additional funding and staff, the needs of which remain unknown until hearings are held. The chairman of the ABMC, General P.X. Kelley, stated in a letter dated June 5, 1992, that, "I believe it is inappropriate for a federal commission such as the American Battle Monuments Commission to be directly involved in fund raising activities within the private sector."

Although the Treasury Secretary would also have responsibility for this special account, and would be responsible for investing extra money not required for expenses, the Department of the Treasury has not been consulted with regard to this account. The Secretary of the Treasury might also find the following section an indicator reflecting the amount of thought that went into the bill:

(d) ABOLITION.—Upon the final settlement of the accounts of the fund, the Secretary of the Treasury shall submit to the Congress a draft of legislation (including technical and conforming provisions) recommended by the Secretary for the abolition of the fund.

By the time we go the route of this legislation we will become enmeshed in the Federal bureaucracy, and will certainly delay the construction of the monument beyond August or September of 1995, which will be the final limits of the action in World War II. I would urge the Senate to examine the two approaches and work out a bill that will finally fund this monument and expedite it through The National World War II Memorial Fund. If we do decide to go the route of S. 2244 or H.R. 5437, then H.R. 1623 could be amended to preserve the efforts of the Normandy Foundation.

In closing, Mr. Speaker, let me reiterate I am a strong advocate of building a memorial for those who fought and died and sacrificed in World War II. I believe in it. I think it is shameful that it has not already been done. Many millions of people have had the opportunity to go down on The Mall not very far from here and look at the Vietnam Memorial that is most impressive. Look at the thousands of names of those who gave their lives there. It is a beautiful memorial, a very fitting memorial. I think it is probably one of the most emotion-evoking memorials that is in existence today. Mr. Speaker, this monument was built and put in place and totally funded with no Federal funds involved. That is what I would propose to do in this instance.

Mr. Speaker, I am offering this suggestion today because I did not get the opportunity to offer this approach in committee, where it should have been done, where we could compare the two and come up with the best result. I believe the intent of the bill on the floor today is good, but I do not think that the government bureaucracy can build a memorial as well and quickly as citizens in the private sector.

Mr. MONTGOMERY. Mr. Speaker, H.R. 1623, the World War II 50th Anniversary Commemorative Coins Act, was introduced on March 22, 1991, by MARCY KAPTUR of Ohio.

For many years, she has been leading the effort to establish a memorial to honor members of the Armed Forces who served in World War II and to commemorate the United States' involvement in that conflict. That bill, H.R. 1624, passed the House yesterday.

Since no public funds would be used in designing and constructing the memorial, all costs would be funded from private donations and from revenues derived from the sale of the commemorative coins as set out in H.R. 1623.

H.R. 1623 would direct the Secretary of the Treasury to mint and issue 300,000 $5 gold coins, 1 million silver coins and 2 million half-dollar clad coins. The coins will symbolize U.S. participation in World War II and the surcharges will be divided according to a 30/70 split between the Battle of Normandy Memorial and the World War II Memorial.

Mr. Speaker, since December 7 of last year, ceremonies have been held throughout the world commemorating events that occurred during this long and critical period in our Nation's history. It is time that we paid tribute to those who defended America during this time, and I am pleased to support Ms. KAPTUR in her efforts to get this memorial established in our Nation's Capital.

I urge favorable consideration of H.R. 1623.

Mr. TORRES. Mr. Speaker, I have no further requests for time.

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

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

The SPEAKER pro tempore. (Mr. MCDERMOTT). The question is on the motion offered by the gentleman from California [Mr. TORRES] that the House suspend the rules and pass the bill, H.R. 1623, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REPORT ON H.R. 5503, INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1993

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 102–637) on the resolution (H. Res. 506) waiving certain points of order against and during consideration of the bill (H.R. 5503) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 2400

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. McDERMOTT). This being the Calendar Day of Wednesday, without objection, the Chair is authorized to recognize members for motions to suspend the rules and pass the following bills: H.R. 3654, H.R. 5126, and S. 2780.

There was no objection.

CIVIL WAR BATTLEFIELD COMMEMORATIVE COIN ACT

Mr. TORRES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5126) to direct the Secretary of the Treasury to mint coins in commemoration of the 100th anniversary of the beginning of the protection of Civil War battlefields, and for other purposes; as amended.

The Clerk read as follows:

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 "Civil War Battlefield Commemorative Coin Act of 1992".

SEC. 2. COIN SPECIFICATIONS.

(a) FIVE DOLLAR COINS.—The Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall issue not more than 300,000 five dollar coins which shall—

(1) weigh 8.359 grams,

(2) have a diameter of 0.850 inches, and

(3) contain 90 percent gold and 10 percent alloy.

(b) ONE DOLLAR SILVER COINS.—The Secretary shall issue not more than 1,000,000 one dollar coins which shall—

(1) weigh 26.73 grams,

(2) have a diameter of 1.500 inches, and

(3) contain 90 percent silver and 10 percent copper.

(c) HALF DOLLAR CLAD COINS.—The Secretary shall issue not more than 2,000,000 half dollar coins which shall be minted to the specifications for half dollar coins contained in section 5112(b) of title 31, United States Code.

(d) DESIGN.—

(1) DESIGN REQUIREMENTS.—The design of the coins authorized under this Act shall be emblematic of the Civil War. On each such coin there shall be a designation of the value of the coin, an inscription of the year "1995", and inscriptions of the words "Liberty," "In God We Trust," "United States of America," and "E Pluribus Unum."

(2) SELECTION OF DESIGN.—The Secretary shall select the design of each coin authorized under this Act after consultation with the Secretary of the Interior, the Commission of Fine Arts, and the Civil War Battlefield Foundation (hereafter in this Act referred to as the "Foundation").

(e) LEGAL TENDER.—The coins issued under this Act shall be legal tender as provided in section 5103 of title 31, United States Code.

(f) TERMINATION OF AUTHORITY.—Coins may not be minted under this Act after December 31, 1995.

(g) PROOF AND UNCIRCULATED COINS.—The coins authorized under this section shall be issued in uncirculated and proof qualities.

(h) BUREAU OF THE MINT.—Not more than 1 facility of the Bureau of the Mint may be used to strike any particular combination of denomination and quality of coins under this Act.

SEC. 3. SOURCES OF BULLION.

(a) GOLD.—The Secretary shall obtain gold for the coins minted under this Act pursuant to the authority of the Secretary under existing law.

(b) SILVER.—The Secretary shall obtain silver for the coins minted under this Act only from stockpiles established under the Strategic and Critical Minerals Stock Piling Act (50 U.S.C. 98 et seq.).

SEC. 4. SALE OF COINS.

(a) SALE PRICE.—Notwithstanding any other provision of law, the coins issued under this Act shall be sold by the Secretary at a price equal to the face value, used in minting such coins, plus the cost of designing and issuing such coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS AT A DISCOUNT.—The Secretary shall accept prepaid orders for the coins issued under this Act prior to the issuance of such coins. Sales under this subsection shall be at a reasonable discount.

(d) SUCHARGE REQUIRED.—All sales of coins issued under this Act shall include a surcharge of $35 per coin for the five dollar coins, $7 per coin for the one dollar coins, and $2 per coin for the half dollar coins.

(e) MARKETING.—The Secretary, in cooperation with the Foundation, shall develop and implement a marketing program to promote and sell the coins authorized under this Act both within the United States and internationally.

SEC. 5. COINAGE PROFIT FUND.

(a) DEPOSITS.—All amounts received from the sale of coins issued under this Act shall be deposited into the coinage profit fund.

(b) PAYMENTS.—The Secretary shall pay the amounts authorized under section 6 from the coinage profit fund.

(c) EXPENDITURES.—The Secretary shall charge the coinage profit fund with all expenditures under this Act.

SEC. 6. DISTRIBUTION AND USE OF SURCHARGES.

(a) DISTRIBUTION.—Notwithstanding any other provision of law, the total surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the Foundation and used by the Foundation for the preservation of historically significant Civil War battlefields.

(b) APPROVAL OF EXPENDITURES REQUIRED.—The Foundation may not expend any amount attributable to amounts paid to the Foundation under this section unless the Secretary of the Interior approves that expenditure.

(c) ACCOUNTING.—The Foundation shall account for all sums received by the Foundation under this section in accordance with generally accepted accounting principles and shall utilize such sums in a prudent manner to achieve battlefield protection. The books and records of the Foundation shall be made available to the Secretary and the Secretary of the Interior upon request.

(d) AUDITS.—The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the Foundation as may be related to the expenditure of amounts paid to the Foundation under this section.

SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods or services necessary for carrying out the provisions of this Act.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this Act from complying with any law relating to equal employment opportunity.

SEC. 8. FINANCIAL ASSURANCES.

(a) NO NET COST.—The Secretary shall take such actions as may be necessary to ensure that the minting and issuance of coins under this Act will not result in any net cost to the Federal Government.

(b) FULL PAYMENT.—No coin shall be issued under this Act unless the Secretary has received—

(1) full payment for the coin;

(2) security satisfactory to the Secretary to indemnify the United States for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution the deposits of which are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration.

SEC. 9. REPORTS TO CONGRESS.

(a) REPORTS REQUIRED.—Not later than 15 days after the last day of each calendar quarter which ends before April 1, 1996, the Secretary shall transmit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report detailing activities carried out under this Act during such quarter.

(b) CONTENTS OF REPORT.—The report shall include a review of all marketing activities under section 4 and a financial statement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. TORRES] will be recognized for 20 minutes and the gentleman from California [Mr. McCANDLESS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. TORRES].

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

Mr. Speaker, I would like to thank my colleague, from Minnesota, Mr. VENTO, and his staff, for working with me to perfect the Civil War Battlefield Commemorative Coin Act.

The bill as approved by the Banking Committee would move the minting of the commemorative coins from 1993 to 1995 as well as reduce the number of coins to be minted and the amount of surcharges to be raised.

With these changes, I wholeheartedly support the legislation to preserve our Nation's civil war battlefields. My former colleague, Interior Secretary Lujan, and my banking committee colleague, Mr. VENTO, have worked tirelessly to achieve the goal of sparing hundreds of historical sites from commercial development.

I ask my colleagues to support this important legislation.

I reserve the balance of my time.

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

Mr. Speaker, I feel like the proverbial skunk at the company picnic to-

night, but I feel that the subject matter of these commemorative coins is of such importance that I need to express myself.

Mr. Speaker, I have very strong reservations about this legislation. I am particularly concerned about the process which has brought this bill before us.

The rules of the Banking Committee require that a commemorative coin have 218 cosponsors before it can be considered for a hearing.

Consequently, many Members cosponsored this bill so that the Subcommittee on Coinage could hold a hearing and carefully consider the proposal.

But, there have been no hearings on H.R. 5126. Not so much as one sentence of testimony on this proposal has been considered by the Banking Committee.

We are being asked to establish a program that may provide a substantial sum of money to a group called the "Civil War Battlefield Foundation."

Who are these people? What are they going to do with the money? These are questions that have not been answered.

We are told that the recent PBS series on the Civil War has sparked a new interest in it.

While I, too, found the series interesting, I question whether or not we should fashion commemorative coins around TV shows.

There is no evidence that coin collectors, who have been deluged with commemorative coins, or anybody else, will actually buy these coins.

Experience has shown that successful coin programs are centered around an event of national historic significance.

Here we are being asked to commemorate the 100th anniversary of the beginning of Civil War battlefield preservation.

We ought not make coins that nobody will buy.

I must also inform my colleagues that this is not the bill that most of you co-sponsored.

In our rush to railroad this bill through the House, the date for the Civil War commemorative coin has been set for 1995.

Has anybody stopped and realized that 1995 will be a time for remembrance and celebration of the 50th anniversary of our victory in World War II?

Authorizing a coin in 1995 to commemorate the Civil War is totally inappropriate.

Again, Mr. Speaker, these are issues that could have been, and should have been, addressed in hearings. But no hearings have been held.

My final point is this. What is the hurry?

If the proposal has merit, then we have over 2½ years to enact legislation.

We should reject this bill today, and send it back to the Banking Committee so that there can be hearings on it.

Because the proponents of the H.R. 5126 are trying to rush it through, there are too many unknowns.

For these reasons, I have strong reservations about this legislation.

I reserve the balance of my time.

Mr. TORRES. Mr. Speaker, I appreciate hearing the views of the ranking minority member, the gentleman from California [Mr. MCCANDLESS], regarding the procedure under which this bill is brought before the House.

Mr. Speaker, I do not wish to take up important time at this moment to react to the various aspects of that. Instead, I yield such time as he may consume to the gentleman from Minnesota [Mr. VENTO], the author of this legislation.

Mr. VENTO. Mr. Speaker, I rise in support of H.R. 5126, which would authorize the minting of coins to commemorate our Civil War. I commend the chairman of the subcommittee, Mr. TORRES and his staff for their assistance and deliberate consideration of this proposal. My special tanks go to Chairman GONZALEZ and Congressman WYLIE for their support for this measure.

Mr. Speaker, the funds provided by the surcharges for the sale of the Civil War commemorative coins would be used to protect threatened and historic civil war battlefield sites. H.R. 5126, which I introduced with my colleague from Ohio, Mr. WYLIE, has strong bipartisan support. In fact the Civil War coin legislation now has over 250 cosponsors. The Civil War Battlefield Commission, appointed by Secretary Lujan and congressional leaders, has strongly advocated the need to protect these endangered Civil War sites and supports the use of private funds, such as those envisioned under this act to protect those sites.

No one can deny the fact that the Civil War is an important focal point in our Nation's history and culture. Ken Burns' highly acclaimed public broadcast system's epic television series on the Civil War drew broad viewership and rave reviews. Our Nation's rising interest in the Civil War has also been reflected in the dramatic increase in visitors at our National Park Service Civil War sites. There has been record new attendance at all such National Park Service Civil War units.

In 1991, over 26 million people visited Park Service Civil War sites, an increase of over 7 million people or nearly 40 percent more than 1990.

Near the Washington DC, area last year, visitation of Civil War sites reflected this same phenomena. For 1991, nearly 1.5 million people visited Gettysburg and nearly 1 million individuals visited Manassas National Battlefield.

It is ironic that when the interest in this crucial period in our Nation's history is at an all time high, key unprotected Civil War sites are not at risk from development or degradation.

As many of my colleagues may recall, in 1988, the Congress was forced to take an unusual action by appropriating emergency funds to save key parts of the Bull Run/Manassas Battlefield from development as a shopping mall. The challenge persists today and will persist tomorrow. Our Nation's cultural and historic lands will be lost in perpetuity unless we act now.

Following the crisis response to Bull Run/Manassas, Secretary of the Interior Lujan, working with the Subcommittee on National Parks and Public Lands and the Senate Subcommittee on Public Lands, National Parks and Forests, established a process to identify and protect crucial, historic Civil War battlefield sites. A key to the success of this process is the involvement of the private sector and the interested public through the Civil War Battlefield Foundation, a private 501(c)(3) initiated by Secretary Manuel Lujan.

The goal of the foundation is to utilize private funds to respond to those sites which are under the greatest threat. In addition, the foundation will encourage alternative battlefield preservation measures, promote educational efforts of the Civil War and work with the National Park Service to create a Civil War legacy park system.

H.R. 5126 is an important key to that goal. The proceeds from the sale of these commemorative Civil War coins will allow the foundation to go forward, with the approval of the Department of the Interior, to identify crucial sites and to insure that those sites are not lost. The proceeds from the sale of these unique coins will not be the only funding source for this project. In fact the foundation will be seeking simultaneously a significant financial commitment from the private sector. The surcharge will however be a key component of the financial mix.

Mr. Speaker, some have suggested that we delay minting a coin to commemorate the Civil War until some later date. I would respond to those suggestions by reminding my colleagues that over the past 2 years there have been an incredible number of visitors to National Park Service Civil War sites—over 50 million. Each year that we delay action, crucial sites are lost to development or degradation. H.R. 5126 would provide crucial private funds to protect these sites and to insure that this important part of American history and our cultural heritage will not be lost for future generations.

I urge my colleagues to support this bill.

□ 0010

Mr. Chairman, I thank my cosponsor the gentleman from California [Mr. TORRES] and the gentleman from Ohio [Mr. WYLIE] who has stood with me and helped, and many others, including the

gentleman from North Carolina [Mr. TAYLOR], and others that were on the Hill, the gentleman from New York [Mr. MRAZEK], and the gentleman from Texas [Mr. ANDREWS], who helped win and get the cosponsors for this particular measure so that we were able to move it along in an expedited fashion.

Mr. McCANDLESS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Ohio [Mr. WYLIE], the ranking minority member.

Mr. WYLIE. Mr. Speaker, I thank the distinguished gentleman from California for yielding me this time.

Mr. Speaker, I rise in strong support of this legislation. The Secretary of the Interior, Mr. Manuel Lujan, is in strong support of this bill, and he persuaded me to be a cosponsor of it.

I rise today as an original cosponsor of H.R. 5126, the Civil War Battlefield Commemorative Coin Act of 1992, and I commend the gentleman from Minnesota for introducing this bill. I would also like to commend Chairman GONZALEZ and subcommittee chairman TORRES for moving this bill through committee expeditiously so that we could consider this bill on the floor of the House today.

In recent years, the Department of the Interior has been faced with mounting pressure to allow for the development of land which contains our Civil War battlefields and other historical sites.

For example, in 1988, Congress was forced to appropriate funds to save key parts of the Manassas battlefield from development as a shopping mall, and similar congressional efforts have been necessary to protect other Civil War sites from development. In response to such events, the Department of the Interior established the American Battlefield Protection Program under the direction of Secretary Lujan. This program is a national partnership between the public and private sectors, and has gained broad support from historical organizations, environmental organizations, war scholars, and the public in general. This support will allow us to secure a non-Federal source of funding for our battlefields in a time of budget austerity.

Civil War battlefields give us insight into the formation of our Nation and memorialize those who fought for their values and for the abolition of slavery. I once again urge my colleagues to support this bill which would help to preserve our Civil War battlefields, and, in turn, preserve our heritage.

Mr. ANDREWS of Texas. Mr. Speaker, the Civil War is the single most important event in our Nation's history. America's social and economic foundations before the war were forever changed by the war, and its impact continues to affect our national debate. The Nation was infused, in Lincoln's words, with a "new birth of freedom." It is not coincidence that students in this country divide their study of American history by the War Between the States. Civil rights, women's rights, economic policy, and trade were issues driven into the 20th century by the Civil War.

And so, understanding the Civil War—its reasons, its battles, its politics, its costs, its significance—is important in understanding who we are as a Nation and where we are going.

There is one tangible legacy of the War—its battlefields. With names like Antietam, Chancellorsville, the Wilderness, and Glorietta Pass, many remain today, undisturbed as reminders and lessons, to see and to feel. Our generation's obligation to our history is to protect these important sites from destruction or permanent change.

A few years ago many of us fought to save the battlefield of Second Manassas from destruction. The financial cost was high, largely because of a greedy developer, pliant local leaders, and an insensitive Secretary of the Interior. A large shopping mall would have changed that national park forever. We can always build shopping malls—we can never rebuild battlefields.

In a cornfield near Antietam Creek in western Maryland, federal troops from Ohio and Pennsylvania attacked troops from Georgia and Texas and in less than an hour the ground was covered with bodies. In what was to become the bloodiest day in American history, 26,000 young men were left dead on the field.

Today, the cornfield is protected because of the generosity of a wealthy family—the center of the Antietam National Battlefield Park almost became a new housing development. Other important sites may not be so fortunate. Brandy Station, VA, and Shiloh, TN, risk succumbing to unbridled development and growth. Soon they may be destroyed or negatively affected. But the American taxpayer alone—in an effort to protect these sites—cannot bear the entire cost. It is not economically feasible and in many cases it is not the most expeditious remedy.

This legislation will help save our important battlefield sites. There are many Americans, collectors, and historians, who will respond to these minted coins. The sale of these coins will raise close to $22 million for the Civil War Battlefield Foundation. The Foundation will then have the resources to buy land and easements and to save our historic Civil War battlefields and sites.

This is a modest step, a small step, though the results would be enormous. This is an exciting opportunity for this Congress to ensure that our Civil War heritage will last forever. Please join me in supporting this legislation.

Mr. WOLF. Mr. Speaker, as a cosponsor, I am pleased to speak today in support of H.R. 5126, the Civil War Commemorative Coin Act of 1992.

This important legislation, which would authorize the minting of coins in commemoration of the 100th anniversary of Civil War battlefield legislation, will help preserve and protect the many scenic and historic Civil War battlesites across our Nation. Importantly, this legislation would have no cost for the American taxpayer, as surcharges from the sale of these coins would be used with private funds to help preserve our country's Civil War legacy.

I know firsthand the importance of protecting our Civil War battlesites. In 1988, you may recall that Congress was forced to appropriate funds to save key parts of the Manassas battlefield, where the pivotal battles of Bull Run were fought, from the development of a new shopping center. We learned from the Manassas experience that new approaches and strategies were needed to preserve battlesites throughout the Nation.

I believe H.R. 5126 is an excellent national approach to help solve the problem of saving our Civil War battlesites from encroaching development. Every year, thousands of visitors visit these battlefields and learn about the Civil War. By passing H.R. 5126 into law, we have the opportunity to protect these resources for generations to come.

I commend our colleagues, Representatives VENTO, WYLIE, CHARLES TAYLOR, and MRAZEK for introducing this bill and our colleagues on the Banking, Finance and Urban Affairs Committee for their hard work in moving this bill. I urge all Members to support H.R. 5126.

Mr. TAYLOR of North Carolina. I rise today to urge my colleagues to support H.R. 5126, the Civil War Commemorative Coin Act.

H.R. 5126 will authorize the minting of three coins; one gold, one silver, and one bronze. I want to stress that this legislation will cost the taxpayers nothing. All expenses associated with striking the coins will be met by proceeds from the sale of the coins.

It is estimated that sales will generate over $20 million for Civil War battle site preservation. There is enormous public interest in the Civil War era as evidenced by the sale of hundreds of thousands of copies of James McPherson's Pulitzer Prize winning book "Battle Cry to Freedom," by the 20 million viewers who watched the PBS Civil War series, by the several magazines devoted exclusively to the Civil War period, and by the existence of over 20,000 reenactors. Because of this great interest throughout our Nation, I believe sales of the coins will be brisk.

After the expenses associated with the production of the coins are met, the remainder of the proceeds of their sale will be entrusted to a private entity, the Civil War Battlefield Foundation, for the purchase of land where significant military events in the Civil War occurred. The Civil War Battlefield Foundation is not a management entity. Its sole function is to direct funds to where they are most needed for the purchase of property from willing sellers for the preservation of significant Civil War sites. The Foundation exists to raise private sector resources and apply free market approaches for battlefield landscape preservation. The sale of commemorative coins is an important but by no means the only avenue the Foundation is pursuing to raise the money needed to preserve our Nation's Civil War legacy.

The painful Manassas experience of 1988, in which a huge amount of public money was expended at the last minute for the legal taking of a comparatively small amount of property, has taught us the urgency of saving crucial property under threat of development and the wisdom of preserving such property when it is still available at a moderate price. The funds made available from the sale of commemorative coins can be used for the preser-

vation of vital properties under immediate danger of development. However, it is my hope, and the intention of those at the Civil War Battlefield Foundation who will manage the funds which will be raised by the sale of coins, that the bulk of the money raised by this legislation will be devoted to the purchase of easements on, or titles to, important tracts of land by interested local persons or groups, before the cost of their preservation becomes prohibitively expensive.

I want to commend Secretary of the Interior Manuel Lujan for his leadership in proposing a list of 25 endangered Civil War battlefields which should receive the most attention from those seeking to preserve our Civil War legacy. A number of the sites on the Secretary's list are in immediate danger. One of these is Fort Fisher in my State of North Carolina, which faces the danger of being washed away by the ocean unless protective measures are taken soon. Others are not in immediate danger, but are of such importance that special efforts should be employed to preserve them while there is still time.

One of the chief tasks of the Civil War Battle Sites Advisory Commission, on which I have the privilege of serving as a member, is to evaluate the significance of sites of Civil War battles nationwide, in order to make decisions about which sites should be the focus of particular attention. This is a fine example of the sort of careful long-range planning which will allow truly important sites to be identified long before the danger of their loss becomes acute.

I am pleased by the large bipartisan support this legislation has enjoyed and urge my colleagues to support its passage. Last, when the coins become available, I would like to urge my colleagues to do their part and buy them in order to help preserve our Nation's precious Civil War legacy.

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

The SPEAKER pro tempore (Mr. McDERMOTT). The question is on the motion offered by the gentleman from California [Mr. TORRES] that the House suspend the rules and pass the bill, H.R. 5136, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "An Act to direct the Secretary of the Treasury to mint coins in commemoration of the 100th anniversary of the beginning of the protection of Civil War battlefields, and for other purposes.".

A motion to reconsider was laid on the table.

DOUG BARNARD, JR.—1996 ATLANTA CENTENNIAL OLYMPIC GAMES COMMEMORATIVE COIN ACT

Mr. TORRES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3654) to provide for the minting of commemorative coins to support the 1996 Atlanta Centennial Olympic Games and the programs of the U.S. Olympic Committee, as amended.

The Clerk read as follows:

HR. 3654

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—1996 OLYMPIC GAMES COMMEMORATIVE COINS

SECTION 101. SHORT TITLE.

This title may be cited as the "Doug Barnard, Jr.—1996 Atlanta Centennial Olympic Games Commemorative Coin Act".

SEC. 102. COIN SPECIFICATIONS.

(a) FIVE DOLLAR GOLD COINS.—The Secretary of the Treasury (hereinafter in this title referred to as the "Secretary") shall issue five dollar coins, each of which shall weigh 8.359 grams, have a diameter of 0.850 inches, and contain 90 percent gold and 10 percent alloy, with the dates and in the amounts, as follows:

Year	Amount
1995	Not more than 175,000 each of 2 coins of different designs.
1996	Not more than 300,000 each of 2 coins of different designs.

(b) ONE DOLLAR SILVER COINS.—The Secretary shall issue one dollar coins, each of which shall weigh 26.73 grams, have a diameter of 1.500 inches, and contain 90 percent silver and 10 percent copper, with the dates and in the amounts, as follows:

Year	Amount
1995	Not more than 750,000 each of 4 coins of different designs.
1996	Not more than 1,000,000 each of 4 coins of different designs.

(c) HALF DOLLAR CLAD COINS.—The Secretary shall issue half dollar coins, each of which shall weigh 11.34 grams, have a diameter of 30.61 millimeters and be minted to the specifications for half dollar coins contained in section 5112(b) of title 31, United States Code, with the dates and in the amounts, as follows:

Year	Amount
1995	Not more than 2,000,000 coins each of 2 coins of different designs.
1996	Not more than 3,000,000 coins each of 2 coins of different designs.

(d) LEGAL TENDER.—The coins issued under this title shall be legal tender as provided in section 5103 of title 31, United States Code.

SEC. 103. SOURCES OF BULLION.

(a) SILVER BULLION.—The Secretary shall obtain silver for the coins minted under this title only from stockpiles established under the strategic and Critical Materials Stock Piling Act.

(b) GOLD BULLION.—The Secretary shall obtain gold for the coins minted under this title pursuant to the authority of the Secretary under existing law.

SEC. 104. DESIGN.

(a) DESIGN REQUIREMENTS.—The design of the coins authorized under this title shall be emblematic of the participation of athletes from the United States of America in the Olympic Games culminating in the 1996 Centennial Olympic Games in Atlanta, Georgia. On each such coin there shall be a designation of the value of the coin, an inscription of the date of the coin as specified pursuant to section 102, and inscriptions of the words "Liberty," "In God We Trust," "United States of America," and "E Pluribus Unum."

(b) SELECTION OF DESIGN.—The Secretary shall select the design of each coin authorized hereunder after consultation with the Commission of Fine Arts, the American Numismatic Association, and the Atlanta Centennial Olympic Properties, a joint venture formed by the Atlanta Committee for the Olympic Games, Inc. and the United States Olympic Committee (hereinafter in this title referred to as "Atlanta Centennial Olympic Properties").

SEC. 105. ISSUANCE OF THE COINS.

(a) QUALITIES.—The coins authorized under this title shall be issued in uncirculated and proof qualities, except that not more than one facility of the United States Mint may be used to strike any particular combination of denomination and quality.

(b) SUNSET PROVISION.—No coins shall be minted under this title after December 31, 1996.

SEC. 106. SALE OF THE COINS.

(a) SALE PRICE.—Notwithstanding any other provisions of law, the coins authorized under this title shall be sold by the Secretary at a price equal to the face value, plus the cost of designing and issuing such coins (including labor, materials, dies, use of machinery, and overhead expenses).

(b) BULK SALES.—The Secretary shall make bulk sales at a reasonable discount.

(c) PREPAID ORDERS AT A DISCOUNT.—The Secretary shall accept prepaid orders for the coins prior to the issuance of such coins. Sales under this subsection shall be at a reasonable discount.

(d) CONSIGNMENT.—The Secretary may sell the coins authorized under this title on a consignment basis to selective consignees to the extent such action shall reasonably be expected to increase the sale of such coins.

(e) SURCHARGE REQUIRED.—All sales shall include a surcharge of $50 per coin for the five dollar coins, $10 per coin for the one dollar coins, and $3 per coin for the clad coins.

(f) MARKETING.—The Secretary, in cooperation with Atlanta Centennial Olympic Properties, shall develop and implement a marketing program to promote and sell the coins authorized hereunder both within the United States and internationally.

SEC. 107. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods or services necessary for carrying out the provisions of this title.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this title from complying with any law relating to equal employment opportunity, except that no person shall be treated as a Federal contractor as a result of participating as a consignee of the United States Mint under section 106(d) for purposes of any reporting requirement with respect to any equal employment opportunity provision in any Federal procurement law.

SEC. 108. DISTRIBUTION OF SURCHARGES.

(a) IN GENERAL.—All surcharges which are received by the Secretary from the sale of coins issued under this title shall be promptly paid by the Secretary to Atlanta Centennial Olympic Properties.

(b) USE OF PROCEEDS.—

(1) IN GENERAL.—Amounts received under subsection (a) (net of expenses incurred by Atlanta Centennial Olympic Properties in connection with the coin program) shall be distributed equally to the Atlanta Committee for the Olympic Games, Inc. and the United States Olympic Committee.

(2) ATLANTA COMMITTEE FOR THE OLYMPIC GAMES.—Amounts distributed to the Atlanta Committee for the Olympic Games, Inc. may be used by the Atlanta Committee for the Olympic Games, Inc. to stage and promote the 1996 Atlanta Olympic Games.

(3) UNITED STATES OLYMPIC COMMITTEE.—Amounts distributed to the United States Olympic Committee shall be used by the United States Olympic Committee for the objects and purposes of the Committee as established in the Amateur Sports Act of 1978.

(c) AMERICAN GOODS AND SERVICES REQUIRED.—

(1) IN GENERAL.—Notwithstanding any other provision of law—

(A) only such unmanufactured articles, materials, and supplies as have been mined or produced in the United States;

(B) only such manufactured articles, materials, and supplies as have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in, and with services provided in, the United States; and

(C) only such services as are provided in the United States,

shall be acquired, directly or indirectly, by the Atlanta Committee for the Olympic Games, Inc. or the United States Olympic Committee with amounts provided to such Committees under this section.

(2) EXCEPTION.—Paragraph (1) shall not apply with respect to the acquisition of any article, material, supply, or service, as the case may be, by the Atlanta Committee for the Olympic Games, Inc. or the United States Olympic Committee which is not described in such paragraph if such Committee determines that—

(A) the cost of acquiring the article, material, supply, or service described in paragraph (1) is unreasonably expensive;

(B) articles, materials, or supplies of the class or kind to be used or acquired, or the articles, materials, or supplies from which they are manufactured, are not mined, produced, or manufactured in, or services involved with such manufacture are not available in, the United States; or

(C) services of the class or kind to be acquired are not provided in the United States.

SEC. 109. AUDITS.

The Comptroller General shall have the right to examine such books, records, documents, and other data of Atlanta Centennial Olympic Properties, Atlanta Committee for the Olympic Games, Inc., and the United States Olympic Committee as may be related to the expenditure of amounts received by such entities under section 108.

SEC. 110. FINANCIAL ASSURANCES.

(a) NO NET COST TO THE GOVERNMENT.—The Secretary shall take all actions necessary to ensure that the issuance of the coins authorized by this title shall result in no net cost to the United States Government.

(b) ADEQUATE SECURITY FOR PAYMENT REQUIRED.—No coin shall be issued under this title unless the Secretary has received—

(1) full payment for such coin;

(2) security satisfactory to the Secretary to indemnify the United States for full payment of the coin;

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board; or

(4) an agreement acceptable to the Secretary that coins held in the custody of a consignee pursuant to section 106(d) are adequately secured.

SEC. 111. RECIPROCITY OF OLYMPIC COIN SALES.

With respect to any coin issued by a foreign country in commemoration of the 1996 Atlanta Centennial Olympic Games—

(1) the Secretary shall determine whether the foreign country accords (or, by January 1, 1995, will accord) the coins issued under this Act the same competitive treatment (including effective market access) as the United States accords the coins issued by the foreign country; and

(2) if not, the Secretary may ban the importation of such coins into the United States.

SEC. 112. REPORTS TO CONGRESS.

(a) REPORTS REQUIRED.—Not later than 15 days after the last day of each calendar quarter which ends before April 1, 1997, the Secretary shall transmit to the Committee on Banking, Finance, and Urban Affairs of the House of Representatives and the Committee on Banking, Housing and Urban Affairs of the Senate a report detailing activities carried out under this title during such quarter.

(b) CONTENTS OF REPORT.—The report shall include a review of all marketing activities under section 106 and a financial statement.

TITLE II—U.S. MINT REAUTHORIZATION

SEC. 201. SHORT TITLE.

This title may be cited as the "United States Mint Reauthorization and Reform Act of 1992".

Subtitle A—Reauthorization of Appropriations

SEC. 211. REAUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1993.

Section 5132(a) of title 31, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking "$46,511,000" and inserting "$54,208,000"; and

(B) by striking "1988" and inserting "1993"; and

(2) by striking paragraphs (3) and (4).

Subtitle B—Reform of United States Mint Operations

SEC. 221. NUMISMATIC PUBLIC ENTERPRISE FUND ESTABLISHED.

(a) IN GENERAL.—Subchapter III of chapter 51 of subtitle IV of title 31, United States Code, is amended by adding at the end the following new section:

"§ 5134. Numismatic Public Enterprise Fund.

"(a) DEFINITIONS.—For purposes of this section—

"(1) FUND.—The term 'Fund' means the Numismatic Public Enterprise Fund.

"(2) MINT.— The term 'Mint' means the United States Mint.

"(3) NUMISMATIC ITEM.—The term 'numismatic item' means any medal, proof coin, uncirculated coin, bullion coin, or other coin specifically designated by statute as a numismatic item, including products and accessories related to any such medal, coin, or item.

"(4) NUMISMATIC OPERATIONS AND PROGRAMS.—The term 'numismatic operations and programs'—

"(A) means the activities concerning, and assets utilized in, the production, administration, sale, and management of numismatic items and the Numismatic Public Enterprise Fund; and

"(B) includes capital, personnel salaries, functions relating to operations, marketing, distribution, promotion, advertising, and official reception and representation, the acquisition or replacement of equipment, and the renovation or modernization of facilities (other than the construction or acquisition of new buildings).

"(5) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

"(b) ESTABLISHMENT OF FUND.—There is hereby established in the Treasury of the United States a revolving Numismatic Public Enterprise Fund consisting of amounts deposited in the fund under subsection (c)(2) of this section or section 221(b) of the United States Mint Reauthorization and Reform Act of 1992 which shall be available to the Secretary for numismatic operations and programs of the United States Mint without fiscal year limitation.

"(c) OPERATIONS OF THE FUND.—

"(1) PAYMENT OF EXPENSES.—Any expense incurred by the Secretary for numismatic operations and programs which the Secretary determines, in the Secretary's sole discretion, to be ordinary and reasonable incidents of the numismatic business shall be paid out of the Fund, including any expense incurred pursuant to any obligation or other commitment of Mint numismatic operations and programs which was entered into before the beginning of fiscal year 1993.

"(2) DEPOSIT OF RECEIPTS.—All receipts from numismatic operations and programs shall be deposited into the Fund.

"(3) TRANSFER OF SEIGNIORAGE.—The Secretary shall transfer monthly from the Fund to the general fund of the Treasury an amount equal to the total amount on the seigniorage of numismatic items sold since the date of any preceding transfer.

"(4) EXPENSES OF CITIZENS COMMEMORATIVE COIN ADVISORY COMMITTEE.—For purposes of paragraph (1), any expense incurred by the Secretary in connection with the Citizens Commemorative Coin Advisory Committee established under section 5135 shall be treated as an expense incurred for numismatic operations and programs which is an ordinary and reasonable incident of the numismatic business.

"(5) TRANSFER OF EXCESS AMOUNTS TO THE TREASURY.—

"(A) IN GENERAL.—At such times as the Secretary determines to be appropriate, the Secretary shall transfer any amount in the Fund which the Secretary determines to be in excess of the amount required by the Fund to the Treasury for deposit as miscellaneous receipts.

"(B) REPORT TO CONGRESS.—The Secretary shall submit an annual report to the Congress containing—

"(i) a statement of the total amount transferred to the Treasury pursuant to subparagraph (A) during the period covered by the report;

"(ii) a statement of the amount by which the amount on deposit in the Fund at the end of the period covered by the report exceeds the estimated operating costs of the Fund for the 1-year period beginning at the end of such period; and

"(iii) an explanation of the specific purposes for which such excess amounts are being retained in the Fund.

"(d) BUDGET TREATMENT.—

"(1) IN GENERAL.—The Secretary shall prepare budgets for the Fund, and estimates and statements of financial condition of the Fund in accordance with the requirements of section 9103 which shall be submitted to the President for inclusion in the budget submitted under section 1105.

"(2) INCLUSION IN ANNUAL REPORT.—Statements of the financial condition of the Fund shall be included in the Secretary's annual report on the operation of the Mint.

"(3) TREATMENT AS WHOLLY OWNED GOVERNMENT CORPORATION FOR CERTAIN PURPOSES.—Section 9104 shall apply to the Fund to the

same extent such section applies to wholly owned Government corporations.

"(e) FINANCIAL STATEMENTS, AUDITS, AND REPORTS.—

"(1) ANNUAL FINANCIAL STATEMENT REQUIRED.—By the end of each calendar year, the Secretary shall prepare an annual financial statement of the Fund for the fiscal year which ends during such calendar year.

"(2) CONTENTS OF FINANCIAL STATEMENT.—Each statement prepared pursuant to paragraph (1) shall, at a minimum, reflect—

"(A) the overall financial position (including assets and liabilities) of the Fund as of the end of the fiscal year;

"(B) the results of the numismatic operations and programs of the Fund during the fiscal year;

"(C) the cash flows or the changes in financial position of the Fund; and

"(D) a reconciliation of the financial statement to the budget reports of the Fund.

"(3) ANNUAL AUDITS.—

"(A) IN GENERAL.—Each annual financial statement prepared under paragraph (1) shall be audited—

"(i) by—

"(I) an independent external auditor; or

"(II) the Inspector General of the Department of the Treasury,

as designated by the Secretary; and

"(ii) in accordance with the generally accepted Government auditing standards issued by the Comptroller General of the United States.

"(B) AUDITOR'S REPORT REQUIRED.—The auditor designated to audit any financial statement of the Fund pursuant to subparagraph (A) shall submit a report—

"(i) to the Secretary by March 31 of the year beginning after the end of the fiscal year covered by such financial statement; and

"(ii) containing the auditor's opinion on—

"(I) the financial statement of the Fund;

"(II) the internal accounting and administrative controls and accounting systems of the Fund; and

"(III) the Fund's compliance with applicable laws and regulations.

"(4) ANNUAL REPORT ON FUND.—

"(A) REPORT REQUIRED.—By April 30 of each year, the Secretary shall submit a report on the Fund for the most recently completed fiscal year to the President, the Congress, and the Director of the Office of Management and Budget.

"(B) CONTENTS OF ANNUAL REPORT.—The annual report required under subparagraph (A) for any fiscal year shall include—

"(i) the financial statement prepared under paragraph (1) for such fiscal year;

"(ii) the audit report submitted to the Secretary pursuant to paragraph (3)(B) for such fiscal year;

"(iii) a description of activities carried out during such fiscal year;

"(iv) a summary of information relating to numismatic operations and programs contained in the reports on systems on internal accounting and administrative controls and accounting systems submitted to the President and the Congress under section 3512(c);

"(v) a summary of the corrective actions taken with respect to material weaknesses relating to numismatic operations and programs identified in the reports prepared under section 3512(c);

"(vi) any other information the Secretary considers appropriate to fully inform the Congress concerning the financial management of the Fund; and

"(vii) a statement of the total amount of excess funds transferred to the Treasury.

"(5) MARKETING REPORT.—

"(A) REPORT REQUIRED FOR 10 YEAR.—For each fiscal year beginning before fiscal year 2003, the Secretary shall submit an annual report on all marketing activities and expenses of the Fund to the Congress before the end of the 3-month period beginning at the end of such fiscal year.

"(B) CONTENTS OF REPORT.—The report submitted pursuant to subparagraph (A) shall contain a detailed description of—

"(i) the sources of income including surcharges; and

"(ii) expenses incurred for manufacturing, materials, overhead, packaging, marketing, and shipping.".

(b) INITIAL FUNDING OF FUND FROM EXISTING NUMISMATIC OPERATIONS.—

(1) IN GENERAL.—As soon as practicable after the end of fiscal year 1992, the Secretary of the Treasury shall transfer to the Fund—

(A) from the Mint's numismatic profits for such fiscal year, an amount which the Secretary determines to be necessary—

(i) to meet existing numismatic liabilities and obligations; and

(ii) to provide working capital for Mint numismatic operations and programs; and

(B) all numismatic receivables, and the numismatic operations and programs (including liabilities and other obligations) of the United States Mint, and the land and buildings of the San Francisco Mint, the Old San Francisco Mint, and the West Point Mint, capitalized at current book value as carried in the Mint combined statement of financial condition.

(2) EXCESS AMOUNTS TO BE DEPOSITED IN THE GENERAL FUND.—That portion of the total amount of numismatic profits for fiscal year 1992 which remains after the transfer to the Fund pursuant to paragraph (1)(A) is made shall be deposited by the Secretary in the general fund of the Treasury as soon as practicable after the end of the fiscal year.

(3) DEFINITIONS.—For purposes of paragraphs (1) and (2)—

(A) NUMISMATIC PROFIT.—The term "numismatic profit" means the amount which is equal to the proceeds (including seigniorage) from the sale of numismatic items minus the costs of numismatic operations and programs.

(B) NUMISMATIC RECEIVABLE.—The term "numismatic receivable" means any account receivable from numismatic operations and programs, including chargebacks, returned checks, amounts due from special order sales, and amounts due from consignment sales.

(C) OTHER TERMS.—The terms "Fund" and "numismatic item" have the meaning given to such terms in the amendment made by subsection (a).

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 5132(a)(1) of title 31, United States Code, is amended—

(A) by striking the 2d sentence and inserting the following new sentence: "Expenditures made from appropriated funds which are subsequently determined to be properly chargeable to the Numismatic Public Enterprise Fund established by section 5134 shall be reimbursed by such Fund to the appropriation."; and

(B) by striking the last sentence and inserting the following new sentence: "Except with respect to amounts deposited in the Numismatic Public Enterprise Fund in accordance with section 5134, the Secretary may not use amounts the Secretary receives from profits on minting coins or from charges on gold or silver bullion under section 5122 to pay officers and employees.".

(2) Effective October 1, 1992, the following provisions of law are hereby repealed:

(A) Section 2(f) of the Gold Bullion Coin Act of 1985.

(B) Section 8 of the Dwight David Eisenhower Commemorative Coin Act of 1988.

(C) Section 10 of the Mount Rushmore Commemorative Coin Act.

(D) Section 12 of the United Service Organization's 50th Anniversary Commemorative Coin Act.

(E) Section 10 of the 1992 Olympic Commemorative Coin Act.

(F) Section 10 of the Korean War Veterans Memorial Thirty-Eighth Anniversary Commemorative Coin Act.

(G) Section 110 of the 1992 White House Commemorative Coin Act.

(H) Section 210 of the World Cup USA 1994 Commemorative Coin Act.

(I) Section 410 of the Frank Annunzio Act.

(d) CLERICAL AMENDMENT.—The table of sections for subchapter III of chapter 51 of subtitle IV of title 31, United States Code, is amended by inserting after the item relating to section 5133 the following new item:

"5134. Numismatic Public Enterprise Fund.".

(e) SCOPE OF APPLICATION.—The amendments made by this section shall apply with respect to fiscal years beginning after fiscal year 1992.

SEC. 222. COST OF COIN BAGS AND PALLETS INCLUDED WITHIN MEANING OF COST OF DISTRIBUTING COINS.

The 4th sentence of section 5111(b) of title 31, United States Code, is amended by inserting ", including the cost of coin bags and pallets" before the period.

SEC. 223. PROTECTION OF THE NAME "UNITED STATES MINT".

Section 709 of title 18, United States Code, is amended by inserting immediately after the 11th undesignated paragraph the following new paragraph:

"Whoever, except with the written permission of the Director of the United States Mint, knowingly uses the words 'United States Mint' or 'U.S. Mint' or any colorable imitation of such words, in connection with any advertisement, circular, book, pamphlet, or other publication, play, motion picture, broadcast, telecast, or other production, in a manner reasonably calculated to convey the impression that such advertisement, circular, book, pamphlet, or other publication, play, motion picture, broadcast, telecast, or other production, is approved, endorsed, or authorized by or associated in any manner with, the United States Mint; or".

SEC. 224. REPAIR AND IMPROVEMENT OF THE UNITED STATES MINT AT PHILADELPHIA.

Section 5131 of title 31, United States Code, is amended by striking subsection (e).

SEC. 225. TECHNICAL AMENDMENTS RELATING TO THE REDESIGNATION OF THE BUREAU OF THE MINT AS THE UNITED STATES MINT.

(a) REDESIGNATION OF THE BUREAU OF THE MINT AS THE UNITED STATES MINT.—Section 304(a) of title 31, United States Code, is amended by striking "Bureau of the Mint" and inserting "United States Mint".

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 304(b)(1) of title 31, United States Code, is amended by striking "Bureau" and inserting "Mint".

(2) The heading for section 304 of title 31, United States Code, is amended to read as follows:

"§ 304. United States Mint".

(3) The 1st sentence of section 5131(a) of title 31, United States Code, and the 1st and 3d sentences of section 5132(a) of such title are each amended by striking "Bureau of the Mint" each place such term appears and inserting "United States Mint".

(4) Sections 5131(b) and 5132(c) of title 31, United States Code, are each amended by striking "Bureau" and inserting "United States Mint".

(5) The heading for subchapter III of chapter 51 of title 31, United States Code, is amended to read as follows:

"SUBCHAPTER III—UNITED STATES MINT".

(6) The table of sections for chapter 51 of title 31, United States Code, is amended by striking the item relating to subchapter III of such chapter and inserting the following:

"SUBCHAPTER III—UNITED STATES MINT".

SEC. 226. CLARIFICATION OF LAW RELATING TO THE CODIFICATION OF TITLE 31, UNITED STATES CODE.

(a) INSCRIPTION REQUIREMENTS.—Section 5112(d)(1) of title 31, United States Code, is amended—

(1) in the 1st sentence, by inserting "shall" before "have"; and

(2) in the 2d and 3d sentences, by striking "has" and inserting "shall have".

(b) CURRENCY REDEMPTION REQUIREMENT.—Section 5119(b)(2) of title 31, United States Code, is amended to read as follows:

"(2) REDEMPTION, CANCELLATION, AND DESTRUCTION OF CURRENCY.—The Secretary shall—

"(A) redeem any currency described in paragraph (1) from the general fund of the Treasury upon presentment to the Secretary; and

"(B) cancel and destroy such currency upon redemption.".

SEC. 227. GENERAL WAIVER OF PROCUREMENT REGULATIONS FOR GOLD AND SILVER BULLION COINS.

Section 5112 of title 31, United States Code, is amended by adding at the end the following new subsection:

"(j) GENERAL WAIVER OF PROCUREMENT REGULATIONS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods or services necessary for minting, marketing, or issuing any coin authorized under paragraph (7), (8), (9), or (10) of subsection (a) or subsection (e), including any proof version of any such coin.

"(2) EQUAL EMPLOYMENT OPPORTUNITY.—Paragraph (1) shall not relieve any person entering into a contract with respect to any coin referred to in such paragraph from complying with any law relating to equal employment opportunity.".

SEC. 228. AUTHORITY OF THE SECRETARY OF THE TREASURY TO CHANGE THE SIZE, WEIGHT, DESIGN, AND ALLOY OF GOLD BULLION COINS.

Section 5112(i) of title 31, United States Code, is amended by adding at the end the following new paragraph:

"(4)(A) Notwithstanding any other provision of law and subject to subparagraph (B), the Secretary of the Treasury may change the diameter, weight, or design of any coin minted under this subsection or the fineness of the gold in the alloy of any such coin if the Secretary determines that the specific diameter, weight, design, or fineness of gold which differs from that otherwise required by law is appropriate for such coin.

"(B) The Secretary may not mint any coin with respect to which a determination has been made by the Secretary under subparagraph (A) before the end of the 30-day period beginning on the date a notice of such determination is published in the Federal Register.".

SEC. 229. CITIZENS COMMEMORATIVE COIN ADVISORY COMMITTEE.

(a) IN GENERAL.—Subchapter III of chapter 51 of subtitle IV of title 31, United States Code, is amended by inserting after section 5134 (as added by section 221 of this subtitle) the following new section:

"§ 5135. Citizens Commemorative Coin Advisory Committee

"(a) ESTABLISHMENT REQUIRED.—

"(1) IN GENERAL.—The Secretary of the Treasury shall establish a Citizens Commemorative Coin Advisory Committee (hereafter in this section referred to as the 'Advisory Committee') to advise the Secretary on the selection of subjects and designs for commemorative coins.

"(2) OVERSIGHT OF ADVISORY COMMITTEE.—The Advisory Committee shall be subject to the direction of the Secretary of the Treasury.

"(3) MEMBERSHIP.—

"(A) VOTING MEMBERS.—The Advisory Committee shall consist of 7 members appointed by the Secretary of the Treasury—

"(i) 3 of whom shall be appointed from among individuals specially qualified to serve on the committee by reason of their education, training, or experience in art, art history, museum or numismatic collection curation, or numismatics;

"(ii) 1 of whom shall be appointed from among officers or employees of the United States Mint who will represent the interests of the Mint; and

"(iii) 3 of whom shall be appointed from among individuals who will represent the interest of the general public.

"(B) NONVOTING MEMBER.—A member of the Commission of Fine Arts may participate in the proceedings of the Advisory Committee as a nonvoting member.

"(4) TERMS.—No individual shall be appointed to serve as a member of the Advisory Committee for a term in excess of 5 years.

"(5) COMPENSATION; TRAVEL EXPENSES.—

"(A) NO COMPENSATION.—Members of the Advisory Committee shall serve without pay.

"(B) TRAVEL EXPENSES.—Members of the Advisory Committee shall be entitled to receive travel or transportation expenses, or a per diem allowance in lieu of expenses, while away from such member's home or place of business in connection with such member's service on the Advisory Committee.

"(6) FUNDING.—The expenses of the Advisory Committee which the Secretary of the Treasury determines are reasonable and appropriate shall be paid by the Secretary in the manner provided in section 5134.

"(b) DUTIES.—

"(1) PREPARATION OF PROPOSALS FOR COMMEMORATIVE COINS FOR 5-YEAR PERIOD.—The Advisory Committee shall—

"(A) designate annually the events, persons, or places that the Advisory Committee recommends be commemorated by the issuance of commemorative coins in each of the 5 calendar years succeeding the year in which such designation is made;

"(B) make recommendations with respect to the mintage level for any commemorative coin recommended under subparagraph (A); and

"(C) submit a report to the Congress containing a description of the events, persons, or places which the Committee recommends be commemorated by a coin, the mintage level recommended for any such commemorative coin, and the committee's reasons for such recommendations.

"(2) DESIGN SELECTION.—The Advisory Committee shall review proposed designs for commemorative coins and provide recommendations to the Secretary of the Treasury with respect to such proposals.

"(c) FEDERAL ADVISORY COMMITTEE ACT NOT APPLICABLE.—The Federal Advisory Committee Act shall not apply to the Advisory Committee.".

(b) CLERICAL AMENDMENT.—The table of sections for subchapter III of chapter 51 of subtitle IV of title 31, United States Code, is amended by inserting after the item relating to section 5134 (as added by section 211 of this subtitle) the following new item:

"5135. Numismatic Public Enterprise Fund.".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. TORRES] will be recognized for 20 minutes, and the gentleman from California [Mr. MCCANDLESS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. TORRES].

Mr. TORRES. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in support of the 1996 Atlanta Centennial Olympic Games Commemorative Coin Act.

I am delighted that the subcommittee has been able to support the U.S. effort for the 1996 Olympic Games to be held in Atlanta, GA. Our country and specifically the city of Atlanta have the privilege of hosting the Centennial of the Olympic Games.

I have worked closely with my esteemed colleague from the State of Georgia, Mr. BARNARD, to craft an excellent bill. I appreciate his willingness to work with me and my staff to make some changes that will not only help the 1996 Olympic Coin Program, but also help the U.S. Mint in all of its programs.

I ask my colleagues to support the bill and support the U.S. Olympic effort. Our athletes need our support to continue to train for the Olympics.

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

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

Mr. Speaker, I am pleased and I want to repeat that, I am pleased to rise in strong support of the DOUG BARNARD, JR.—1996 Atlanta Centennial Olympic Games Commemorative Coin Act.

Our Olympic athletes represent us, the American people.

We, as a nation, have every right to be proud of our athletes, and in their competitive skills.

Because our Olympic athletes do not receive Government subsidies, a coin program is an ideal means by which to raise the funds necessary to participate in the international games.

A commemorative coin program gives all Americans an opportunity to support our athletes and to share in their efforts.

The 1996 Summer Olympics will generate a very high level of interest for two reasons.

First, they will be the centennial games, commemorating the 100th anniversary of the re-establishment of the ancient tradition.

And second, the games will be in the United States, in the city of Atlanta.

I must admit that when I first saw the 2 year, multicoin, proposal, I had some reservations about the size and scope of the program.

However, after hearings on the bill, I repeat that, after hearings on the bill, and upon review of the detailed analysis which accompanied the proposal, it seemed to be a rather innovative approach.

Because we are talking about the Centennial Olympics, here in the United States, I am willing to support a very broad program.

In closing, I am very pleased to note that the Subcommittee on Consumer Affairs and Coinage adopted an amendment, which I offered, to the title of this bill.

That amendment honors our distinguished colleague from Georgia, DOUG BARNARD, who, after 16 years in the House of Representatives, is retiring.

Few people in Congress command the respect and admiration from both sides of the aisle, I might add, as does DOUG BARNARD.

Few Members of Congress have the expertise and experience that our colleague from Georgia brought to the House and to the Banking Committee, and we are always indebted.

Those of us who have had the honor and the privilege to serve with DOUG, and who have benefited from his wise counsel and friendship over the years, know how much he will be missed.

I support this legislation, and I reserve the balance of my time.

Mr. TORRES. Mr. Speaker, I thank my colleague from California, the ranking minority member of our subcommittee, for agreeing with us on this measure. In fact, I thank him for having introduced the title of the bill, the DOUG BARNARD, Jr—1996 Atlanta Centennial Olympic Games Commemorative Coin Act, and certainly the name and the title of that act is well deserved for the gentleman from Atlanta.

Mr. Speaker, I yield such time as he may consume to the gentleman from Atlanta, GA [Mr. BARNARD] to speak on this act.

Mr. BARNARD. Mr. Chairman, at the outset I certainly want to thank the chairman of this distinguished committee, the gentleman from California [Mr. TORRES] for the support that he has given us in producing this very fine bill, H.R. 3654, the Atlanta coin bill. And certainly I want to thank the gentleman from California [Mr. MCCANDLESS] my dear friend, for his kindness and courtesy in identifying the title of this bill as he has so done. I am certainly honored by this designation, I am humbled by it, and I am very proud of it.

This is an historic moment this morning as we pass this bill, not because of the title but because of the fact that in 1996 we will be observing the 100th anniversary of the modern-day Olympics, and it will be in the United States. That is very important. But just as important to me is the fact that it is going to be in my home State of Georgia, and we are very proud. We are working hard to make this one of the best if not the best Olympics in the last century, and we are very proud of that and working very hard toward that.

This bill that we are bringing before the House tonight is no exception from the standpoint of hard work. As the gentleman from California [Mr. MCCANDLESS] has said, we have diligently prepared marketing studies, we have worked with the numismatics of the country, we have worked in order to structure a bill that would be as ideal as far as the coin program could be, and with great pride I can recommend it to the Members of the House this morning.

Mr. Speaker, I would appreciate very much if the gentleman from California [Mr. TORRES], chairman of the subcommittee, would enter into a colloquy.

Mr. TORRES. If the gentleman will yield, I am pleased to engage in a colloquy with my colleague from Atlanta.

Mr. BARNARD. Mr. Chairman, these Olympic coins have tremendous sales potential. Is it the intent of Committee on Banking, Finance and Urban Affairs that the U.S. Mint employ creativity and aggressiveness in marketing the coins under this act in order to maximize sales of the coins?

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Mr. TORRES. The gentleman is correct. The committee expects the mint to work with the Atlanta Committee for the Olympic games to prepare an advertising budget which really reflects the increased markets and tremendous potential of this program.

Mr. BARNARD. Is it the committee's intent that the mint pursue the reestablishment of a successful consignment program?

Mr. TORRES. That is correct. I can attest to that. Yes.

Mr. BARNARD. Does the committee expect the mint to build on the international marketing program developed through the World Cup Coin Program, and develop a budget for international sales taking into account the growth based on that very worthwhile program?

Mr. TORRES. Yes. The World Cup Soccer Coin Program does have great international sales potential. The committee does indeed expect the mint to build on that potential in the Atlanta Olympic Program.

Mr. BARNARD. A successful marketing effort depends on coordination with the promotional efforts related to the Olympic games. In order to maximize sales, the mint must work with the marketing partnership of the USOC and ACOG, Atlanta Centennial Olympic Properties. Is it the committee's intent that the mint cooperate and coordinate its marketing efforts with Atlanta Centennial Olympic Properties, and consult with it as the mint solicits and selects providers of advertising and public relation services?

Mr. TORRES. Yes, the gentleman is correct on that, too.

Mr. BARNARD. The Olympic Coin Program is going to be a large one, designed to sell coins in the United States and throughout the world. Marketing and sales decisions must take into account the three markets that must be effectively serviced—the collector, souvenir, and international. Does the committee intend that the mint include both the souvenir and international markets in the initial pre-issue and bulk offerings, and that the mint consider utilizing more flexible plans for selling coins to collectors?

Mr. TORRES. That is the intent of the committee, making sure that there is an effective marketing program and that it is carried out with other mint coin programs. The gentleman is probably aware, I say to the gentleman from Georgia [Mr. BARNARD], that I and the committee have been guaranteeing that the mint carry out this type of program with the world soccer coin as well.

Mr. BARNARD. Well, I thank the chairman for that statement, and as he knows and we all know, on this committee, good coin design is essential to the successful coin program. Does the committee expect the mint to use marketing experts or focus groups in evaluating coin design to ensure marketability?

Mr. TORRES. Yes, indeed, it does. The committee believes that coin designs must be evaluated for their appeal to purchasers, as with the marketing practices that I just mentioned; the committee believes that experts should participate in evaluating the esthetic aspects of good coin design to ensure that collectors and the numismatic community is satisfied out there in the collector community.

Mr. BARNARD. I want to thank the distinguished chairman for this colloquy and, at the same time, thank him for his cooperation throughout in this bill, and also the participation of the staff, who have done an excellent job in helping us forge this legislation.

Mr. TORRES. I thank the gentleman from Georgia, and I once again congratulate him for having the name of this act carried with him, once again, indicating the tremendous service that he has provided not only for the State of Georgia but to the Members and to

this Congress of the United States. I thank the gentleman.

Mr. McCANDLESS. Mr. Chairman, I yield such time as he may consume to the distinguished ranking minority member of the Committee on Banking, Finance and Urban Affairs, the gentleman from Ohio [Mr. WYLIE].

Mr. WYLIE. Mr. Speaker, I thank my friend, the gentleman from California, for yielding me this time again.

I am pleased that the gentleman from California [Mr. McCANDLESS] is supporting this legislation. It makes it a lot easier for me.

But I rise to commend the gentleman from Georgia [Mr. BARNARD] for introducing the bill on behalf of the entire Georgia delegation.

I rise to day in strong support of H.R. 3654, the Doug Barnard, Jr.—1996 Atlanta Centennial Olympic Games Commemorative Coin Act. I would like to commend Subcommittee Chairman TORRES for moving this bill through the committee in a timely manner and I am pleased Congressman McCANDLESS is supporting this legislation.

I would especially like to commend Congressman BARNARD for introducing this bill on behalf of the entire Georgia delegation. I would also like to take this opportunity to say that my dear friend and colleague, Mr. BARNARD, he will be missed after 16 years in the House of Representatives. The contributions he has made to both the Banking Committee and the House of Representatives have been invaluable, and his retirement will be a tremendous loss to this institution and to those of us who have had the privilege to work closely with him. It is most appropriate that this coin bill be named in his honor.

The United States has been given the rare opportunity to host the Olympic summer games in 1996 and, in addition, to host the 100th anniversary of the modern Olympics. The United States, however, is the only country which does not use Government funds to support its athletes.

Therefore, revenue generated from this coin program is greatly needed to help ensure that enough private funds are raised to host the games and to support our athletes.

The Olympic game committees, the Olympic athletes, the mint, and the coin collectors have all expressed their strong dedication to making this coin program a success. I urge my colleagues to support the 1996 Olympic Coin Program to allow our American citizens to contribute toward an event which symbolizes patriotism, talent, and the spirit of competition.

Mr. McCANDLESS. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia [Mr. GINGRICH], the distinguished minority whip.

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

Mr. Speaker, I wanted to say thank you, first of all, to the bipartisan leadership on the subcommittee for reporting this bill and to congratulate my good friend, the gentleman from Georgia [Mr. BARNARD], for having this bill named for him.

You know, he has bipartisan respect for the job he has done, not just in banking, but as a Member of this body. We are going to miss him in the Georgia delegation, and I think on a bipartisan basis throughout the House.

I wanted to rise both to recognize his role and also to indicate my strong support for this bill.

It is a tremendous thing for Atlanta to have the 100th anniversary of the modern Olympics in Atlanta in 1996. It is a great opportunity and one that, under Billy Payne's leadership, we are all working together to try to ensure that Atlanta and the United States live up to creating the finest Olympics ever.

With the money which I understand may amount to as much as $100 million, divided between the U.S. Olympic Committee and the Atlanta Olympic Committee, coming out of this bill on a voluntary basis from those citizens that want to participate, this is a major step forward in making sure the Olympics are truly a remarkable and memorable event in Atlanta.

But I want to thank the committee, both the chairman, the gentleman from California [Mr. TORRES], the ranking member, the gentleman from California [Mr. McCANDLESS], and I want to thank all of the folks who helped us, and, again, I just want to say to the gentleman from Georgia [Mr. BARNARD], thank you for all of your leadership. We are going to miss you. I think this is a very, very appropriate bill to name for you.

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

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

Mr. Speaker, we have had much discussion tonight about Georgia, indeed, in thanking our colleague, the gentleman from Georgia [Mr. BARNARD].

I would be remiss if I did not correct the RECORD and say that although we have talked a lot about Atlanta tonight, he is not from Atlanta. He is from Augusta, GA, and I would like to correct the RECORD to that degree.

Mr. ROWLAND. Mr. Speaker, I rise in strong support of H.R. 3654, the Doug Barnard, Jr. 1996 Atlanta Centennial Olympic Games Commemorative Coin Act.

As we look toward the upcoming Olympic games in Barcelona, I believe that we can begin to get even more excited about hosting the games in our own country. In only 4 short years the City of Atlanta and the State of Georgia have the honor of being host to the 1996 Olympics.

It is time to plan and prepare to host the finest Olympic games ever held. We must have the resources necessary to fund the requirements that go along with the 1996 games. The Olympic Coin bill will produce an estimated $100 million dollars that will be used to stage the 1996 games in Atlanta, GA.

I am pleased that this coin bill bares the name of my good friend and fellow Georgian, Doug Barnard, who worked so hard to bring this bill to the floor. We certainly will miss Doug next year.

I ask my colleagues to join me in support of this bill that will serve as a means of generating revenue to promote the 1996 Olympic games.

GENERAL LEAVE

Mr. BARNARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3654, the bill now under consideration.

The SPEAKER pro tempore (Mr. McDERMOTT). Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DARDEN. Mr. Speaker, I rise today in strong support of the Doug Barnard, Jr. 1996 Atlanta Centennial Olympic Games Commemorative Coin Act.

As many of you know, 1991 was an amazing year in the sports life of Atlanta, which had once been designated by Sports Illustrated as "Loserville." Evander Hollyfield became the heavyweight champion of the world. Georgia Tech was the national collegiate football champions. The Atlanta Braves won the National League pennant. And, Atlanta was designated as the host for the 1996 Summer Olympic games.

But while the awarding of the Olympics was important to Atlanta, it was more important to our Nation. Competing with cities throughout the world for the honor of hosting the 1996 Olympics, Atlanta, and the United States, was found to be the city with the most promise and potential for a successful Olympiad. The entire Nation applauded the International Olympic Committee's decision.

But now, the real work begins. We must come together as a nation to promote and fund these games. The 1996 Olympics will require tremendous time, dedication, organization, and funding to be successful. This Commemorative Coin Act, which has been named after my friend and colleague, is the first step toward funding these games. I urge the support of the House.

Mr. McMILLEN of Maryland. Mr. Speaker, I rise in strong support of H.R. 3654.

The honor of participating in the 1972 Munich games was one of the most exciting times of my life. I feel strongly that the Olympic games are among the finest traditions in the human experience. Through the spirit of friendly competition, political and ideological differences are put aside, and the drive towards human excellence is fostered.

H.R. 3654, the Olympic coin legislation, is an important component of the Olympic movement, for it is one of the key avenues of providing funding for our Olympic athletes.

As many know, the United States remains one of the only nations in the world which does not provide direct funding to Olympic

athletes. While the private sector plays the greatest role in providing assistance to our Olympians, the coin bill provides needed funding at no cost to the U.S. taxpayer.

The revenue generated by the coin bill creates the kind of crucial support for athletes which allows them the time to train for the games. It allows for the flexibility without which Olympic careers remain nothing more than dreams.

The coin legislation also provides funding for grassroots programs, funding for training equipment and facilities at the Olympic training centers, and other uses. The revenue raised by H.R. 3654 through its surcharges will also benefit the Atlanta Committee on the Olympic Games and the U.S. Olympic Committee. While it is not the only source of revenue for the U.S. Olympic movement, it is an important one, and has a proven track record, both for the 1984 games, as well as the 1988 games.

As a former Olympian, I understand the keen importance of amateur athletics, and how important funding or the lack of funding is to an Olympic career. Consequently, I commend Chairman TORRES and Representative BARNARD for their efforts on this legislation, and urge passage of H.R. 3654.

Mr. TORRES. 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 California [Mr. TORRES] that the House suspend the rules and pass the bill, H.R. 3654, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: Amend the title so as to read: "An Act To provide for the minting of commemorative coins to support the 1996 Atlanta Centennial Olympic Games and the programs of the United States Olympic Committee, to reauthorize and reform the United States Mint, and for other purposes.".

A motion to reconsider was laid on the table.

FOOD SECURITY ACT OF 1985 AMENDMENTS

Mr. DE LA GARZA. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2780) to amend the Food Security Act of 1985 to remove certain easement requirements under the conservation reserve program, and for other purposes.

The Clerk read as follows:

S. 2780

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REMOVAL OF CERTAIN EASEMENT REQUIREMENTS UNDER CONSERVATION RESERVE PROGRAM.

(a) CONSERVATION RESERVE.—Section 1231(b)(4)(C) of the Food Security Act of 1985 (16 U.S.C. 3831(b)(4)(C)) is amended by striking ", and made subject to an easement for the useful like of,".

(b) CONVERSION OF LAND SUBJECT TO CONTRACT TO OTHER CONSERVING USES.—Section 1235A(a)(2) of such Act (16 U.S.C. 3835a(a)(2)) is amended—

(1) by striking subparagraph (A) and inserting the following new subparagraph:

"(A) EXTENSION OF CONTRACT.—With respect to a contract that is modified under this section that provides for the planting of hardwood trees, windbreaks, shelterbelts, or wildlife corridors, if the original term of the contract was less than 15 years, the owner or operator may extend the contract to a term of not to exceed 15 years.";

(2) by striking subparagraph (B); and

(3) by redesignating subparagraph (C) as subparagraph (B).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. DE LA GARZA] will be recognized for 20 minutes and the gentleman from Missouri [Mr. COLEMAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 2780, and recommend its adoption by the Members of the House.

S. 2780 would amend the Food Security Act of 1985 to remove certain easement requirements under the conservation reserve program. These requirements have become an unintended impediment to enrollment of additional lands in the conservation reserve program [CRP]. The elimination of these requirements is necessary to restore interest in the enrollment in the CRP of certain lands to provide cost-effective soil erosion and water quality protection in many areas of the Midwest.

The problem that this legislation seeks to correct is related to a provision in the Food, Agriculture, Conservation, and Trade Act [FACTA] of 1990 which requires that certain conservation plantings be protected with an easement covering their useful life in order to qualify for enrollment in the conservation reserve program [CRP]. Thus, croplands that are newly established living snow fences, permanent wildlife habitat, windbreaks, shelterbelts, or filterstrips devoted to trees or shrubs must be made subject to an easement for the useful life of the plantings in order to qualify for entry into the CRP during the 1991 through 1995 calendar years.

The problem is that in developing the regulations for the CRP, as amended by the 1990 FACTA, the Department of Agriculture extended the useful life easement requirements to other lands which might qualify for conservation reserve enrollment. This includes croplands that are newly created, permanent grass sod waterways, or are contour grass sod strips established and maintained as part of an approved conservation plan. These were also made subject to a useful life easement in order to qualify for enrollment. While this was not the Congress' intention in adopting this portion of the legislation, the decision of the Department of Agriculture to extend the useful life easement requirements to include grass sod waterways and strips has apparently reduced interest among farmers in enrolling these lands in the conservation reserve.

In order to eliminate this disincentive, S. 2780 would drop the useful life easement requirement as a condition of eligibility for enrollment in the CRP. In addition, S. 2780 would strike the provision of current law that requires easements to be placed on any highly erodible cropland subject to an existing CRP contract that the owner wishes to convert to windbreaks, shelterbelts, or wildlife corridors.

I would like to stress that my support for S. 2780 should not in any way be interpreted to diminish my commitment or that of the Committee on Agriculture to other easement programs which were a part of the FACTA, such as the wetland reserve program [WRP] and the environmental easement program.

The WRP has been particularly well-received, with interest in enrollment far exceeding the resources available for easements. I would recommend no changes in this program except additional funding to permit its full implementation.

Mr. Speaker, the Department of Agriculture supports the enactment of S. 2780 and intends to implement it as a part of future signups for the CRP.

I urge my colleagues to support the passage of S. 2780.

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

Mr. COLEMAN of Missouri. Mr. Speaker, I rise in support of S. 2780, a bill to remove certain easement requirements provided for in the Conservation Reserve Program established under the Food Security Act of 1985.

This Senate bill was referred to our committee and favorably reported by voice vote on June 25, 1992.

This bill makes two relatively minor but important amendments to section 1231(b)(4)(C) and section 1235A(a)(2) of the Food Security Act of 1985 (FS Act).

The first amendment (section 1231(b)(4)(C)) would provide that certain highly erodible croplands enrolled under contract in the CRP Program that are planted to hardwood trees, windbreaks, shelterbelts, or wildlife corridors will no longer be made subject to an easement for the useful life of such conservation practices.

The second amendment would amend section 1235A(a)(2) of the FS Act of 1985 by rewording subparagraph (A) so as to continue to permit CRP contracts where the owner has converted the highly erodible cropland from vegetative cover to hardwood trees, windbreaks, shelterbelts, or wildlife corridors to extend the contract to 15 years and deleting subparagraph (B)

that requires such windbreaks etc. be subject to a conservation easement for the useful life of such plantings.

I am advised by representatives of USDA that these easement restrictions that were placed on certain highly erodible cropland devoted to relatively permanent conservation practices were for periods of 15 or 30 years. The easement areas were often required to be surveyed at some expense and a deed restriction filed in the local county recorder of deeds (or equivalent) office.

USDA representatives advise that on certain CRP sign-up periods as many as 80 percent of the bidders refused to enter contracts if they entailed such easements. They also advise that if a participant in the CRP Program agrees to extend the contract to 15 years and plant more permanent cover on a portion of the land, the amount the producer would be eligible to receive for the cost-sharing of payments from USDA for establishing the more permanent-type of cover to the land would have deducted therefrom any cost-sharing payment made to the producer for the vegetative cover planted earlier.

Farm groups, such as the American Farm Bureau Federation, support this bill, as does the U.S. Department of Agriculture. I urge the passage of S. 2780.

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Mr. COLEMAN of Missouri. Mr. Speaker, I yield back the balance of my time.

Mr. DE LA GARZA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. McDERMOTT). The question is on the motion offered by the gentleman from Texas [Mr. DE LA GARZA] that the House suspend the rules and pass the bill, S. 2780.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on S. 2780, the Senate bill just passed.

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

There was no objection.

ANNOUNCEMENT OF APPOINTMENT AS MEMBERS OF COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The SPEAKER pro tempore. Without objection pursuant to the provisions of section 3 of Public Law 93-304, as amended by section 1 of Public Law 99-7, the Chair announces the Speaker's appointment as members of the Commission on Security and Cooperation in Europe the following members of the House:

Mr. FASCELL of Florida, Chairman; Mr. JENKINS of Georgia; Mr. HERTEL of Michigan; Mr. FEIGHAN of Ohio; Mr. TANNER of Tennessee; Mr. FALEOMAVAEGA of American Samoa; Mr. BROOMFIELD of Michigan; Mr. BEREUTER of Nebraska, and Mr. COLEMAN of Missouri.

There was no objection.

TEXT OF EXCHANGE OF DIPLOMATIC NOTES BETWEEN THE UNITED STATES AND INDONESIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153 (b), (d)), the text of an exchange of diplomatic notes between the United States and Indonesia dated August 23, 1991, constituting an agreement to extend for 10 years the Agreement for Cooperation Between the United States of America and the Republic of Indonesia Concerning Peaceful Uses of Nuclear Energy signed at Washington, June 30, 1980. I am also pleased to transmit my written approval, authorization, and determination concerning the extension and a memorandum by the Director of the United States Arms Control and Disarmament Agency including a Nuclear Proliferation Assessment Statement. The joint memorandum submitted to me by the Secretary of State and the Secretary of Energy, which also includes other agency views, is also enclosed.

The proposed extension of the agreement for cooperation with the Republic of Indonesia has been negotiated in accordance with the Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978 and as otherwise amended. In my judgment, the proposed extension meets all statutory requirements and will advance the non-proliferation and other foreign policy interests of the United States. It provides for the agreement to remain in force for an additional period of 10 years. In all other respects, the text of the agreement remains the same as that reviewed favorably by the Congress in 1980/1981.

Indonesia is a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and is fully in compliance with its nuclear non-proliferation commitments under that Treaty.

I have considered the views and recommendations of the interested agencies in reviewing the proposed extension and have determined that continued performance of the agreement for cooperation will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I approved the agreement on extension and authorized its execution. I urge that the Congress give it favorable consideration.

This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Atomic Energy Act. The Administration is prepared to begin immediately consultations with the Senate Foreign Relations and House Foreign Affairs Committees as provided in section 123 b. Upon completion of the 30-day continuous session period provided for in section 123 b., the 60-day continuous session period provided for in section 123 d. shall commence.

GEORGE BUSH.

THE WHITE HOUSE, *June 30, 1992.*

VACATING SPECIAL ORDERS

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent to vacate the 60 minute special orders for the gentleman from Wisconsin [Mr. OBEY] on June 30, July 1, and July 2, 1992.

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

There was no objection.

ON BOSNIA-HERCEGOVINA

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

Mr. LIPINSKI. Mr. Speaker, the people of Bosnia-Hercegovina have endured 4 months of terrorism and 7,500 deaths at the hands of Serbian forces. During this time, they have pleaded for Western intervention. They wondered: Where are the Europeans? Where are the Americans?

Well, Mr. Speaker, they now have an answer to the first question. President Mitterrand of France arrived in Sarajevo on Sunday to demonstrate his solidarity with the citizens of Bosnia-Hercegovina. Considering the warfare in Sarajevo, I believe this was an unusual act of bravery on the part of President Mitterrand. I also salute him for taking this important symbolic step to show the world has not forgotten the Bosnians.

Yesterday a French plane carrying 6 tons of medicine and other supplies arrived in Sarajevo to provide some much-needed relief. This coincided with Serbian forces turning the airport

over to the United Nations. The United Nations Security Council also voted to send 1,000 Canadian troops from Croatia to secure the airport.

Where were the Americans while this was taking place? While Mitterrand was rallying the shell-shocked people of Sarajevo, President Bush was vainly trying to rally American voters for 4 more years. On Yugoslavia, the administration is still waiting in the wings hoping the turmoil is somehow resolved. The White House says its needs to wait and see how the United Nations structures its peacekeeping force. The State Department says it will support any United Nations effort to supply humanitarian assistance if the United Nations chooses to do so. Even then, it would only play a supportive role.

There is no leadership here. It amazes me that this is the same administration which put together a historic coalition to liberate Kuwait. Jim Hoagland wrote in the Washington Post that the administration appears to see Yugoslavia more as a public relations problem to be managed than a threat to international peace to be resolved. I have to agree. The administration's efforts to date have been motivated more by domestic and world opinion rather than by humanitarian concern.

The irony here is that the turmoil in Yugoslavia may be resolved despite the administration's head-in-the-sand policy. Serbian aggression appears to be faltering. The Yugoslav Army has withdrawn from Bosnia-Hercegovina. Serbian troops in Bosnia are in disarray and on the retreat. Even Serbian President Milosevic looks to be in danger. More than 100,000 Serbs in Belgrade demonstrated against him on Sunday, and another 30,000 demonstrated yesterday.

Yet as always during the year-old conflict in Yugoslavia, my hope is restrained by the realization that the ethnic conflicts are not easily resolved. We have seen dozens of cease-fires broken and the danger of another major outburst of fighting is always present. Just yesterday Serbian forces shelled parts of northeast Sarajevo.

Mr. Speaker, we can say that progress has been made. But we cannot say that the end is clearly in sight. I call on the President to exercise his power as the leader of the free world to put an end to the bloodshed in Bosnia-Hercegovina. The President should not wait for the United Nations to take action, the President should lead it into action. While he looks to Europe and most of Europe looks to him, the death toll in Bosnia-Hercegovina only increases.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GEKAS (at the request of Mr. MICHEL), for today and the balance of the week, on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DE LA GARZA) to revise and extend their remarks and include extraneous material:)

Mr. OBEY, for 5 minutes each day, today and on July 1, 2, 7, 8, 9, and 10.

Mr. HUBBARD, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mrs. COLLINS of Illinois, for 5 minutes each day, on July 1, 2, 7, 8, 9, 10, 20, 21, 22, 23, 24, 27, 28, 29, 30, and 31.

(The following Members (at the request of Mr. COLEMAN of Missouri) to revise and extend their remarks and include extraneous material:)

Mr. CUNNINGHAM, for 60 minutes, today.

Mrs. BENTLEY, for 5 minutes, today.

Mr. GOSS, for 60 minutes, on July 1.

Mr. RHODES, for 5 minutes, on July 1.

Mr. GUNDERSON, for 5 minutes, on July 1.

Mr. WALKER, for 5 minutes, on July 1.

Mr. LEACH, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. COLEMAN of Missouri) and to include extraneous matter:)

Mr. THOMAS of California.

Mr. HOPKINS.

Mr. PORTER.

Mr. WOLF.

Mr. RIDGE.

Mr. SUNDQUIST.

Mr. MICHEL.

Mr. BLILEY.

Mr. YOUNG of Alaska.

Mr. ROGERS.

Mr. BOEHNER, in two instances.

(The following Members (at the request of Mr. DE LA GARZA) and to include extraneous matter:)

Mr. MANTON.

Mr. NEAL of Massachusetts in two instances.

Mr. DOWNEY.

Mr. MURTHA.

Mr. SIKORSKI.

Mr. BERMAN.

Mr. FASCELL.

Mr. CLEMENT.

Mr. VISCLOSKY.

Mr. HOCHBRUECKNER.

Mr. SCHEUER.

Mr. RAY.

ENROLLED JOINT RESOLUTION SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 459. Joint resolution designating the week beginning July 26, 1992 as "Lyme Disease Awareness Week."

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2905. An act to provide a 4-month extension of the transition rule for separate capitalization of savings associations' subsidiaries.

ADJOURNMENT

Mr. DE LA GARZA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 36 minutes a.m.), the House adjourned until today, Wednesday, July 1, 1992, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3840. A letter from the Office of General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to clarify sections 3380 and 8380, relating to delays of promotions, as they apply to officers serving on full time National Guard duty; to the Committee on Armed Services.

3841. A letter from the Chairman, National Advisory Council on International Monetary and Financial Policies, transmitting the annual report of the National Advisory Council on International Monetary and Financial Policies for fiscal year 1990, pursuant to 22 U.S.C. 284b, 285b(b), 286b(b)(5), 286b-1, 286b-2(a), 290i-3; to the Committee on Banking, Finance and Urban Affairs.

3842. A letter from the Secretary of Education, transmitting final regulations—Education Department general administrative regulations, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3843. A letter from the Secretary of Education, transmitting final regulations—Higher Education Programs in Modern Foreign Language Training and Area Studies—Group Projects Abroad Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3844. A letter from the Secretary of Education, transmitting final regulations—Pell Grant Program—Expected family contributions for students with special conditions, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3845. A letter from the Secretary of Labor, transmitting the annual report on the administration of the Black Lung Benefits Act for the period January 1 through December 31, 1991, pursuant to 30 U.S.C. 936(b); to the Committee on Education and Labor.

3846. A letter from the Director, Office of Management and Budget, transmitting OMB's estimate of the amount of discre-

tionary new budget authority and outlays for the current year (if any) and the budget year provided by H.R. 5132, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-578); to the Committee on Government Operations.

3847. A letter from the Bureau of Reclamation, Department of the Interior, transmitting a copy of a report entitled "Steinaker Dam Modification Report, Safety of Dams Program"; to the Committee on Interior and Insular Affairs.

3848. A letter from the Chief Justice, Supreme Court of the United States transmitting a copy of the report of the Proceedings of the Judicial Conference of the United States held on March 16, 1992, pursuant to 28 U.S.C. 331; to the Committee on the Judiciary.

3849. A letter from the National Tropical Botanical Garden, transmitting the annual audit report of the National Tropical Botanical Garden, calendar year 1992, pursuant to Public Law 88-449, section 10(b) (78 Stat. 489); to the Committee on the Judiciary.

3850. A letter from the Secretary of Energy, transmitting a draft of proposed legislation entitled "Alaska Power Administration Sale Authorization Act"; jointly, to the Committees on Interior and Insular Affairs, Public Works and Transportation, Energy and Commerce, Government Operations, Ways and Means, and the Judiciary.

REPORT 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:

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 11. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the establishment of tax enterprise zones, and for other purposes; with an amendment (Rept. 102-631). Referred to the Committee on the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. House Joint Resolution 502. Resolution disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China (Rept. 102-632). Referred to the Committee on the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 3562. A bill relating to the use of unobligated moneys in the Customs forfeiture fund; with an amendment (Rept. 102-633, Pt. 1). Ordered to be printed.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 4318. A bill to make certain miscellaneous and technical amendments to the Harmonized Tariff Schedule of the United States, and for other purposes; with an amendment (Rept. 102-634). Referred to the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. House Concurrent Resolution 246. Resolution expressing the sense of Congress with respect to the relation of trade agreements to health, safety, labor, and environmental laws of the United States (Rept. 102-635, Pt. 1). Ordered to be printed.

Mr. DE LA GARZA: Committee on Agriculture. S. 2780. An act to amend the Food Security Act of 1985 to remove certain easement requirements under the conservation reserve program, and for other purposes (Rept. 102-636). Referred to the Committee on the Whole House on the State of Union.

Mr. GORDON: Committee on Rules. H. Res. 506. Resolution waiving certain points of order against and during consideration of the bill (H.R. 5503) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes (Rept. 102-637). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DORNAN of California.

H.R. 5511. A bill to amend the Animal Welfare Act to prohibit dog racing involving the use of live animals as visual lures, to prohibit the training with such lures of dogs for dog racing, and to make such act applicable to facilities that are used for dog racing or dog race training; to the Committee on Agriculture.

By Mr. RANGEL (for himself and Mr. COUGHLIN):

H.R. 5512. A bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act with respect to the drug fentanyl; jointly, to the Committee on Energy and Commerce and the Judiciary.

By Mr. CAMPBELL of California:

H.R. 5513. A bill to amend the Internal Revenue Code of 1986 and the Balanced Budget and Emergency Deficit Control Act of 1985 to eliminate the Federal budget deficit by the end of fiscal year 1998; jointly, to the Committees on Ways and Means and Government Operations.

By Mr. DINGELL (for himself, Mr. WAXMAN, Mr. SCHEUER, Mr. ECKART, Mr. MANTON, and Mr. TOWNS):

H.R. 5514. A bill to provide for health care for all Americans in an affordable manner; jointly, to the Committee on Energy and Commerce, Ways and Means, and Education and Labor.

By Mr. KOPETSKI:

H.R. 5515. A bill to amend the Internal Revenue Code of 1986 to allow a reasonable cause exception for the failure to make certain payments with respect to partnerships and S corporations not using a required taxable year; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 5516. A bill to authorize the Department of Energy to sell the Eklutna and Snettisham Projects administered by the Alaska Power Administration, and for other purposes; jointly, to the Committee on Interior and Insular Affairs, Public Works and Transportation, and Energy and Commerce.

By Mr. CLEMENT (for himself, Mr. COOPER, Mr. DUNCAN, Mr. GORDON, Mrs. LLOYD, Mr. QUILLEN, Mr. SUNDQUIST, Mr. TANNER, Mr. ALEXANDER, Mr. ANNUNZIO, Mr. APPLEGATE, Mr. BLILEY, Mr. BROWDER, Mr. DE LA GARZA, Mr. FROST, Mr. GEREN of Texas, Mr. GINGRICH, Mr. GONZALEZ, Mr. GUARINI, Mr. HORTON, Mr. HUGHES, Mr. JENKINS, Mr. KASICH, Mr. LIPINSKI, Mr. MCDERMOTT, Mr. MCMILLEN of Maryland, Mr. MONTGOMERY, Mr. NEAL of Massachusetts, Mr. PARKER, Mr. ROBERTS, Mr. ROE, Mr. SHAW, Mr. SISISKY, Mr. SKELTON, Ms. SLAUGHTER, Mr. STUMP, Mr. TALLON, Mr. VANDER JAGT, Mr. VENTO, Mr. WOLF):

H.J. Res. 520. Joint resolution to designate the month of October 1992 as "Country Music Month"; to the Committee on Post Office and Civil Service.

By Mr. PURSELL:

H. Con. Res. 340. Concurrent resolution recognizing the accomplishments of the National Eye Institute; to the Committee on Energy and Commerce.

By Mr. APPLEGATE:

H. Con. Res. 341. Concurrent resolution expressing the sense of the Congress in support of a "Jump Start America" proposal to restore economic growth and prosperity, to retain and restore American jobs, and to balance the Federal budget; jointly, to the Committees on Foreign Affairs, Ways and Means, Banking, Finance and Urban Affairs, Armed Services, Public Works and Transportation, Government Operations, Energy and Commerce, and Education and Labor.

By Mr. RAHALL:

H. Con. Res. 342. Concurrent resolution expressing the sense of the Congress that there should be free and democratic elections in the West Bank and Gaza; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 127: Mr. THOMAS of Wyoming.

H.R. 371: Mr. SARPALIUS and Mr. STENHOLM.

H.R. 643: Mr. PORTER.

H.R. 784: Mr. TAYLOR of North Carolina and Mr. MCMILLEN of Maryland.

H.R. 1186: Mr. KYL, Mr. MYERS of Indiana, Mr. DUNCAN, Mr. BLACKWELL, Mr. BLILEY, and Mr. RHODES.

H.R. 1435: Mr. HUGHES.

H.R. 1554: Mr. PETERSON of Minnesota.

H.R. 1771: Mr. ASPIN, Mr. COX of Illinois, and Mr. DIXON.

H.R. 2071: Mr. KOSTMAYER.

H.R. 2782: Mr. BONIOR.

H.R. 2972: Mr. ABERCROMBIE and Mr. DEFAZIO.

H.R. 3026: Mr. ANDREWS of Maine and Mr. ANDREWS of New Jersey.

H.R. 3545: Mr. WYLIE.

H.R. 3598: Mr. TORRICELLI, Mr. HARRIS, and Mr. NICHOLS.

H.R. 3764: Mr. RITTER.

H.R. 3836: Mr. VENTO, Mr. ABERCROMBIE, and Mr. SMITH of Oregon.

H.R. 4045: Mr. MAZZOLI, Mr. JEFFERSON, and Mr. ENGEL.

H.R. 4124: Ms. NORTON.

H.R. 4401: Mr. GUNDERSON, Mr. BEREUTER, Mr. FAZIO, Mr. PASTOR, and Mrs. MORELLA.

H.R. 4406: Mr. ATKINS.

H.R. 4498: Mr. BONIOR.

H.R. 4748: Mr. NAGLE.

H.R. 4755: Mr. OXLEY, Mr. PETERSON of Florida, and Mr. MORRISON.

H.R. 4895: Mr. HANCOCK.

H.R. 4909: Mr. QUILLEN and Mr. MCNULTY.

H.R. 4910: Mr. ZELIFF, Mr. WALSH, Mr. DOWNEY, and Mr. DANNEMEYER.

H.R. 5013: Mr. LEVIN of Michigan, Mr. RICHARDSON, Mr. HUGHES, and Mr. ENGEL.

H.R. 5064: Mr. GUARINI, Mr. MARTINEZ, Mr. COLORADO, Mr. LAROCCO, Mr. STALLINGS, and Mr. ATKINS.

H.R. 5155: Mr. ZELIFF.

H.R. 5211: Mr. GILLMOR, Mr. CRAMER, and Mr. NEAL of North Carolina.

H.R. 5216: Mr. BACCHUS.

H.R. 5229: Mr. HAMMERSCHMIDT, Mr. RIGGS, Mr. WALSH, Mr. SANTORUM, Mr. COX of California, Mr. GALLEGLY, Mr. DANNEMEYER, and Mr. LAGOMARSINO.

H.R. 5240: Mr. SPRATT, Mr. LIGHTFOOT, Mr. VOLKMER, Mr. RHODES, Mr. HORTON, and Mr. COMBEST.

H.R. 5294: Mr. TRAFICANT, Mr. EVANS, and Mrs. COLLINS of Michigan.

H.R. 5320: Mr. TRAFICANT and Mr. EVANS.

H.R. 5396: Mr. MRAZEK, Mr. BEREUTER, Mr. MOLLOHAN, Mr. MARLENEE, and Mr. VALENTINE.

H.R. 5421: Mr. CRANE.

H.R. 5424: Mr. MILLER of California, Mr. FROST, and Mr. HUGHES.

H.R. 5433: Mr. DUNCAN.

H.R. 5462: Mr. BOEHNER, Mr. BARTON of Indiana, and Mr. HERGER.

H.R. 5484: Mr. GLICKMAN and Mrs. MEYERS of Kansas.

H.J. Res. 399: Mr. SMITH of New Jersey, Mr. MCCRERY, Mr. HAMMERSCHMIDT, Mr. ROTH, and Mr. DINGELL.

H.J. Res. 411: Mr. KENNEDY, Mr. SOLARZ, Mr. STUMP, Mr. WOLPE, and Mr. LANTOS.

H.J. Res. 455: Mr. LEVINE of California and Mr. CHANDLER.

H.J. Res. 474: Mr. UPTON, Mr. JACOBS, Mr. DOWNEY, Mr. BLILEY, Mrs. MEYERS of Kansas, and Mr. OWENS of Utah.

H.J. Res. 475: Mr. MARTINEZ.

H.J. Res. 484: Mr. MCMILLEN of Maryland, Mr. HENRY, Mr. SANDERS, Mr. KOPETSKI, Mr. MACHTLEY, Mr. SAXTON, Mr. QUILLEN, Mr. KASICH, Mr. WOLF, Mrs. MINK, Mr. ROSE, Mr. GRANDY, Mr. HORTON, Mr. HAYES of Illinois, Mr. HOAGLAND, Mr. BLILEY, Mr. CRAMER, Mr. PURSELL, Mr. HAMILTON, Ms. DELAURO, Mr. OWENS of New York, Mr. FAZIO, Mr. SUNDQUIST, Mr. BROWDER, Mr. LAFALCE, Mr. GORDON, Mr. HUGHES, Mr. COX of Illinois, Mr. GUARINI, Ms. HORN, Mr. TANNER, Mrs. ROUKEMA, Mr. SERRANO, Mr. HALL of Texas, Mr. MCCLOSKEY, Mr. FROST, and Mr. PAXON.

H.J. Res. 486: Mr. FRANKS of Connecticut, Mr. HUTTO, Mr. HALL of Texas, Mr. JAMES, Mr. MARTINEZ, Mr. PAYNE of Virginia, Mr. LEHMAN of Florida, Mr. SARPALIUS, Mr. HUGHES, Mr. JONES of North Carolina, Mr. MRAZEK, Mrs. MORELLA, Mr. WASHINGTON, Mr. ROYBAL, Mr. HERGER, Mr. ORTIZ, Mr. FORD of Tennessee, Mr. ECKART, Mr. LANCASTER, Mr. ROWLAND, Mrs. BOXER, Mr. LANTOS, Mr. TAUZIN, and Ms. OAKAR.

H.J. Res. 488: Mr. DEFAZIO.

H.J. Res. 489: Mr. HUGHES, Mr. FRANK of Massachusetts, and Mr. CARPER.

H. Con. Res. 87: Ms. NORTON, Mr. TOWNS, Mr. SMITH of Florida, Mr. SKEEN, and Mr. HYDE.

H. Con. Res. 203: Mr. LENT, Mr. BENNETT, Mrs. LOWEY of New York, Mr. TOWNS, Mr. ROE, Mr. ZELIFF, and Mr. ATKINS.

H. Res. 490: Mr. KASICH, Mr. PORTER, Mr. SOLOMON, Mr. HANCOCK, Mr. WOLF, Mr. REGULA, Mr. HOBSON, Mr. HOYER, Mr. BUNNING, Mr. MCMILLAN of North Carolina, Mr. BACCHUS, Mr. COYNE, Mr. NEAL of Massachusetts, Mr. OXLEY, Mr. HORTON, Mr. CAMPBELL of California, Mr. COUGHLIN, Mr. MCEWEN, Mrs. MORELLA, Mr. JOHNSON of Texas, Mr. MONTGOMERY, Mr. DUNCAN, Mr. WALSH, Mr. MYERS of Indiana, Mr. MILLER of Ohio, Mr. QUILLEN, Mr. SUNDQUIST, Mr. THOMAS of California, Mr. LEWIS of Florida, Mr. GONZALEZ, Mr. NATCHER, Mr. BARNARD, Mr. HARRIS, Mr. STENHOLM, Mr. NUSSLE, Mr. HENRY, Mr. MOORHEAD, and Mr. EMERSON.

PETITIONS, ETC.

Under clause 1 of rule XXII,

164. The SPEAKER presented a petition of the council of the city of New York, City Hall, NY, relative to H.R. 1300, the Universal Health Care Act; jointly, to the Committees on Armed Services, Energy and Commerce, Post Office and Civil Service, Veterans' Affairs, and Ways and Means.