Manton
Manzullo
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McHale
McHugh
McIntosh
McKeon
McNulty
Meehan
Meek
Meyers
Mica
Miller (FL)
Mineta
Minge
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Ortiz
Oxley
Packard
Pastor
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pomeroy
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Roth
Roukema
Roybal-Allard
Rush
Sabo
Salmon
Sanford
Sawyer
Saxton
Schaefer
Schiff
Schumer
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Stenholm
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Towns
Tucker
Upton
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Ward
Watts (OK)
Waxman
Weldon (FL)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—107

Abercrombie
Andrews
Baker (CA)
Ballenger
Barr
Brown (OH)
Bunning
Burr
Burton
Cardin
Chapman
Chenoweth
Coble
Coburn
Cooley
Cox
DeFazio
Dellums
Diaz-Balart
Doolittle
Dornan
Duncan
Ehrlich
Engel
Evans
Fields (LA)
Forbes
Ford
Frank (MA)
Funderburk
Gejdenson
Goodling
Goss
Graham
Gutierrez
Hefley
Hefner
Heineman
Hilliard
Hobson
Hoekstra
Holden
Horn
Hoyer
Hunter
Hutchinson
Inglis
Jones
Kaptur
Kennedy (MA)
Kildee
King
Lantos
Lewis (GA)
Lewis (KY)
Lipinski
Markey
McDermott
McInnis
McKinney
Menendez
Metcalf
Mfume
Miller (CA)
Mink
Nadler
Oberstar
Olver
Orton
Owens
Pallone
Parker
Payne (NJ)
Pombo
Porter
Rohrabacher
Ros-Lehtinen
Rose
Royce
Sanders
Scarborough
Schroeder
Scott
Seastrand
Sensenbrenner
Slaughter
Smith (NJ)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stockman
Taylor (MS)
Taylor (NC)
Thompson
Torricelli
Traficant
Velazquez
Vento
Waldholtz
Wamp
Waters
Watt (NC)
Weldon (PA)
Wynn

NOT VOTING—6

Bachus
Clay
Collins (MI)
Jefferson
Moakley
Reynolds

☐ 1444

Messrs. DOOLITTLE, WAMP, WYNN, COBLE, LEWIS of Kentucky, Ms. WATERS, and Messrs. MEEHAN, SPENCE, PORTER, HEFNER, and GRAHAM changed their vote from ''yea'' to ''nay.''

Messrs. SMITH of Michigan, WISE, ACKERMAN, CUNNINGHAM, BECERRA, RANGEL, RAHALL, REED, DICKEY, Mrs. MEEK of Florida, Mr. ORTIZ, and Mr. MEEHAN changed their vote from ''nay'' to yea.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. VOLKMER. Mr. Speaker, on Wednesday, July 19, I missed two rollcall votes during consideration of H.R. 2020, the Treasury, Postal Service, general Government appropriations for fiscal year 1996, and one rollcall vote during consideration of H.R. 1976, the Agriculture appropriation for fiscal year 1996. On rollcall vote No. 527 I would have voted ''aye.'' On rollcall No. 528 I would have voted ''nay.'' On rollcall No. 535 I would have voted ''nay.''

☐ 1545

GENERAL LEAVE

Mr. SKEEN. 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, H.R. 1976, and that I may include tabular and extraneous material.

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

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 188 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1976.

☐ 1445

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1976) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1996, and for other purposes with Mr. KLUG in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, July 9, 1995, the amendments en bloc printed in House Report 104–185 offered by the gentleman from New Mexico [Mr. SKEEN] had been disposed of.

The Clerk will designate title I.

The text of title I is as follows:

H.R. 1976

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, 1996, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed $75,000 for employment under 5 U.S.C. 3109, $10,227,000, of which $7,500,000 shall be available for InfoShare: *Provided,* That not to exceed $11,000 of this amount, along with any unobligated balances of representation funds in the Foreign Agricultural Service shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost benefit analysis, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of the 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, $3,748,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $25,000 is for employment under 5 U.S.C. 3109, $11,846,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $5,899,000.

CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $4,133,000: *Provided,* That the Chief Financial Officer shall reinstate and market cross-servicing activities of the National Finance Center: *Provided further,* That none of the funds appropriated or otherwise made available by this Act shall be used to obtain, modify, re-engineer, license, operate, implement, or expand commercial off-the-shelf financial management software systems or existing commercial off-the-shelf system financial management contracts, beyond general ledger systems and accounting support software, at the National Finance Center until thirty legislative days after the Secretary of Agriculture submits to the House and Senate Committees on Appropriations a complete and thorough cost-benefit analysis and a certification by the Secretary of Agriculture that this analysis provides a detailed and accurate cost-benefit analysis comparison between obtaining or expanding commercial off-the-shelf software systems and conducting identical or comparable software systems acquisitions, re-engineering, or modifications in-house.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

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

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture, for programs and activities of the Department which are included in this Act, $110,187,000, of which $20,216,000 shall be retained by the Department for the operation, maintenance, and repair of Agriculture buildings: *Provided,* That in the event an agency within the Department should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account. In addition, for construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the programs of the Department, where not otherwise provided, $25,587,000, to remain available until expended; making a total appropriation of $135,774,000.

ADVISORY COMMITTEES (USDA)

For necessary expenses for activities of advisory committees of the Department of Agriculture which are included in this Act, $800,000: *Provided,* That no other funds appropriated to the Department in this Act shall be available to the Department for support of activities of advisory committees.

HAZARDOUS WASTE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

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

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Personnel, Operations, Information Resources Management, Civil Rights Enforcement, Small and Disadvantaged Business Utilization, Administrative Law Judges and Judicial Officer, Disaster Management and Coordination, and Modernization of the Administrative Process, $27,986,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109: *Provided,* That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded in this Act, including programs involving intergovernmental affairs and liaison within the executive branch, $3,797,000: *Provided,* That no other funds appropriated to the Department in this Act shall be available to the Department for support of activities of congressional relations.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry on services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, $8,198,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed $2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, as amended, $63,639,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, as amended, 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, $27,860,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service and the Cooperative State Research, Education, and Extension Service, $520,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $53,131,000: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, and marketing surveys, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $81,107,000: *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.

AGRICULTURAL RESEARCH SERVICE

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, $705,610,000: *Provided,* That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $115,000 shall be available for employment under 5 U.S.C. 3109: *Provided further,* That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further,* That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided the cost of constructing any one building shall not exceed $250,000, except for headhouses or greenhouses which shall each be limited to $1,000,000, and except for ten buildings to be constructed or improved at a cost not to exceed $500,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $250,000, whichever is greater: *Provided further,* That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further,* That 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 at Beckley, West Virginia: *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 Under Secretary for Research, Education and Economics 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: *Provided further,* That all rights and title of the United States in the property known as USDA Houma Sugar Cane Research Laboratory, consisting of approximately 20 acres in the City of Houma and 150 acres of farmland in Chacahula, Louisiana, including facilities and equipment, shall be conveyed to the American Sugar Cane League: *Provided further,* That all rights and title of the United States in the Agricultural Research Station at Brawley, California, consisting of 80 acres of land, including facilities and equipment, shall be conveyed to Imperial County, California: *Provided further,* That all rights and title of the United States in the Pecan Genetics and Improvement Research Laboratory, consisting of 84.2 acres of land, including facilities and equipment, shall be conveyed to Texas A&M University: *Provided further,* That the property originally conveyed by the State of Tennessee to the U.S. Department of Agriculture, Agricultural Research Service, in Lewisburg, Tennessee be conveyed to the University of Tennessee.

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

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, $30,200,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, including $166,165,000 to carry into effect the provisions of the Hatch Act (7 U.S.C. 361a–361i); $20,185,000 for grants for cooperative forestry research (16 U.S.C. 582a–582–a7); $27,313,000 for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222); $31,485,000 for special grants for agricultural research (7 U.S.C. 450i(c)); $11,599,000 for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)); $98,810,000 for competitive research grants (7 U.S.C. 450i(b)); $5,051,000 for the support of animal health and disease programs (7 U.S.C. 195); $1,150,000 for supplemental and alternative crops and products (7 U.S.C. 3319d); $475,000 for rangeland research grants (7 U.S.C. 3331–3336); $3,500,000 for higher education graduate fellowships grants (7 U.S.C. 3152(b)(6)), to remain available until expended (7 U.S.C. 2209b); $4,350,000 for higher education challenge grants (7 U.S.C. 3152(b)(1)); $1,000,000 for a higher education minority scholars program (7 U.S.C. 3152(b)(5)), to remain available until expended (7 U.S.C. 2209b); $4,000,000 for aquaculture grants (7 U.S.C. 3322); $8,000,000 for sustainable agriculture research and education (7 U.S.C. 5811); and $6,289,000 for necessary expenses of Research and Education Activities, of which not to exceed $100,000 shall be for employment under 5 U.S.C. 3109; in all, $389,372,000.

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

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For establishment of a Native American institutions endowment fund, as authorized by Public Law 130–382 (7 U.S.C. 301 note.), $4,600,000.

EXTENSION ACTIVITIES

Payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa: For payments for cooperative extension work under the Smith-Lever Act, as amended, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, $264,405,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $59,588,000; payments for the pest management program under section 3(d) of the Act, $10,947,000; payments for the farm safety program under section 3(d) of the Act, $2,898,000; payments for the pesticide impact assessment program under section 3(d) of the Act, $3,363,000; payments to upgrade 1890 land-grant college research, extension, and teaching facilities as authorized by section 1447 of Public Law 95–113, as amended (7 U.S.C. 3222b), $7,664,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, $921,000; payments for a groundwater quality program under section 3(d) of the Act, $10,897,000; payments for the agricultural telecommunications program, as authorized by Public Law 101–624 (7 U.S.C. 5926), $1,184,000; payments for youth-at-risk programs under section 3(d) of the Act, $9,700,000; payments for a food safety program under section 3(d) of the Act, $2,400,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, $3,241,000; payments for Indian reservation agents under section 3(d) of the Act, $1,697,000; payments for sustainable agriculture programs under section 3(d) of the Act, $3,463,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326, 328) and Tuskegee University, $24,708,000; and for Federal administration and coordination including 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, $6,181,000; in all, $413,257,000: *Provided*, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, as amended, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

OFFICE OF THE ASSISTANT SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Assistant Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service, Agricultural Marketing Service, and the Grain Inspection, Packers and Stockyards Administration, $605,000.

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, $333,410,000, of which $4,799,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: *Provided*, That in fiscal year 1996, amounts in the agricultural quarantine inspection user fee account shall be available for authorized purposes without further appropriation: *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 percent: *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as he may deem necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious diseases 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 appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 1996 the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $12,541,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States; including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $90,000 for employment under 5 U.S.C. 3109, $46,662,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

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

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $58,461,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided,* That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Appropriations Committees.

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

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $10,451,000 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.

In fiscal year 1996, no more than $23,900,000 in section 32 funds shall be used to promote sunflower and cottonseed oil exports as authorized by section 1541 of Public Law 101–624 (7 U.S.C. 1464 note), and such funds shall be used to facilitate additional sales of such oils in world markets.

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 1956 (7 U.S.C. 1623(b)), $1,000,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, as amended, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, 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 $25,000 for employment under 5 U.S.C. 3109, $23,058,000: *Provided,* That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

INSPECTION AND WEIGHING SERVICES

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 percent with notification to the Appropriations Committees.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $450,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry on services authorized by the Federal Meat Inspection Act, as amended, the Poultry Products Inspection Act, as amended, and the Egg Products Inspection Act, as amended, $540,365,000, and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102–237: *Provided,* That this appropriation shall not be available for shell egg surveillance under section 5(d) of the Egg Products Inspection Act (21 U.S.C. 1034(d)): *Provided further,* That this appropriation shall be available for field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further,* That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: *Provided further,* That none of the funds appropriated or otherwise made available by this Act may be used by the Secretary of Agriculture to promulgate, implement, or administer any rules of the Food Safety and Inspection Service, as set forth in parts 301–391 of title 9, Code of Federal Regulations, pursuant to the agency's proposed rule: Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems: Docket No. 93–016P; published on February 3, 1995, and any successor dockets published thereafter, except that the Secretary may take such action after a committee has been established, in accordance with the negotiated rulemaking procedures provided in 5 U.S.C. 561 et seq., and that committee has transmitted, within nine months of establishment of such committee, a report based on a review of (1) HACCP principles; (2) current rules and other administrative requirements; and, (3) proposed rules and petitions pending before the agency.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Consolidated Farm Service Agency, Foreign Agricultural Service, and the Commodity Credit Corporation, $549,000.

CONSOLIDATED FARM SERVICE AGENCY

SALARIES AND EXPENSES

For necessary expenses for carrying out the administration and implementation of programs delegated to the Consolidated Farm Service Agency by the Secretary under the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994, $788,388,000: *Provided,* That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further,* That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further,* That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $500,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

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

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer, or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968, 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, $100,000, 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.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928–1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $585,000,000, of which $550,000,000 shall be for guaranteed loans; operating loans, $2,300,000,000, of which $1,700,000,000 shall be for unsubsidized guaranteed loans and $200,000,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $750,000; for emergency insured loans, $100,000,000 to meet the needs resulting from natural disasters; and for credit sales of acquired property, $22,500,000.

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, $28,206,000, of which $20,019,000 shall be for guaranteed loans; operating loans, $91,000,000, of which $18,360,000 shall be for unsubsidized guaranteed loans and $17,960,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $206,000; for emergency insured loans, $32,080,000 to meet the needs resulting from natural disasters; and for credit sales of acquired property, $4,113,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $221,541,000, which shall be transferred to and merged with the following accounts in the following amounts: $208,446,000 to ''Salaries and Expenses''; $318,000 to ''Rural Utilities Service, Salaries and Expenses''; and $171,000 to ''Rural Housing and Community Development Service, Salaries and Expenses''.

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 FUND

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

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 1996, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be $10,400,000,000 in the President's fiscal year 1996 Budget Request (H. Doc. 104–4)), but not to exceed $10,400,000,000, pursuant to section 2 of the Act of August 17, 1961, as amended (15 U.S.C. 713a–11).

OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 1996, the Commodity Credit Corporation shall not expend more than $5,000,000 for expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 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 in this Act.

The CHAIRMAN. Are there any amendments to title I?

AMENDMENT OFFERED BY MR. WALSH

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

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 24, on line 13 after the word ''building'' strike all down through and including ''agency'' on page 25, line 5.

Mr. WALSH. Mr. Chairman, in the movie ''Cool Hand Luke,'' one of my favorites, perhaps the most memorable line was that of the boss of a prison labor camp to a recalcitrant Luke: ''What we have here is a failure to communicate.''

Well, that is what we have had here with these new regulations for meat inspection. There was bad faith between and among the stakeholders—FSIS, the inspectors, consumer activists, the industry, the State departments of agriculture and the USDA.

We set about to solve this problem. My amendment would have established a negotiated rulemaking, a statutory process, formalized and detailed. It would have established this needed dialog—a process for communication.

I did this because some of the principals had no faith in the current dialog. I did it out of a concern that small businesses might be put out of business for no good reason. And I did it, in spite of what critics said, out of a concern that there would be a delay in implementing the new higher standards because of lengthy litigation.

I truly believed that given the alternatives we had, this was the best way to proceed.

Obviously others disagreed with this approach. Mr. DURBIN of our subcommittee and Secretary of Agriculture Glickman took issue. They said it was a delay, but they admitted there were problems with the process.

We worked together, sometimes at odds, but always in the direction of finding the common ground. On Tuesday the Secretary sent a letter that I reviewed with Mr. ROBERTS, chairman of the Committee on Agriculture; Mr. SKEEN, chairman of the Subcommittee on Agriculture Appropriations; and Mr. GUNDERSON, chairman of the Agriculture Subcommittee on Livestock, Dairy, and Poultry. All felt that the Secretary's personal commitment to involve himself was not only important but critical to providing good faith in a new, more inclusive process.

The Secretary pledged a number of things.

Mr. Chairman, I include the letter from Secretary Glickman for the RECORD.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, July 18, 1995.

Hon. JAMES WALSH,
House of Representatives, Longworth House Office Building, Washington, DC.

DEAR JIM: I appreciated the frank exchange of ideas during our recent meeting on the meat and poultry inspection regulatory process. That and other discussions I have had with Members of Congress convince me that we are all seeking the same goal of modernizing and improving the current meat and poultry inspection system to provide the safest possible food to the American consumer. I am personally committed to ensuring a thoughtful, thorough, and objective analysis by the Department of Agriculture (USDA) of all comments.

Unfortunately, I cannot agree that your amendment which requires the Department to establish a committee and await its report before moving forward is the best means of attaining our common objective. The unnecessary delay involved in suspending the current regulatory process is not consistent with the need to move to a Hazard Analysis and Critical Control Point (HACCP) based inspection system as quickly as possible.

I sincerely share the desire to ensure that the regulatory process carefully weighs all relevant viewpoints in an undertaking of this magnitude. I therefore intend to create, as part of the rulemaking process, focused and extensive public meetings for direct discussion of the key concerns that were raised during the comment period. These public meetings will begin within the next few weeks and will provide all interested parties the opportunity for direct discussion of the major issues as well as other issues identified during the comment period and possible options for resolving these issues. Participants will include representatives of all stakeholders, including industry, producers, the scientific community, consumers, the Food Safety and Inspection Service (FSIS) and my office. These public meetings will be held to ensure that all outstanding questions are explored thoroughly and a full and frank discussion and exchange of ideas occurs. These meetings will be part of the record upon which the final rule is based. Furthermore, I intend to host personally a food safety forum this summer to identify both legislative and regulatory mandates that need to be changed to improve and reform the system. The public meetings and forum will not unnecessarily delay the issuance of a final rule and should reassure all parties that the regulatory process has included a comprehensive debate of all significant issues and related concerns.

While the adoption of a HACCP-based inspection system is needed, it is also important to address the integration of the new HACCP system into the current meat and poultry inspection system. I fully understand the importance of preventing bureaucratic layering and ensuring the best utilization of public and private funds. To ensure this second step of regulatory modernization and integration is achieved, FSIS will soon publish a comprehensive set of rulemaking notices to review current FSIS regulations, directives, policy notices, and policy memoranda. To be consistent with the HACCP-based inspection system, USDA will then review, revise, or repeal its existing regulations, as needed. I have directed FSIS to accelerate its work in this area. I am firmly committed to seeing that all existing food safety and inspection regulations are improved so redundancy is eliminated. Our proposed regulatory actions to achieve those objectives, which will include addressing integration of the HACCP system and the current system, will be published in the Federal Register before the HACCP final rule is published and any additional regulatory actions necessary to achieve these objectives will be completed before HACCP is required to be implemented.

I am making these commitments recognizing that a successful food safety system depends upon an active partnership among government, producers, industry, processors and the consuming public. I hope that with these steps we can avoid a divisive legislative debate and proceed together toward our common goal of improving our inspection system.

Sincerely,

DAN GLICKMAN,
Secretary.

Mr. Chairman, most important is the Secretary's effort to put good faith back into this. He is a new Secretary and we need to give him this opportunity.

The agreement that Secretary Glickman, Mr. ROBERTS, Mr. SKEEN, Mr. DURBIN, and I worked out is Government at its best. It demonstrates that the executive and legislative branches can work together in good faith to do the people's business. That is the reason we were sent by our constituents to Congress, and I firmly believe that this entire legislative process has benefitted the public, the industry, and will result in a safer food supply for American families.

Mr. Chairman, for that reason, I have made my motion to strike the bill language.

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

Mr. Chairman, let me say at the outset that this has been an important debate, I think one of the more important debates over the period of time that I have served on this subcommittee, because it has focused on an issue which is literally a life and death issue for American families.

I want to commend my colleague from New York. Over the past several weeks, we have had some real differences of opinion, but I want to salute the gentleman, because he has

made an effort in a bipartisan manner to find a reasonable solution to a very difficult problem. Let me try to describe it to you in my terms and to give you an idea of why it is so important.

It was my good fortune at an early point in my life to work in a slaughterhouse. I spend 12 months as a college student working my way through college in a slaughterhouse. I learned a lot. I still eat meat, but I learned a lot about the inspection process, its strengths and its weaknesses.

There are many weaknesses in the current meat and poultry inspection system. But let me say at the outset, the United States is blessed like no other country in the world with one of the safest food supplies. We should never lose sight of that. As consumers, we can be more confident of what we buy in a store and eat in a restaurant than we can in most any other country in the world.

But I came to understand as a young man working in that slaughterhouse that the system we have today does not reach the level of scientific sophistication which American consumers want. Literally, Federal meat and poultry inspectors stand and watch as carcasses go by on the line. If they do not see or smell something unusual, they end up giving it a blue stamp, and off it goes to the store and eventually to our refrigerators and tables.

We now know that it not enough. The tragedy in the State of Washington 2 years ago, which my colleague, the gentleman from Washington [Mr. DICKS], will describe in a moment, riveted our attention on the fact that some of the most vulnerable people in America are subject to dangerous illness and in many cases death from contaminated meat and poultry.

So we decided to do something about it, to move beyond the inspection system which we have used for over 85 years, to something more scientific and up-to-date. What an undertaking it is. Imagine all of the different groups interested in this issue, not just the obvious groups, the meat and poultry processors and producers, but also those who are interested in health issues and consumer issues, the business side of the equation, all of these people, some 200 different groups, coming together and trying now to reach an agreement, if they can, on a new system of meat and poultry inspection.

The gentleman from New York I think accurately represented the anxiety of some of these groups that they are not being taken seriously at the table, that they do not have a voice in the process, and that their concerns are not being weighed as they should be. The gentleman has prevailed on the Secretary of Agriculture to step in personally, as we will and as he has promised, and his word is good, that he will make sure as best he can it will be an orderly process with a good conclusion.

I might add, as Secretary Glickman has personally, we cannot guarantee that everyone will end up happy when it is all over. What we can do is get everyone their day in court, everyone an opportunity to express themselves.

Over the past 2 weeks I have received phone calls from Tarpov Packing Co. in Granite City, and Hansen Packing Co. in Jerseyville, IL, small operations, saying, ''DICK DURBIN, you are our friend, we know you want to help us, but do not do something that will put us out of business.'' I understand that. We do not want to put them out of business. We want to make changes that are sensible and reasonable, that protect American consumers.

As I said before, the reason why this is a more important debate than most is it is literally a life and death issue.

Nancy Donley of Chicago is a person I have come to know over the past several weeks. I talked to her just yesterday. This Tuesday was the second anniversary of the death of her 6-year-old son Alex. Alex ate a hamburger, it was contaminated with E. coli, and it killed him. She has written letters, which I will not read to you here but which have been part of the record in our committee, which I think would touch the heart of everyone.

So as we focus on this issue, it goes beyond numbers, it goes beyond bureaucracy, it goes beyond agency, it goes to the very human tragedies which can occur if we do not do our job right.

I salute the gentleman from New York, he is doing the right thing today. I think he has made real progress on this issue. I look forward to a satisfactory conclusion.

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

Mr. Chairman, I want to be very brief here. I want to commend the chairman of the Committee on Agriculture, Mr. ROBERTS, and I certainly want him to have an opportunity to speak, and I know he will, for his leadership in this effort. Also, I want to complement my colleague on the Committee on Appropriations, the gentleman from New York [Mr. WALSH]. Coming from the State of Washington, I see some of my colleagues from Washington State on the floor. We had a very serious E. coli breakout in our State 3 years ago. Three young children died, hundreds were sick, and so I was definitely very concerned in the appropriations committee when there was an effort to delay the implementation of the new regulations, which our ranking member, the gentleman from Illinois [Mr. DURBIN], so carefully described, someone who has had great experience in this area.

But I think this is a model of how we should work these problems out, and I commend the gentleman from New York for engaging Secretary Glickman and the chairman of the authorizing committee and the Democratic Members, and they were able to work out a reasonable compromise on this issue. We will not delay the new regulations from going into place.

What the gentleman from New York wanted, properly, and I wanted to commend the chairman, too, the gentleman from New Mexico [Mr. SKEEN], for facilitating this, was that all the parties should be heard. He talked about a negotiated rulemaking, which I happen to believe this was too complicated an issue for that, but we got the same achievement by giving all the parties the ability to participate.

□ 1500

The most important thing is we are protecting the American consumers. Seven thousand people a year die from salmonella or E. coli and hundreds more, hundreds of thousands more are sick and ill. So this is a serious consumer issue, and some of us on the Committee on Appropriations have been very concerned that there has been a pattern of, in essence, gutting health, safety and environmental legislation in the name of helping the private sector. That is not right. The American people do not want unsafe meat. They do not want unsafe drinking water.

So I commend the gentleman from New York for working this problem out and getting a satisfactory result that is in the interest of the country and in the interest of consumers and certainly in the interest of the people of Washington State, because we went through a terrible crisis just a year or so ago.

So I commend the gentleman and I support his motion to strike.

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

Mr. Chairman, I would like to associate myself with the words of my friends, the gentleman from Washington [Mr. DICKS] and the gentleman from Illinois [Mr. DURBIN], as well. Most of us had never heard of E. coli before a few years ago. A child in my district also was affected and died. If Members can imagine the parents, very loving parents telling them that they were relieved when their child died because of the extreme pain and agony that that child was going through, it kind of reemphasizes the issue to them.

I think, second, and the gentleman from Washington [Mr. DICKS] has talked about this, E. coli is still out there. What happens in our meat processing, if you still have fecal material left on the meat and that meat moves on, it can turn into the E. coli. And they say, well, all you have to do is cook your hamburger well. I personally do not want it on there in the first place. I think it is something that in our food processing that we can. I would like to, again, thank the leadership of the gentleman from Illinois [Mr. DURBIN], because I do not think without his leadership this whole issue would have come to resolution.

I would also like to thank the gentleman from New York [Mr. WALSH], because I think at times when we look at dialog, it is good, but when we take action where children's lives are at risk, I think it is very, very important.

We have a group in San Diego called Stop, and they have been very active. And I am sure that in Washington State they have got an equal group that are parents that have gone through this disaster with their children. I would like to commend all parties. I think this is something in bipartisanship that I think is a proud day. I thank God we had not a failure to communicate on this issue.

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

Mr. Chairman, I would like to also take this opportunity to congratulate my friend and colleague, the gentleman from New York, [Mr. WALSH], and also especially my good friend and former colleague Secretary Glickman, for their hard work and statesmanship, I think, in resolving this very complex problem. This agreement in part grew out of a meeting between Secretary Glickman, the former chairman and current distinguished ranking minority member of the House Committee on Agriculture, the gentleman from Texas, [Mr. DE LA GARZA], the current chairman of the appropriate subcommittee that will be bringing a meat inspection, a food safety inspection bill to the floor, the gentleman from Wisconsin, [Mr. GUNDERSON], the gentleman from Missouri [Mr. VOLKMER], and probably the godfather of all meat inspection legislation in regards to sound science, the gentleman from Texas, [Mr. STENHOLM], and myself.

I would like to thank each of these individuals for really coming together in a bipartisan spirit to underscore the importance of restoring really some credibility to the rulemaking process.

By doing so, I think it is obvious we have averted what had been a very divisive debate on meat inspection policy. I think that really food safety goals are better served by careful, reasoned discussion than by real emotional rhetoric. It is understandable but I think this process certainly is preferable.

Secretary Glickman has assured Mr. WALSH that he will personally take control of the rulemaking process for the Mega Reg. Secretary Glickman has also pledged that he will ensure all stakeholders, as has been indicated, consumers, small and large processors, scientists, inspector unions and producers, all now will have an opportunity to really participate in developing a balanced and workable inspection regulation.

Our problem is not that we have too little inspection and also regulation. Our problem is that we have the wrong kind. We do not need some more additional regulatory burdens. We need a sound-science, risk-based system.

So, again, I want to really credit the Secretary and I also want to thank the gentleman from Wisconsin, [Mr. GUNDERSON] who will be bringing to the committee and to the floor a total comprehensive food safety plan. We are talking about meat. We are talking about poultry. And we are talking about seafood. So your House Committee on Agriculture will address this. It will be commensurate with the rulemaking process of the Secretary of Agriculture.

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

Mr. ROBERTS. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, I want to make sure that I understand exactly what we are doing. The greatest problem I probably have in the 19th Congressional District is the harassment of our small country butchers. We have never had an illness in the 19th Congressional District because of tainted meat or poultry from any of our local country butchers. The are harassed morning, noon, and night, and I am afraid they will soon all be out of business and then we will only have to rely, unfortunately, on big meat producers and packers and so on.

I think I caught the gentleman saying that the small business person will get some protection in all of this.

Mr. ROBERTS. Mr. Chairman, the Secretary of Agriculture has indicated that they will give every consideration to the small business community, whether it be small meat locker plants or a small meat packing house.

I would like to point out that 98 percent of all food-borne illnesses come from handling and preparation. If everybody would simply do what their grandmother and their home economics instructor and their 4–H instructor and common sense and the Department of Agriculture recommends, wash their hands and thoroughly cook their meat, we would not have this problem.

And so I can assure the gentleman that Secretary Glickman has in effect assured me and the rest of the Members of the House Committee on Agriculture that the concerns of the small business community will be addressed. I thank the gentleman for raising this issue.

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

Mr. Chairman, I, too, want to commend all of the parties that have worked out a very satisfactory short-term compromise that gives this Member the hope for the first time in 8 years that we might actually be seeing a light at the end of the tunnel of dealing with our meat and poultry inspection system.

As one who has authored legislation and passed legislation in 1986, only to have the frustration of seeing it torn apart by the 200-plus groups that the gentleman from Illinois [Mr. DURBIN] spoke about a moment ago, each having their own idea about how best to improve upon the best food safety system the world has ever known, I see now the chance, thanks to the leadership of Secretary Glickman, the gentleman from New York [Mr. WALSH], and the efforts that he has made and all of the other parties, I see the opportunity now through the House Committee on Agriculture and other interested parties working with the gentleman from Wisconsin [Mr. GUNDERSON], the chairman, and the gentleman from Kansas [Mr. ROBERTS], I see the opportunity for us to finally come to an agreement by bringing all of the parties together, having the free and open debate in this House Chamber of how best to deal with meat and poultry inspection.

I look forward to that day, because I believe it is far overdue. Many of the tragedies that have occurred should not have occurred and would not have occurred, as Mr. ROBERTS has said, from some of the simplistic ideas but also from the standpoint that we could in fact make the necessary changes if we would all come to the table. That is not what was happening, as the proposed rulemaking was occurring. Mr. WALSH pointed that out and correctly so.

But now we have an agreement in which everyone will come together, work on a resolution. I hope it is a light at the end of the tunnel and not another train coming toward us. But I do believe today that it is truly a light at the end of the tunnel. I look forward to being a part of eventually resolving this very important issue.

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

Mr. Chairman, I want to associate myself with the remarks made by the gentleman from Texas and to add my congratulations to all those who have given us truly a remarkable event in this session of the Congress, an event in which we have reached across the aisle to adopt a bipartisan accord, one that is reasonable and proper and in the public interest. It has come about because of the leadership of our chairman, the gentleman from New Mexico [Mr. SKEEN], and his steady hand at providing an opportunity for each of us to participate; for the gentleman from New York [Mr. WALSH] and his diligence and persistence and working with our own ranking minority member, the gentleman from Illinois [Mr. DURBIN]. It has truly been an excellent example of the kind of cooperation in the public interest which we need to have more of in this House.

I want to commend all of those who are party to this and urge that we make a record of our support for this amendment.

Ms. DUNN of Washington. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to commend the gentleman from New York, Mr. WALSH, and also the gentleman from Kansas, Chairman ROBERTS, and the gentleman from Illinois, Mr. DURBIN, the gentleman from Wisconsin, Mr. GUNDERSON, the gentleman from New Mexico, Chairman SKEEN, and all the people who helped to forge this agreement with the Secretary of Agriculture, our former colleague, Dan Glickman, on

new meat safety inspection rules that will benefit all Americans.

This agreement is especially significant to those of us from Washington State, as my colleague the gentleman from Washington [Mr. DICKS] has said, because in January of 1993, my first year as a Member of Congress, three little children died and 67 were hospitalized in Washington State because of an E. coli outbreak that was traced to a local fast food outlet in my district.

Now, a little over 2 years later, with the combined efforts of the gentleman from New York [Mr. WALSH], the committees and the other gentlemen, and the Secretary of Agriculture, we can finally put into place a meat safety regime to ensure the production of clean, safe, quality meat that restores consumer confidence.

I want to add a special note of thanks to our colleague from Washington State, Mr. NETHERCUTT, who is also a member of the subcommittee, for his help on this critical issue.

Mr. Chairman, in memory of 2-year-old Michael Nole, 2-year-old Celina Shribbs, and 17-month-old Riley Detwiler, the little children who died from E. coli, my thanks for the diligent efforts of all the Members of Congress who are involved in bringing to fruition safer food for all Americans.

Mr. DE LA GARZA. Mr. Chairman, I move to strike the requisite number of words.

[Mr. DE LA GARZA asked and was given permission to revise and extend his remarks.)

Mr. DE LA GARZA. Mr. Chairman, I rise is support of the proposed agreement between all of the parties concerned and the gentleman from New York [Mr. WALSH], and endorse it.

Mr. Chairman, in light of recent compromises I rise to support the removal of requirements within the Agriculture Appropriation bill which limit funding for work on the February 3, 1995, Pathogen Reduction/HACCP proposed regulation. Agriculture Secretary Glickman has offered a reasonable resolution, as laid out in his July 18, 1995, letter to Mr. WALSH, the author of the limitation language, that allows for the rule development to proceed on schedule but grants additional input for stakeholders on a major regulatory change.

The controversy surrounding the development of a rule for our meat and poultry inspection system pertaining to microbiological pathogens and Hazard Analysis Critical Control Point methodology was over the process of how the rule is developed. Unfortunately, some in the media has started to turn this controversy into a discussion over whether children would or would not die because of this particular proposed regulation. It is always a human tragedy when anyone dies due to food-borne disease and especially children who have their entire lives ahead of them. But I feel it is important to understand that the Secretary's letter makes commitments assuring that there is a continued development of a good rule that improves our meat and poultry inspection system. A rule that all can support. A rule that will minimize potential lawsuits concerning the final regulation which could cause real delays in meat and poultry inspection reforms.

It is also important to note that modernization of the inspection system through a spirit of cooperation of all stakeholders is paramount to realize real improvements in the safety of the meat supply. The most important guidelight for all interested in changes to our food safety system must be the best science that can be afforded. The entire process should be driven by sound science not politics.

I cannot emphasize enough that this rule is but a step in a continuous series of steps where the goal is reducing food-borne illness. Note that I said reducing food-borne illness, not eliminating it. Elimination of food-borne illness is not a reality. It is scientifically and economically impossible to achieve zero food-borne risks at this time and it becomes a disservice to the public to imply that the Government can supply or regulate a food delivery system into one without risks, but one we can rely on and that the people can trust and give us the maximum protection possible.

I want to thank Secretary Glickman for his involvement in the matter and his interest in restoring confidence in the process. I commend Mr. WALSH of New York for his leadership in finding a path of compromise in which all sides win.

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

Mr. Chairman, I want to compliment the gentleman from New York, Congressman JIM WALSH, as being a man for all seasons. He not only leads the bailout of Washington, DC, now he leads the bailout for those of us in the ag community.

I also want to speak on behalf of the Terry Joneses of the world. Terry Jones and his wife own a meat locker in Jacksonville, IL. I had the occasion to visit Terry and his wife recently about this issue of Government regulation or Government overregulation. What they told me was that, if these regulations had been put into effect, they would be out of business, as I think would many small business people who are in the meat locker business, who care a great deal about their customers and in no way would want to see harm come to them.

I do not intend to take the 5 minutes, but I want to express on behalf of all the small meat locker business men and women, not only across Illinois but across the country, that a good compromise has been worked out, and their considerations will be considered. I compliment the gentleman from New York [Mr. WALSH], the gentleman from Illinois [Mr. DURBIN], and certainly the Secretary of Agriculture. Common sense is being used and will be used, and I think all consideration will be given now so that small business people's concerns will be taken into account.

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

Mr. Chairman, I simply want to follow that of my colleagues to point out a couple of things. First and foremost, of course, is joining all my colleagues in our commendations of those who have worked out this agreement. You would think they were leaving Congress, with all the nice things we are saying about them, but we mean it. I think what has been done here is important. I want to point out three specific factors and then we will move the process along.

First and foremost, this process, this agreement that has been reached is important because it has slowed the process down, and it has guaranteed that people are going to have input. As the gentleman from Illinois before me just articulated, there are real problems with these proposed regulations, as they affect the small slaughterhouses across this country, and we have got to make sure that their concerns are heard and considered in the development of the rules.

□ 1515

Second, along that same line, the very significant part of this agreement is that the Secretary has become involved, and he has taken a personal sense of responsibility in ownership of what has been done. Those of us who have worked with and known Dan Glickman when he was a Member of this House know that when he makes this kind of commitment he is going to keep it, and I think that is very important for all of us to understand.

The third thing I want to point out, and part of the reason many of us have raised concerns about the so-called HACCP regulation, you cannot do HACCP under existing Federal statute, because they are diametrically opposed to each other in science, so if you want a science-based HACCP regulation, as I think every Member of Congress and every member of the industry and every member of the consumer groups do, then Members have to recognize there have to be some kind of statutory changes.

As the gentleman from Kansas [Mr. ROBERTS] says, we will in my subcommittee, at the conclusion of the farm bill, continue a process that was initiated this spring, and we will bring forth comprehensive meat, poultry, and seafood legislation, and we will give this committee, we will give this Congress, a chance to modernize our legislation in that regard.

Mrs. COLLINS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me add my thanks and sincere appreciation for all of the hard work for all of the members of the Committee on Appropriations and Committee on Agriculture to get these food, meat, and poultry regulations well on their way.

Members may recall that about 2 years ago we raised the issue in what was then called the Committee on Energy and Commerce, on the Subcommittee on Commerce, Consumer Protection, and Competitiveness. It is really very rewarding to see how, when the issue has been raised, even in the

last Congress, early in the last Congress, about something as important as meat and poultry safety, food safety, to be able to be here and stand on this floor and say that we have seen that dream come to real fruition.

Again, I want to sincerely thank all of those who worked so hard on this issue, because I, as well as other people, who were seriously concerned about what happened in the E. coli, the terrible things that happened to people, I am happy to say this has now happened. I cannot say enough about the hard work, the unity, and the cooperation between not only members of those committees, but between the administration of the Department of Agriculture as well. It shows government at its best, and I think we all did a good job, and everybody is to be congratulated.

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

Mrs. COLLINS of Illinois. I yield to the gentleman from Illinois.

Mr. DURBIN. Mr. Chairman, I am going to ask for a rollcall vote on this to establish the bipartisan support which we have discussed today on the floor, not only for the HACCP process, but for a speedy and expeditious process that brings these rules to a point where they will be protecting American families. I just wanted to make that point. I will be asking for a rollcall vote on the motion offered by the gentleman from New York [Mr. WALSH]. I think it will demonstrate the bipartisan feeling we have on this issue.

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

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

RECORDED VOTE

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

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 19, further proceedings on the amendment offered by the gentleman from New York [Mr. WALSH] will be postponed.

AMENDMENT OFFERED BY MR. ALLARD

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ALLARD: No. 30: Page 2, line 11, strike ''$10,227,000, of which $7,500,000'' and insert, ''$9,204,300, of which $6,750,000''.

Page 3, line 3, strike ''$3,748,000'' and insert ''$3,373,200''.

Page 3, line 15, strike ''$5,899,000'' and insert ''$5,309,100''.

Page 3, line 21, strike ''$4,133,000'' and insert ''$3,719,700''.

Page 4, line 19, strike ''$596,000'' and insert ''$536,400''.

Page 5, line 23, strike ''$800,000'' and insert ''$720,000''.

Page 7, line 19, strike ''$3,797,000'' and insert ''$3,607,150''.

Page 8, line 3, strike ''$8,198,000'' and insert ''$7,378,200''.

Page 9, line 3, strike ''$27,860,000'' and insert ''$26,467,000''.

Page 9, line 12, strike ''$520,000'' and insert ''$468,000''.

Page 9, line 17, strike ''$53,131,000'' and insert ''$50,474,450''.

Page 10, line 3, strike ''$81,107,000'' and insert ''$77,051,650''.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on the amendment and all amendments thereto close in 20 minutes, 10 minutes on each side, the time to be divided equally.

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

There was no objection.

The CHAIRMAN. The gentleman from Colorado [Mr. ALLARD] will be recognized for 10 minutes, and the gentleman from New Mexico [Mr. SKEEN] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Colorado [Mr. ALLARD].

Mr. ALLARD. Mr. Chairman, I yield myself such time as I may consume. First, Mr. Chairman, I would like to compliment my colleague, the gentleman from New Mexico, for putting together a good bill which makes a firm contribution by achieving a balanced budget by 2002. I appreciate all the hard work he has put into allocating our very scarce resources among the many worthwhile projects covered by this measure.

The Committee on Appropriations has made some important cuts in this bill; however, we see no reason for the House to ignore an opportunity to make additional reductions in the bureaucracy, especially here in Washington. I realize that it has been tough for the Members of this House, and particularly the Committee on Agriculture, to struggle with what priorities we should have in the agricultural area. However, Mr. Chairman, we simply need to keep in mind that we cannot go ahead and cut those programs that benefit farmers and not let the bureaucracy here in Washington share in those cuts.

Last November, the people spoke clearly about their desire to downsize Federal Government. Taxpayers were tired of sending the hard-earned money to Washington, DC, to pay for larger Federal bureaucracies. Farmers often ask why farm programs continue to get cut while the Department of Agriculture bureaucracy goes untouched. It is time to listen to the voters and start shrinking this huge 110,000 person bureaucracy. It is in this spirit of downsizing that the gentleman from Kansas [Mr. BROWNBACK] and I offer this amendment.

In recent years the funding for the bureaucracy of the USDA has been held constant. Without our amendment, this bill would continue this trend, despite the reduced role for agriculture programs assumed in the budget resolution. Appropriations for administration for 1996 would be $313 million. This is slightly above the 1995 level. This number rises to $320 million if the new info share program is included. In times of baseline budgeting, we would have considered this to be a cut, but we have changed the way that Congress does business. Now a cut is only a cut if spending is actually reduced below the prior year's level.

Mr. Chairman, our amendment is supported by the National Taxpayers Union and Citizens for a Sound Economy. It cuts 10 percent from the offices of the Secretary, the chief economist, the office of communication, the chief financial officer, the advisory committees, the Assistant Secretary of Administration, and the Undersecretary for Research, Education, and Economics. We have provided for a 5 percent cut for the Economic Research Service, the National Agriculture Statistics Service, the Assistant Secretary for Congressional Relations, and the general counsel. Some offices, such as the Inspector General, have been exempted entirely from this amendment, because they have offered what we consider to be a sufficient justification to retain the funding allocated to them by the Committee on Appropriations.

Mr. Chairman, this amendment is consistent with the budget resolution. The House-passed budget resolution assumed that $44 million in savings could be achieved by reduction in the funding for the administrative offices and programs covered by our amendment. We have scaled that back to $12 million in cuts. This is very reasonable in light of the over $320 million available for the Department's administrative expenses.

Mr. Chairman, let me now address the Department's reorganization. The National Performance Review states that after reorganization, personnel at the USDA headquarters should be reduced 8 percent, resulting in an annual savings of about $73 million. To date, savings in the higher administrative levels have not appeared to be anywhere near this magnitude. Similarly, the Agriculture Reorganization Act mandated personal reductions of $7,500. However, this is to be accomplished by the year 1999. This is too far away. This amendment would provide the added nudge that is necessary to start the process of downsizing the bureaucracy now.

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

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. DURBIN. Mr. Chairman, I understand the debate was limited to 20 minutes, 10 on a side. Could the Chair tell me how the 20 minutes is divided between the majority and minority party?

The CHAIRMAN. To the best of the Chair's understanding, the gentleman from Colorado [Mr. ALLARD] as the proponent of the amendment, controls 10

minutes, and the gentleman from Colorado [Mr. SKEEN] in opposition, controls 10 minutes.

Mr. SKEEN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. DURBIN] and I ask unanimous consent that he be allowed to control that time.

The CHAIRMAN. It is the understanding of the Chair that the gentleman from New Mexico is opposed to the amendment.

Mr. SKEEN. I am opposed to the amendment, Mr. Chairman.

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

There was no objection.

The CHAIRMAN. Under the unanimous consent agreement, the gentleman from New Mexico [Mr. SKEEN] will control 5 minutes, and the gentleman from Illinois [Mr. DURBIN] will control 5 minutes.

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

Mr. Chairman, I rise in opposition to this amendment. I wonder if the gentleman from Colorado and those who are proponents to this amendment have any idea of what we have already done in the U.S. Department of Agriculture, and what we are doing in this bill.

The gentleman comes before us this afternoon with a suggestion of cutting $12 million out of 13 different agencies, $12 million is a lot of money. The gentleman from New Mexico [Mr. SKEEN], as chairman of the subcommittee this year, will cut $1.2 billion from discretionary spending in the Department of Agriculture. It is not as if we have not bitten the bullet. We have chewed right through it. Last year we cut $1.3 billion. This year we cut $1.2 billion. These are serious cuts. As a result of these cuts, the U.S. Department of Agriculture has had to make dramatic changes.

Let me give Members an idea of some of the things USDA has done: Totally reorganized the agency, reducing from 43 to 29 the number of agencies under USDA; field offices being restructured; 1,170 county-based offices will be closed or consolidated. As of June, offices have already been closed in 224 counties across the United States. Our goal in employee reduction is 13,000 employees over the next 6 years. It represents one-fourth of the headquarters staff, 20 percent of administrative staff years, and the savings from these reductions already in place will be over $4 billion.

What the gentleman does with his amendment is to say: ''Well, my dog is bigger than your dog. I can cut more than you can. I am a real fiscal conservative. We will find some more to cut.'' We can all play that game, but when it is all over, while this department is downsizing, can it still perform its functions?

I will say to the gentleman from Colorado, his phone will be ringing, as mine will be ringing, when farmers and others who want services from this department find their phone calls go unanswered. His phone will be ringing, as mine will, as people are calling and say, ''What happened? I am mired in bureaucracy and red tape. I cannot get an answer.'' We can all keep trumping one card higher than the other, but the fact is the gentleman from New Mexico [Mr. SKEEN] made a substantial cut in this agency. We did the same thing last year. They are on board. In fact, they are out in front of the whole Federal Government in terms of reorganization and reinventing government. Now the gentleman just wants to do a little more. I am afraid if the gentleman does this, frankly, we will not only have to RIF people early, which may be unfair, but will in fact affect the very basic functions of this department.

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

Mr. DURBIN. I yield to the gentleman from Colorado.

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

I would just remind the gentleman that we are only talking about less than a 4-percent reduction. My phone in already ringing from farmers who say, ''Look, what is happening to us and our programs?'' Yet the bureaucracy in Washington seems to slide along with about the same spending levels. What I am talking about as the chief economist, we are talking about offices here in Washington, not the field offices out there that serve farmers.

Mr. DURBIN. Reclaiming my time, Mr. Speaker, I would ask the gentleman this. In the U.S. Department of Agriculture, what is the largest single agency employer? Does the gentleman know?

Mr. ALLARD. I do not know that.

Mr. DURBIN. I will tell the gentleman, it is the Forest Service.

Mr. ALLARD. I would have guessed it is the Food Stamp Program.

Mr. DURBIN. The Food Stamp Program is administered by the States, as I am sure the gentleman knows. It is the Forest Service. The USDA has about 120,000 employees, and out of that the Forest Service has approximately 33,000 employees. It has continued to grow, and incidentally, is not under our jurisdiction in this bill, while other agencies of USDA have been held stagnant and reduced.

Therefore, if the gentleman is getting calls from people saying ''What about that bureaucracy in USDA,'' tell them it is the Forest Service. That is the area where it has grown. In the other areas it is not growing. There are an awful lot of jokes that are tossed around about how many people work at USDA, but I will tell the Members this: They do a lot of hard work and important work. I am afraid the gentleman's amendment is an effort to trump us and go a little bit better, cut a little bit deeper, and in fact, when the services are not there, people are going to say, ''Why in the heck are we paying our taxes if nobody is there to answer the phone?''

Mr. ALLARD. Mr. Chairman, if the gentleman will continue to yield, I have looked seriously at what I have proposed here and spent some time with the Committee on Appropriations staff. We initially looked at a $28 million cut. We are looking at some of the functions that we are carrying on here in Washington that were, we felt, of high enough priority that we should not include them in the amendment, things like the National Appeals Division and some programs in Department administration, the inspector general, the buildings and facilities, and hazardous waste management. There are other programs that need to be reduced.

Mr. DURBIN. Reclaiming my time, Mr. Chairman, unfortunately, the gentleman does not sit through the weeks of hearings that we sit through and listen to these agencies. Just to mention the inspector general's office, do you know what they spend half of their time investigating? Food stamp fraud.

□ 1530

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

Mr. DURBIN. The inspector general's office spends half of its time investigating food stamp fraud.

Mr. ALLARD. Would the gentleman yield for a correction?

Mr. DURBIN. Regular order, Mr. Chairman. I will be glad to yield to the gentleman at some point, but please allow me to use my time.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. DURBIN] has expired.

Mr. ALLARD. Mr. Chairman, I yield myself 30 seconds for a correction.

Mr. Chairman, the amendment that I had proposed does not cut the inspector general.

Mr. Chairman, I yield 3 minutes to the gentleman from Kansas [Mr. BROWNBACK].

Mr. BROWNBACK. Mr. Chairman, I think some valid points have been raised here. Let me be succinct and brief on this.

There are real cuts that are taking place in the agriculture programs. There are real cuts that have been taking place since 1986. I think I have lived through a fair number of those. I was Kansas Secretary of Agriculture for the past 6 years. I think I have a little bit of an idea what that is about. They are proposed in the budget resolution that has been passed by both Houses to a further cut next year of $1 billion of what the farmers receive out of the program, $1 billion.

The bureaucracy that we are talking about, and I recognize the valid comments of the gentleman from Illinois, the bureaucracy we are talking about is flat line spent for the next several years. It is a flat level spending while the farmers get less money in their pockets.

I simply think we are going to have trouble going out to farmers and saying, yes, we have to balance the budget, make these cuts, and you are going

to have less money. They say, ''What about the USDA in Washington, the bureaucracy?'' We say, ''We have to have the same amount of money, people and everything in the centralized office.''

I think this is a good, prudent amendment. It is a 4-percent overall cut in the upper levels, the bureaucracy here, not out in the field staff, not out in the field offices.

A second point I would quickly make is, the first year I came in as Kansas Secretary of Agriculture, I was presented a 7-percent across-the-board agency cut. Recognize, I am talking millions at the State level and this is billions here, so I know the magnitude of the difference. But what it forced me to do is make real changes in my operation, the things we knew we needed to have take place but we did not have the political impetus and force to do it. It think it will help as well.

What we are talking about, ladies and gentlemen, is being able to go out and face farmers that are going to be facing real continued reductions, and we have had reductions already since 1986, real continued reductions so that, yes, we start if first in Washington, we make real cuts there, and this is going to be difficult, but this whole process is.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. WALSH].

Mr. WALSH. Mr. Chairman, I rise in strong opposition to the gentleman's amendment. I share the gentleman's concerns about cutting farm programs and not cutting the bureaucracy. I do not think the gentleman fully understands that this committee has made significant reductions in what he calls the bureaucracy in this bill.

This bill does make real cuts in real programs, downsizes the Federal Government and ensures the most efficient use of taxpayers' dollars. Let me just cite several examples. All the programs that the gentleman's amendment proposes to reduce, with three exceptions, have already been reduced in this bill by $2.5 million.

The Office of the Chief Economist: This office established pursuant to USDA reorganization by transfers was reduced by $66,000 below the 1995 level.

Office of Budget and Program Analysis was reduced by $104,000.

Congressional Relations: The committee recommendation consolidated all the congressional affairs and activities into one account and cut it by 25 percent.

Economic Research: The committee recommendation is $805,000 below the 1995 level, or $1.5 million below the budget request.

The National Agricultural Statistics Service is $317,000 below the 1995 level.

Mr. Chairman, we take our role very seriously in budget cutting. I think the committee has produced a bill that is responsible. I urge the Members of the House to support the committee's recommendation and defeat the gentleman's amendment. We have tried our level best to do the best we could with what we had. I think that this amendment goes too far and undoes some of the fine work that we have done.

Mr. ALLARD. Mr. Chairman, I yield 2 minutes to my friend and colleague, the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentleman from Colorado [Mr. ALLARD] for yielding me the time.

Mr. Chairman, I have an amendment at the desk that calls for a $12 million reduction out of the Washington bureaucracy but puts some of that money namely, $5.5 million, back to State and county offices.

The substitute version that came out of the Committee on Rules cuts an additional $17.5 million out of State and county operations. I think that is more. If you want to talk about phone calls, where you get the phone calls is when they go into the county offices and they cannot get service.

I worked in USDA in Washington for 4 years as deputy administrator of programs; a tremendous number of hard-working, good civil servants in that department. However, today we have 10,700 employees here in Washington, DC. They should be out in the country.

I support the gentleman's amendment. I think it is reasonable. Out of that 10,000, out of every 100 employees we can reduce by 4 employees what is here in Washington, DC.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Chairman, I just would like to reiterate the cuts that are already being made as a result of the reorganization of last year is one-fourth of the headquarters staff in Washington in USDA. We talk about the Chief Financial Officer alone, and you look at the cuts: a 17-percent cut from last year's spending.

We will have an amendment a little later by the gentleman from California [Mr. CONDIT] that will propose to add $200,000 to the account so that the Risk Assessment Office, which is awfully important to many of us in agriculture, can be adequately funded. The gentleman from Colorado would cut it $375,000 more. The gentleman from California [Mr. CONDIT] already says, and correctly so, he needs $200,000 to do the job.

We are going to write a farm bill a little bit later on. There is going to be a request for a lot of information. The Chief Financial Officer will be required. We are not going to have the money to do it because we have already made the cuts.

I wish the gentleman from Colorado [Mr. ALLARD] would have supported us last year in the Committee on Agriculture when we talked about this, when we had the reorganization bill up before the Committee on Agriculture. All of the things that we were talking about doing then, which are now cutting 1,170 county-based offices, are being cut as a result of actions that are already being taken. Please do not make an additional cut on top of that.

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

Mr. Chairman, we have heard a lot about cuts that are going to go back out in the field, and they are not. I remind the Members that these are cuts for bureaucracy here in Washington. Let me point out a few of the agencies that have not been cut: General Counsel; Building and Facilities; department administration; Inspector General; Office of Budget and Program Analysis.

Let me again remind the Members of what the total budget figures look like for the bureaucracy here in Washington, DC, $314 million in 1994. In 1995, it is $311 million. And in 1996, we are looking at $313 million.

The funds available to the Department of Agriculture for administration total $313 million; $320 million if the new Info Share Program is included. This amendment is less than 4 percent of all that.

One might get the impression, listening to this debate, that our amendment proposes to eliminate offices or accounts. The fact is that we are proposing only 10 or 5 percent cuts, and a number of administrative accounts are not cut at all.

I have no doubt the department officials perform important work and that we are asking that we get by with less, but we are asking this of all aspects of the Federal Government. No one ever suggested balancing the budget would be easy. When we are cutting back on farm programs, slowing the growth of Medicare, eliminating some agencies entirely, we need to reduce bureaucracy as well. Every amendment counts.

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

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

The CHAIRMAN. The gentleman from New Mexico [Mr. SKEEN] is recognized for 2 minutes.

Mr. SKEEN. Mr. Chairman, I rise in opposition to this amendment with a great deal of reluctance. The gentleman from Colorado [Mr. ALLARD] is a good Member of this Congress.

I am sorry that we just did not understand his interest, along with the interest of the gentleman from Kansas [Mr. BROWNBACK], and some of the others, in making these cuts. We would have taken them under our wing in the committee and worked through this together, because right now from his own figures, we are still below the 1994 figure for the Department of Agriculture.

Mr. Chairman, we have made those cuts. We have made the reductions where we can, and there must be some reason or some rationale to what we do. We should not be out here just cutting without knowing what the consequences are. We should not just be making mindless cuts.

Certainly part of our job here as legislators is to make sure that agencies

of the Federal Government operate as intended in the laws that we have enacted. Many of these cuts have severe impacts on agencies, and starting right here from headquarters all the way up and down the line.

We have made those cuts. We must understand that they have to function, the agency has to have some function left. We cannot add cuts upon cuts and still expect them to function. These cuts will not allow some of these agencies to operate if we adopt this amendment.

I would suggest that these cuts fall in the area of not very good government. We should not be here doing these cuts when we do not understand the consequences.

I urge Members to vote against this amendment. These agencies have already paid their fair share in deficit reduction. Let us not do things when we have no idea of what we are doing.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. ALLARD].

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

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

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 19, further proceedings on the amendment offered by the gentleman from Colorado [Mr. ALLARD] will be postponed.

AMENDMENT OFFERED BY MR. CAMP

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CAMP: Page 13, line 24, strike ''$31,485,000'' and insert $31,930,000''.

Page 14, line 2, strike $98,810,000'' and insert $98,365,000''.

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

Mr. CAMP. Mr. Chairman, I urge support for this amendment to transfer $445,000 from competitive research grants to restore funding for special grant research for sustainable agriculture. Continuing research for sustainable agriculture is crucial to maintaining an acceptable balance between the need to protect American agriculture, the family farm, and our precious environment.

Mr. Chairman, I urge my fellow Members to support this amendment. One of the reasons that American farm families are able to provide the best food in the world at the lowest prices is because our universities have been able to conduct revolutionary research. By continuing this research, we enable the agriculture industry to find newer and safer ways to expand their crops while protecting our precious environment.

Michigan State University is on the cutting edge of such research. Their studies on the management of municipal and animal organic waste, and the use of grazing systems to improve livestock production are providing valuable data which will assist the farm families of today—and tomorrow.

Their studies, which also include the inclusion of cover crops in field crop rotations and water table management studies, are continuing to improve soil composition on American farms. This improves the health and productivity of crops and livestock which benefits us all.

In addition to assisting the American farm family with productivity, their research also studies the effect of various pesticides on our environment.

This amendment will restore the funding for Michigan State University's special research grant for sustainable agriculture. We offset the cost of this program, which is $445,000, by transferring these funds from the competitive research grants.

Michigan State is strategically located in the sensitive environmental area of Michigan which includes 2,300 miles of shoreline, 20,000 slow moving creeks, rivers and streams, and hundreds of inland lakes. Water table management is critical in this area. The lessons learned in this sensitive area can be applied elsewhere in similar situations.

In these days of global competitiveness, it is vital that American farm families are given the opportunity to grow and prosper. With this research, they can continue to provide the kind of quality products we've come to appreciate. In order to ensure that research on newer and safer ways to provide those products continues, we must support programs like this one.

Sustainable agriculture strikes a fair balance between increasing profits for the American farm families and preserving and protecting our precious environment.

This is a minimal price to pay for all that we can benefit from effective and efficient research.

Mr. Chairman, I yield to the gentleman from Michigan [Mr. BARCIA].

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

Mr. BARCIA. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Michigan [Mr. CAMP]. I believe, also, that it is vital that we restore funds for sustainable agricultural research as part of this appropriation.

This amendment restores $445,000, the same amount as was available in fiscal 1995, to continue work which seeks to develop production methods that are profitable for farmers and have less impact on the environment.

All of our major advances in agriculture have come as a result of research. If we are to improve production practices with an eye toward a better management of the environment, then careful and sustained research will be necessary to develop better production methods.

As the fiscal 1996 hearings for the Department of Agriculture pointed out, this research effort targets compost integration, rotational grazing, cover crops, and water table-nutrient contamination management. This last element is the continuation of subirrigation research work that is vital in my part of Michigan if we are to adequately protect and efficiently use our groundwater resources.

The hearings most explicitly demonstrated that farm areas in Michigan are drained by more than 20,000 miles of slow-moving creeks and streams, and the leeching of nutrients into groundwater is a major environmental concern. This work is conducted at several locations throughout Michigan, including within my congressional district, and need to be continued.

Mr. CAMP. Mr. Chairman, I yield to the gentleman from Michigan [Mr. CHRYSLER].

Mr. CHRYSLER. Mr. Chairman, I rise in support of the amendment offered by my colleague. Research in sustainable agriculture is necessary to continue to develop agricultural program methods that are profitable for farmers and have less impact on the environment. Not only will the farmers themselves benefit from this valuable research but also the economies of the surrounding communities. I urge my colleagues to join me in voting for the Camp amendment.

Mr. SKEEN. Mr. Chairman, if the gentleman will yield, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. CAMP].

The amendment was agreed to.

□ 1545

AMENDMENT OFFERED BY MR. CONDIT

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

The Clerk read as follows:

Amendment offered by Mr. CONDIT: Page 25, line 20, insert before the colon the following: ''(reduced by $300,000)''.

Page 3, line 3, insert before the period the following: ''(increased by $300,000)''.

Mr. CONDIT. Mr. Chairman, I rise today to offer an amendment that would fulfill a commitment that the 103d Congress began on risk assessment and cost-benefit analyses. My amendment would transfer $300,000 from the salary and expenses of the consolidated Farm Service Agency to the Office of Chief Economist in the Department of Agriculture.

I understand the gentleman from New Mexico [Mr. SKEEN] has a substitute amendment that he plans to offer to my amendment, and I want to thank the chairman and his staff for working with us over the last several days to ensure funding for this important office and what it intends to do.

This money will be used to carry out the statutory requirement of the establishing of the Office of Risk Assessment and Cost Benefit Analysis. As some of you may be aware, the USDA office of risk assessment was a mandate under the USDA department reorganization legislation signed by the President last fall.

Risk assessment and cost-benefit analysis has served as the cornerstone for regulatory reform during the first 7 months of the 104th Congress. While steps taken by the Department to put this office on the right track, the current funding in the agriculture appropriations bill would not allow the office to meet its mandated obligation, as prescribed under the USDA reorganization legislation of the 103d Congress.

I urge Members to support my amendment, and the Skeen substitute, and I reserve the balance of my time.

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

Mr. CONDIT. I yield to the gentleman from Kansas [Mr. ROBERTS] who has been a strong supporter of the risk assessment effort.

Mr. ROBERTS. Mr. Chairman, I would just like to emphasize the gentleman has been a real leader in the unfunded mandates effort several Congresses ago when it was not popular, and now when it is, and his efforts to put an office of risk assessment within the Department of Agriculture was a real initiative, a real reform effort in the Committee on Agriculture during the last session.

Unfortunately, because of the budget pressures, it was not funded. We need this money. It is a good effort and I commend the gentleman and I support the amendment wholeheartedly.

AMENDMENT OFFERED BY MR. SKEEN AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. CONDIT

Mr. SKEEN. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. SKEEN as a substitute for the amendment offered by Mr. CONDIT: On page 3, line 3 strike $3,748,000 and insert $3,948,000; On page 14, line 2 strike $98,365,000 and insert $98,165,000; and

On page 14, line 20 strike $389,372,000 and insert $389,172,000.

Mr. SKEEN (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 New Mexico?

There was no objection.

Mr. SKEEN. Mr. Chairman, I will explain the amendment. This has to do with the Office of Risk Assessment, and my amendment transfers $200,000 from the Competitive Research Grants Program under the Cooperative State Research, Education, and Extension Service to the Chief Economist.

This money is needed to supplement existing funding and will be used to both enter into contracts with experts in the field of risk assessment to provide USDA with guidance in how its Office of Risk Assessment and Cost Benefit Analysis should operate, and hire an economist to work in this office. That is the intent and the explanation of this amendment and I ask for its adoption and support its passage.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico [Mr. SKEEN] as a substitute for the amendment offered by the gentleman from California [Mr. CONDIT].

The amendment offered as a substitute for the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. CONDIT], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. CASTLE

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

The CHAIRMAN. The Clerk will designated the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CASTLE: Page 25, line 20, strike ''$805,888,000'' and insert ''802,888,000''.

Page 31, line 19, strike $629,986,000'' and insert $612,986,000''.

Page 40, line 10, before ''for loans'' insert ''(plus $200,000,000)''.

Page 40, line 20, before '', of which'' insert ''(plus $40,000,000)''.

Page 57, line 20, strike ''$821,100,000'' and insert ''$801,100,000''.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes and that the time be equally divided.

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

Mr. SANDERS. Mr. Chairman, reserving the right to object, how many more amendments do we plan to offer?

Mr. DURBIN. Mr. Chairman, if the gentleman will yield, it is my understanding the gentleman from New Mexico [Mr. SKEEN], the chairman of the committee, has suggested the time limit on the Castle amendment and all amendments thereto.

Mr. SKEEN. Mr. Chairman, if the gentleman will yield, I did not mean to say the whole gamut. I would like to say 20 minutes on the entire gamut of amendments.

Mr. Chairman, I will give the gentleman from Illinois 5 minutes.

Mr. DURBIN. I thank the gentleman.

Mr. SANDERS. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The debate time will be limited to 20 minutes; 10 minutes to be controlled by the gentleman from Delaware [Mr. CASTLE] and 10 minutes in opposition, 5 minutes by the gentleman from New Mexico [Mr. SKEEN] and 5 minutes by the gentleman from Illinois [Mr. DURBIN].

Mr. CASTLE. Mr. Chairman, I am offering an amendment that is based on two principles. One is that encouraging homeownership is good for our economy and society and, two, in the effort to balance the budget, spending cuts must be allocated fairly.

My amendment would restore $200 million of the $400 million cut in the section 502 direct loan homeownership program made by yesterday's manager's amendment. The program was cut 45 percent last year and now the bill before us would reduce the 502 rural housing program by another 42 percent.

Mr. Chairman, I have the utmost respect for the gentleman from New Mexico [Mr. SKEEN] and I know he is a supporter of rural housing. The Appropriations Committee originally recommended a level of $900 million for the 502 program. However, after the committee found that it could not include savings from certain mandatory spending programs, the chairman felt he had to make an additional $400 million cut in the 502 direct program.

I understand the difficult choices the gentleman from New Mexico has had to make. This budget is extremely tight and it has to be. I am not seeking to restore the 502 program to its fiscal year 1995 level or even to the level originally recommended by the committee. My amendment will still leave the program with $233 million less than its current year funding, a cut of 25 percent from last year.

Mr. Chairman, what do these numbers mean to real people in our rural communities? They mean a lot. The 502 direct loan program is the only affordable homeownership program that serves low- and very low-income families in rural areas.

The typical direct loan borrower is working and is making $15,165 per year. These are hard-working people trying to achieve the American dream of owning their own home. The 502 direct program is the most effective program to help them make that dream a reality.

This program works. It helps people who would otherwise be unable to afford a home make the step to home ownership. While these families have very low income, they pay their mortgages. The 30-day delinquent rate is only 6.8 percent and the 90-day rate is 1.6 percent. There is currently a 2- to 3-year waiting list for these loans.

We are not meeting the need with the current level of funding, much less with the cut proposed in this bill. A loan level of $900 million would assist about 14,000 new homeowners. Cutting it to $500 million would provide only 7,800 loans.

Mr. Chairman, my proposed amendment would allow us to help almost 11,000 families in rural areas across the Nation. Remember, the actual appropriations for this program are much lower than the loan levels they provide. In fiscal year 1995, an appropriation of $228 million provided $933 million in loans.

Under this bill, we would appropriate only $102.6 million to provide $500 million in loans. My amendment would add a modest $40 million to an appropriation of $142.6 million and $700 million in loans.

In southern Delaware, like many rural areas, affordable housing is scarce and often substandard. The economy in these communities is often more sluggish than more populated areas. When families can buy homes, they give the economy of the entire community a shot in the arm. Construction provides new jobs and expanded tax base for schools and other investments and increased sales and tax revenues.

A single family 502 direct loan generates 1.75 jobs, $50,201 in wages, and

$20,506 in annual tax revenues in rural America. In short, the program not only provides homes to low-income rural families, it provides jobs and tax revenues to rural communities.

Mr. Chairman, this amendment is a matter of fairness. The rural housing 502 direct loan program is taking a disproportionate cut in the effort to balance the budget. My amendment would simply restore some funding for home loans to low-income rural families.

The amendment is budget neutral. Most important, it would help more rural families achieve the American dream the American dream of home ownership. I urge my colleagues to approve this amendment.

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

Mr. SKEEN. Mr. Chairman, I understand what the gentleman from Delaware [Mr. CASTLE], my friend and colleague, is trying to do here to restore money to the section 502 direct loan program. But in doing so, his amendment would seriously damage other programs which have already been cut significantly. Mr. Chairman, I regret that I have to oppose this amendment.

When we dropped the limitations against some mandatory programs and had to go back into discretionary programs to look for additional savings, we looked closely at every account and made our decisions after a great deal of deliberation. That includes all the accounts that the gentleman from Delaware [Mr. CASTLE] proposes to cut to restore funds to the 502 direct loan program.

The en bloc amendment, which we have agreed to, cuts an additional $17.5 million from salaries and expenses of the Consolidated Farm Service Agency. Money for PL–480 humanitarian aid has declined steadily from $1.7 billion to just about $1 billion.

The refugee situation in Bosnia grows more tragic every day and this program is essential to American aid efforts there as it is to American aid programs in central Africa.

Conservation programs have been reduced by 40 percent in the past 2 years and this amendment will mean less money for important soil erosion and water quality programs in both rural and urban areas, and I repeat, rural and urban areas.

According to the Department of Agriculture, a $21 million cut in Conservation Operations would mean a reduction of 400 staff years, permanent closing of 140 field offices, 50,000 farmers will not be able to receive technical assistance, and 3.1 million acres of land will not be treated for conservation measures such as soil erosion.

Mr. Chairman, we have tried very hard in this bill to distribute cuts fairly and to distribute the funds carefully to meet our budget-cutting obligations. The bill, as amended, does that and I urge my colleagues to reject this amendment which simply throws away many long, hard weeks of work and effort and makes severe cuts in essential programs.

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

Mr. CASTLE. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, very briefly, the numbers on this are on the Consolidated Farm Service Agency, after this cut, and this is not the bill cut in that it is only $3 million, it simply freezes it at the 1995 level.

The Natural Resources Conservation Service, my amendment would still provide a $22.3 million increase over this year. In the grants program on transportation, the title 2 grants, my amendment would provide over $801 million for this program, an increase over the request and only 3 percent cut from 1995, while this program is facing cuts of 45 and 44 percent in each of the last 2 years. I do not think they are even comparable.

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

Mr. SMITH of Michigan. Mr. Chairman, I was chairman of the working group in the Committee on the Budget dealing with HUD and with the old Farmer's Home Administration.

I would suggest, Mr. Chairman, and to this body, that it should not be the goal of the U.S. Government to be in the banking business. We should be moving to guaranteed loans, which is much more effective, much less costly for taxpayers.

That is what this committee did. They moved and expanded the guaranteed loan program from $1 billion to $1.7 billion to serve many more clients than direct loan programs can. We should not be in the direct loan program.

Mr. CASTLE. Mr. Chairman, I yield 15 seconds to myself in response. The guaranteed loan programs do not serve this population. They serve a population at twice the income of this.

Mr. Chairman, and I yield 1 minute to the gentleman from Iowa [Mr. LATHAM].

Mr. LATHAM. Mr. Chairman, I just wanted to say that in the 5th district of Northwest Iowa, this is extremely important and I support this amendment. We virtually have no unemployment in the area. Our problem is housing. This goes right to the heart of the real needs of the people in my district, the rural areas, and I strongly support this amendment. I thank the gentleman for offering it.

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. STENHOLM].

□ 1600

Mr. STENHOLM. Mr. Chairman, I, too, would like very much to be supportive of the gentleman's amendment today for the reasons of housing, but again it is not that simple, and, when we look at the work that the committee has done, they had a tough call to make, and they have made that call, and, when my colleague says in the area of the FSA office he is only bringing it down to freezing at last year's level, he is overlooking two rather significant facts, and that was what I tried to point out to the gentleman from Colorado [Mr. ALLARD] a moment ago. As a result of the reauthorization we are reducing from 43 to 29 agencies in USDA. The FSA office on the same amount of money as last year is going to have to administer two additional programs. That is part of the reorganization. So what sounds like a very innocuous, simple amendment gets very complicated when it actually gets into how to implement it out there in the country.

So this is one of those areas that we would all like to be very supportive of, but again, as a result of the reorganization ongoing and that we are plowing through ground that none of us really understand the true effects of as yet I, too, must reluctantly, but rather firmly, oppose the amendment offered by the gentleman from Delaware [Mr. CASTLE] today.

Mr. CASTLE. Mr. Chairman, I yield myself 15 seconds just to rebut what the distinguished gentleman from Texas [Mr. STENHOLM] said.

Three million dollars is the reduction in FSA in this particular amendment, $3 million, and yet we are looking at a program that is almost savaged in terms of the cuts which are going on. I think the comparison makes ours fair.

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

Mr. GILCHREST. Mr. Chairman, a couple more facts here:

Last year 130,000 people applied for what we used to call the farmer's home loan, and that is 130,000 that applied, 15,000 were able to take advantage of the money that was available. This year, under the present conditions, it would only be 8,000 people able to take advantage of it. Two years ago 27,000 people were able to take advantage of it. We have reduced those important farm programs by just a small amount. That small amount can be transferred into rural housing.

The importance of rural housing cannot be expressed enough. We have people that are working with children that must rent. They are not really contributing to the tax base of the community, they are not building up equity for their family. With a small amount of rural home loans by the Federal Government we are not only going to help those rural families, we are going to contribute to the community, and many of those rural families that we are helping with this loan money are children of farmers who deserve the dollars.

Mr. Chairman, I encourage my colleagues to vote for the Castle amendment.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama [Mr. CALLAHAN].

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

Mr. CALLAHAN. I thank the gentleman for yielding this time to me.

Mr. Chairman, I could not agree more with Governor CASTLE. I think that this 502 program is one of the finest government programs that has ever been concocted here in Washington. It does provide a very needed service to our American people, people who are working, people who are trying to make a substantial position in their life or their families who cannot go to a bank. It is very crucial and very important that we fund it, and I support the funding of it, but not in this way.

I say to the gentleman, Governor, I think that you're on the right track, but I think that the committee has worked hard. We have found another $10 million, and I'm going to introduce an amendment which I think is going to be accepted. That will increase the lending authority another $50 million. So that's going to help some.

The chairman of the committee has told me that they are going to try to work in the Senate with the Members of the Senate and in the conference committee to increase that, but I think that we ought to give due credit to the chairman of the committee for the hard work he has done under some very extreme circumstances, recognize he is supportive as the gentleman and I are, that we want to increase the funding for the 502 program. We are going to increase it, but just not in this manner.

So, Mr. Chairman, I reluctantly oppose the amendment and urge my colleagues to vote ''no'' in this case and trust us, and I know that that is something coming from a politician, but trust the chairman, that he is going to help us try to correct the problem that exists in the bill.

So, I encourage my colleagues to continue to support the 502 program but to vote ''no'' on this particular amendment.

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

Mr. Chairman, I would like to speak against this amendment, and I would like to agree with the previous speaker from Alabama. What the gentleman from Delaware is setting out to do is very important. I think he has accurately identified a real problem that we face in small-town America. It applies to the State of Illinois, virtually every State, because in the smaller communities low-income families are finding it impossible to own a home and to certainly own a quality home. The average income of the families, the borrowers who applied for 502 housing, is about $15,000 a year, and to put that in simple terms, it is a husband and a wife each earning a little bit more than the minimum wage who are trying to get their first starter home, and if there is ever anything we in America value as part of the American dream, that is it, and the gentleman from Delaware is trying to find resources to put into this program, and I am with him 100 percent.

But, as the gentleman from Alabama and the gentleman from New Mexico said, he has turned to the wrong places to find them because he is causing pain in other areas which I am afraid is equal to or greater than the pain to be felt in the housing area. ''When you want to cut $21 million from conservation operations,'' I tell my friend from Delaware, ''you are going to permanently close 140 field offices across the United States, 3.1 million acres will not be treated with conservation measures, 50,000 farmers will not receive technical assistance, and 11½ million tons of soil erosion will occur.''

Mr. Chairman, if someone is listening to that, they will say, ''So what? Water flows into rivers every day.'' The so what is that in my town of Springfield, IL, in Dover, DE, in places all across the United States where we rely on a public water supply, this sedimentation causes great pain and problems from the viewpoint of the quality of water and the quantity of water. So where we think we are saving money and cutting conservation we are adding to the expense of living in a city.

The same thing can be said for other cuts proposed by the gentleman. His cuts in the consolidated Farm Service Agency of $17½ million—I am sorry; his cuts are in addition to the $17½ million made last night in the en bloc amendment. This is going to hurt that agency, in doing its job overall. The cuts in Public Law 480, on humanitarian aid: We have been cutting back in Public Law 480 year, after year, after year, and what is left is very little to try to respond to genuine world crises in a very moderate way. I know the gentleman is just as sensitive to that as I am.

So, Mr. Chairman, I would join with the gentleman from Alabama [Mr. CALLAHAN], who said earlier that we want to help put more money in 502. I think the sources identified by the gentleman from Delaware are not the places to turn to, and I will be opposing his amendment.

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

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

Mr. OLVER. Mr. Chairman, I thank the gentleman from Delaware for yielding this time to me, and I certainly do recognize and commend the work of the chairman and the ranking member in coming up with a bill under very difficult circumstances, and what I hear from a number of different Members is that the very commendable amendment being proposed in its principle by the gentleman from Delaware whose amendment I support is—wants to do the right thing, but takes the money from the wrong place. But here we are cutting out of a program of housing home ownership for low-income families. We are taking that one down by about 50 percent, more than 50 percent, over a 2-year period, and the whole program is coming down, the whole program in agriculture coming down less than 10 percent in its total, so it seems to me we ought to be able to find a way of putting some more money into the program for the 502 program here.

It is a program that takes families who are on the edge of making it and allows them to have a stake in their community. It is their own chance for owning their own houses, in fact the only Federal program that gives assistance for low-income home ownership, so I would support the gentleman's amendment and hope that it would be adopted.

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, the gentleman from Delaware [Mr. CASTLE] and I have had conversations, and I support the direction he is going. I just disagree where he is taking his sources, and I do not know if I get in a colloquy with him to suggest later on we will have a better opportunity to discuss, and the gentleman probably disagrees with my amount and my source, but let me share with my colleagues I do support the gentleman's effort, and I do think that he and I share the right goals. It is just I do not want to devastate these other programs when that money is taken from them, leave them ineffective and inoperative.

So, I am trying to find a way to accommodate the gentleman's desire, but I am also recognizing I am going to have an amendment in title III which obviously is more ideal, and I may not have the numbers. Do I offer to lose all of the compromise?

But I think we will have a chance to visit this again, and I would just hope that the gentleman from Delaware can find it to be supportive since he wants to move in that direction anyhow. He would be able to amend mine, if necessary, to allow it to accommodate our goals.

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

The CHAIRMAN. The gentleman from Delaware is recognized for 2 minutes.

Mr. CASTLE. Mr. Chairman, it is a very interesting amendment. I have never presented an amendment on this floor or anywhere else for that matter. Everybody got up and said, ''Gee, it is a great program, it is a great idea to fund it more. This is one of the best things we do in the United States of America, but we just simply can't do it.'' And I understand everyone's good will and am not being facetious at all when I say that, but the bottom line is I think we can do it. I think this amendment is the best vehicle in which to do it.

Mr. Chairman, I appreciate the comments of the gentlewoman from North Carolina, but the bottom line is fairly simple. The FSA concern, we are reducing that by $3 million. In the Natural Resources Conservation Service my amendment would still allow $22.3 million increase over this year, and we only have a 3-percent cut in the title II grants for the various services to foreign governments on food grants.

This is in comparison, my colleagues, to a 45-percent reduction last year in this wonderful program we run, a 42-percent reduction this year if we do not do anything about it, which is simply incredible in light of the fact that we have people standing in line, the program works, people pay back their loans, practically everybody supports it.

Mr. Chairman, in my judgment this is a program which seems to meet all the litmus tests we want of trying to balance our budget, give people an opportunity and particularly help in our rural areas where we have good people who are out there working, earning a small income but enough to be able to buy a home. I have been in these homes, I have been at these settlements, I have seen how this program works, and it is an excellent program, and I am just worried if we wait until some other time we will not be able to resolve all the problems before us.

So, Mr. Chairman, I would encourage us to go ahead with this amendment and perhaps that will be the jumping-off point for future negotiations, and I hope we would all support the Castle amendment to help keep this program we all agree is outstanding alive.

Mr. SKEEN. Mr. Chairman, I yield the remaining 30 seconds of my time to the gentleman from New York [Mr. WALSH].

Mr. WALSH. Mr. Chairman, I, too, rise in reluctant opposition to the gentleman from Delaware's amendment. We all agree on the importance of this program. The difficulty is our subcommittee has spent countless hours allocating very scarce resources to the many important programs that we have. This delicate balance that we have woven together is affected very heavily by the offsets that the gentleman from Delaware [Mr. CASTLE] provides, so I look forward to, in title II of this bill, supporting Mr. CALLAHAN's amendment to do precisely the same thing, just not at the same magnitude.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Delaware [Mr. CASTLE].

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

RECORDED VOTE

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

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 19, 1995, further proceedings on the amendment offered by the gentleman from Delaware [Mr. CASTLE] will be postponed.

□ 1615

AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment, numbered 71.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS: Page 3, line 3, insert after ''$3,748,000'' the following: ''(increased by $1,000,000).''

Page 56, line 16, insert before '', of which'' the following: ''(reduced by $3,000,000)''.

Page 60, line 15 insert before '', of which'' the following: ''(increased by $1,000,000)''.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

Mr. SANDERS. Mr. Chairman, reserving the right to object, we are talking about the survival of the American family farm. I would ask for 30 minutes.

Mr. SKEEN. Mr. Chairman, I insist on 20 minutes.

Mr. SANDERS. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The gentleman from Vermont is recognized for 5 minutes.

Mr. SANDERS. Mr. Chairman, did the chairman say 25 minutes?

Mr. SKEEN. Mr. Chairman I will meet the gentleman halfway, 25 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico [Mr. SKEEN] that debate on this amendment and all amendment thereto be limited to 25 minutes?

There was no objection.

The CHAIRMAN. Time for debate on this amendment is limited to 25 minutes, which means the gentleman from New Mexico [Mr. SKEEN] will control 6 minutes and 15 seconds, the gentleman from Illinois [Mr. DURBIN] will control 6 minutes and 15 seconds, and the gentleman from Vermont [Mr. SANDERS] will control 12 minutes and 30 seconds.

The Chair recognizes the gentleman from Vermont [Mr. SANDERS].

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

Mr. Chairman, the CBO scored this amendment and found it saves both budget authority and outlays. This amendment is simple: It cuts funding for the Foreign Agricultural Service by $3 million, and adds back only $2 million, $1 million to the chief economist to report on the impact of synthetic RBGH on small dairy farms, and another $1 million to the FDA to develop an RBGH level test. The remaining $1 million goes into deficit reduction.

Mr. Chairman, injections of synthetic bovine growth hormone, otherwise known as RBGH, or BST, are presenting a very serious and multifaceted problem since the Monsanto Corp. introduced the product into the market last year.

RBGH or BST is a new genetically engineered hormone that forces cows to produce greater than normal amounts of milk. The introduction of RBGH is having the impact of lowering farm income and threatening the very existence of the family dairy farm. Soon after the introduction of BST, the Milwaukee Sentinel reported on the ''Sea of new milk triggered in part by the introduction of bovine growth hormone.''

As milk production increases, the prices that farmers receive for their product declines. Given the reality that family dairy farmers have already seen a major drop in the real prices that they receive for their milk, the further decline of milk prices because of Monsanto's BST is an absolute disaster.

The truth of the matter is that in my State of Vermont, family farmers are being driven off of the land in increasing numbers. This is happening in Wisconsin, in Minnesota, all over the America, and this is a terrible tragedy for those of us who believe in family farming.

The Office of Management and Budget estimates that dairy surpluses caused by BST injections will cost farmers $1.3 billion in lost income over the next 5 years. They acknowledge that farmers are going to be receiving significantly less income.

Let me tell you something, Mr. Chairman, that the loss of family farms in Vermont or Wisconsin is not only a tragedy for our States, it is a tragedy for America. It will be a very bad thing when a handful of large agribusiness corporations control the production and distribution of dairy products in this country. It will be a tragedy when all over this country we see family farmers going out of business. That is why this amendment provides the chief economist in the Department of Agriculture with $1 million to report on the economic impact of BST on the small dairy farms in America.

Mr. Chairman, I strongly urge Members to support this study and vote for this amendment.

The introduction of RBGH to dairy farming also results in higher Federal spending. Deficit hawks, listen up. With more milk being produced, more money is spent on purchasing the milk surplus. OMB estimates it will cost the Federal Government $500 million over the next 5 years to pay for the surplus created by the introduction of BST.

Further, Mr. Chairman, the irony of all ironies is that the synthetic bovine hormone serves no useful purpose other than making Monsanto, a multibillion dollar corporation, a little bit richer. That is all that it does.

If you are interested in deficit reduction, you should support this amendment that provides $1 million in direct savings and addresses this expected $500 million lost.

Synthetic BGH is not just an economic issue, it is a consumer issue. Consumer polls show us that up to 90 percent of American consumers want RBGH milk labeled. They want it labeled. State labeling legislation that has been passed in Vermont and other States clearly underscores this very strong consumer support for labeling. Labels would enable consumers to support the continued existence of family farms, deficit reduction, and the humane treatment of cows.

Consumers around the world are leery of RBGH. The European parliament voted unanimously to extend its ban on the import of dairy and meat

products from animals which had been treated with the drug.

Mr. Chairman, this amendment provides $1 million to the FDA to develop a simple and inexpensive test so that we will know whether the milk coming from a cow, if that cow has been injected with BST or not. It is a very important consumer issue.

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

Mr. DURBIN. Mr. Chairman, I yield myself two minutes.

Mr. Chairman, I understand where my colleague from Vermont is coming from. There is no doubt that many changes in science are changing farming, and that has been the case since the turn of the century. There is no question that these changes have forced many small operations out of existence, and they will continue to. And with their disappearance, we will lose part of the American way of life, and some of that will be to our detriment as a nation.

But it is literally impossible for us to ignore scientific change and advances and its impact on farming. This chemical, this bovine growth hormone, has a consequence of increasing the milk production of America's dairy cows.

Now, the fact is, we did not need more milk. We had plenty already, but now this chemical is helping each cow to give more milk. My dairy farmers in my district are using it because they believe it is the wave of the future. They believe that fewer cows producing more milk can be the wave of the future.

The gentleman from Vermont I am sure is correct that some dairy producers will not be able to accommodate this change and may go out of business, but we cannot turn back the hands of time. We cannot ignore the science that has come about.

I disagree with my colleague from Vermont in his suggestion that there is something inherently dangerous with this chemical. There have been no fewer than 2,000 separate studies of this chemical, and we have found no harmful effects from the bovine growth hormone. The trace elements which we find of this chemical in milk are so minute, one part per billion, and if you want to put that in perspective, I am told that is the equivalent of one second in approximately 32 years, that is the concentration we find of this chemical in milk, and it causes no problem because it is already a naturally occurring hormone in a cow's milk.

Our Nation's milk supply is the very safest in the world. It is tasted over and over and over again before it reaches the consumer. Mr. Chairman, I oppose the gentleman's amendment.

Mr. SANDERS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I will not make any bones about it. I do not like BST. I do not like BGH. I think its effect on the economy and rural sociology will be profound. But we do not have to get into that to assess the desirability of the gentleman's amendment.

My good friend from Illinois says that the consequence of BGH use is to increase dairy production. That is true. That is the problem, because that leads to other consequences. And when you have a large increase in dairy production, you are going to also have a large increase in turmoil in rural communities and a great disruption of the rural economy and rural sociology.

I hate to see anything happen which further weakens rural areas, which further weakens small towns, and which, therefore, further weakens the work ethic, which I think is rooted more deeply in those small communities than any other place in America.

I would observe that all the gentleman is asking, if I understand the amendment correctly, is that in the context of an amendment which saves $1 million on the deficit, he simply asks that a study be done to determine what the economic impacts of this chemical will be.

Now, I know that many farmers in my district think that if you took every agriculture economist in the world and laid them end to end, that it would be a good thing. But nonetheless, I think that it would be very good for everybody on all sides of this issue to have a full understanding of the impact of this chemical. All the gentleman is asking for is that we know not only what the scientific effect will be in terms of increased dairy production, but what that will lead to in terms of the dairy economy, the consequences that has for rural America, and the consequences it has for the Federal budget.

Regardless of how you feel about the chemical, there is nothing wrong with this amendment. In fact, it could put a lot of political arguments about it to rest. I would urge that Members support the amendment.

Mr. SKEEN. Mr. Chairman, I yield 1½ minutes to the gentleman from Wisconsin [Mr. ROTH].

Mr. SANDERS. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 2½ minutes.

Mr. ROTH. Mr. Chairman, I thank my friends, for yielding time to me.

Mr. Chairman, We should all be concerned about milk safety and supply, and believe me, in Wisconsin, for example, and around the country we are. Everything is stainless steel, as clean as can be. But that is not the issue here. The issue here, as I interpret this amendment, is we are going to spend $1 million to do another study. But we have already done so many studies. Every study has shown that BGH is safe. It has even been approved by FDA.

So what is the purpose of another $1 million study? To take it out of our market promotion program? If there is anything we need in agriculture, especially in dairy, it is to sell more of our products overseas. So I do not want to see any money diverted from that for another meaningless study.

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

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

Mr. SANDERS. Mr. Chairman, will the gentleman tell the people of America, his colleagues, how many family farms in Wisconsin have gone out of business and how many farmers have been thrown off the land?

Mr. ROTH. Mr. Chairman, reclaiming my time, yes, we have had too many dairy farms go out of business in the State of Wisconsin and in other parts of the country. But that is not the issue here. That is not the issue here.

BGH is not going to be decided here in this Chamber. BGH is not going to be decided on the dairy farm. You know where BGH is going to be decided? It is going to be decided by the consumer when they walk into the grocery store and supermarket, and if they buy the milk, it is going to be produced by BGH. If they do not, it will not be. It is a consumer's issue here.

Mr. SANDERS. The gentleman comes from the great State of Wisconsin. Farmers are being driven off the land in Wisconsin. I had farmers coming to my office in tears because they are working 80 hours a week and losing their farm. Here is the question: Will the gentleman tell his colleagues how many farmers in Vermont have been driven off the land because of the introduction of BST? Do you know the answer?

Mr. ROTH. No one knows the answer.

Mr. SANDERS. That is why I want the study.

Mr. ROTH. People have not been driven off the farms because of BGH. I am not in favor of BGH. We have enough milk production. There are a lot of other reasons. That is not the issue.

Mr. SANDERS. What is the issue?

Mr. ROTH. I have read your amendment. You want to take $1 million for another study, and I am saying we do not need any more studies. We already know the answer.

Let me just say that what the issue basically here is, we do not want to divert this money from the market promotion program, because that is a promotion program that is helping our dairy farmers. We already have enough studies in BGH. We do not need any more.

□ 1630

The CHAIRMAN. The gentleman from New Mexico [Mr. SKEEN] has 4 minutes and 15 seconds remaining, the gentleman from Vermont [Mr. SANDERS] has 3½ minutes remaining, and the gentleman from Illinois [Mr. DURBIN] has 4 minutes and 15 seconds remaining.

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

My good friend from Wisconsin has got it wrong, and my good friend from Illinois has got it wrong. So-called progress is not necessarily a good thing. It is the function of human beings to determine what is good and what is not good.

Right now one of the reasons that family farmers all over this country are being driven off of the land is the prices that they are receiving are dropping precipitously. The reason their prices are dropping is we have too much milk. If we believe in the importance of the family farm, and I know the people in Vermont do, I know the people in Wisconsin do, and I know the people in America do, then we have a right to say, why are we using a synthetic hormone. And here is where my friend from Illinois is wrong. All of the studies that I have seen suggest that BST makes cows sicker and increases the rate of mastitis. That is not, that is an established fact by many studies. When cows get sicker, farmers are obliged to use more antibiotics.

Nobody here suggested that the milk that comes from those cows is unhealthy. What we are simply saying is, what sense does it make when we already have too much milk to be supporting a product which increases milk production, which makes cows sicker, which drives family farmers off of the land?

Whether we can do anything about that or not, I do now know. But at the very least, we can do two things:

No. 1, $1 million for a study so my friend from Wisconsin will know what the impact of BST has been on his farmers. No. 2, a simple study developed by the FDA so we can have a test to know whether the milk comes from BST cows or does not.

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

Mr. DURBIN. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, a friend of mine who is a farmer in Jacksonville, IL, who has been in the business for a long time told me that when he started in the early 1950's, after getting out of World War II, it took him up to an hour to cultivate an acre of land. With today's equipment he can do it in a few minutes. He can also find out that his production on each acre has grown dramatically because of the fertilizer and the herbicides and pesticides which we have developed. So now he is farming acreage which used to be farmed by many other farmers. That is the march of science.

I would also say to my friend from Vermont, please do not create the suggestion in anyone's mind that there is anything suspicious about America's milk supply. At the Prairie Farms Dairy in Carlinville, IL, I walked into the sterile room with the stainless steel tanks and was told that that milk is tested no fewer than four different times before it reaches the consumer to find any evidence of impurity or any evidence of antibiotic. If any of it is found, the entire shipment is cast aside.

It is the safest milk supply in the world. To suggest otherwise is unfortunate.

Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. GUNDERSON].

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

Mr. GUNDERSON. Mr. Chairman, I rise in strong opposition to this amendment for a number of reasons. First of all, we have done the studies mandated by this Congress in the past to determine its effect before it was approved. The reality is, it is here. We cannot change that. We have got to go on from this point forward.

Second, what you are doing to fund a study that has already been done by OTA is to take money from the foreign ag service. The number one thing we can do to help America's dairy farmers is to do the export promotion after GATT, after NAFTA, so that we can get the market development. We are not going to get our dairy farmers the income we would like to through a government price support system as we balance the budget. That is not going to happen.

The only place we are going to get income for those dairy farmers is increasing our exports, tightening up our domestic supply. I want to point out to the gentleman, a year ago, just after BST was approved, the MW, the Minnesota-Wisconsin price, was 11.25. Today it is 11.42. The prices have not gone down because of BST.

Mr. SANDERS. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. HINCHEY].

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

Mr. HINCHEY. Mr. Chairman, I am very much in support of this amendment because I believe it will help us save the small family dairy farmer, and it will also promote health and safety for dairy consumers across the country.

It has been alleged that we ought to leave this to the marketplace, let consumers decide. The fact of the matter is that consumers do not know. They do not know when they walk into the marketplace, to the supermarket whether or not the cheese or the milk that they are buying comes from cows that have been injected with bovine growth hormone. We want them to find out. We want to have it labeled, and we want that study to produce the kind of information which will result in that labeling.

This current project, this injection of this hormone is already costing family farmers more than $200 million a year. We want to get the dairy herds of the United States off of drugs. They are now getting hooked on drugs. Bovine growth hormone leads to the imposition of other drugs to alleviate the causes of the imposition of bovine growth hormone. Let us get the dairy herd of the United States off drugs.

The tests that we have currently to ensure the purity of milk in this country do not account for the presence of these drugs, so people do not know whether there is a problem with these drugs. We want that information, and that is what the Sanders amendment will produce.

Finally, the Europeans have rejected the importation of American dairy products into Europe. The European Union has said no to American dairy products because they are fearful of the effects of this bovine growth hormone on consumers in their countries. They have said that they cannot guarantee their safety. The British journal Lancet and others have recently outlined that very clearly.

Let us pass this amendment. It is very important.

Mr. DURBIN. Mr. Chairman, let me say that the bovine growth hormone is naturally occurring in milk now. It is virtually impossible to differentiate the synthetic growth hormone from that naturally occurring. It is in such limited concentrations that it poses no health risk based on these 2,000 studies.

Mr. Chairman, I yield the balance of my time to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I want to thank the gentleman for yielding time to me.

Mr. Chairman, there are two main aspects to this issue. No. 1, in my view it is not inevitable that we continue to see a decline in family farms who in Vermont and throughout this country are the backbone of America.

It is important that this Congress stand up and fight as hard as we can to protect those extraordinarily hard-working Americans who have given us so much.

No. 2 is, as the gentleman from New York [Mr. HINCHEY] pointed out, this is also a consumer issue. Without getting into a great debate, the time is not now to do that, consumers do have a right to know whether the dairy products they are injecting come from cows that were injected with bST or whether they do not.

My friend from Illinois is not quite right, because tests, if made available, if developed, can tell us whether the milk comes from bST-injected cows or not. That is why we are providing funding to develop that test. My friend from New York also pointed out that in Europe they are concerned about the issue. They have placed a moratorium on the use of bST.

So, from the point of view of saving the family farm, from the point of view of giving the consumer the right to make a choice about the product he or she ingests, let us pass this amendment. It is terribly important.

I thank the gentleman from Illinois for yielding time to me.

Mr. SKEEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. SMITH].

(Mr. SMITH of Michigan asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Chairman, as one of the few dairy farmers that still is milking cows on my farm, I would like to put out a statement in the RECORD in opposition to this amendment.

The hormone bST occurs naturally in all milk. The FDA determined that bST will neither adversely affect the health of cows, nor the individuals who consume the milk produced from the these cows. This determination was based on over 2,000 studies. Extensive testing has been going on for the past 10 years. Supplemental hormones, for example, estrogens treating women during menopause, have been used in humans for the past 20 years.

The issue now is whether the Government discourage biotechnologies which have been proven safe. I believe that producers, not Government bureaucracies, ought to make decisions involving the economics of their respective operations.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. WALSH].

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

History is a marvelous teacher. This argument that the future, the future of the family farm will be affected by this vote, I think, is somewhat in doubt. Several hundred years ago, there was a group of individuals in England, I believe, referred to as the Luddites who opposed the imposition, ''imposition,'' of mechanization tractors on farmers. They went around hitting the tractors with hammers.

In the early 1970's, I, as a Peace Corps volunteer, went to Asia to work as an agriculture extension agent. India was a net importer of grains and there was a marvelous American scientist named Norman Borlaug who developed the triple gene variety of wheat, it was a dwarf variety of wheat that outproduced the domestic varieties, the native varieties by twofold without fertilizer, merely by just changing the seed. By adding fertilizer, you could increase yields by fourfold. The net result is India now exports wheat and rice.

Yes, we are losing family farms. New York in the 1980's lost 10 percent of its farms per year. That was 10 years before bST was licensed to be used in the United States.

It is more of a function of high property taxes that is driving small family farms out of business. Too much Government is the answer there.

Mr. Chairman, we all have concerns about bST. The gentleman from Wisconsin [Mr. GUNDERSON] explained quite clearly, as did the gentleman from Wisconsin [Mr. ROTH]. We had 10 years of testing in the laboratory before it was even brought to the farm for field tests.

And once it was brought to the farm for field tests, the results were positive. There was some increase in mastitis because the animals were milked more.

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

Mr. WALSH. I yield to the gentleman from Wisconsin.

Mr. ROTH. Mr. Chairman, it is interesting that under this amendment, we would be labeling bST. That would give the Europeans just another reason to discriminate against our products and keep them out.

Mr. WALSH. Mr. Chairman, I urge opposition to this amendment.

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

The CHAIRMAN. The gentleman from New Mexico [Mr. SKEEN] is recognized for 2 minutes and 15 seconds.

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

Mr. SKEEN. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, it is absolutely untrue what the gentleman from Wisconsin [Mr. ROTH] said. This does not call for labeling on BST.

Mr. SKEEN. Mr. Chairman, with all due respect to my friend, the gentleman from Vermont [Mr. SANDERS] and his concerns and so forth, but he is barking up the wrong tree. He has already contradicted himself several times in his statement.

First of all, we have been doing the tests. They have been exhaustive. We have gone over and over and over this thing.

There is nothing wrong with BST. It is a naturally occurring hormone in milk today. You cannot distinguish the synthetic from the natural. It does not take family farmers off of the farm. It allows them to stay there because with fewer cows, they can produce the same amount of milk and the feed increment is a lot less. So it is also an economical concern as well. It helps small farmers compete because they do not have to increase herds to increase production. They just use the hormone.

The FDA and the World Health Organization have confirmed that milk from these supplemented cows is safe and that the level of BST is the same as in any other milk, as I have said before. FDA did not require labeling of milk from supplemented cows because the milk is safe and the same in composition as other milk.

The following facts illustrate the high degree of practical difficulty in developing a test to distinguish rbST in milk:

All milk contains bST. The level of bST is unchanged in milk from supplemented cows. bST is present in milk only in extremely minute levels. rBST and BST are biologically and functionally indistinguishable. Four variants of BST occurred naturally in all milk and the four naturally occurring variants in the Monsanto rbST all differ from each other by only one or two amino acids. These amino acids are normal constituents of bST and milk.

□ 1645

Fearmongering is a wonderful practice in this country today when it comes to food. Any time we have an issue related to food, it is easy to take it out and start fearmongering that particular product. Mr. Chairman, I think, with all due respect to the gentleman, we ought to concern ourselves with understanding the effect of our scientific improvements and not be afraid of them, because it has made this country the best producer of milk.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

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

RECORDED VOTE

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

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 19, further proceedings on the amendment offered by the gentleman from Vermont [Mr. SANDERS] will be postponed.

Are there further amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, $677,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–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, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $629,986,000, of which not less than $5,852,000 is for snow survey and water forecasting and not less than $8,875,000 is for operation and establishment of the plant materials centers: *Provided,* That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further,* That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further,* That this appropriation shall

be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974, as amended (43 U.S.C. 1592(c)): *Provided further,* That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 (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.

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, and only high-priority projects authorized by the Flood Control Act (33 U.S.C. 701, 16 U.S.C. 1006a), 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, $100,000,000, to remain available until expended (7 U.S.C. 2209b): *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $200,000 shall be available for employment under 5 U.S.C. 3109: *Provided further,* That not to exceed $1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), 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.

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1001–1009), $14,000,000: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $110,000 shall be available for employment under 5 U.S.C. 3109.

CONSERVATION PROGRAMS

For necessary expenses, not otherwise provided for, 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. 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), 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, and 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, to be used 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 Secretary, and for associated costs of program planning, information and education, and program monitoring and evaluation, $36,000,000, to remain available until expended (7 U.S.C. 2209, 16 U.S.C. 590p(b)(7)): *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.

WETLANDS RESERVE PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the wetlands reserve program pursuant to subchapter C of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837), $210,000,000, to remain available until expended: *Provided,* That the Secretary is authorized to use the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of carrying out the wetlands reserve program.

CONSOLIDATED FARM SERVICE AGENCY

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, $75,000,000, 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 percent 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 Natural Resources 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 Natural Resources 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 percent 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 not to exceed $11,000,000 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, as amended (16 U.S.C. 3838 et seq.).

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), $1,781,785,000, 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.

The CHAIRMAN. Are there any amendments to title II?

If not, the Clerk will designate title III.

The text of title III is as follows:

TITLE III

RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL ECONOMIC AND COMMUNITY DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Economic and Community Development to administer programs under the laws enacted by the Congress for the Rural Housing and Community Development Service, Rural Business and Cooperative Development Service, and the Rural Utilities Service of the Department of Agriculture, $568,000.

RURAL HOUSING AND COMMUNITY DEVELOPMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Rural Housing and Community Development Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, as amended, title V of the Housing Act of 1949, as amended, and cooperative agreements, $53,315,000: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of 706(a) of the Organic Act of 1944, and not to exceed $500,000 may be used for employment under 5 U.S.C. 3109.

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of

1949, as amended, to be available from funds in the rural housing insurance fund, as follows: $2,200,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which $1,700,000,000 shall be for unsubsidized guaranteed loans; $35,000,000 for section 504 housing repair loans; $15,000,000 for section 514 farm labor housing; $150,000,000 for section 515 rental housing; $600,000 for site loans; and $35,000,000 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: section 502 loans, $107,840,000, of which $2,890,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $14,193,000; section 514 farm labor housing, $8,629,000; section 515 rental housing, $82,035,000, provided the program is authorized for fiscal year 1996; and credit sales of acquired property, $6,100,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $390,211,000, of which $377,074,000 shall be transferred to and merged with the appropriation for ''Rural Housing and Community Development Service, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, as amended, $535,900,000; 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 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided,* That of this amount not more than $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further,* That agreements entered into or renewed during fiscal year 1996 shall be funded for a five-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

SELF-HELP HOUSING LAND DEVELOPMENT FUND

For the principal amount of direct loans, as authorized by section 523(b)(1)(B) of the Housing Act of 1949, as amended (42 U.S.C. 1490c), $603,000.

For the cost of direct loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $31,000.

COMMUNITY FACILITY LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, $34,880,000, and for the cost of guaranteed loans, $3,555,000, as authorized by 7 U.S.C. 1928 and 86 Stat. 661–664, as amended: *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 such sums shall remain available until expended for the disbursement of loans obligated in fiscal year 1996: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $200,000,000 and total loan principal, any part of which is to be guaranteed, not to exceed $75,000,000: *Provided further,* That of the amounts available for the cost of direct loans not to exceed $1,208,000, to subsidize gross obligations for the principal amount not to exceed $6,930,000, shall be available for empowerment zones and enterprise communities, as authorized by Public Law 103–66: *Provided further,* That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1996, they remain available for other authorized purposes under this head.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $8,836,000, of which $8,731,000 shall be transferred to and merged with the appropriation for ''Salaries and Expenses''.

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, $24,900,000, 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), $10,000,000, to remain available until expended.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $12,650,000, to remain available until expended (7 U.S.C. 2209b).

RURAL COMMUNITY FIRE PROTECTION GRANTS

For grants pursuant to section 7 of the Cooperative Forestry Assistance Act of 1978 (Public Law 95–313), $1,000,000 to fund up to 50 percent 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, $495,000, 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), $11,000,000.

RURAL BUSINESS AND COOPERATIVE DEVELOPMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Rural Business and Cooperative Development Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, as amended; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926; for activities relating to the marketing aspects of cooperatives, including economic research findings, as authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and cooperative agreements; $9,520,000: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of 706(a) of the Organic Act of 1944, and not exceed $250,000 may be used for employment under 5 U.S.C. 3109.

RURAL BUSINESS AND INDUSTRY LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, $6,437,000, as authorized by 7 U.S.C. 1928 and 86 Stat. 661–664, as amended: *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 such sums shall remain available until expended for the disbursement of loans obligated in fiscal year 1996: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of guaranteed loans of $500,000,000: *Provided further,* That of the amounts available for the cost of guaranteed loans including the cost of modifying loans, $148,000, to subsidize gross obligations for the loan principal, any part of which is guaranteed, not to exceed $10,842,000, shall be available for empowerment zones and enterprise communities, as authorized by Public Law 103–66: *Provided further,* That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1996, they remain available for other authorized activities under this head.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $14,868,000, of which $14,747,000 shall be transferred to and merged with the appropriation for ''Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $12,865,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $3,729,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $584,000, which shall be transferred to and merged with the appropriation for ''Salaries and Expenses''.

ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION REVOLVING FUND

For necessary expenses to carry out the Alternative Agricultural Research and Commercialization Act of 1990 (7 U.S.C. 5901–5908), $5,000,000 is appropriated to the alternative agricultural research and commercialization revolving fund.

RURAL BUSINESS ENTERPRISE GRANTS

For grants authorized under section 310B(c) and 310B(j) (7 U.S.C. 1932) of the Consolidated Farm and Rural Development Act to any qualified public or private nonprofit organization, $45,000,000, of which $8,381,000 shall be available through June 30, 1996, for assistance to empowerment zones and enterprise communities, as authorized by title XIII of the Omnibus Budget Reconciliation Act of 1993, after which any funds not obligated shall remain available for other authorized purposes under this head: *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.

RURAL TECHNOLOGY AND COOPERATIVE DEVELOPMENT GRANTS

For grants pursuant to section 310(f) of the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1932), $1,500,000.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELEPHONE LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

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: 5 percent rural electrification loans, $90,000,000; 5 percent rural telephone loans, $70,000,000; cost of money rural telephone loans, $300,000,000; municipal rate rural electric loans, $500,000,000; and loans made pursuant to section 306 of that Act, $420,000,000, to remain available until expended.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), as follows: cost of direct loans, $35,126,000; cost of municipal rate loans, $54,150,000; cost of money rural telephone loans, $60,000; cost of loans guaranteed pursuant to section 306, $2,520,000: *Provided,* That notwithstanding sections 305(c)(2) and 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

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

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 1996 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be $175,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), $770,000.

In addition, for administrative expenses necessary to carry out the loan programs, $3,541,000.

DISTANCE LEARNING AND MEDICAL LINK GRANTS

For necessary expenses to carry into effect the programs authorized in sections 2331–2335 of Public Law 101–624, $7,500,000, to remain available until expended.

RURAL DEVELOPMENT PERFORMANCE PARTNERSHIPS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1928, and 1932, $435,000,000, to remain available until expended, to be available for loans and grants for rural water and waste disposal and solid waste management grants: *Provided,* That the costs of direct loans and loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That of the total amount appropriated, not to exceed $4,000,000 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 of the total amount appropriated, not to exceed $18,700,000 shall be available for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C: *Provided further,* That of the total amount appropriated, $18,688,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103–66: *Provided further,* That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1996, they shall remain available for other authorized purposes under this head.

In addition, for administrative expenses necessary to carry out direct loans, loan guarantees, and grants, $12,740,000, of which $12,623,000 shall be transferred and merged with ''Rural Utilities Service, Salaries and Expenses''.

SALARIES AND EXPENSES

For necessary expenses of the Rural Utilities Service, including administering the programs authorized by the Rural Electrification Act of 1936, as amended, and the Consolidated Farm and Rural Development Act, as amended, $19,211,000, of which $7,000 shall be available for financial credit reports: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of 706(a) of the Organic Act of 1944, and not to exceed $103,000 may be used for employment under 5 U.S.C. 3109.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 19, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

The amendment offered by the gentleman from New York [Mr. WALSH]; the amendment offered by the gentleman from Colorado [Mr. ALLARD]; the amendment offered by the gentleman from Delaware [Mr. CASTLE]; and the amendment offered by the gentleman from Vermont [Mr. SANDERS].

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

AMENDMENT OFFERED BY MR. WALSH

The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York [Mr. WALSH] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The clerk redesignated the amendment.

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Chairman. This first vote will be 15 minutes. Pursuant to the order of the House of Wednesday, July 19, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each additional amendment on which the Chair has postponed further proceedings.

The vote was taken by electronic device, and there were—ayes 427, not voting 7, as follows:

[Roll No. 538]

AYES—427

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Molinari
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen

Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—7

Collins (MI)
Conyers
Jefferson
Lewis (CA)
Moakley
Mollohan
Reynolds

□ 1706

Messrs. BLILEY, HEFLEY, and GREENWOOD changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 40 OFFERED BY MR. ALLARD

Mr. CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado [Mr. ALLARD] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 196, noes 232, not voting 6, as follows:

[Roll No 539]

AYES—196

Allard
Andrews
Archer
Armey
Bachus
Baker (CA)
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Bilbray
Bliley
Blute
Boehlert
Boehner
Bono
Brownback
Bryant (TN)
Bunning
Burr
Burton
Buyer
Calvert
Camp
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cunningham
Deal
Diaz-Balart
Dickey
Doggett
Doolittle
Dornan
Doyle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frisa
Furse
Gallegly
Gekas
Gilchrest
Gilman
Goodlatte
Goss
Graham
Green
Gutknecht
Hancock
Hansen
Harman
Hastert
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Hutchinson
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Kasich
Kelly
Kennedy (RI)
Kim
King
Kleczka
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Lewis (KY)
Lincoln
Lipinski
LoBiondo
Longley
Lucas
Luther
Manzullo
Martini
McCarthy
McInnis
McKeon
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Myrick
Nethercutt
Neumann
Norwood
Nussle
Owens
Oxley
Paxon
Pickett
Pombo
Porter
Portman
Pryce
Quinn
Radanovich
Ramstad
Reed
Roberts
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Salmon
Sanford
Scarborough
Schaefer
Schumer
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Smith (MI)
Smith (NJ)
Smith (WA)
Solomon
Souder
Stearns
Stockman
Stump
Talent
Tate
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Torricelli
Upton
Visclosky
Waldholtz
Walker
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Young (FL)
Zeliff
Zimmer

NOES—232

Abercrombie
Ackerman
Baesler
Baker (LA)
Baldacci
Ballenger
Barcia
Bateman
Becerra
Beilenson
Berman
Bevill
Bilirakis
Bishop
Bonilla
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Callahan
Canady
Cardin
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (IL)
Condit
Conyers
Costello
Coyne
Cramer
Cremeans
Danner
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Dicks
Dingell
Dixon
Dooley
Dunn
Durbin
Edwards
Engel
Evans
Everett
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Franks (CT)
Frost
Funderburk
Ganske
Gejdenson
Gephardt
Geren
Gibbons
Gillmor
Gonzalez
Goodling
Gordon
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hastings (FL)
Hastings (WA)
Hayes
Hefner
Hilliard
Hinchey
Holden
Houghton
Hoyer
Hunter
Hyde
Jackson-Lee
Johnson (SD)
Johnson, E. B.
Johnston
Jones
Kanjorski
Kaptur
Kennedy (MA)
Kennelly
Kildee
Kingston
Klink
LaFalce
Lantos
Leach
Levin
Lewis (CA)
Lewis (GA)
Lightfoot
Linder
Livingston
Lofgren
Lowey
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McIntosh
McKinney
Meek
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moran
Morella
Murtha
Myers
Nadler
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Orton
Packard
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pomeroy
Poshard
Quillen
Rahall
Rangel
Regula
Richardson
Riggs
Rivers
Roemer
Rogers
Rose
Roth
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Saxton
Schiff
Schroeder
Scott
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (TX)
Spence
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tauzin
Tejeda
Thompson
Thornton
Thurman
Towns
Traficant
Tucker
Velázquez
Vento
Volkmer
Vucanovich
Walsh
Wamp
Ward
Waters
Watt (NC)
Waxman
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)

NOT VOTING—6

Collins (MI)
Cubin
Jefferson
Moakley
Reynolds
Torres

Messrs. TORRICELLI, NUSSLE, TAYLOR of Washington, KLECZKA, GILMAN, FORBES, and FOLEY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WAMP. Mr. Chairman, on rollcall 539, I meant to vote ''yes'' and I accidentally voted ''no.''

AMENDMENT NO. 48 OFFERED BY MR. CASTLE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Delaware [Mr. CASTLE] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 96, noes 332, not voting 6, as follows:

[Roll No. 540]

AYES—96

Andrews
Baker (LA)
Barr
Bass
Bateman
Bentsen
Blute
Boehlert
Boucher
Burton
Canady
Castle
Chrysler
Clinger
Cooley
Davis
DeFazio
Dickey
Doggett
Dooley
Duncan
Dunn
Edwards
Ehlers
English
Ensign
Ewing
Fawell
Filner
Foley
Fox
Franks (NJ)
Frelinghuysen
Frisa
Furse
Gilchrest
Gillmor
Goss
Harman
Hefley
Hobson
Holden
Horn
Houghton
Hutchinson
Hyde
Inglis
Kelly
Kennedy (MA)
Kim
King
Kolbe
LaHood
Latham
Lazio
Leach
LoBiondo
Longley
Luther
Martini
McCollum
McHale
Metcalf
Meyers
Mfume
Miller (FL)
Molinari
Neal
Olver
Ortiz
Orton
Owens
Oxley
Pickett
Porter
Portman
Quinn
Ramstad
Roukema
Sanders
Saxton
Schumer
Shaw
Sisisky
Skelton
Smith (NJ)
Smith (WA)
Stearns
Stockman
Torkildsen

Velazquez
Vento
Wise
Wyden
Zeliff
Zimmer

NOES—332

Abercrombie
Ackerman
Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Boehner
Bonilla
Bonior
Bono
Borski
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Cardin
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Combest
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
de la Garza
Deal
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dingell
Dixon
Doolittle
Dornan
Doyle
Dreier
Durbin
Ehrlich
Emerson
Engel
Eshoo
Evans
Everett
Farr
Fattah
Fazio
Fields (LA)
Fields (TX)
Flake
Flanagan
Foglietta
Forbes
Ford
Fowler
Frank (MA)
Franks (CT)
Frost
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hoekstra
Hoke
Hostettler
Hoyer
Hunter
Istook
Jackson-Lee
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kennedy (RI)
Kennelly
Kildee
Kingston
Kleczka
Klink
Klug
Knollenberg
LaFalce
Lantos
Largent
LaTourette
Laughlin
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
Lofgren
Lowey
Lucas
Maloney
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy
McCrery
McDade
McDermott
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Mica
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pombo
Pomeroy
Poshard
Pryce
Quillen
Radanovich
Rahall
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanford
Sawyer
Scarborough
Schaefer
Schiff
Schroeder
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shays
Shuster
Skaggs
Skeen
Slaughter
Smith (MI)
Smith (TX)
Solomon
Souder
Spence
Spratt
Stark
Stenholm
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—6

Collins (MI)
Dicks
Jefferson
Moakley
Reynolds
Weldon (PA)

□ 1722

Mr. COLLINS of Georgia and Mr. TEJEDA changed their vote from ''aye'' to ''no.''

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 71 OFFERED BY MR. SANDERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont [Mr. SANDERS] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 70, noes 357, not voting 7, as follows:

[Roll No. 541]

AYES—70

Abercrombie
Ackerman
Andrews
Barrett (WI)
Becerra
Beilenson
Brown (OH)
Collins (IL)
Conyers
Coyne
DeFazio
Dellums
Doyle
Duncan
Engel
Eshoo
Evans
Fattah
Fields (LA)
Filner
Flake
Frelinghuysen
Furse
Gutierrez
Hinchey
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kleczka
Levin
Lewis (GA)
Lipinski
Lofgren
Maloney
Manton
Markey
McNulty
Meehan
Menendez
Mfume
Mink
Moran
Nadler
Oberstar
Obey
Olver
Pallone
Pelosi
Peterson (FL)
Rahall
Rangel
Reed
Rivers
Roybal-Allard
Sabo
Sanders
Schumer
Scott
Sensenbrenner
Serrano
Shays
Stupak
Torkildsen
Torricelli
Tucker
Velazquez
Vento
Woolsey
Wyden

NOES—357

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Dreier
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frisa
Frost
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kasich
Kelly
Kildee
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lowey
Lucas
Luther
Manzullo
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
Meek
Metcalf
Meyers
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Richardson
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Rush
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Seastrand
Shadegg
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torres
Towns
Traficant
Upton
Visclosky
Volkmer
Vucanovich
Waldholtz

Walker	Weldon (FL)	Wise
Walsh	Weldon (PA)	Wolf
Wamp	Weller	Wynn
Ward	White	Yates
Waters	Whitfield	Young (AK)
Watt (NC)	Wicker	Young (FL)
Watts (OK)	Williams	Zeliff
Waxman	Wilson	Zimmer

NOT VOTING—7

Ballenger	Jefferson	Reynolds
Calvert	Moakley	
Collins (MI)	Owens	

☐ 1731

Mr. FOLEY, Mr. RADANOVICH, and Ms. MCKINNEY changed their vote from ''aye'' to ''no.''

Mrs. MINK of Hawaii, Ms. PELOSI, Mr. LEWIS of Georgia, and Mr. OLVER changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BALLENGER. Mr. Chairman, on rollcall vote No. 541, I was detained. Had I been present, I would have voted ''no.''

☐ 1730

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

Mr. Chairman, I would like to engage the distinguished chairman of the House Agriculture Appropriations Subcommittee in a colloquy.

Mr. Chairman, it is my understanding that the bill, H.R. 1976, provides funding for the treatment and reduction of atrazine in three lakes in Illinois.

Mr. Chairman, knowing of your commitment and the commitment of the distinguished ranking member, the gentleman from Illinois [Mr. DURBIN], to the environment and your concern for human safety, I want to let you know that Lake Springfield, which is in my district and also in the district of the gentleman from Illinois [Mr. DURBIN], is experiencing the same problems as the other three Illinois lakes. Lake Springfield is the drinking water source for the city of Springfield, the capital city of Illinois. Lake Springfield has experienced the floodwaters and constant rain that fell throughout the Midwest this year. Consequently, this forced the city to spend an additional $200,000 for water treatment.

For instance, the atrazine levels in Lake Springfield reached a high of 25 parts per million during the high water levels in the spring.

Mr. Chairman, I have some articles that I am including in the RECORD detailing the severity of the problem in Lake Springfield.

The atrazine level in Springfield was a subject of a comical parody of the top 10 good things about having atrazine in our water, to name a few, makes Lipton iced tea more brisk, restaurants will now ask, ''Atrazine or no atrazine?'' And finally, smoke detector, carbon monoxide detector or, now I get an atrazine detector.

Mr. Chairman, I commend you and the committee for proactively assisting central Illinois in dealing with this problem.

I would ask, with the chairman's indulgence, to include Lake Springfield to share equally in any final conference report that appropriates funds to reduce atrazine in the State of Illinois.

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

Mr. LAHOOD. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, the gentleman is correct, and I would be happy to work with the gentleman from Illinois when we get to conference on this bill to ensure that his request is addressed.

Mr. LAHOOD. I would also like to acknowledge my friend, the gentleman from Illinois [Mr. DURBIN], the ranking member, who fully supports this effort and has lent his support to it. I thank him. I know the residents of Springfield, both the 20th and the 18th districts, appreciate our mutual efforts.

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

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

Mr. DURBIN. Let me add my voice in support of the effort of the gentleman from Illinois [Mr. LAHOOD] here. He represents the watershed which serves Lake Springfield, which is in my district, and we have a common concern, because we both represent that city and many residents who rely on that water supply. I think his suggestion is a very valid one. I will do my best in conference to work with the gentleman from New Mexico [Mr. SKEEN] to implement it.

AMENDMENT OFFERED BY MR. DE LA GARZA

Mr. DE LA GARZA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DE LA GARZA:

AMENDMENT NO. 50: On page 41, line 3, strike out ''$390,211,000, of which $377,074,000'' and insert ''$385,889,000, of which $372,897,506''; and

On page 46 after line 7 insert the following paragraph:

''RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

''For the cost of direct loans as authorized by the rural development loan fund (42 U.S.C. 9812(a)) for empowerment zones and enterprise communities, as authorized by title XIII of the Omnibus Budget Reconciliation Act of 1993, $4,322,000, to subsidize gross obligations for the principal amount of direct loans, $7,246,000.''.

Mr. DE LA GARZA. Mr. Chairman, this amendment will restore $4,332,000 in budget authority for the rural development loan fund program to continue direct loans to rural empowerment zones and 30 rural enterprise communities established last year.

We know, and we sympathize with the problems of the appropriators, but I think that we have found a way to restore these funds, Mr. Chairman, by reducing the amount given to the administrative function of the rural housing, because the loans on rural housing have all been reduced by substantial amounts, and it is our intention that the reduction that would accrue from not having to do that work be taken from the administrative side and provided for the technical assistance to the empowerment zone.

Mr. Chairman, the empowerment zones and enterprise community are the poorest of the poor. The nominated areas have to be less than 30,000, must have an unemployment below the poverty line, over 35 percent. They must have pervasive poverty and unemployment. And with all of the good intentions that these programs were dedicated to last year, I think that it would be in our own best interests to establish them, establish confidence in the community, get them to working together, matching funds and all of the work that has been done basically by the poor themselves, and I think it would be appropriate.

I do not think that we do any damage to the area where we are transferring from, and it is not our intention to do any damage, but I think, and hopefully, that novel and innovative ways could be found between now and final passage. We will leave that to the distinguished Members, the chairman, and ranking member and their staff.

Mr. Chairman, thank you for the opportunity to explain my amendment. It would restore $4,322,000 in budget authority for the Rural Development Loan Fund Program account to continue direct loans to the three Rural Empowerment Zones and 30 Rural Enterprise Communities established last year. This will support a loan amount of $7.2 million, the same level as was contained in the version of H.R. 1976 reported out by the Appropriations Committee.

The Empowerment Initiative involving these areas will help them to help themselves by providing Federal loans and grants that will be matched with State assistance and other nonmonetary assistance such as targeted tax credits and technical assistance from a variety of Federal, State, and local agencies.

Mr. Chairman, the localities involved in this initiative are some of the most impoverished rural areas in the United States. Each zone or community selected to participate in this effort put together a long-range detailed plan for utilizing the funds and technical assistance that will be provided to them. The loans that go out under the Rural Development Loan Fund are among the most effective in creating jobs in rural America. The lending history of the RDLF program shows an average job creation of 25–30 jobs for every $110,000 loaned out. This combination provides the potential for a tremendous return on the Federal Government's investment in areas in desperate need of economic activity.

My amendment as drafted would pay for the restoration of the Empowerment Zones/Enterprise Communities funding through a decrease in

the appropriation available for the administrative expenses of the Rural Housing and Community Development Service. I will work with my colleague, Mr. SKEEN, and the Department to find alternative sources should they indicate that a cut in this agency would hinder its ability to effectively deliver the programs under its jurisdiction.

Mr. Chairman, I urge the support of my colleagues for the amendment.

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

Mr. DE LA GARZA. I yield to the gentleman from New Mexico.

Mr. SKEEN. I want to say to my very good friend from the great State of Texas and distinguished ranking member and former chairman of the Committee on Agriculture, and, by the way, my chairman when I was a member on the Committee on Agriculture. I will never forget your advice, ''Don't overtalk an issue, and if you see me run that gavel handle across my throat, it means sit down.'' Well, you do not have the gavel, so I can go on.

The gentleman from Texas [Mr. DE LA GARZA] has offered an amendment to restore $4.3 million for empowerment zones and enterprise communities under the Rural Development Loan Fund program account. Funds for this program were eliminated as part of the en bloc amendment, because in order to make the necessary additional savings from discretionary spending, we eliminated all funding for this account.

The gentleman's amendment appears to be budget neutral because it takes a like amount from the administrative expenses of the Rural Housing and Community Development Service. I say to my good friend from Texas, the committee knows about the importance of the empowerment zones and enterprise communities and has funds for them in three other accounts in this title.

However, each of these accounts has different objectives, and so I will be happy to accept the gentleman's amendment and thank him for his interest and strong support for rural America.

Mr. DE LA GARZA. I thank the distinguished chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DE LA GARZA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CALLAHAN

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

The Clerk read as follows:

Amendment offered by Mr. CALLAHAN: Page 40, line 10, strike ''$2,200,000,000: and insert ''$2,250,000,000''.

Page 40, line 20, strike ''$107,840,000'' and insert ''$118,335,000''.

Page 39, line 24, strike ''$53,315,000'' and insert ''$42,820,000''.

Mr. CALLAHAN. Mr. Chairman, this afternoon and last night and all through this debate and all through the debate in the Committee on Agriculture as well as the Committee on Appropriations, we focused an awful lot on the 502 housing program, and I think that has been most healthy because a lot of people know about this in the House that did not know about this wonderful program that exists here in our country for people who need financing capabilities who cannot get it because of low income.

We have such a program here in this great country of ours, this 502 program. Firemen and policemen and other hard-working people for the first time in their lives have an opportunity to have the financing capability of a nice home at a reasonable cost, and let me tell you, it is a working program, one of the finest programs that this country knows, and I think that all of us now, through all of this debate, finally recognize how important it is.

We do have a dilemma, though, in this appropriation process, and let me tell you, both the gentleman from Illinois [Mr. DURBIN] and our colleague, the gentleman from New Mexico [Mr. SKEEN], have helped us tremendously as have their staffs, trying to find an opportunity to insert some more money, but there is just no capability here.

But we are optimistic that there will be a capability, as we flow through the process and get into conference committee with the Senate, and they have pledged to me that they are going to do even more to make certain that this program receives the necessary money that it needs.

We have 130,000 people whose applications have been approved who are waiting in the fiscal year starting October 1, hoping to get their first home. We are not going to be able to provide this service of all of them, but this is going to be a good start, and with the cooperation of the gentleman from Illinois [Mr. DURBIN] and the gentleman from New Mexico [Mr. SKEEN], we have come up with opportunities to add another $10 million as displayed in my amendment, which will create a capability of another $50 million in lending capability.

So I appreciate the staff of the committee working with me to find this resource. I am hopeful that we will finds more moneys, more resources, but I appreciate the spirit of working cooperation that I have received from the gentleman from New Mexico [Mr. SKEEN] and the gentleman from Illinois [Mr. DURBIN], as well as the gentlewoman from North Carolina [Mrs. CLAYTON], who has worked hard at this on her own.

Mrs. CLAYTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I join my colleague in support of this amendment. I tell you, I do it reluctantly, but I do it very proudly because I know he is moving in the right direction.

Obviously, I would have my amendment that would have restored it up to the level, or at least yesterday I wanted it restored up to the level we had it originally. Today I tried to restore it up to $1 billion and found I could not sustain a point of order.

I think the gentleman from Alabama [Mr. CALLAHAN] has done us a service of finding a way where we can begin the process.

Let me speak to the need of it. I think we need not underestimate because we have this compromise working. There is need to push for more, as the gentleman from Alabama [Mr. CALLAHAN] said, in terms of the numbers. Already in my State there are 2½ years' worth of applications at the level at which we were funded last time, $1.4 billion. So now that we are moving back, can you understand where we moved to $500 million, and now we are raising this to $50 million, that we are cutting back essentially all of the opportunity for 3 and 4 years.

My plea to you is to recognize what we are doing in destabilizing these communities. Having an investment in your first home not only is an investment for the families and their children but it is an investment in the community. It is a tax base. It is really having a piece of the American pie.

I would urge both sides of the House, if, as the gentleman from Alabama [Mr. CALLAHAN] has indicated, if in the conference we could find more money, we would encourage you to do that because this is just such a small opportunity. But I do urge that we support this because it means that at least this Congress recognizes that 502 has been a very effective program. It is a program that not only serves families well but also serves our communities well.

□ 1745

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

Mr. Chairman, I stand in strong support of the Callahan-Clayton amendment. This 502 program is critically important to lower-income working families and smalltown America. The gentleman from Alabama is right. There are people waiting in line for a piece of the American dream. We have got to not only add the money that was suggested, but keep looking for more. I will be working with the gentleman from New Mexico [Mr. SKEEN] to accomplish that, and I thank my colleague for his leadership as well as the gentlewoman from North Carolina.

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

Mr. Chairman, this amendment, I think, demonstrates very clearly the difficulty that we were in and we have been in. To make additional cuts in the discretionary program, an increase of $50 million in the loan level for section 502 direct loans, requires more than $10 million of subsidy, and this amendment would take that money from the salaries and expense accounts of the Rural Housing and Community Development Service. In 1996 that account will be used for, among other things, the closing and restructuring of USDA field offices, and that reorganization plan will save many millions of dollars in the long run. I know how important the 502 housing program is to many Members,

and it is important, as well, to me, and I will agree to this amendment. If we can do better for the 502 in the conference, we will certainly be trying to do exactly that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. CALLAHAN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WATT OF NORTH CAROLINA

Mr. WATT of North Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WATT of North Carolina:

Amentment No. 46: Page 40, line 16, before the period insert the following:

''*: Provided,* That notwithstanding section 520 of the Housing Act of 1949, the Secretary of Agriculture may make loans under section 502 of such Act of properties in the Pine View West Subdivision, located in Gibsonville, North Carolina, in the same manner as provided under such section for properties in rural areas''.

Mr. WATT of North Carolina. Mr. Chairman, this provision would permit the subdivision in my congressional district, known as Pineview West subdivision, to be eligible once again for financing for the 502 program which was just discussed in the prior amendment. This was an eligible rural area as of the 1980 census. As a result of the 1990 census this still-rural area became a part of the standard metropolitan statistical area, and so it lost its designation as a rural area that would qualify under the 502 program.

Last year in the 103d Congress I offered this amendment which was adopted by the House Banking Committee in the housing reauthorization bill, and the housing reauthorization bill of course passed the House last time but was not acted on by the Senate.

This would not add any additional money. It would simply allow this one subdivision to compete along with other rural areas for 502 funds, and I ask the support of my colleagues.

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

Mr. Chairman, I stand in support of this amendment. I think it is a reasonable request by the gentleman, I think it has been reviewed by the majority as well, and I hope that we can pass this with a voice vote very quickly.

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

Mr. Chairman, we were reluctant to accept it, but we know of no real objection to it, so we accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. WATT].

The amendment was agreed to.

Mr. HASTINGS of Washington. Mr. Chairman, I move to strike the last word for the purposes of a colloquy.

Mr. Chairman, a number of fruit producers in my central Washington district have expressed concern about the report language pertaining to the United States importation of Mexican avocados. They fear that it could continue current restrictions on United States imports of Mexican avocados, and we will have the unintended consequences of diminished access to Mexico for our products.

In Washington State the apple industry expects to suffer a 50-percent reduction in exports to Mexico this year due to a costly onsite inspection program mandated by Mexico. Washington cherry exports to Mexico were also halted 4 years ago in response to alleged pest concerns. Representatives of the tree fruit industry have told me that these actions were in response to United States restrictions on Mexican avocados.

The language in the report states that in order to modify the current restrictions on Mexican avocados this product must be scientifically viewed, adequately safeguarded with enough time provided for public comment.

Mr. Chairman, does this mean that, if adequate pest risk assessment is concluded, if APHIS, the Animal and Plant Health Inspection Service, has certified that adequate safeguards have been taken and that industry has been afforded adequate comment period as spelled out in the proposed APHIS rule announced earlier this month, that the United States importation of fresh avocado fruit grown in Mexico will go forward?

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

Mr. HASTINGS of Washington. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, my response is ''yes.''

Mr. HASTINGS of Washington. Mr. Chairman, I know that our fruit industry producers in central Washington will be very relieved to know that they will not be the target of inappropriate retaliation by the Mexican Government due to the overly stringent United States restrictions on avocados.

AMENDMENT OFFERED BY MRS. CLAYTON

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. CLAYTON:

Amendment No. 34: Page 40, line 10, insert ''(less $70,000,000) before ''for loans''.

Page 40, line 11, insert ''(less $70,000,000) before ''shall''.

Page 40 line 14, strike ''$150,000,000'' and insert ''$220,000,000''.

Page 40, line 20, insert ''(less $119,000)'' before '', of which''.

Page 40, line 20, insert ''(less $119,000)'' before ''shall be for''.

Page 40, line 23, strike ''$82,035,000'' and insert ''$92,973,000''.

Mr. SKEEN. Mr. Chairman, I reserve a point of order against the amendment.

Mrs. CLAYTON. Mr. Chairman, this amendment would increase the level of 515 by an amount of $70 million raising it back to the $220 million which is currently. I understand I am going to have a point of order, so it may not indeed be allowed, but let me share this with my colleagues.

This is a program that 2 years ago had $540 million, and it was cut last year to $220 million, and it was several of us who worked on that to retain the $220 million for 515.

Why is this important? Mr. Chairman, this is the only housing available to rural America at very low rates. Rental housing is very scarce to find. In fact, adequate housing period is very scarce to find in rural areas, and to conceive of not having this little resource to advocate for the poorest of the poor seems to me is unfounded, and it has moved in the wrong direction, and the $70 million would only bring it up to the $220 million which is the current area.

I would like to think that we could perfect this, that we would not have to have a point of order. I ask the gentleman from New Mexico [Mr. SKEEN] if he could help us out on that, help me understand. Is there a possibility that we can perfect this without having a point of order?

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

Mrs. CLAYTON. I yield to the gentleman from New Mexico.

Mr. SKEEN. I understand the gentlewoman, and I have gained a great deal of respect and fondness for her, but I have to tell my colleagues this. I must make a point of order against it, the amendment, because it is in violation of section 302(f) of the Congressional Budget Act, as amended, and the Committee on Appropriations filed a subcommittee allocation for fiscal year 1996 on July 20, 1995, House Report 104–197.

Mr. Chairman, this amendment would provide new budget authority in excess of the subcommittee allocation. It is not permitted under section 302(f) of the act. However, Mr. Chairman, I ask that the amendment be ruled out of order, but I want to tell the gentlewoman I want to work with her on her problem.

Mrs. CLAYTON. Could we get a commitment that we try to find money if it is possible during the conference?

Mr. SKEEN. The gentlewoman has that commitment from me, and I appreciate her forbearance. This breaches our 602(b) allocation by $10,819,000 by the way.

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

The CHAIRMAN. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

The CHAIRMAN. The amendment offered by the gentlewoman from North Carolina [Mrs. CLAYTON] is withdrawn.

AMENDMENT OFFERED BY MR. BEREUTER

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

The CHAIRMAN. The clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 31: Page 40, after line 25, insert the following:

In addition, for the cost (as defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans under a demonstration program of loan guarantees for multifamily rental housing in rural areas, $1,000,000, to be derived from the amount made available under this heading for the cost of low-income section 515 loans and to become available for obligation only upon the enactment of authorizing legislation.

Mr. BEREUTER. Mr. Chairman, the amendment that this Member is offering is virtually identical to a provision included in last year's Agriculture appropriations measure.

This Member has taken a strong interest in rural housing programs, and has been successful in efforts in the Banking Committee to authorize new, more cost-effective approaches to rural housing development. One such initiative, which the distinguished chairman of the subcommittee, Mr. SKEEN, and the distinguished ranking Member, Mr. DURBIN, have helped to make a reality, was the highly successful Section 502 Middle Income Loan Guarantee Program. This Member is pleased that this measure contains $1.5 billion in guarantee authority for that program. Now, this Member is seeking support to help make a new multifamily loan guarantee program a reality.

In the 103d Congress this Member introduced legislation to create a new multifamily loan guarantee program. That legislation would create a demonstration for a new Federal loan guarantee program for the construction of multifamily rental housing units. That legislation passed the House in the 103d Congress as part of H.R. 3838, the Housing and Community Development Act of 1994, passed July 22, 1994. Because H.R. 3838 died when the Senate failed to act on it in the last hours of the 103d Congress, this Member reintroduced the legislation, which was passed by the Housing Subcommittee as part of H.R. 1691, and is now awaiting further action by the full House.

Also, with bipartisan support on the Appropriations Committee, we were successful in including $1 million funding for this program in the Department of Agriculture appropriation for fiscal 1995, making it possible to finance approximately $25 million in guarantees, contingent upon the authorization of the demonstration program. Unfortunately, because the Senate never passed an authorization bill, that $1 million was never used. As this Member fully expects that the demonstration program will gain an authorization this year, this Member is offering this amendment to H.R. 1976 to allow $1 million of the credit subsidy allocation to be used to fund the new multifamily loan guarantee program, contingent upon that authorization. This amendment is similar to the final language adopted in the 103d Congress. This Member's staff has discussed this amendment with the distinguished Chairman's, Mr. SKEEN's, staff, and this Member understands that he is supportive. This Member greatly appreciates that support, and asks that the amendment be accepted.

Mrs. CLAYTON. Mr. Chairman, will the gentleman yield?

Mr. BEREUTER. I yield to the gentlewoman from North Carolina.

Mrs. CLAYTON. Mr. Chairman, I ask the gentleman to help me understand how this would work with the current 515 program. This is at a slightly higher income level, and it is a guaranteed loan.

Mr. BEREUTER. It is a supplementary program to the 515 program which is a direct loan program, and it would be for those people whose income is 80 percent to 115 percent median area income, just as the 502 loan guarantee program, which is now 2 years old, serves this category, economic category, above the 80 percent by meeting income level.

Mrs. CLAYTON. So it is identical to the 502 unsubsidized guarantee for the same income level.

Mr. BEREUTER. It is almost identical, but that is of course a single-family program, and this would be for five units or more multifamily unit construction.

Mrs. CLAYTON. I support strongly 515. Obviously I support 515 for reasons that it serves the very poor, but I also supported 502 because it serves both the very poor as well as those not so poor who do not qualify for loans that are not guaranteed. So I want to join the gentleman in support.

Mr. BEREUTER. Mr. Chairman, I appreciate the distinguished gentlewoman from North Carolina's support, and I know how important her interest is, and successful, in housing.

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

Mr. BEREUTER. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I think this is a great idea, and we hope the gentleman can get his authorization through. We will accept the amendment.

Mr. BEREUTER. Mr. Chairman, I appreciate that.

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

Mr. BEREUTER. I yield to the gentleman from Illinois who has been so crucial in helping me with the 502 loan guarantee program.

Mr. DURBIN. Mr. Chairman, the gentleman from Nebraska [Mr. BEREUTER] has really shown us some leadership. This is an innovative approach to providing housing with limited exposure for Federal taxpayers and maximum investment in good housing for people living in rural areas. We were glad to support him last year. I am sorry the authorization did not go through, and I am happy to support him again this year.

Mr. LAZIO of New York. I rise in support of this amendment, offered by Mr. Bereuter, that will appropriate one million dollars for a rural rental multifamily loan guarantee demonstration program. This type of loan guarantee will leverage private-sector resources in order to provide and expand affordable rental housing opportunities. This provision is not new; during the 103d Congress, the House passed a similar provision in the housing authorization bill—H.R. 3838, The Housing and Community Development Act of 1994, which was not enacted into law. During this Congress, the Housing and Community Opportunity Subcommittee, of which I serve as chairman, has reported out legislation in H.R. 1691 that will authorize a sec. 515 multifamily loan guarantee program to be operated by the Rural Housing and Community Development Service. During this period of severe budget constraints, this type of demonstration provides Government an opportunity to form partnerships with the private and nonprofit sector to provide and expand affordable housing in rural areas. I urge support of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. BEREUTER].

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. OWENS

Mr. OWENS. Mr. Chairman, I offer two amendments which were printed in the RECORD as amendment No. 22, and I ask unanimous consent that these amendments be considered en bloc.

The CHAIRMAN. The Clerk will designate the amendments.

The text of the amendments is as follows:

Amendments offered by Mr. OWENS:

Page 49, line 20, strike ''RURAL TELEPHONE BANK PROGRAM ACCOUNT'' and all that follows through line 12 on page 50.

Page 70, strike lines 12 through 14.

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

Mr. SKEEN. Mr. Chairman, I object.

Mr. OWENS. The gentleman objects to what; the amendment being offered en bloc?

Mr. SKEEN. To the amendment being offered en bloc.

The CHAIRMAN. Objection is heard.

AMENDMENT OFFERED BY MR. OWENS

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

The Clerk read as follows:

Amendment offered by Mr. OWENS: Page 49, line 20, strike ''RURAL TELEPHONE BANK PROGRAM ACCOUNT'' and all that follows through line 12 on page 50.

□ 1800

Mr. OWENS. Mr. Chairman, this amendment is a continuation of the effort to get truth in budget balancing and to have it be made clear to the American people, have it on the record, that we are continuing to rob the cities and the people of the cities in order to take care of the programs and the institutions that support rural America.

I have nothing against giving all the possible support to farmers and institutions that serve farmers and rural America, but why are we robbing the cities? Why are we taking away a program for summer employment for youth? 600 young people will not be employed because the Committee on Appropriations is going to strike that

program, cut it to zero. We are cutting away job training programs for youth, job training programs for adults. We are drastically cutting title I programs, almost $1 billion for poor youth.

When it comes to this bill, we continue old institutions that have been draining the taxpayers for some time, even though they promised they would have a limited life and go out of existence.

Here is an example of one of those situations. Suddenly silence has descended on the House in terms of challenging some of these programs, but I think it is very important to get on the record exactly what is going on with respect to the robbing of the cities in order to take care of defunct and obsolete rural institutions.

This amendment would strike legislative language in H.R. 1976 which blocks the pending privatization of the Rural Telephone Bank and would delete the more than $3.5 million in appropriations provided for the operation of the bank. The Rural Telephone Bank was created in 1971 to provide an additional source of credit for rural telephone companies which did not qualify for subsidized direct loans and loan guarantees available from the Department of Agriculture.

At the time, taxpayers were promised that the RTB would be a time limited venture, comparable to the Federal land banks. We were assured that the initial Federal capital outlay would be repaid by eventual privatization of the bank. Privatization. The other side is fond of privatization when it comes to programs that are serving people in the cities. Why don't we have privatization here for this program?

The bank's enabling legislation directed that this privatization would begin on September 30, 1995, this year. The Clinton administration has been preparing to carry out the bank's privatization and has not requested any additional funding to support the bank, but H.R. 1976 derails those plans. It blocks privatization and it provides a new infusion of tax dollars to keep it running as a Federal entity. We are going to continue a government program which is slated to be a private program.

Yes, I want to remind my colleagues that this is in addition to the loan subsidies that were provided already by the USDA's rural utility service. In doing this, the Committee on Appropriations insists it supports privatization. It just wants more time to study the issue. Frankly, Mr. Chairman, I think 25 years is long enough to study the issue.

This privatization of the Rural Telephone Bank is not coming out of the blue. It was mandated 25 years ago. This was a promise that Congress made to the taxpayers in 1971. If we tell people on welfare two years is enough, you have to get off, five years is enough, you have to get off, tell people in public housing, two years is enough, you have to get out, why don't we set some limits on the other subsidized programs across the country? We have farm subsidy programs not being discussed here, $20,000, $30,000 going to a family. It has been happening for the last 30 years, but nobody is talking about ending it.

This amendment will strike the legislative language and move on to have the privatization take place. I think it is very important that we support this amendment, which is consistent with all we have been preaching. It would assure this promise is kept and the privatization proceeds on course.

It should also be noted that this is one of those rare issues on which President Reagan and President Clinton agree. President Reagan tried to privatize the Rural Bank in 1981 and was rebuffed. He was told it was too soon and we should wait until 1995 to privatize. 1995 is now here, and President Clinton wants to follow the lead of President Reagan.

No more studying, stalling, no more excuses. Let us keep the promise and scrape this barnacle off the hull of the Federal Government. We do not want the taxpayers to be burdened with this any longer than they have to. Let us privatize the Rural Telephone Bank. I urge a yes vote on this amendment.

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

Mr. Chairman, the Rural Telephone Bank was created by Congress in 1971 as a supplemental source of financing for the rural telephone program, and nothing is more essential to rural America than good telecommunications systems. I ought to know. I am probably the last Member of Congress to ever have a phone after I became a Member of Congress, and I appreciate the effort of this particular program, and appreciate it very much, because it allows families to live where they work, and particularly in rural country.

Nothing is more essential than good telecommunications systems for basic telephone services for individuals, communication systems that can attract manufacturing and service companies to create jobs. You do not have to have a headquarters company in the United States now because we have the kind of telecommunications that allows you to locate your headquarters anywhere you want it and put your warehouses somewhere else and your printing somewhere else, and that is a boon to rural communities, to educational and medical programs that give rural schools, and health care centers access to data bases in urban areas.

The Rural Telephone Bank is an important part of this particular picture, Mr. Chairman. Almost every State in the union has districts which need rural communications service. I have already pointed out that we have had to freeze or cut many of the accounts that provide services to rural areas, and this account is among them.

The loan level remains at the same loan level as fiscal year 1995, at $175 million. The cost of the loan subsidy is very modest, $770,000, which is also the same as 1995. Administrative expenses are $3.5 million, which is $5.2 million less than fiscal year 1995.

Finally, Mr. Chairman, there is simply no need for this amendment. By law, the Rural Telephone Bank must privatize, and our bill provides for that process to begin in fiscal year 1996.

Mr. Chairman, I strongly oppose this amendment, and ask my colleagues to oppose it as well.

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

Mr. Chairman, I would like to take exception to my friend from New York, who suggested that somehow there is a war on cities and the rural areas have been exempted. This bill is a perfect example of a bill which is balanced in what it tries to do for the entire Nation.

It is true it serves rural areas and agriculture, which is important to all of us, regardless of where we live. But it is also a fact that a major portion of the spending in this bill literally goes into the gentleman's home city, as it does in mine, and all across the Nation, for programs like the food stamp program, child nutrition program, special milk program, the WIC Program, feeding for the elderly, and so many others that are important.

In the area of nutrition, this bill literally serves the Nation. It is not a bill directed to rural areas. There are specific programs that are directed to rural areas, and the gentleman addresses one, the Rural Telephone Bank.

I think we all concede and the committee report language says explicitly we are moving toward privatization of this bank, and I think it should be done. But we have to do it in an orderly way. What is at stake here is telephone service in areas of very sparse population, where in fact many of the large telephone companies have decided they do not want to build their subsidiaries. We have over the years created telephone cooperatives and others to deal with that service, much as we did in delivering electricity to those areas.

None of us want to jeopardize that. These are good, hard working people. We want to modernize it, we want to privatize it. I think the gentleman from New York is on the right track, but I think to do it precipitously with this amendment eliminating it may cause unintended consequences.

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

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

Mr. OWENS. Mr. Chairman, will the gentleman tell me what date will be an acceptable date for the final privatization? We are past the deadline.

Mr. DURBIN. Mr. Chairman, reclaiming my time, the administration has made the proposal to privatize, and we are still waiting for their suggestions. The authorizing and appropriating committees are waiting for specific

language. I wish I could tell you when that would be forthcoming.

Mr. OWENS. Would you estimate September 1996 instead of 1995? Can you make an estimate of how long it is going to take? It has been 25 years.

Mr. DURBIN. President Clinton does not take all my calls directly, but I would be happy to join the gentleman in perhaps a party line call that the two of us could make on maybe even a rural telephone program and get in touch with him to find out.

Mr. OWENS. Could the gentleman tell us what percentage the food stamp program has been cut?

Mr. DURBIN. The cuts for the food stamp program? I would have to look at it to be sure here, but it looks like in the fiscal year that we are presently in it was $25.1 billion, and that in the next fiscal year it will be $25.9 billion. So there is an increase, if I am not mistaken, in the food stamp program expenses.

Mr. OWENS. You are saying it has not been cut at all?

Mr. DURBIN. No, there are no cuts.

Mr. OWENS. With inflation as a factor, there are no cuts?

Mr. DURBIN. It looks like it is an increase of about $770 million over last year.

Mr. OWENS. The proposal to block-grant the food stamp program has been dropped?

Mr. DURBIN. Let me tell the gentleman, it is not part of this bill. It is my understanding we do not have any proposal in here relative to block grant. The gentleman and I share an opinion on block granting. The bill addresses the program as it currently exists.

Mr. OWENS. The food stamp program is now an entitlement. It will no longer be an entitlement once it is block granted, and there are proposals to block grant it, so areas like mine will have to take a huge cut if they depend on the States to continue after it reaches the levels it is funded at the Federal level.

Mr. DURBIN. The gentleman and I share the same view on this. I hope what you just described does not occur. This bill does not do that. This bill does not fund the program anticipating that will happen.

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

Mr. DURBIN. I yield to the gentleman from Kansas.

Mr. ROBERTS. Mr. Chairman, I share the concern in reference to the food stamp program. This appropriations bill actually increases that. It was this gentleman on the Committee on Agriculture that made a very determined effort simply not to block grant the food stamp program.

I would say what has already been said by my colleague from New Mexico and the distinguished gentleman from Illinois, this bill allows us to privatize. We are going to do that. The OMB wanted to do it immediately. We would end up here with a situation where many rural telephone companies would not have access to the money to borrow from. It would cause utter chaos in the communications system out in our rural areas. It is really not commensurate with the food stamp program.

We will privatize. We will get there from here. I would just urge the gentleman to allow us to do this work under the bill that we would like to do, and I will be happy to work with the gentleman in regard to food stamps.

Mr. OWENS. If the gentleman will yield further, I am happy to hear that the Committee on Appropriations is committed to the privatization of the program with all deliberate speed. I hope that speed is not too deliberate.

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

Mr. Chairman, I just want to briefly talk about this particular amendment. As I look at this amendment, what this amendment will do is eliminate $4.3 million in appropriations for the Rural Telephone Bank Program, and, second, it strikes a provision barring any of the bill's funds from being used to retire more than 5 percent of the Bank's Class A stock.

I am really concerned about the impact of this amendment on areas in our country where we have small independent telephone companies, States like Wisconsin. I cannot think of a State that is not impacted by this amendment.

Now, in this Congress we have been told a lot and talked a lot, we hear a lot about competition in the communications industry. In fact, we are in a major bill here this fall on this particular issue. But this program has fostered competition. This program has fostered competition by providing a source of capital to these small companies. The effect of the gentleman's amendment would be to terminate this program, which will lead to less competition. Let me say that again, less competition, and poorer service.

So I am asking and request that Members, especially from rural districts, look at this amendment, because it is going to hurt service. But it is going to do more than that, because if you do not have a good telephone service you are never going to have industry that produces jobs in those areas, and we need jobs in these rural areas. So this is not only going to harm our telephone and associated services, but it is going to harm the economies in these rural areas.

So I ask my colleagues to oppose the amendment for those reasons.

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

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

Mr. OWENS. Is the gentleman saying he is opposed to privatization of the Telephone Bank? He never wants to privatize it? He wants it to remain as it is forever, so the Federal Government will subsidize it for anything?

Mr. ROTH. Mr. Chairman, reclaiming my time, I never said anything about privatizing. I am in favor of privatizing. I am interpreting this amendment as to how it would affect our rural areas, not only my own State but every State of the Union. It is going to hurt not only telephone service, but hurt those areas in expanding their economy for jobs, because if you do not have good telephone service, good communication service, especially in the high-technology world we are moving into, you are never going to have industry locate in those rural areas. That is precisely what we are trying to do, so as to entice industry to those areas.

□ 1815

Mr. OWENS. Mr. Chairman, will the gentleman be offering the same agreement next year? The logic will still be there. You are saying we should never privatize again?

Mr. ROTH. Mr. Chairman, I am just saying what this amendment is going to do to your rural areas.

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

I would ask the gentleman a question, if I might. I appreciate his concern.

Would the gentleman take the word of this chairman and the chairman of the House Committee on Agriculture that we will get something done in this area and give it every consideration? Would the gentleman withdraw his amendment?

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

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

Mr. OWENS. Mr. Chairman, would the gentleman repeat that? Do I have the chairman's word?

Mr. SKEEN. The Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, myself, the gentleman from Kansas, [Mr. ROBERTS] of the full House Committee on Agriculture, that we will work with the gentleman on this particular issue. We would appreciate very much the gentleman withdrawing his amendment at this time. Because I do not think it gets the gentleman where he wants to go. But we want to help the gentleman if he is interested in privatization. We would like to work with the gentleman.

Mr. OWENS. Mr. Chairman, can I interpret that the gentleman will be willing to set a date for privatization?

Mr. SKEEN. Absolutely, set a date any time.

Mr. OWENS. Mr. Chairman, I appreciate the gentleman's pledge.

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

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

There was no objection.

The CHAIRMAN. Are there further amendments to title III?

If not, the Clerk will designate title IV.

The text of title IV is as follows:

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Consumer Service, $440,000.

FOOD AND CONSUMER 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 section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1772–1785, and 1789); $7,952,424,000, to remain available through September 30, 1997, of which $2,354,566,000 is hereby appropriated and $5,597,858,000 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 up to $3,964,000 shall be available for independent verification of school food service claims: *Provided further,* That $1,900,000 shall be available to provide financial and other assistance to operate the Food Service Management Institute.

Notwithstanding any other provision of law, no funds other than provided in this Act may be available for nutrition education and training and the Food Service Management Institute.

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

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $3,729,807,000, to remain available through September 30, 1997: *Provided,* That for fiscal year 1996, $20,000,000 that would otherwise be available to States for nutrition services and administration shall be made available for food benefits: *Provided further,* That $4,000,000 from unobligated balances for supervisory and technical assistance grants may be transferred to and merged with this account: *Provided further,* That the participation level on September 30, 1996, shall not exceed 7.3 million: *Provided further,* That up to $6,750,000 may be used to carry out the farmers' market nutrition program from any funds not needed to maintain current caseload levels: *Provided further,* That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011–2029), $27,097,828,000: *Provided,* That funds provided herein shall remain available through September 30, 1996, in accordance with section 18(a) of the Food Stamp Act: *Provided further,* That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further,* That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further,* That $1,143,000,000 of the foregoing amount shall be available for nutrition assistance for Puerto Rico as authorized by 7 U.S.C. 2028.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c(note)), section 204(a) of the Emergency Food Assistance Act of 1983, as amended, and section 110 of the Hunger Prevention Act of 1988, $168,000,000, to remain available through September 30, 1977: *Provided,* That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further,* That none of the funds in this Act or any other Act may be used for demonstration projects in the emergency food assistance program.

FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)), 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), $215,000,000, to remain available through September 30, 1997.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, $108,323,000, 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.

AMENDMENT OFFERED BY MR. HALL OF OHIO

Mr. HALL of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HALL of Ohio: Page 53, line 24, strike the colon and all that follows through ''7.3 million'' on line 26.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 20 minutes, the time to be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from Ohio [Mr. HALL] will be recognized for 10 minutes, and the gentleman from New Mexico [Mr. SKEEN] will be recognized for 5 minutes, and the gentleman from Illinois [Mr. DURBIN] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Ohio [Mr. HALL].

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

I am very glad to introduce the bipartisan amendment with the gentlewoman from New Jersey [Mrs. ROUKEMA]. Our amendment will simply remove the cap on the number of people who can participate in the WIC program.

As many of my colleagues know, WIC is a very effective program at reducing infant mortality. This legislation, if passed, would be the first time ever that a cap is placed on the number of people who may participate in WIC.

While we have always funded WIC in our annual appropriation bills at a specific level, we have never capped the number of people who may qualify. By striking the cap, our amendment allows for greater flexibility at the local level. It encourages the WIC directors to find the most cost-efficient ways to run the program in order to serve the most people.

The Hall-Roukema amendment has been scored by the Congressional Budget Office and is budget neutral. It will not change the level of WIC funding in this bill.

Mr. Chairman, of all of the domestic hunger programs in America, few are as efficient, effective and respected as the WIC program. By promoting breast feeding and providing nutrition supplements and food prescriptions to qualified participants, WIC serves a critical need for America's most vulnerable people, low-income mothers, infants and children.

WIC also provides access to maternal, prenatal, pediatric health care services for this targeted high-risk population. It is a short-term intervention program designed to influence lifetime nutrition and health behaviors.

Five Wall Street CEOs called WIC in written testimony the health care equivalent of a AAA-rated investment. The WIC program reduces infant mortality and low birth weight. The GAO says that for every dollar spent on WIC, America realizes a $3.50 saving in health care cost.

WIC fights hunger among our poor, but it is also a good investment. It will prevent spending money down the road.

Mr. Chairman, I am also concerned that the cap on participation will create an unnecessary layer of bureaucracy. It will create an administrative nightmare for USDA and the States as they attempt to determine an appropriate cap formula to ensure that States do not add too many participants to their rolls.

Mr. Chairman, the cap could hold up the distribution of funds until appropriate administrative procedures are in place at the Federal, State and local levels. Since a set amount is appropriated for WIC, there really is no need to cap the number of people who may participate.

A cap would force local WIC directors to turn participants away from the program, even if they have the money to serve them through efficient program management.

Mr. Chairman, I would urge you to vote for the Hall-Roukema amendment. It is budget neutral. It provides for more flexibility to the local WIC directors. It would allow cost savings to help poor people.

Please support this amendment and remove the cap on participation in the WIC program.

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

PERFECTING AMENDMENT OFFERED BY MR. GOODLING

Mr. GOODLING. Mr. Chairman, I offer a perfecting amendment.

The Clerk read as follows:

Perfecting amendment offered by Mr. GOODLING: Page 53, line 25 insert after ''1996,'' the following: ''with Federal (and not State) funding''.

Mr. GOODLING. Mr. Chairman, the amendment that I am offering would retain the $7.3 million cap for participation on the WIC program. However, it would limit the effect of participants served with Federal program dollars.

I have been a strong supporter of WIC over the years and have worked to make sure that WIC works and is a good program. This said, I also believe there is a strong need for us to balance the Federal budget. However, we cannot reduce the cost of Federal programs contained in this appropriation bill solely through reductions in programs which support our Nation's farmers.

I understand concerns have been raised about the participation cap and the need to continue to increase WIC participation. My solution to the problem is to restrict the cap to Federal dollars. This is important because if you will look at the dollars that some States have spent beyond what is spent on the Federal level, you will discover my State, for instance, spends $6 million additional money. New York spends $21 million additional money. Other States spend additional money. And, therefore, the cap would not affect what the State puts in.

However, I think it is very, very important to understand that in doing this I in no way believe that next year we should count what the State puts in as far as numbers we are to serve with Federal dollars. We serve numbers with Federal dollars that we put in. The State dollars then would provide for the additional that they want to spend.

So my amendment merely says that the cap does not include dollars that are spent by State and local governments on the program.

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

I will try to address both of these interests.

First of all, Mr. Chairman, the amendment offered by the gentleman from Ohio [Mr. HALL] strikes the provision capping WIC participation at 7.3 million. That cap is only a 1-year cap in 1996. It is not to be a cap in future years.

Mr. Chairman, I rise in opposition to the gentleman's amendment, and let me tell you why.

First, let me say that this committee has always been a great supporter of the WIC Program, and with the track record of the program over the years, I do not think anyone on the committee or in Congress can be accused of being against poor pregnant women, infants and children. And this year is no exception.

Mr. Chairman, let me tell you what the committee has done this year for WIC and why. Because of inflation and food cost increases, it costs the Federal Government more every year just to maintain the existing participation level for certain programs such as WIC and school lunch. What the committee has done is provide enough money to cover inflation and food cost increases to maintain the same number of participants in fiscal year 1996 that will be in the program at the end of fiscal year 1995.

Mr. Chairman, to do this, the committee had to find $290 million from an allocation that was $424 million less in outlays than the previous year. To find this kind of money, we had to make severe reductions in rural development, conservation, and research programs that are vital to keeping this country prosperous.

Capping participation at the end of fiscal year 1996 at 7.3 million allows the program to continue at the same level as 1995 while the Congress decides what to do with the program in the welfare reform bill.

Mr. Chairman, without an adjustment in the committee's allocation to account for inflation costs, we cannot afford $300 million increases every year to maintain existing caseloads at the expense of other programs in the bill.

Mr. Chairman, I would request that the gentleman from Ohio withdraw his amendment and allow the program to continue in fiscal year 1996 while Congress works its will on the welfare reform.

The CHAIRMAN. The Chair will attempt to clarify the situation for Members who are confused. The amendment of the gentleman from Pennsylvania [Mr. GOODLING] is a perfecting amendment to the original text.

Pending the decision on that amendment, then the Hall amendment will attempt to strike that entire section which may or may not include the Goodling amendment.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. DURBIN. Mr. Chairman, we agreed to a time limitation at the outset of 20 minutes to the Hall amendment and all amendments thereto. If I understand the Chair's explanation, the Goodling amendment does not amend the Hall amendment so it is not subject to that time limitation.

The CHAIRMAN. That is correct. The Chair is certainly willing to entertain an agreement to include that time consideration for the Goodling amendment.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that the time limitation include the Goodling amendment.

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

Mr. GUNDERSON. Reserving the right to object, I think we need to get a handle on how much time has been consumed on both sides regarding the Hall amendment so we have some idea out of that 20-minute allocation what is left to understand the difference between the Hall and Goodling amendments before we agree to a time limit.

The CHAIRMAN. The Chair will attempt to clarify the time situation as best as he can.

The gentleman from Ohio [Mr. HALL] has only used 3 minutes of his 10 minutes, which means he still has 7 minutes remaining. The gentleman from Illinois [Mr. DURBIN] still controls 5 minutes.

The time of the gentleman from New Mexico [Mr. SKEEN] since it was directed at the Goodling amendment, does not count against the original cap, so the gentleman has 5 minutes remaining.

Mr. DURBIN. Mr. Chairman, if the gentleman will yield under his reservation, I say to my friend and colleague from New Mexico, the difference here is that the Hall amendment has been printed in the RECORD and has been subject to review.

The Goodling amendment, I am sure offered in good faith, was first brought to us just a few minutes ago, and we have not had a chance and really need an opportunity to discuss it, I think, on the floor so that we understand it and its impact on the proposal by the gentleman from Ohio [Mr. HALL].

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that debate on the Goodling amendment be limited to 10 minutes, the time to be equally controlled.

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

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 10 minutes and the gentleman from Illinois [Mr. DURBIN] will be recognized for 10 minutes. After that debate is completed, the Committee will then return to the Hall amendment.

The Chair recognizes the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. Mr. Chairman, I would like to engage in a colloquy with my good friend and my chairman, the gentleman from Pennsylvania [Mr. GOODLING].

Mr. HALL and the gentlewoman from New Jersey, Mrs. ROUKEMA, have worked very hard and researched their amendment. I know exactly what it will do. It will give some flexibility to WIC directors if the food inflation rate is down. It will serve more people, and food inflation may very well be down this year. It looks like it will be down.

If they save some money on infant formula bidding, competitive bidding, which is going to be restored, I am sure, in the Senate, we know then that it would not cost the taxpayers any more money, that they will have more flexibility to serve more people.

For example, just on the question of the competitive bidding for infant formula, that saves about $1 billion a

year, enabling us to serve well over 1 million extra people a month.

□ 1830

I would ask the gentleman, what will the effect of his amendment be that will be different from the amendment offered by the gentlewoman from New Jersey [Mrs. ROUKEMA] and the gentleman from Ohio [Mr. HALL] which will leave this flexibility and not cost the taxpayers any more, because this is not an entitlement, not even a cap entitlement?

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

Mr. KILDEE. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. My amendment does not need any research. My amendment is very, very simple. It says: ''Insert after 1996 the following: 'with Federal, not State, funding.'''

What I am saying is the cap does not apply to money that is spent by States. For instance, the $6 million that my State spends, I do not have Michigan on here, so I do not know how much more the gentleman spends, but the $15 million that Massachusetts spends and the $21 million that New York spends is not part of that cap. In other words, if they put on, if my State puts on another 10,000 people, using the State money that they got from saving on their competitive bidding and all of these kinds of things, or money from their own funds, that is not part of the cap.

Mr. KILDEE. The money they rebate?

Mr. GOODLING. If the gentleman will continue to yield, that would be State money.

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

Mr. HALL of Ohio. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I am very concerned about this amendment because it appears to be a gutting amendment, and I believe it is. The reason I say that is that I have known all day that in fact the amendment was going to be offered by the gentleman from Pennsylvania [Mr. GOODLING]. We had asked his office several times if we could see it, it was never produced. We just saw it about 2 minutes ago.

In fact, what he is trying to do is in fact produce a vote on his first, which confuses the issue and which we have before us. The issue is we are not trying to increase the money for the WIC program. I wish personally it could be increased, but we have to live with that fact. What we are trying to say is that we want to take the cap off the number of people. We want to give the flexibility, the creativity, the innovation to the WIC directors around the country to add more people, still using the same amount of money.

I took the chance and I bothered a number of WIC directors around the country and called them by phone, and said, ''What is going to happen here with this whole process if we put a cap on people?'' And all the WIC directors said: ''We are going to be very conservative, we are not going to be aggressive, we are not going to be innovative. There is going to be a lot more money in the program that there will be penalties on, probably. What will happen is that more people that could participate in the WIC program will probably drop off the program, because as the publicity comes out that we are really restricting the program, less people will apply, and in the long run, you will have less people. What will happen is next year you will say, 'See, there are less people participating,' more money probably will be sent back to the Government, and you will say, 'You did not even spend the money in the first place, because what you are doing is you are stopping the WIC directors from doing their job. You are wasting money.'''

For that reason I certainly oppose the Goodling amendment. It is a gutting amendment.

Mr. GOODLING. Mr. Chairman, I yield myself 3 minutes. I just want to take issue with the gentleman from Ohio. I do not take second seat anyplace to him in my effort to make sure that WIC is effective and WIC works. I have worked just as hard as he has, and maybe longer. If he wants to make a statement that I am trying to gut something, he had better have some facts and figures. The reason we have not had anything to present before is because we were clearing with the Parliamentarian exactly what the language would have to be. That is why it took as long as it took.

Let me point out, Mr. Chairman, we are talking as if somehow or other we are restricting people from participating in WIC. In 1993 $97 million was returned. In 1994, $100 million was returned. In 1995, $125 million of that will be returned. We will need $70 million of that when the late vouchers come in; however, there will still be $55 million additional money. Why has it been returned? Primarily because we pumped so much money in so rapidly that there was not an infrastructure out there in order to do the job and do it with quality. Therefore, I do not want to take a back seat to anyone in relationship to my efforts on the part of WIC over the years.

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

Mr. GOODLING. I yield to the gentleman from Michigan.

Mr. KILDEE. Mr. Chairman, there is no one over here who questions the gentleman's intentions at all, we are just worried about the language. We know that. We are worried about the language, what the effect will be, not the gentleman's intentions at all, because his record is very good in that.

What I worry about is one thing. It appears that food inflation costs will be down this year, less than in previous years, so that food inflation being down, it would appear, then, that we could feed more people. If we cap the number of people, we cannot take advantage of that low inflation for food costs. That is one of the problems I see with the gentleman's amendment.

Mr. GOODLING. The gentleman served 6.3 back in March, he will probably serve about 7.2 by the end of the year. They are allowing him to go to 7.3. I can understand what they are doing. The only way they can slow down the growth, and that is what we are talking about on every issue that comes to the Congress of the United States, the only way they can do that is to cap the numbers. Otherwise, every time we say ''the numbers are,'' then the Agriculture Department will say, ''This is how much money you need to feed that many people in WIC.''

Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. GUNDERSON].

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

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

Obviously, I rise in support of the Goodling amendment, Mr. Chairman. I think it is important to understand with the Goodling amendment, along with what the committee has done, it is to try to put together the means by which we can manage this program in an intelligent way.

The gentleman is probably right, that food inflation will be down this year, but I do not think just because food inflation is down that we ought to send a signal that in the year of welfare reform being developed in this country, that we want to go around and stack the rolls, build up the baseline, and then if something happens in welfare reform, all of a sudden we are back here next year and we go, ''What do we do?'' We have falsely created this hope that all these people are going to get covered, we do not have the money to cover them. Then we have a real problem.

I think what we are trying to do here is recognize that in order to fully serve that baseline that exists, the committee has increased WIC by $260 million this year, and we are saying there is no indication that in order to serve that baseline we have to increase the caseload above that, because inflation is not going to cause that.

Mr. GOODLING. Mr. Chairman, I just merely want to say that what I am trying to do is make sure that those extra participants that the State can add to the program have that opportunity; that this cap does not affect what the State does with State money.

Mr. KILDEE. If the gentleman will yield to me further, I want to make it clear to all the body here that the WIC program is not an entitlement program. It requires an appropriation each year. It is not even a capped entitlement, which I tried to get it to be, but

it is not. Each year we have to appropriate for this, so it is not an entitlement program, it is not something that we are going to be obligated to. We have to appropriate each year.

Mr. GOODLING. I am not involved in this entitlement fight, or how much you increase, or anything else. I am involved in the State, that those the State put on are not part of that cap. It is just as simple as that. I think the amendment is about as clear as any amendment could ever be.

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

Mr. Chairman, I would like to say at the outset that I believe the gentleman from Pennsylvania [Mr. GOODLING] is attempting to improve the appropriations bill, but I think there is a flaw in the approach that he is using. If I am not mistaken, I believe the gentleman from Pennsylvania stated during the course of the debate that if a State should save money in the WIC program by competitive bidding for infant formula, and getting a lower cost per can, saving money, that the money that they saved he believes would be State funds that could be used to increase participation. The gentleman is nodding his head in agreement, and I believe that is what he said.

Unfortunately, we have received information that suggests that that is not the case. What we have been told is that the rebates that the States receive under WIC cost containment contracts are legally Federal funds and not State funds. As a result, what the gentleman from Pennsylvania has done is to create disincentives for the States to make this a more cost-efficient program.

That is not what we want to do here. I think what we want to do is to say to each one of the States: ''Feed as many pregnant women and new mothers and their children as possible at the lowest possible cost, and if you can do that more cost-effectively and save money in the process, we want you to expand your program and bring in more eligible people.'' That is the intent of the gentleman from Ohio [Mr. HALL], it is my philosophy, and I think it is one we ought to share.

I think the difficulty here is that the money saved on cost containment is going to be considered Federal, and as a result, with the amendment of the gentleman from Pennsylvania [Mr. GOODLING], that money cannot be used to expand participation, so I would like to urge that we defeat the Goodling amendment and adopt the Hall amendment. By defeating the Goodling amendment, we will overcome this problem I have just described. By adopting the Hall amendment, we will say to the States, ''Be more cost-efficient, do the best you can for the mothers and their children, and if you can save money and expand the program to help more mothers and kids have a healthy pregnancy and healthy kids, that is a goal that we all share.''

I would urge the defeat of the Goodling amendment and the adoption of the Hall amendment.

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

The CHAIRMAN. The question is on the perfecting amendment offered by the gentleman from Pennsylvania, [Mr. GOODLING].

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

RECORDED VOTE

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

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 19, further proceedings on the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING] will be postponed.

The debate is now on the amendment offered by the gentleman from Ohio [Mr. HALL].

Mr. HALL of Ohio. Mr. Chairman, I yield 4 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Chairman, I think in view of that last debate, I would hope that this is more direct and straightforward, if not less controversial. However, I have to rise in strong support of the amendment offered by the gentleman from Ohio [Mr. HALL]; I like to call it the Hall-Roukema amendment, and I want to express appreciation to the author of the amendment because of his untiring commitment to hunger and family issues.

Mr. Chairman, I want to explain again what this amendment is. It is very direct. It eliminates the cap on the number of people who participate in the WIC program. It has nothing to do with the amount of money. We are talking about the numbers of people, not the volume of money.

Currently approximately 6.9 million families are enrolled in WIC, and under the bill the enrollment would rise to 7.3 million. That is not the end of the story. It has been amply outlined by both the gentleman from Ohio [Mr. HALL] and the gentleman from Illinois [Mr. DURBIN] that the Department of Agriculture will have to divide these slots up, and really create another bureaucracy in and of itself among the several States.

However, there are other reasons why I am in favor of this and opposed to the committee approach, because what we need is smaller government and more efficient government, and it should go back to the States, as we did in H.R. 4, the original bill, of which I am a member of the committee that wrote that bill. The participation cap in this bill does very little to make government smaller. The cap will substantially increase the WIC bureaucracy, and undermine the program, in my opinion.

More to the point, however, the fact is that there will be no reason without the Hall amendment to pursue strong cost containment measures at the State level, since any savings could not be used to bring more needy women and children into the program, but the money would be turned over to the USDA as unspent funds. That is the most important thing, because it is completely contradictory to what we did in H.R. 4, the family nutrition program, which was a Republican-initiated program to direct back to the States the opportunity for less bureaucracy, streamlining of the program.

Really, in many ways, and in a direct way, the amendment offered by the gentleman from Ohio [Mr. HALL] is completely consistent with eliminating bureaucracy and giving the WIC directors at the State level the complete flexibility they need for more efficiency within their State. I think that it must again be remembered that this amendment does not change the amount of money. We are simply saying, ''WIC directors, you improve your program, you increase the opportunities for women and children, and you will not have a cap on the number of people.'' I think it is clear that it is the kind of efficiency that we sought to have, it is the kind of efficiency that Republicans talk about, about being smarter and better, and I think it will bring benefits for all of the people that are under this program. It is not a welfare program, but it is a nutrition program that has proven itself as a cost-saver from beginning to end, not only in terms of better health, but in terms of efficiency of delivery at the State level.

Mr. Chairman, I rise in strong support of the Hall/Roukema amendment and urge its adoption. I would like to particularly thank my good friend from Ohio for his tremendous work on hunger issues for so many years. In an institution that is built on words, there is no one in this House who has displayed such an untiring commitment through his actions. He has been a champion of the children and families.

Having had the privilege of serving as the first ranking minority member of the former Select Committee on Hunger, I know something about this subject. I had the honor of working closely with then-Chairman Mickey Leland and his successor, Mr. HALL, on a range of hunger issues—both domestic and international.

Mr. Chairman, our amendment is simple. It eliminates the cap on the number of people who can participate in the WIC program. Currently, approximately 6.9 million families are enrolled in the WIC program nationwide. Under this bill, enrollment is allowed to rise to 7.3 million and no higher.

But that is it. End of story. No matter the economic conditions. No matter the need.

Without the Hall amendment and with the participation cap in place, however, there is absolutely no reason to pursue strong cost-containment measures, since any savings could not be used to bring more needy women and children into the program, but

would be turned over the USDA as unspent funds.

Finally, allow me to address specifically my Republican colleagues—my colleagues who joined me in voting in March to move the WIC program into the family nutrition block grant of H.R. 4.

And why did we do that? To give the Governor's and the States flexibility to operate their programs as effectively and efficiently as possible.

Now you can make the case that the participation cap defeats the purpose of the block grant by removing the incentive to streamline your State's program. Why should they go through the motions of reforming their programs when the USDA will be the bureaucracy that benefits—and not the children?

Let me be clear: our amendment does not say that we will increase funding for WIC next year. It simply says that WIC offices around the country should have the ability to help those who need assistance.

Let me spell out for you just what that means.

It means that the Department of Agriculture will have to divide 7.3 million slots among the various States. In effect, bureaucrats in Washington will be establishing a state-by-state WIC quota system. That alone should cause everyone in this chamber to think twice about opposing the Hall amendment.

But there are other reasons.

While I am the first to say that we need to make government smaller and more efficient, this bill presents the wrong approach.

The participation cap in this bill does very little to make government smaller. In fact, the cap will substantially increase WIC bureaucracy, undermining a program that is nothing short of an American success story.

I want to point out to my colleagues that one of the most important elements of WIC, and perhaps the element that distinguishes the WIC program from others, is the incentive to save money through cost-containment.

WIC is not welfare. It is an effective, efficient and respected health-based nutrition program. At a time when only 66 percent of eligible participants are enrolled, we would be derelict in our duty if we refused to educate more eligible women about this life-saving program.

While it is easy to get lost in a debate about mandatory and discretionary spending, about how much money to spend and where to do it, we must not lose sight of the human element here.

When the health and well-being of expectant and postpartum mothers and their children hang in the balance, we cannot afford to be wrong.

Support the Hall-Roukema amendment. Eliminate the cap place on WIC participation, and support a program that protects the women and children who need our help.

□ 1845

Mr. HALL of Ohio. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I want to express my support for the Hall-Roukema amendment to the Agriculture appropriations bill that would lift the WIC participation cap.

How would the participation cap be enforced? Would each State be assigned a participation cap? How would the USDA come up with an appropriate and fair formula that would prevent States from adding more participants to their rolls?

This cap would create an administrative nightmare for the USDA and would most likely ensure a decline in WIC participation. In an effort to comply with the law, most States would probably come in below the participation cap. Moreover, States with a surplus at the end of the year would be forced to turn away eligible participants.

WIC is an effective prevention program that saves on future health care costs. WIC provides food, education, and child care to poor women, infants, and children. It is estimated that one in five children in our country is living in poverty, and five million children under the age of 12 go hungry each month. No child in our country should go to bed hungry. Only well-nourished children reach their full potential and become productive, contributing members of society.

Hunger is caused by poverty. Poverty and hunger are a violence against humanity, whether they occur in the streets where we live or in a far-off Bosnian village.

I urge my colleagues to allow WIC directors the flexibility to manage their State WIC programs. Allow the States the flexibility to include as many WIC participants as their budgets will allow. Vote for the Hall-Roukema amendment.

Mr. MARTINI. Mr. Chairman, I rise in strong support of the Hall-Roukema amendment to remove the cap on WIC participation.

Considering the cost-effectiveness of WIC, and by now we are all familiar with the statistics on Medicaid savings that this program can provide, we should try our best to expand WIC's rolls, not limit them.

The WIC program in my area serves only about 60 percent of the eligible population.

Nationally, the number is closer to 65 percent.

I understand that we will never be able to serve 100 percent of the eligible WIC population.

Some people we will never be able to reach, and realistically speaking, we simply do not have the Federal resources to cover everyone right now.

So the status quo already forces us to place limits on WIC each fiscal year when we determine a funding level in an appropriations bill.

This is unfortunate, but merely a recognition of the actual situation.

That said, why are we now implementing a numerical cap?

As we reformed the welfare system last March, and as this new majority has taken various and new approaches to making the Federal Government work better, one overriding theme has been consistently stated.

How many times in the 104th Congress have we heard the phrase: "We must get government to do more with less"?

Well, we have not given WIC less money this time around.

In fact, we have increased its funding.

But this cap in effect tells WIC administrators across the country: Don't bother trying to implement new policies to be more efficient. Don't bother trying to stretch your budgets to reach more people with the same amount of funds.

You can't expand the rolls of your clients beyond what they have already reached, despite your best efforts to the contrary.

This is big-government, top-down management at its worst, and it should be eliminated. Without a cap, we can send a signal to WIC administrators that we want them to expand their clientele. We will reward their innovative and expansive outreach efforts, not discourage them.

Support flexibility and decentralization in the delivery of our social services by voting in favor of the Hall-Roukema amendment.

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

Mr. Chairman, I rise in support of the Hall amendment. Let me tell what has happened in my home State. The State of Illinois put out for competitive bid infant formula, and it turns out that the WIC Program in the United States, which I understand serves 40 percent of the infants in America, obviously is one of the major purchasers of infant formula.

So when a State like mine, as large as it is, decides to ask the companies that make the formula to enter a competitive bid, they had quite a bit of competition and quite a bit of savings.

They ended up with a rebate of $2.06 on every can of infant formula purchased under the WIC Program in Illinois and because they were so successful in competitive bidding, turned around and took this money and expanded the program, just what we want them to do, to be cost efficient, save money and expand the program.

We do not want to create an incentive, or disincentive I should say, for States to enter into competitive bidding. Just the opposite. Let us have them spend their tax dollars as effectively as possible, save the money and help as many families as possible. That is why the Hall amendment should be agreed to.

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

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

Mr. Chairman, this is a very good program and I still must oppose the amendment because if we do take the cap off and if you do have the efficiencies in the State operations, that is wonderful except we will put more people on the rolls and that is going to cause us to raise more money next year.

Mr. Chairman, we do not have the money. It is not here, and if we raise

that capital, take the lid off of the 7.3 million, it puts us in jeopardy because it does allow the States to put more people on, which is wonderful from the States' perspective, but from the national level, it is very precarious because we just do not have any sources to raise the money. That is the problem.

I still, Mr. Chairman, have to oppose the Hall amendment, and reluctantly so because it is a good program. It has been one of the best feeding programs we have got, of the 26 nutrition programs that we are funding today in the Federal Government.

Mr. Chairman, I appreciate what the gentleman is trying to do and admire the work that he has done, but it puts us in an untenable position, and we maintain our opposition to this proposal to remove the cap because, once again, we did overfund it last year.

States could not pick up the slack, they could not get the organization work done to put more people on, so we had to take money out in the rescission package. It has been kind of an ungodly nightmare, but I think that I understand where you are going and I hope the gentleman understands our position and I have to oppose it.

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

Mr. Chairman, in closing, I would say that what we are doing here is we are removing the cap of 7.3 million people who can participate in this program in 1996. This does not change the level of funding which is appropriated in this bill. This is budget neutral according to CBO. We are not trying to increase the money.

It provides more flexibility to the WIC directors to manage their State programs. Just ask them. They want the flexibility. They want the ability to be innovative.

It is bipartisan. The administration is strongly in support of this amendment. The National Association of WIC Directors, strongly in support of it. Bread for the World, strongly in support of it. Center on Budget Priorities, strongly in support of this amendment.

Vote against the Goodling amendment. Vote for the Hall-Roukema amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. HALL].

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

RECORDED VOTE

Mr. HALL of Ohio. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the order of the House of July 19, further proceedings on the amendment offered by the gentleman from Ohio [Mr. HALL] will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. Are there further amendments to title IV?

If not, the Clerk will designate title V.

The text of title V is as follows:

TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

(INCLUDING TRANSFERS OF FUNDS)

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 $128,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $123,520,000, of which $5,176,000 may be transferred from Commodity Credit Corporation funds, $2,792,000 may be transferred from the Commodity Credit Corporation program account in this Act, and $1,005,000 may be transferred from the Public Law 480 program account in this Act: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1736) and the foreign assistance programs of the International Development Cooperation Administration (22 U.S.C. 2392).

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

PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1691, 1701–1715, 1721–1726, 1727–1727f, 1731–1736g), as follows: (1) $291,342,000 for Public Law 480 title I credit, including Food for Progress programs; (2) $25,000,000 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) $821,100,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title II of said Act; and (4) $50,000,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title III of said Act: *Provided*, That not to exceed 15 percent of the funds made available to carry out any title of said Act may be used to carry out any other title of said Act: *Provided further*, That such sums shall remain available until expended (7 U.S.C. 2209b).

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct credit agreements as authorized by the Agricultural Trade Development and Assistance Act of 1954, as amended, and the Food for Progress Act of 1985, as amended, including the cost of modifying credit agreements under said Act, $236,162,000.

In addition, for administrative expenses to carry out the Public Law 480 title I credit program, and the Food for Progress Act of 1985, as amended, to the extent funds appropriated for Public Law 480 are utilized, $1,750,000.

SHORT-TERM EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than $5,200,000,000 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 202(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

INTERMEDIATE-TERM EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than $500,000,000 in credit guarantees under its export credit 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 202(b) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM–102 and GSM–103, $3,381,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which not to exceed $2,792,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Foreign Agricultural Service, and of which not to exceed $589,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Consolidated Farm Service Agency.

The CHAIRMAN. Are there any amendments to title V?

If not, the Clerk will designate title VI.

The text of title VI is as follows:

TITLE VI—RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; $904,694,000, of which not to exceed $84,723,000 in fees pursuant to section 736 of the Federal Food, Drug, and Cosmetic Act may be credited to this appropriation and remain available until expended: *Provided*, That fees derived from applications received during fiscal year 1996 shall be subject to the fiscal year 1996 limitation: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701.

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

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provide, $15,350,000, to remain available until expended (7 U.S.C. 2209b).

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, $46,294,000: *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 5 percent of 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 obligation issued through 1994, as authorized, $15,453,000.

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; $49,144,000, including not to exceed $1,000 for official reception and representation expenses: *Provided,* That the Commission is authorized to charge reasonable fees to attendees of Commission sponsored educational events and symposia to cover the Commission's costs of providing those events and symposia, and notwithstanding 31 U.S.C. 3302, said fees shall be credit to this account, to be available without further appropriation.

The CHAIRMAN. Are there any amendments to title VI?

If not, the Clerk will designate title VII.

The text of title VII is as follows:

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 1996 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 665 passenger motor vehicles, of which 642 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. The cumulative total of transfers to the Working Capital Fund for the purpose of accumulating growth capital for data services and National Finance Center operations shall not exceed $2,000,000: *Provided,* That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.

SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended (7 U.S.C. 2209b): Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, and integrated systems acquisition project; and Foreign Agricultural Service, middle-income country training program.

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

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

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

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

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

SEC. 710. None of the funds in this Act shall be available to 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 1994 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. 711. 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. 712. None of the funds in this Act shall be available to pay indirect costs on research grants awarded competitively by the Cooperative State Research, Education, and Extension Service that exceed 14 percent of total Federal funds provided under each award.

SEC. 713. Notwithstanding any other provisions of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 714. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 1996 shall remain available until expended to cover obligations made in fiscal year 1996 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; and the rural economic development loans program account.

SEC. 715. Such sums as may be necessary for fiscal year 1996 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 716. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the ''Buy American Act'').

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

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

SEC. 717. Notwithstanding the Federal Grant and Cooperative Agreement Act, marketing services of the Agricultural Marketing Service may use cooperative agreements to reflect a relationship between Agricultural Marketing Service and a State or Cooperator to carry out agricultural marketing programs.

SEC. 718. PROHIBITION ON USE OF FUNDS FOR HONEY PAYMENTS OR LOAN FORFEITURES.—Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act shall be used by the Secretary of Agriculture to provide for a total amount of payments and/or total amount of loan forfeitures to a person to support the price of honey under section 207 of the Agriculture Act of 1949 (7 U.S.C. 1446h) and section 405A of such Act (7 U.S.C. 1425a) in excess of zero dollars in the 1994, 1995, and 1996 crop years.

SEC. 719. None of the funds in this Act may be used to retire more than 5% of the Class A stock of the Rural Telephone Bank.

SEC. 720. None of the funds appropriated or otherwise made available by this Act may be used to provide benefits to households whose benefits are calculated using a standard deduction greater than the standard deduction in effect for fiscal year 1995.

SEC. 721. None of the funds made available in this Act may be used for any program, project, or activity when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any applicable Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

The CHAIRMAN. Are there any amendments to title VII?

If not, the Clerk will read the last 3 lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996''.

Mr. TORKILDSEN. Mr. Chairman, I support the Hall-Roukema amendment, and I commend my colleagues for bringing this important issue to the floor. It will maximize the potential of a time-tested and needed program, while remaining completely budget neutral.

The program's motto is ''WIC Works Wonders'' and indeed it does:

In over 70 evaluation studies, WIC has demonstrated improved pregnancy and reduced anemia in children;

Medicaid beneficiaries have experienced a lower infant mortality rate;

Four- to five-year-old children have increased immunization rates and improved vocabularies.

WIC serves 6.5 million women and children monthly, saving the Government over $700 million every year in health and education expenditures. With such a significant return on our investment, I regret that this Congress is unable to provide for additional cases in the coming year. However, this amendment will at least give cost-conscious States the opportunity to expand their own caseloads if additional funds become available. A participation cap is counterproductive and potentially harmful to a program that deserves our full support.

I urge my colleagues to support WIC by voting for the Hall-Roukema amendment.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 19, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: The amendment offered by the gentleman from Pennsylvania [Mr. GOODLING]; the amendment offered by the gentleman from Ohio [Mr. HALL].

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

PERFECTING AMENDMENT OFFERED BY MR. GOODLING

The CHAIRMAN. The pending business is the demand for a recorded vote on the perfecting amendment offered by the gentleman from Pennsylvania [Mr. GOODLING] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 19, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

The vote was taken by electronic device, and there were—ayes 230, noes 193, not voting 11, as follows:

[Roll No. 542]

AYES—230

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martinez
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—193

Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Ensign
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Slaughter
Smith (NJ)
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tauzin
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Ward
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—11

Abercrombie
Collins (MI)
Gallegly
Goodling
Jefferson
Moakley
Pallone
Reynolds
Saxton
Volkmer
Waters

☐ 1916

Messrs. VENTO, BARCIA, TAUZIN, and JACOBS changed their vote from ''aye'' to ''no.''

Ms. PRYCE, Mrs. KELLY, Mr. FLANAGAN, and Mr. TORKILDSEN changed their vote from ''no'' to ''aye.''

So the perfecting amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. PALLONE. Mr. Chairman, during rollcall vote No. 542 on H.R. 1976 I was unavoidably detained. Had I been present I would have voted ''nay''. I ask unanimous consent that my statement appear in the RECORD immediately following rollcall vote No. 542.

AMENDMENT OFFERED BY MR. HALL OF OHIO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio [Mr. HALL] on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 278, noes 145, not voting 11, as follows:

[Roll No. 543]

AYES—278

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (NE)
Barrett (WI)
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blute
Boehlert
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Buyer
Camp
Canady
Castle
Chapman
Clay
Clayton
Clement
Clyburn
Coburn
Coleman
Collins (IL)
Condit
Conyers
Costello
Coyne
Cramer
Cremeans
Cunningham
Danner
Davis
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Ehlers
Engel
English
Ensign
Eshoo
Evans
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Graham
Green
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hayes
Hayworth
Hefner
Heineman
Hilleary
Hilliard
Hinchey
Hoekstra
Holden
Horn
Hoyer
Inglis
Jackson-Lee
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Klug
LaFalce
LaHood
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McDade
McDermott
McHale
McHugh
McInnis
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moran
Morella
Murtha
Nadler
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pomeroy
Portman
Poshard
Pryce
Quillen
Quinn
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Rivers
Roemer
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Schiff
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Smith (NJ)
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Studds
Stupak
Tanner
Tate
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Velazquez
Vento
Visclosky
Waldholtz
Wamp
Ward
Waters
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (FL)
Zimmer

NOES—145

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Bartlett
Barton
Bass
Bateman
Bliley
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunning
Burr
Burton
Callahan
Calvert
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cubin
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Duncan
Dunn
Ehrlich
Emerson
Everett
Ewing
Fields (TX)
Foley
Frisa
Funderburk
Ganske
Gekas
Goodlatte
Goss
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hefley
Herger
Hobson
Hoke
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Istook
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Knollenberg
Kolbe
Largent
Latham
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Lucas
Manzullo
McCrery
McIntosh
McKeon
Mica
Miller (FL)
Molinari
Moorhead
Myers
Myrick
Nethercutt
Neumann
Norwood
Nussle
Oxley
Packard
Paxon
Pombo
Porter
Radanovich
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (TX)
Solomon
Stockman
Stump
Talent
Taylor (NC)
Thomas
Thornberry
Tiahrt
Vucanovich
Walker
Walsh
Watts (OK)
Whitfield
Wicker
Young (AK)
Zeliff

NOT VOTING—11

Cardin
Collins (MI)
Dreier
Gallegly
Goodling
Jefferson
Moakley
Reynolds
Saxton
Smith (WA)
Volkmer

□ 1925

The Clerk announced the following pair:

On this vote:

Mr. Moakley for, with Mr. Dreier against.

Messrs. WELLER, WAMP, GRAHAM, FORBES, and LONGLEY changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

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

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

Mr. GILMAN. Mr. Chairman, I wish to comment on title V of the bill. I strongly support title II funding to feed starving people, and I urge the committee to preserve and enhance funding for the P.L. 480, title II, program.

Mr. Chairman, with the budget constraints we are under, we need to make cuts in foreign assistance. My committee's bill, the American Overseas Interests Act passed the House on June 8 by reducing spending over $3 billion in fiscal year 1996 and fiscal year 1997. We did this while increasing funding for programs that actually saved lives—disaster assistance, refugee relief and food aid. Simply put, the Public Law 480 title II program saves lives by feeding starving people.

Through the title II food aid program, the American people feed 2.7 million displaced and war-affected people within Bosnia and another 2 million in Angola. Thirteen million mothers and children on the Indian subcontinent depend on this program for daily nutrition. Closer to home, over 1 million Haitians depend on this program for nutrition, helping to ensure the survival of the democracy there. The title II program is designed to work with the leading American relief agencies such as Care, Catholic Relief Services, Save the Children and World Vision. These organizations, which raise most of their funds through private donations, represent the best in America and our mission to the poor.

This year, the Appropriations Committee wisely chose not to make budget savings for the title II program by recommending last year's level of $821 million. Unfortunately, this will still represent a cut for the program. Under a little known provision—section 416(b) of the Agricultural Act of 1949—the Secretary of Agriculture is authorized to provide commodities acquired by the Commodity Credit Corporation [CCC] to the title II program. In fiscal year 1993, over 2 million metric tons of foods were donated under 416. Because CCC stocks have dwindled, in fiscal year 1994 only 160,000 metric tons were delivered and this year no ''416'' food will be available.

Mr. Chairman, for all the work we have done, hunger is still a problem in the developing world. Even under the optimistic estimates of the administration, we will fall over 400,000 metric tons of food short of the needs of starving people around the world. Recognizing this need, the International Relations Committee included a 2-year authorization for a minimum of 2.025 million metric tons of food to be delivered under the title II program. Cost estimates show this would be equal an authorized funding level of $863 million for this program in fiscal year 1996 and fiscal year 1997.

Mr. Chairman, the Title III Government-to-Government Program is a new one, created in 1990. While it has worthy goals, it clearly does not have the priority that the title II program has in saving lives. The administration recognized this when it proposed cutting the title III program by $100 million, down to $50 million. The Budget Committee recommended ending the title III program altogether. Working with Representative BEREUTER on the House floor, we saved the program in the American Overseas Interests Act at the $25 million level. Given the needs of starving people, I believe that the Appropriations Committee should reflect the authorizing committee levels and

emphasize the life-saving mission of the title II program.

I want to thank Chairman SKEEN and Representative DURBIN for their work on this issue. They have done good work on this bill and I will strongly support it on final passage.

I ask that since I will be unable to offer my amendment to title V to transfer $25 million from the public law 480 Title III, Government-to-Government Program; to the public law 480 Title II program. I strongly support funding for the title II program.

AMENDMENT OFFERED BY MR. DURBIN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DURBIN: Page 71, after line 2, insert the following new section:

SEC. 726. None of the funds made available in this Act to the Department of Agriculture may be used (1) to carry out, or pay the salaries of personnel who carry out, any extension service program for tobacco; or (2) to provide, or to pay the salaries of personnel who provide, crop insurance for tobacco for the 1996 or later crop years.

Mr. DURBIN. Mr. Chairman, I have an amendment at the desk, and I would like to inquire of the chairman of the committee if he would like to enter into a unanimous consent as to the time for the debate on this amendment relative to the tobacco program, and I would like to suggest to the chairman that we limit the debate on this amendment and all amendments thereto to 1 hour, 30 minutes on each side.

Mr. SKEEN. If the gentleman will yield, would the gentleman accept 40 minutes, 20 minutes on each side?

Mr. DURBIN. I would like to think that could happen. But honestly I have 20 requests for time to speak. I think 30 minutes is realistic on each side.

Mr. SKEEN. The gentleman is bound and determined to extend this thing. Thirty minutes each side?

Mr. DURBIN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be limited to 1 hour, 30 minutes, equally divided by myself and the gentleman from New Mexico [Mr. SKEEN].

Mr. SKEEN. Mr. Chairman, I yield my time on this side to the gentleman from Kentucky [Mr. ROGERS].

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. DURBIN]?

There was no objection.

The CHAIRMAN. The time limitation on this amendment will be 1 hour, equally divided, 30 minutes by proponents and opponents, and all amendments thereto. Time for the proponents will be controlled by the gentleman from Illinois [Mr. DURBIN], and the opposition by the gentleman from Kentucky [Mr. ROGERS].

POINT OF ORDER

Mr. EWING. Mr. Chairman, I reserve a point of order against the Durbin amendment and ask that he explain the amendment.

Mr. DURBIN. Mr. Chairman, may I correctly assume this time will not be taken from the debate time on the amendment?

The CHAIRMAN. The Chair will make that concession.

Mr. DURBIN. Soon?

The CHAIRMAN. Yes.

Mr. DURBIN. I might respond to the inquiry from the gentleman from Illinois that this amendment has been changed and does two things. It says that none of the funds made available in this act, this appropriation to the Department of Agriculture, may be used, No. 1, to carry out or pay the salaries of personnel who carry out any extension service program for tobacco or, No. 2, to provide or to pay the salaries of personnel and provide crop insurance for tobacco for the 1996 or later crop years.

Mr. EWING. Mr. Chairman, I make a point of order against the amendment.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. DURBIN. Mr. Chairman, would the Chair clarify the status of time on this inquiry and this point of order?

The CHAIRMAN. The inquiry does not come out of debate time.

Mr. DURBIN. I thank the Chair.

Mr. EWING. Mr. Chairman, rule XXI, clause 2(c) provides that no amendment to a general appropriation bill shall be in order if changing existing law.

□ 1930

The burden is also on the proponent of an amendment to a general appropriation bill to prove the language offered under the guise of a limitation does not in fact change existing law (CONGRESSIONAL RECORD, pp 18666–7, June 16, 1976), or impose additional duties on Federal officials, not required by law (CONGRESSIONAL RECORD, May 28, 1968, p 15350), or implicitly requires Federal officials to make judgments and determinations not otherwise required of them by law (CONGRESSIONAL RECORD, July 31, 1969, pp 21653, 21675). It is submitted that even an implicit restriction on authority to incur obligations otherwise included in an existing contract is legislative in nature and not a limitation on funds (July 13, 1987, CONGRESSIONAL RECORD, p 19507).

Section 508(b)(1) of the Federal Crop Insurance Act requires the Federal Crop Insurance Corporation to offer a catastrophic risk protection plan to indemnify producers for crop loss due to loss of yield or prevented planting and such coverage is provided for tobacco.

Section 508(b)(5) of the Federal Crop Insurance Act provides that producers shall pay a fee for such catastrophic coverage and section 508(b)(7) provides that to be eligible for price support and a number of other benefits from USDA the ''producers must obtain at least the catastrophic level of insurance for each crop'' grown on the farm (with certain exceptions for minor crops not applicable here).

What is mandated in the Federal Crop Insurance Act, that is, catastrophic insurance coverage, whether obtained from a Federal Agency in the field (a county office of USDA) or a private insurer under an agreement for sale from the Federal Crop Insurance Corporation is not only limited by this amendment, but is effectively denied to producers. The provisions of Public Law 103–354 (the Federal Crop Insurance Reform Act of 1994) would be suspended by the Amendment, at least for the period of the 1996 fiscal year, for catastrophic as well as ''buy-up'' coverage of insurance.

Moreover, the Secretary of Agriculture and the Board of Directors and the manager of the Federal Crop Insurance Corporation [FCIC] would have added duties of changing their regulations, changing their contracts with their insured producers many of whom are automatically renewed through a continuing contract and whose contracts would have to be cancelled by the Secretary, an additional duty. They must also change their reinsurance agreements with private insurance companies who serve as agents for the Government in offering catastrophic and buy up insurance coverage under existing agreements that would have to be amended. The reason for the latter is that, the agreements between the FCIC and the private insurers are normally multiyear, but for fiscal year 1996 because there is an element of Government funds, over and above the premium, involved in the catastrophic and buyup coverage in crop insurance, some action would have to be taken by the Secretary or the manager of the FCIC to change the insurance company agreement. There would also be costs involving advertising notices to producers, banks, and other lending institutions about the proposed change to cancel coverage. Other ''wind-down'' costs involving cancelled coverage in 1996, as well as the duties and costs involved in reinstituting notices and regulations concerning coverage availability in fiscal year 1997. Heretofore, because tobacco was covered by general notices on major crop coverage there would be a need for notices to banks and institutions offering credit and to tobacco producers when the coverage would be terminated in 1996 and the reinstituted for 1997 tobacco crops.

Finally, it is submitted that if the Amendment were adopted that it could have the effect of denying conventional crop insurance coverage for tobacco, but make tobacco producers eligible for the Noninsured Crop Disaster Assistance Program (NAP) of section 519 of the Federal Crop Insurance Act (7 U.S.C. 1519). This program provides disaster assistance, without insurance premiums being paid, mainly where catastrophic coverage is not available. I note that crops specifically included

are Christmas trees, turf grass and industrial crops. However because there could be added cost to the Government of $17 million in FY 1996 according to USDA if such coverage was given for tobacco crops if this Amendment were to be adopted, that possibility should be considered in the ruling on this Amendment as a violation of section 602 of the Budget Act.

Also, Mr. Chairman I point to the colloquy last night between Chairman ROBERTS of the Agriculture Committee and other members when he urged them to take up matters such as this in the farm bill and not try to change the appropriations bill into a farm bill. He stated he would work with them in such an undertaking.

The CHAIRMAN. Is there further discussion on the point of order?

Mr. DURBIN. Mr. Chairman, the amendment which I have offered neither changes the law nor imposes any new duties on any Federal employee. Under the rules of the House, the House is free to specify what is not to be funded in a bill. The House may decline to fund specific activities under rule XXI. This is a strict limitation and totally within the four corners of the existing rules and limitation amendments which have been allowed time and again.

Mr. EWING. Mr. Chairman, I believe that I have answered those remarks by the gentleman from Illinois [Mr. DURBIN] and I would insist on my point of order.

The CHAIRMAN. The gentleman does insist on his point of order, and the Chair is prepared to rule.

The gentleman from Illinois [Mr. EWING] makes the point of order that the amendment offered by the gentleman from Illinois violates clause 2 of rule XXI by legislating on a general appropriation bill.

The amendment of the gentleman from Illinois [Mr. DURBIN] is in the form of a limitation. It prohibits funds in the bill from being used to carry out, or pay the salaries of personnel who carry out, certain tobacco programs, including crop insurance for tobacco.

The precedent cited by the gentleman from Illinois [Mr. EWING] (July 13, 1987, which appears in the CONGRESSIONAL RECORD at p. 19507) is distinguishable. The language ruled out on that occasion was a proviso in a paragraph of a general appropriation bill proscribing the incurring of obligations for certain facilities that was not in the form of a proper limitation on funds in the bill.

The amendment offered by the gentleman from Illinois [Mr. DURBIN] however, is in the form of a straight limitation. It is a negative restriction on the availability of funds in a general appropriation bill that merely restricts the availability of funds and refrains from prescribing duties or requiring determinations of governmental officials. A straight limitation on funds is not considered as changing existing law but as merely constricting the range of objects to which the accompanying appropriation may be put.

Accordingly, the Chair overrules the point of order under clause 2 of rule XXI.

Mr. DURBIN. Mr. Chairman, I want to salute my colleagues who have joined me in offering this amendment. The gentleman from Utah [Mr. HANSEN] and the gentlewoman from Washington [Mrs. SMITH] have been kind enough to join me in this bipartisan effort. This is an important and perhaps historic debate on the floor of the U.S. House of Representatives. We will decide tonight in no small measure whether Uncle Sam is going to get out of the tobacco business.

Let me tell my colleagues what ever Member of Congress in this Chamber has faced and what I have faced many times throughout my career in town meetings where ordinary Americans asked a very difficult question. ''Congressman,'' they say, ''if the Federal Government tells us that tobacco kills you and is dangerous for you, why in God's name do the Federal taxpayers have to subsidize the growth of this tobacco?''

And time and again my colleagues on the floor here will answer, ''Well, perhaps it is not such a good idea; we ought to do something about it.'' Tonight my colleagues have a chance to do something about it because tonight this amendment addresses two specific areas of spending on the Federal tobacco program, mainly the Extension Service and the crop insurance program.

Mr. Chairman, I wish it were within my legislative power to completely abolish the tobacco programs at the Federal level tonight with this amendment, but, because of budgetary constraints, I cannot. What I will attempt to do with this amendment is to address two large parts and very serious parts of our Federal tobacco program, and I hope in so doing to not only demonstrate why this is good philosophically, but good from a budgetary viewpoint.

First and foremost, the tobacco growers and their supporters on the floor will tell us time and again until they are blue in the face that the tobacco program does not cost the taxpayers anything. My colleagues will hear that tonight at least a dozen times and believe each time they have heard it that it is not true. The tobacco program costs American taxpayers each year $42 million, $42 million of Federal tax money going to support an industry that generates $40 billion a year in sales, 40 billion. These are not mom-and-pop pauper operations. These are huge tobacco companies working in many instances with huge tobacco growers, and we still subsidize their effort.

The amendment which I have introduced addresses the Extension Service. We have men and women in the Extension Service traveling across the country giving advice to growers and farmers as to the best way to grow their crop. What we are saying is get them out of the tobacco business. They can advise people who are growing crops that are good for us how to grow those crops more efficiently, but tobacco, tobacco is the only subsidized crop by the Federal Government which, when used according to manufacturers' directions, will kill us. It is not an ordinary agricultural crop. It is a killer, and each year it is the No. 1 preventable cause of death in America. We cannot say that about cotton, or corn, or wheat, sugar beets, or any other commodity that the Department of Agriculture deals with.

The second area is crop insurance. Those who grow tobacco buy insurance in the likelihood or in the circumstance where their crop might be endangered because of floods or drought, whatever it happens to be. They pay a premium, but the premium does not cover the cost of the program. In other words, when they get paid back, they receive more back from the Government than they paid in premium. The difference is paid for by America's taxpayers, and that unfortunately adds again to the cost that we pay each year to the tune of about $23 million.

Today's debate is not about whether small tobacco farmers will survive. One acre of tobacco can generate 2,000 pounds of product a year, currently selling, I understand, for about $1.80 a pound; in other words, $3,600 gross. Now it is much more labor-intensive than most other crops, but a person with 1 acre of tobacco under cultivation can expect to make several thousand dollars from that 1 acre. In my part of the world where we grow corn, if someone can net $200 an acre from growing corn, they are lucky. If someone is a tobacco grower under the program, we are talking in terms of several thousand dollars.

The program continues, the tobacco allotment program will continue, those profits will continue for those families. They can afford to buy their own crop insurance.

The issue here is should the Federal Government use taxpayers' dollars to subsidize this crop. I will tell my colleagues I would like to have every Member of Congress tonight to have an opportunity the next time that a town meeting comes up to say, ''Yes, I cast a ''yes'' vote for the Durbin-Hansen-Smith amendment to make it clear that Uncle Sam ought to get out of the tobacco business. We have no business subsidizing the growth, production, and processing of a product which kills hundreds of thousands of Americans each year.''

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

□ 1945

Mr. ROGERS. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise to speak against the amendment. Let us be clear what

the Durbin amendment does. This amendment does not reduce spending in this appropriations bill. Read it for yourself. We will not cut a penny in this bill. What the amendment does do though is discriminate against the small farmers in the tobacco growing regions of this country in favor of large corporate growers.

Let us be sure what we are doing here. You are giving the big advantage to the big corporate growers, and you are cutting out the very small one acre plot growers. That is who you are hurting, I would say to the gentleman from Illinois [Mr. DURBIN]. That is who this amendment hits. Whether the gentleman is aiming there or not, that is where it hits. They will be denied basic assistance available to any other farmer, particularly the big farmers.

The corn farmer in the gentleman's district is welcome to get help from the extension agent, thank you very much. But my farmer is told, ''No, we don't like what you grow, we are going to refuse to help you.'' It says to my farmers, ''Even though Federal law requires you to participate in the crop insurance program, we are prohibiting you from doing so,'' forcing that small family farmer to break the law that this Congress wrote.

The intent of this amendment, as the gentleman said, is to get people to quit smoking. Well, let me explain to Members how this thing works. The gentleman from Illinois [Mr. DURBIN] does not understand that the tobacco allotment program holds down production of tobacco. If you lift that program, the big, huge corporate growers are going to grow tobacco like it is going out of style. They will import tobacco from all over the world. People are going to smoke cigarettes, it will be foreign tobacco or big producer tobacco, and the cigarette prices will plummet, and you will see a rash of smoking increases. The tobacco control growth program holds down the production of tobacco, propping up the price of cigarettes. You remove that, and cigarettes go dirt cheap.

Mr. Chairman, I ask you, is that what you really want? While you promote smoking, you are killing off the small growers in the country in favor of the large corporate growers. I urge Members, reject Durbin.

Mr. DURBIN. Mr. Chairman, I yield 3 minutes to the gentleman from Utah [Mr. HANSEN], a cosponsor of the amendment.

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

Mr. HANSEN. Mr. Chairman, let me point out to Members that this amendment we are working on does not hurt the family farmer. They still have access to tobacco price support programs and their crops will still be in demand. Furthermore, tobacco is a very lucrative business and I am sure they can afford to stay in this business.

Let me tell you about a man who is my neighbor, Dr. Chuck Edwards. Chuck Edwards is the foremost expert in the West in taking care of people who have cancer of the jaw and the larynx. You ought to see that. I wish Dr. Edwards was here and everybody in this House was forced to look at this, and everybody in America, because what he does is he shows these films. He takes their face off and puts it up over their head, and then he goes into that area and he cuts off their jaw, and then he puts a hole in their trachea, and that is how they breathe.

He talks about all these young people who take this little round can they keep in their back pocket, and take it like this and stuff it down in their mouth. He says, ''There is 100 percent chance, if they live to the age of 60, we will take their jaw.''

Who in their right mind can tell me, what doctor will stand up and say that this is not one of the greatest killers there is in America today? And we subsidize it. This is a Kevorkian budget subsidy if I have ever seen one.

We find ourselves in the position where we talk about 350,000 people that went up in smoke in a mushroom cloud in the days of Hiroshima and Nagasaki. Now we kill 400,000 of them, and this group, this Congress, supports it. It is unbelievable to me that Congress will take it upon themselves to support this kind of thing.

I do not worry about my friends here that smoke. That is fine. Go ahead. We are old guys. We are going to die anyway. I am worried about that kid, that teenager. Do not tell me the Marlboro man and Joe Camel is there to try to get him to change from one to another. That is there for one reason and one reason only, and that is to get youngsters to smoke. There is a 31 percent increase in 2 years of 8th graders, 31 percent increase, that are now smoking.

I would suggest that Members read this month's issue of Reader's Digest. It talks about a tobacco lobbyist. It talks about all the money he received to walk around here and convince you and convince me that we are supposed to do everything in our power to keep this subsidy on.

This is the time that America can make a difference. This is a time to do something for the American people. I urge Members to support the Durbin-Hansen-Smith amendment.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. HEFNER].

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

Mr. HEFNER. Mr. Chairman, that is a kind of tough act to follow. This the first time you have heard there is no subsidy for tobacco, and if this amendment passes, not one person, not one person is going to stop smoking. It has nothing to do with people stopping smoking, and it is not going to affect the argument that the gentleman made.

Let me tell you who it is going to hurt. It is this small farmer who averages about three acres. People in North Carolina are already telling me they are losing two-thirds of their crops this year, and if they do not have insurance, they are broke. They cannot go diversify. They cannot go and become some other kind of farmer. They cannot go to Illinois and rent some land and grow corn on three acres. You cannot make enough money growing corn on three acres.

This is not going to stop one individual in this country of ours from beginning to smoke, or quit if they already smoke. But what it is going to do, it is going to hurt that small farmer, that is trying to send his kids to school, to get them through school and get them through one of our universities where they can go out, get some training, and get a better job. They are trying to raise their families. They made commitments. They cannot diversify.

Mr. Chairman, this is not a health amendment, this is an economic amendment. You are not going to stop one individual in the United States of America from smoking because of the Durbin amendment. What you are going to do is you are going to penalize this small farmer that is up to his ears in debt, he has obligated his farm, and he is trying to make it from year to year. That is who you are going to devastate, and that is who we are not here to devastate, is the small farmer.

I would urge Members, when you consider your vote, consider that small farmer and his family that is trying to make a living. He and the wife both work and the children work, and it is a legal product, and it was $5.8 billion that came into the economy of this country last year because of tobacco. It is legal. Vote against the Durbin amendment.

Mr. DURBIN. Mr. Chairman, I yield two minutes to the cosponsor of the amendment, the gentlewoman from the State of Washington [Mrs. SMITH].

(Mrs. SMITH of Washington asked and was given permission to revise and extend her remarks.)

Mrs. SMITH of Washington. Mr. Chairman, I first want to thank the gentleman from Illinois [Mr. DURBIN] and the gentleman from Utah [Mr. HANSEN] for having the courage. I found out over the last couple of days it takes courage to go up against the tobacco industry. You not only get a lot of calls to your office, you get a lot of pressure.

This amendment will not just save $23 million, but it is the right thing to do. On my desk each day I read in front of me, it is a quote from Abraham Lincoln, and it says ''I am not bound to win, but I am bound to be true. I am not bound to succeed, but I am bound to live up to what light I have. I must stand with anybody that stands right and part with him when he goes wrong. Abraham Lincoln.''

I am parting with you who are supporting the tobacco industry because I think you are wrong. I have to tell you that when I go into my home area one

of the top issues that they ask me is, Linda, in downsizing government, have you got rid of that tobacco subsidy yet? And I said no, but I am going to do it. I just did not realize how bad it would be.

I want to tell you clearly this is a subsidy. Some say when the government pays for your insurance it is not a subsidy. Some say when they pay for the extension agents to help you grow a better crop to market to our children, it is not a subsidy. But when I tell you the bottom line is $23 million spent from your taxes, folks, you in this room and the other folks out there in America, I have to tell you, it is $23 million, and they should be giving us money.

My mother died younger than I am of cancer. I had a friend die over the weekend of cancer, a young man, a pack-a-day smoker. There is no justification for subsidizing tobacco. Teach them to grow another crop. It is a lucrative crop, but they can grow another crop. I am not saying right now they cannot grow the crop. I am just saying, do not spend the taxpayers' money. Please folks, do what is right. Do not do what the tobacco industry wants.

They were prowling the halls here yesterday and the day before. Ignore them and do what is right and vote against the tobacco subsidy and for this amendment.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from western Kentucky [Mr. WHITEFIELD] to explain that there is no tobacco subsidy anymore.

Mr. WHITFIELD. Mr. Chairman, there has been a lot of discussion this evening about the tobacco industry, and when you talk about the tobacco industry, what you are talking about is 126,000 small farmers around this country who have grown tobacco legally in America since really the founding of this country in Jamestown.

Really what this amendment is about, this administration has made a conscious effort to try to destroy the tobacco industry. It is a legal crop and there are many things in our society that we do not like. We do not like to see bad things happen to children or women or anybody else.

My mother-in-law, for example, smoked until she was 94 years old, and we know that smoking does cause cancer in some instances, and other times it does not cause cancer. But it is an individual decision. It is not something that the Government should be dictating.

This amendment, this Durbin amendment, is a discriminatory amendment against small tobacco farmers who have the right to grow a legal crop, and I think it would be a serious mistake to adopt the amendment, and I urge its defeat.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. BISHOP].

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

Mr. Chairman, I rise in opposition to the Durbin amendment. It would devastate the economy of key Southern States like Georgia. Tobacco growers would be only farmers who will be punished. This is a punitive effort.

Since the Depression, we have been denied access to government research, to education, and to extension services for a legal crop. We are not talking about growing marijuana here. We are talking about a legal crop. And it is an administrative nightmare that is about to be created here. It is misguided.

What the amendment says with regard to extension agents' salaries is that the salaries will not be paid if they provide any services to help tobacco growers. But what about the people in those counties that do not grow tobacco? Their salaries would be cut, so they cannot even help the ones who grow corn.

That does not make any sense. This amendment is misguided, it is punitive, it is a slap in the face to southern States. It is a slap in the face of farmers, small family farmers, who work hard. Why shouldn't they have crop insurance if they grow a legal product? Why should they not be able to help support their families and the economy of this Nation?

Nine thousand farmers in my State of Georgia make their living growing tobacco. Twenty-eight thousand warehouses, other in the retail industry. Overall, the tobacco industry contributes to the economy of Georgia thousands and thousands and thousands of dollars for a legal product.

I submit to you that the amendment is misguided, it is an administrative nightmare, it will punish the growers of crops that are non-tobacco crops in counties where they do grow tobacco. It just makes absolutely no sense. It is a case that reminds me of the years of prohibition.

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] has 23 minutes remaining, and the gentleman from Illinois [Mr. DURBIN] has 20 minutes remaining.

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Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. WAXMAN].

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

Mr. WAXMAN. Mr. Chairman, this is the kind of debate that mystifies the American people. The Federal Government and every medical expert in this country has told us that cigarette smoking is the leading cause of preventable death. On tonight's news, we heard that young people are starting to smoke again in large numbers. That is a public health menace.

So on the one hand, we are telling people not to smoke, and on the other hand, we are subsidizing the tobacco industry. What kind of signal is this to the American people? What kind of signal is it to our children? How are we going to explain to people that we are going to cut back on school lunches, we are going to cut back on programs for poor people and the elderly, but we are going to continue subsidizing the tobacco farmers?

We do not dictate whether a person smokes or not. That is an individual decision. But it ought not to be sudsidized by the American people in any way, shape or form.

This amendment is a small step. There are other subsidizations that we have through the tax deductions that the tobacco companies take in order to promote their product, and there is no product for which more money is spent to promote than tobacco itself, something like $3-, $4-, $5-billion a year.

They are making an enormous amount of profit from the disease and death of people who are their customers. I believe they are enlisting kids to become smokers to replace those that are dying off.

Do not subsidize it with taxpayers' funds. I urge adoption of the Durbin amendment.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. BURR].

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

Mr. BURR. Mr. Chairman, in fact, we are here tonight and I rise in opposition to an amendment that does need exploring. The truth is that we are here to talk about an amendment that will, in fact, eliminate crop insurance to one small segment of our agricultural industry, tobacco, while corn, wheat and everything else continues to receive that special privilege.

We say to an extension agent, you can go to a farm and you can talk about other agricultural products. You can even discuss the grass in that farmer's front yard. But if he asks you about tobacco, by law, Congress says you cannot talk to him about it. It does seem a little strange, and it does not make a lot of sense.

The authors of this amendment are not trying to balance the budget. They are not even trying to streamline the Department of Agriculture. They want to kill a crop. They want to kill tobacco.

Will they kill the family farm? Absolutely. Do they care? Absolutely not. Farmers are trying daily to survive, to pay their mortgage, to educate their children, to contribute to their community. But they do not care.

I would say one thing to the authors of this bill. If you want to kill tobacco, then introduce a bill. Be brave enough to ask for what you want. Do not hide behind something that kills people who do not have a voice in it, the small farmers in this country.

This is exactly the type of legislation, Mr. Chairman, that in fact the American people are sick of and I as a Member of Congress am sick of it. Do what is right. Defeat the Durbin amendment.

Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Utah [Mrs. WALDHOLTZ].

Mrs. WALDHOLTZ. Mr. Chairman, the discussion tonight is not about whether this is a legal crop. It is. This is not about trying to drive farmers out of business. We are not trying to take anyone's livelihood away from them.

The question tonight is about whether the Government of the United States is going to encourage behavior that we know kills people.

Mr. Chairman, we are talking in this Congress about how to preserve and protect Medicare. We are tearing our hair out to figure out how we can preserve those benefits for people for the coming generations. Yet, it has been estimated that over the next 20 years we will spend $800 billion on Medicare patients who need treatment for smoking-related illnesses, $800 billion.

It is not just impacting seniors. It is impacting children. Pregnant women who smoke have a 50 percent greater chance of a miscarriage or a low birth weight child. So we are impacting our children. We are impacting our seniors.

The question we have to ask ourselves tonight is why the government of the United States should encourage and subsidize that behavior by paying for people to find out how to grow more tobacco, by paying for crop insurance for tobacco.

Yes, it is a legal activity, but pay for it on your own. The government of the United States should no longer encourage a behavior that harms our children, that harms our seniors, by continuing to pay for this activity.

Those who want to continue to smoke, to use tobacco, to grow tobacco, let them do it on their own. But let us stop paying for it.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee [Mr. GORDON].

Mr. GORDON. Mr. Chairman, let me first recognize the sincerity of the proponents of this amendment, but let me also say very clearly I rise in opposition to this amendment, and I want to clarify what this amendment is not about.

This amendment is not about smoking, whether juvenile or adult smoking. It has nothing to do with smoking. This amendment is not about deficit reduction. It has nothing to do with deficit reduction.

Every small family farmer pays an assessment on every pound of tobacco that they grow. This amounts to over $30 million a year that goes to the Treasury, so it has nothing to do in any way with deficit reduction.

What it does have something to do with is whether or not small, rural counties and communities in the South can exist. Tobacco is the only crop they can grow in these communities, unlike in Illinois and other communities where they have farms with hundreds of acres, long rows where you get on that tractor, and you drive a half mile and your turn around and you drive back.

You cannot do that in these little communities. These are hilly country, rocky country. About the only thing they can grow is tobacco, and that is why the average tobacco patch is only 3.3 acres. It takes a family. It is squat labor. It is the whole family that gets out and works together to get this crop in and then get it in the barn.

Without the tobacco, it means that there are no grocery stores, because there is no one to buy groceries. There is no filling stations, because there is nobody to buy gas. There is no pharmacies, because there is no one to go to the drugstore.

So make no mistake about it. This amendment is not about deficit reduction. This amendment is not about smoking. It is about allowing small communities in the South to continue to be able to exist and allowing farmers to raise their family and see that they are able to improve their life, just like everyone here wants to see their family's life improved.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. EWING], chairman of the Subcommittee on Risk Management and Speciality Crops.

Mr. EWING. Mr. Chairman, I thank the gentleman for allowing me to speak out on this.

I wish that my colleague from Illinois would have introduced a bill, if he really wanted to get smoking, to make it illegal. I am a reformed smoker, and I understand that. I do not encourage it.

But what you are doing here, you are not affecting the program at all. You are just twiddling with it around the edge. You are doing things to a program that provides income to the American Treasury, that provides export and helps us with our balance of trade.

My colleagues, go to Kentucky, go to Georgia, go to North Carolina and see how these people live and see if the Durbin amendment is not affecting the lives of small people. It is.

If you want to make tobacco illegal, do it. Try and do it up front. But do not twick around the edge. That is not fair to the people you are messing with, and it certainly is not fair to this Congress.

Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. VISCLOSKY].

Mr. VISCLOSKY. Mr. Chairman, I rise in strong support of the Durbin-Hansen-Smith amendment.

I would like to address three sets of people here: children, farmers, and tobacco companies.

The gentleman from Utah [Mr. HANSEN] in his remarks earlier said that smoking among eighth graders has increased 30 percent in the last 3 years. As the gentleman from Illinois [Mr. DURBIN] asked rhetorically several years ago, would any of you be happy if your eighth grader came home tomorrow and said, dad, mom, I started smoking today? Would you be happy if that happened?

We talked about a lot of farmers here today. We ought to talk about a lot of kids and the $6 billion that the tobacco companies spend every year on promotion and advertising to get these kids addicted.

Second, I represent a district that lost 38,000 jobs, count them, between 1977 and 1987, and I am very sympathetic with the problem that the tobacco farmers are having. But I find it very interesting that the tobacco companies do not care. If they care, we, 2 years ago, would not have had to enact a limitation on imported tobacco coming into this country because so much of the tobacco that the companies use was from other countries, not from those poor farmers who are losing their jobs who they trot out in front of them to take that first volley of fire, because they have no place to hide.

Finally, the issue of saving $23 million, that is still a lot of money from where I come from, and if you want to protect those farmers, if you want to give them insurance, let the tobacco companies take some of their $6 billion in profits and spend $23 billion to help those farmers insure their tobacco so they can continue to grow it in safety.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky [Mr. BAESLER], the only tobacco farmer in the House of Representatives.

Mr. BAESLER. Mr. Chairman, I think we have had a lot of discussion about what this amendment is not.

Being a tobacco farmer, this year in June we are all in Kentucky putting out tobacco and working with it. What this amendment tells me as a tobacco farmer and all of the other farmers in Kentucky and North Carolina, if I have a disease in my crop this summer, if I have something going wrong in my field, I cannot go ask the county extension agent what the problem is.

It also tells me later on when that disease, blue mole or black shag, takes all of my crop, that I am not entitled to Federal crop insurance to help pay for that disaster. If the Ohio River floods, on one side we might be in Illinois, those farmers can acquire Federal crop insurance to take care of them. A tobacco farmer from Kentucky cannot.

This is not about health. This is about fairness. We are going to tell one group of farmers in the United States who pay their taxes, tobacco generates $12 billion a year to the United States, States and local governments. We are going to tell one group of farmers, you are not deserving to go to the extension service to get help. Every other farmer in the United States is, but you cannot.

We are going to tell that same group of farmers, if the Durbin amendment passes, you cannot have Federal crop insurance to protect your investment.

You folks do not know the first thing about the profitability of tobacco. I

have heard three people here talk about the profitability who are basically ignorant about the profitability of tobacco.

So it is a question of fairness. It is not a question of health. It is a question of fairness. Tell these farmers they are not as deserving as all of the other farmers, and continue [Mr. DURBIN], continue, the gentlewoman from Washington [Mrs. SMITH], continue to take the money from these farmers and what they generate throughout this country, but do not let them participate like the other farmers.

Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, we have heard numerous times, maybe 50 times in the course of all of these amendments, that we want to send somebody a message. It is stated in a variety of ways, generally dealing with small amounts of money in some way or another. I think we send the most confused message possible with respect to our tobacco policies in the United States of America.

We indeed have support systems for crop insurance, for extension and for various other aspects, but it would indicate in that way that we bless the growing and the selling of tobacco and the Federal Government is a part of it.

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On the other hand, we condemn it. The Surgeon General condemns it, we have studies which have condemned it, we have proclamations which do so. We do know a few things. We know tobacco is very deadly, that it can create great mischief in our society, but we know there are huge costs attached to this well beyond the $23 million we are talking about here tonight.

We have other costs. When we look at Medicare, Medicaid, we look at lost productive time in our economy, there are all manner of ways in which we can measure the cost in terms of what has happened with tobacco.

We know our children suffer because of tobacco. I did not even know what Joe Camel was. I thought it was sort of a joke when I heard about it. Then somebody pointed out to me that it was appealing to children, and was a very serious problem in terms of tobacco is concerned.

I believe even if the Federal Government removes itself from the ring, the big tobacco companies will probably move in and help out with the small farmers. I do not think there will be any loss there. I think at that point the Federal Government will be sending one clear message to everybody in the United States of America, and that is that we are not going to be involved in tobacco; that if you are going to smoke, smoke with great caution; that we can sell the programs of trying to make sure we go out and point out the problems to the people of the United States of America.

It is for this reason that I support the Durbin-Hansen-Smith amendment. I hope that all of us would, and all of us would realize the problems caused by tobacco. Tonight we can start to make the changes in this country that will be in the best interests of all of us.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina [Mr. JONES].

Mr. JONES. Mr. Chairman, I rise tonight in opposition to the Durbin amendment. The denial of extension services and Federal crop insurance will destroy the family farmer and the economy of rural America. In my State of North Carolina alone, the production of tobacco employs approximately 260,000 people; more specifically, one in 12 people have a tobacco-related job.

Every year the Federal Government counts on $25.9 billion in tobacco-related revenues, compared to the approximately $16 million in costs to USDA to administer the program, quite a return for the Federal Government.

Mr. Chairman, I would like to ask my fellow Members, who will shoulder the revenue loss? The taxpayer? I think not. In this time of budget cuts, we need to think twice before attacking the very heart of an industry that gives back so much to this country. Mr. Chairman, I ask Members to vote no on the Durbin amendment.

Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of the Durbin-Hansen-Smith Amendment. This amendment would save $23 million by eliminating Federal funding for tobacco extension services, and crop insurance.

Under the Durbin proposal, debate on the future of the tobacco price support program is deferred to the Farm Bill. However, there are other tobacco-related activities that are costing the taxpayers money. Administrative costs to run the price support program and related crop insurance, as well as marketing costs to promote the auction sales and production of tobacco are subsidies that keep the red ink flowing.

The tobacco industry makes large profits on their products. As a matter of fact, 68 cents of each dollar that is spent by consumers on tobacco products goes to manufacturers and distributors. Only 3 cents goes to the growers. Manufacturers are turning their sights overseas, while the number of tobacco farms and manufacturing jobs have dropped. Ironically, the policies set forth by Congress to help the small family tobacco farmer are actually benefiting the tobacco industry. I believe that we will be able to address the plight of the small family farmer when the House debates the 1995 farm bill.

The amendment before us is merely an extension of legislative actions taken by past Congresses. In 1994, the Agriculture appropriations bill extended the prohibition on tobacco assistance to the Agriculture Department's research programs. This amendment extends the prohibition to crop insurance and extension services.

It is time for the Federal Government to get out of the tobacco business. I urge my colleagues to seize the opportunity to move one more step toward accomplishing that goal by supporting the Durbin-Hansen-Smith amendment.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. PAYNE].

Mr. PAYNE of Virginia. Mr. Chairman, I rise in strong opposition to the Durbin-Hansen-Smith amendment. This misguided amendment will not allow small tobacco farmers to call upon the guidance of their USDA agent about some important environmental concerns, such as how to distribute fertilizer without causing damage to soil or water, or how to apply insecticide safely and properly, or how to combat agricultural plagues, such as blue mold and target spot. These are matters important to our environment. It would also strip away from the tobacco farmer his ability to purchase crop insurance, like all other farmers can do.

Mr. Chairman, this amendment is a direct assault on the hardworking men and women, farmers who grow tobacco in my district and in the southern part of the United States. Even worse, some would have us believe that this amendment eliminates the Federal Government subsidy to tobacco-related programs.

Let me set the record straight. There is no direct government subsidy for tobacco. The gentleman from Kentucky [Mr. ROGERS] has already spoken to that. Furthermore, and I think importantly, tobacco's importance to our Federal, State, and local government can be summed up in one figure. That figure is $62,300. Sixty-two thousand dollars is the amount of money per acre that tobacco generates for the public sector. This is money that flows into the general revenue of the U.S. Treasury and that of many of our States, to be used for discretionary spending on such things as agricultural programs.

I believe these numbers in fact speak for themselves. The Federal Government does not subsidize the tobacco program. Tobacco does contribute very positively to the U.S. Treasury. However, this amendment would allow any farmer in the Nation to utilize USDA services, except our tobacco growers. This amendment would allow any farmer in the United States to participate in Federal crop insurance, except tobacco growers. Do not be fooled by this amendment. It is not about smoking, it is blatant discrimination against small tobacco farmers. Vote against this amendment.

Mr. DURBIN. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Chairman, I rise in support of Durbin-Hansen-Smith

amendment, to finally end the $23 million giveaway to the tobacco industry. Each year 420,000 people die from tobacco-related illnesses, which makes it the leading cause of preventable death in the United States today. Each day 3,000 kids pick up their first tobacco product. According to the FDA's diagnosis, they become inflicted with a pediatric disease. This epidemic costs our Nation's economy over $100 billion in health care and lost productivity. How can we give one cent of taxpayer money to support this industry?

The tobacco industry spends billions, not $23 million, Mr. Chairman, but billions of dollars in advertising and marketing to entice children. An industry that snares 3,000 new customers a day into a lifelong addiction does not need our help. Already Joe Camel is more recognizable to 5-year-olds than Ronald McDonald. We should be debating how to regulate and restrict this industry, not how to support it.

Not only does the tobacco industry target children, it has the distinction of not being truthful to the Congress, to numerous Federal agencies, and to the American people. How many times have we heard that the tobacco industry does not market to children, that nicotine is not addictive, or that the level of nicotine is not manipulated by tobacco companies?

Mr. Chairman, the tobacco industry has not been telling the truth. The American Medical Association knows that they are lying. The FDA knows that they are lying. The American people know that they are lying. According to their own internal documents, the tobacco industry knows that they have consistently misrepresented the truth. When are we, my colleagues, going to learn?

Usually when I rise in favor of eliminating programs, I like to point out that in order to balance the budget, difficult choices need to be made, and that as conscientious legislators, we have to balance the good programs and what they achieve with their cost to the American taxpayers. Not today, not with tobacco, not with this amendment. The Durbin-Hansen-Smith amendment is an easy choice. We must pass this amendment tonight.

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

Mr. MEEHAN. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I would ask the gentleman, does he realize that the amendment that is being offered by the gentleman from Illinois [Mr. DURBIN] is being directed at the small tobacco growers, not Phillip Morris? They would benefit. They would be allowed to grow tobacco by the tons of acres. It is the small farmers that are being hurt by this amendment, does the gentleman realize that?

Mr. MEEHAN. I am well aware of it. That is a $23 million giveaway long, long overdue. I think it is time we turn around and give the American taxpayer a break and give the American public a break.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. CHAMBLISS].

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

Mr. CHAMBLISS. Mr. Chairman, I urge my colleagues to oppose what I call ''the harass the tobacco farmer'' amendment to the agriculture appropriations bill. Having lived in Georgia's farm belt all my adult life, I understand farm programs. I live in the most diversified agricultural county east of the Mississippi River. I have had the privilege of working with farmers on a daily basis for the last 26 years. I understand how farm programs work. I understand that there is a big difference in improving farm programs and harassing farm families.

Let me tell the Members what the difference is, why we are talking about corporate farmers versus small farmers. A corporate farmer does not depend on crop insurance to pay his bills. He does not depend on crop insurance to educate his children or pay his operating loan. The small farmer does.

The corporate farmer does not depend on the extension service agent. The corporate farmer can afford to go to Athens or Tifton or Lexington and hire a specialist to come in and check his field. The small farmer depends on that extension agents who comes to his field and work tireless hours, day and night. If Members do not want to throw a blindsided knockout punch to the family farmer of this country and to the rural district of America, I urge Members to vote ''no'' on the Durbin amendment.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from Kentucky [Mr. BUNNING].

Mr. BUNNING of Kentucky. Mr. Chairman, I rise in strong opposition to the Durbin amendment. This is a mean-spirited attack on the small farmer throughout the South. The gentleman from Illinois [Mr. DURBIN] does not like smoking, but this amendment will not stop one person from smoking. It will only hurt the small tobacco grower in my district and throughout the South.

The opponents of tobacco always imply that we should not pay farmers to grow tobacco. We do not. Let me repeat that, the Federal Government does not pay subsidies to farmers to grow tobacco. The government only pays for the administrative cost of the tobacco program, which the farmers pay back to the government. Over $20 billion in Federal, State and local taxes are paid by the tobacco companies annually into the Treasury of Kentucky and the United States of America.

Sure, our government also offers some of the same programs, like crop insurance and extension service, to tobacco farmers, but we should offer them the same services that the other farmers receive. We need that help with out small tobacco farmer. We have to have the same help that the farmers of the gentleman from Illinois [Mr. DURBIN] have in Illinois from our extension service, so we know how to do it better in Kentucky. Remember, it is a legal commodity. They are not outlaws, our small farmers.

This bill will do not one thing, I say to the gentlewoman from Washington [Mrs. SMITH] and the gentleman from Utah [Mr. HANSEN], to prevent smoking. It will not only hurt the big tobacco companies, it will not decrease the deficit, it will only treat the small farmers of America like criminals.

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It is bad policy. It is unfair. It is wrong to do it, and I urge the defeat of the Durbin amendment.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, this debate is neither about the morality of smoking nor the mortality of tobacco. This amendment offered by my colleague, the gentleman from Illinois [Mr. DURBIN] who I respect, does not either address the value or disvalue of smoking, although I respect his position. In fact, I am one who does not advocate smoking; in fact, fear that smoking is a health problem.

Mr. Chairman, this is misdirected. This is misdirected to achieve a noble goal, a noble goal to say to people they should not smoke because smoking is bad for your health. It is an adult election. Certainly we do not want to encourage tobacco companies, to make sure they advocate smoking for children, at least this Member does not.

The Durbin amendment does neither of these issues, address health value, nor does it raise the opportunity for people to cease smoking. It actually will hurt our Nation's farmers. You have heard that over again.

Mr. Chairman, in my district, I have more flue-cured tobacco grown in my district than any other part of this country, and I expect you naturally to say that, EVA CLAYTON, because you are from North Carolina. Yes, I am from North Carolina and I know that my farmers are not the villains. They are, indeed, the victims.

They are people who often tell their boys and girls, ''I teach you to grow it but I teach you not to smoke it.'' They are trying desperately to make a living, a decent living for their life. In fact, many of them wish they did not grow tobacco, but that is their fate in life.

Mr. Chairman, why should we discriminate against those who happen to be growing a legal crop that they will receive no extension service, and when they need crop insurance, they will not receive any crop insurance? This is misguided. It is discriminatory in its application, whether worthy or not.

Mr. Chairman, I urge defeat of the Durbin amendment.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. PETERSON].

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

Mr.Chairman, I rise in strong opposition to the Durbin amendment. I understand the gentleman's objectives, but I think he misses the mark. What happens here is we are not going to reduce the consumption of tobacco. We are going to reduce perhaps production.What does that do? It ruins the economy of many southern States and communities, and it ruins millions of small farmers.

Mr. Chairman, it is wrong to hold our tobacco farmers responsible for the consumption of tobacco products, just as it would be irresponsible to hold grain farmers responsible for the local drunk.

Ladies and gentlemen, we have the wrong target. We are hurting the wrong people. We are going at this in the wrong way. This is the wrong place with the wrong amendment.

Mr.Chairman, I urge strong opposition to this amendment and ask you to vote against it tonight.

Mr. ROGERS. Mr. Chairman, I yield 1 minute, Mr. Chairman, to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. Mr. Chairman, I rise in opposition to this amendment and I do so because there are really two issues here. One is economic and one is philosophical. Economically the gentleman from Illinois [Mr. Durbin] is telling us that this is going to save $23 million, then $10.6 million, when, in fact, the USDA estimates that this will cost $5.4 million.

Let us not fool ourselves. This is not saving money. It is not directed to save money. What it really is is philosophical. And philosophically, the gentleman from Illinois feels passionately against tobacco and I understand that, but I would say to him that this is authorizing; it is not appropriating.

I do not understand why we do not have legislation introduced. We are seven months into Congress. I do not think any of the three authors of this amendment have authored legislation so that we could have the great tobacco debate in the committees of Congress, and I think that is what we need to do.

Mr. Chairman, we should get this thing over with. There are vehicles to get probably where we want to go, but as it is, when Members take noble aim at the tobacco industry, they only hit the tobacco farmer.

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

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

Ladies and gentlemen of the House, about 8 years ago to the day I stood in this well and offered an amendment. It was an amendment to ban smoking on airplanes. When I offered that amendment, it was opposed by every leader on the House of Representatives floor, Democrat and Republican alike.

I had been around here for 5 years. My staff and my closest friends told me I was crazy to take on the tobacco lobby; they were too big and too powerful and I was not only going to lose, but I was going to be embarrassed in the way that I lost. Eight years ago on this floor, by a margin of five votes, we passed the ban on smoking on airplanes.

The people who spoke that day represented the diversity of the U.S. House of Representatives as those who have spoken this evening in support of this amendment. The gentleman from Utah [Mr. HANSEN], the gentlewoman from Washington [Mrs. SMITH], so many others, represent political points of view far different than my own on most issues. But we have come together on this issue because we find common ground and agreement in a basic understanding and a basic premise.

Mr. Chairman, the premise is the one I began this debate with. Why on God's green Earth, if we tell every American that this crop will kill you, do we, as taxpayers, go on year in and year out subsidizing the growth, production and processing of this product?

I want to commend my colleagues for their fortitude in standing up this evening and speaking on behalf of this amendment. For those who are watching, it may seem like an easy thing to do. Believe me, it is not. They have risked, I am sure, some evil glances from colleagues and perhaps more. Some of them have decided not to come to the floor this evening and I can understand why they did not. This is not an easy issue to deal with.

The tobacco lobby in this town is one of the most powerful and pervasive. They are everywhere. They are undoubtedly watching this and writing down every word to use it against all of us. I thank my colleagues for coming up and supporting this amendment.

Let me tell you about this amendment.

Yes, it is only $23 million out of a $1.5 trillion budget. It could be a lot more money we could be talking about, but it is a significant change that we are talking about here.

If this amendment passes this evening, it will clearly send a signal to the Committee on Agriculture when they write their tobacco program that Members of Congress, Democrats and Republicans alike, have had it with the Federal subsidy of tobacco. When we passed the ban on smoking on airplanes 8 years ago, people said, ''So what? Two-hour flight, so what?'' It ended up triggering a debate across America on secondhand smoke that reached every restaurant and every public building in the last 8 years. You see it when you even walk into this building.

Right behind me, if you want to know what the tradition is in this Chamber, carved on that little podium up there are tobacco leaves. That is right. We have been into tobacco in this place for a long time. Tonight is our chance to break it, for Uncle Sam to finally get off the tobacco habit.

There is a lot at stake here. This is not another farm crop. This is the only crop subsidized by American taxpayers which, when used according to manufacturers' directions, will kill you. It is the only one.

My colleagues who come up here and say treat it like any other farm crop would like to ignore the death and destruction caused to American families every year by this insidious crop. It is time for us once and for all to break the tobacco habit at the Federal level, to put an end to this subsidy. This measure tonight, the Durbin-Hansen-Smith amendment, is a step in that direction.

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

Mr. ROGERS. Mr. Chairman, I yield 1 minute to my colleague the gentleman from Kentucky [Mr. LEWIS].

Mr. LEWIS of Kentucky. Mr. Chairman, this amendment is unrealistic, unnecessary and unfair.

Mr. Chairman, this amendment prevents people who grow tobacco from taking part in the Federal Crop Insurance Program.

But just last year congress passed a bill making the crop insurance program mandatory. Sounds like a catch-22 to me.

The Durbin amendment will hurt small farmers the most. It's the family farmer who depends most on the advice and help of extension services.

It is simply unfair to single out one crop and one type of farmer.

Mr. Chairman, maybe some people think the tobacco farmer has an easy, lucrative life. I'd say those people have never watched folks work in a tobacco patch.

I'll be happy to show them around Kentucky's second district.

First the Clinton health plan, then the FDA, now the Durbin amendment.

All for a crop using a few million dollars worth of assistance that brings in nearly 20 billion in taxes and trade surplus. 20 billion!

I urge my colleagues to vote ''no'' on the Durbin amendment, and call an end to the war on tobacco.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina [Mr. FUNDERBURK].

Mr. FUNDERBURK. Mr. Chairman, yesterday morning I addressed the opening of the Smithfield, North Carolina tobacco market. I spoke to hundreds of farmers who made their way across my district to sell their crop in rural Johnston County.

These farmers are not the giant tobacco corporations the Clinton administration, the FDA and some in Congress attack. These are small farmers who struggle from year to year just to make ends meet. These are the people who provide the jobs, pay the taxes, and fight our wars.

If you have been on a tobacco farm, you know it is the most backbreaking work in agriculture. This year the small farmers of North Carolina have been hit by twin disasters, bad weather

and President Clinton. Too much rain weakened the crop, too much Clinton and Kessler threaten the industry's survival.

If that were not enough, here comes the Durbin amendment with another kick in the teeth to the 200,000 men, women and children in my State who depend on tobacco for survival. This amendment is bad legislation. It does nothing the authors claim. It punishes no one they want to punish. Vote ''no'' on Durbin.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from Kentucky [Mr. WARD].

Mr. WARD. Mr. Chairman, we have heard from the opposition. We have heard from the proponents. What we have heard from the proponents is that only 3 cents of a dollar that is spent on cigarettes goes to the farmer.

But, listen, tonight we are going after that very farmer who gets only 3 cents on the dollar. We are punishing families who grow on average 3 acres of tobacco. To make ends meet, members of that family work day and night on that farm. Tobacco is a very laborious job. But also to make ends meet, they work in factories in my district in Louisville.

Not one bit of tobacco is grown in my congressional district, or just a tiny bit. It is grown around the Commonwealth of Kentucky by people who rely on its income to keep their family farm. Let us not attack the lease of the people who benefit from tobacco in this country. Vote against the Durbin amendment.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. ROSE].

Mr. ROSE. Mr. Chairman, I knew the gentleman from Illinois [Mr. DURBIN] had been too nice all night and all day, that he had a sword in his pocket somewhere, and here it came.

But listen to me carefully, my friends. I have spent 24 years working on this particular crop and this particular problem. If you want to put American farmers out of the tobacco business, support the Durbin amendment.

And if you then want the companies that buy tobacco to smile all the way to the bank, and go to Brazil and buy tobacco for 30 and 40 cents a pound, support the Durbin amendment. If you want the cigarette companies to make more money than they are making tonight and be able to sell cigarettes cheaper to the young people of this country, support the Durbin amendment.

The gentlewoman from North Carolina [Mrs. CLAYTON] said it very well. If you want to take a family, rural, poor, black and white, that has 5 acres of tobacco that can make 2,000 pounds an acre, 5 acres times 2,000 is 10,000 pounds of tobacco.

□ 2045

A poor rural family can supplement their income with $10,000 to $12,000. That is the difference between them staying on the farm or moving into your city and getting on your welfare program. If that is what you want, some more poor people in your cities, vote for the Durbin amendment.

This is incredible, to offer an amendment to deny price support and pesticide advice to farmers and then piously walking around here saying, we are saving the people of this country from the dangers of smoking. You all can do better than that.

Make cigarettes illegal. Go after outlawing cigarettes. I will join you in banning unattended cigarette machines.

Please, vote against the Durbin amendment. Ye know not what you do if ye vote for it.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair will remind our guests in the gallery, please, that public demonstrations of either support or opposition are not permitted.

The Chair thanks them very much for their courtesy.

Mr. ROGERS. Mr. Chairman, to close the debate on our side, I yield the remaining time to the gentleman from Ohio [Mr. BOEHNER], the chairman of the Republican Conference.

Mr. BOEHNER. Mr. Chairman, I want to thank my colleague for yielding time to me.

Ladies and gentlemen, we know this amendment that is before us tonight has nothing to do with smoking. It is not even about public policy. It does not even have anything to do with the tobacco program.

What this is tonight, ladies and gentlemen, is about politics, not about policy. This is about big government telling the American people what they can and they cannot do. It is nothing more than harassing small farmers in 23 States in America that have grown tobacco for 300 years. It is another step down the path toward political correctness that some on the left want to continue to advance in this Chamber.

My colleague, tonight let us say no to more, bigger and better government here in Washington. Let us say no to political correctness, and let us say no to the amendment offered by the gentleman from Illinois [Mr. DURBIN].

Ms. FURSE. Mr. Chairman, I rise today in support of the Durbin-Hansen-Smith amendment. I have often spoken of the need for our Government to have the right priorities as we move to balance the budget. Funding tobacco-related programs is more than a bad priority; it is wrong for our Government to directly or indirectly encourage the use of tobacco.

Tobacco use kills over 400,000 people every year in America. What makes these deaths even more tragic is that they are wholly preventable. Uncle Sam must stop simultaneously spending taxpayers' dollars to encourage tobacco use through these Agriculture programs, then discourage tobacco use through public health campaigns, and then pay for medical treatment when smoking gets people seriously ill. This policy just doesn't make sense. Let's stop it today.

In Congress, we should be in the business of preventing deaths, not encouraging them. I urge all my colleagues to support the Durbin-Hansen-Smith amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DURBIN].

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

RECORDED VOTE

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

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 19, further proceedings on the amendment offered by the gentleman from Illinois [Mr. DURBIN] will be postponed.

AMENDMENT OFFERED BY MR. BUNNING

Mr. BUNNING of Kentucky. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BUNNING of Kentucky:

Page 71, after line 2, insert the following new section:

''SEC. . Notwithstanding any other provision of this Act, none of the funds in this Act shall be made available to or for the Food and Drug Administration.''.

Mr. BUNNING (during the reading). Mr. Chairman, I ask unanimous consent the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes and that the time be equally divided.

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

There was no objection.

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

Mr. Chairman, this is a simple amendment. It strikes all funding for the food and drug administration from the bill.

The amendment is meant to send a shot across the bow of the FDA. It's a rogue agency that's out of control and Congress needs to slap it down.

At a time when we are cutting the size of Government and slashing red tape, the FDA is heading in the opposite direction. It wants broader regulation and bigger bureaucracies.

Dr. David Kessler, the FDA Commissioner, summed up his philosophy pretty well a couple of years ago when he proudly noted that the FDA was ''Getting new regulations out faster than ever before.''

When you stop to consider that the FDA is probably the most powerful government agency in the world with direct regulatory authority over a trillion dollars worth of our economy, Dr. Kessler's regulatory glee is more than a little frightening.

But, still, what have all of these new regulations got us?

Back in the 1970's it took 5 to 7 years to develop a new drug and get it approved. Now it takes 12.

As recently as 1992 the median approval time for medical devices was 102 days. Last year it climbed to 182 days.

It took 3½ years for the FDA to approve the kidney treatment drug interlukin–2, even though nine other countries had already approved it. During this time, an estimated 25,000 Americans died of kidney cancer.

Because of a 7-year delay in the approval of a heart medicine commonly known as beta blockers, the director of Tufts University Center for the study of drug development estimates that 119,000 Americans died who might have been helped by this drug.

All of this has happened in spite of the fact that the FDA has continued to expand. Since 1990, the FDA's budget has grown 27 percent. The number of employees who work for the agency has climbed 14 percent.

Mr. Chairman, we might have more regulations than ever before. But I believe that in their zeal to safeguard the American public from every possible evil, Dr. Kessler and the FDA have actually been slowly regulating America to death.

Mr. Chairman, last November the voters told us they don't want more Government and more regulation. They want less.

They want less Government interference in their day-to-day lives. They want less micromanaging by Federal bureaucrats.

And the American people certainly don't want Federal agencies pumping out rules and regulations faster than ever before.

But, in case the FDA hasn't noticed, the age of the welfare state is ending. The time when the Federal Government acted as a nanny for the public is passing.

In a recent op-ed piece, former Delaware Governor Pete Dupont even went so far as to dub Dr. Kessler the ''National Nanny''. This is one nanny who has been slowly suffocating the children.

Mr. Chairman, I'm a realist. I don't hold out much hope that my amendment will pass the House. But I want to send a message.

We have to let Dr. Kessler and the FDA know that some of us in Congress are watching. Some of us recognize that the Commissioner is out of control, and the FDA is out of control.

And more importantly, I think that we need to continue sending the signal that the time of Government passing more and more regulations in the name of compassion for its citizens is passing. FDA regulations are raising health costs. FDA regulations are killing people.

I urge my colleagues to support this amendment.

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

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. DINGELL].

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

Mr. DINGELL. Mr. Chairman, I am delighted to see the gentleman from Kentucky offer this amendment, and I congratulate him for it. This makes the issue very clear.

This is the kind of amendment that we Democrats love to see Republicans offer. It is the kind of amendment that will lead the voters of America and the consumers of America to vote the offeror out and all who vote for it. I urge my colleagues to join in supporting the gentleman from Kentucky.

What does the Food and Drug Administration do? It protects against bad and dangerous blood and dangerous blood products. It protects against filthy, dirty, adulterated, contaminated food manufactured and imported into this country. It protects the American public against unsafe biological products.

It protects the American people against unsafe products which are medical devices. It protects the American people against contaminated, dangerous, and unsafe commodities such as cosmetics. It protects the American people against the distribution of materials which affect the health of the American people and which are, in fact, not safe. It assures that products which are sold in commerce are, in fact, efficacious.

It has come into being because the Congress needed a body which would protect the American people against things like sulfanilamide elixer, which killed millions of Americans in the 1930's or against milk which was made safe and preserved by the addition of formaldehyde. It protects Americans against the kind of situation which we saw created generations of European babies who were born with flippers and without hands and legs, because of thalidomide.

I have been more critical than anybody else in this body about the Food and Drug Administration and about their failures, and I have seen to it that one administrator of the Food and Drug Administration has left public service and that a number of them have gone to jail.

I have seen to it that the entirety of the generic drug portion of the Food and Drug Administration has left that service, and we have cleaned it up.

Drugs are safe in this country, and they are safer here than anywhere in the world. Foods are safer in this country than anywhere in the world because of Food and Drug, and American women can buy cosmetics in the knowledge that they are safe, and the American mother can buy food for her baby in the knowledge that that food is going to be safe and not risk the health and the welfare of that child.

America can look to its food, America can look to its cosmetics, America can look to its appliances, to its blood and every other commodity that affects health and that sustains life and know that it is safe because of the Food and Drug Administration.

No other country until the world can have that comfort and satisfaction, and I would urge my colleagues, as they vote on this piece of legislation and on this particular amendment, to understand it is easy to criticize, but it is very, very hard to make the situation better.

Mr. SKEEN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. DURBIN] and ask unanimous consent that he be allowed to control that time.

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

There was no objection.

Mr. DURBIN. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon [Mr. WYDEN].

Mr. WYDEN. Mr. Chairman, I would urge my colleagues in the strongest possible way to oppose this amendment.

The FDA needs reform, and I have introduced the first comprehensive bill in this session to get that reform. But make no mistake about it, the Bunning amendment would cripple the safety mission of the Food and Drug Administration.

My colleagues, let me say I know of no major industry group in our country that wants to go as far as the Bunning amendment. The biotechnology industry, which we have so much hope for in the 21st century, is certainly not going to want to cut all of this funding. The device industry, which also shows such great promise, does not want to go this far. The pharmaceutical industry does not want to go this far. They all believe that the Food and Drug Administration needs reform.

□ 2100

We can do that on a bipartisan basis, but let us not turn back the clock, let us not play Russian roulette, with the safety of the America public. Vote no on the Bunning amendment.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Chairman, I thank the gentleman from New Mexico [Mr. SKEEN] for yielding this time to me.

Colleagues, make no mistake about it. This is a very, very unwise amendment, and I guess in a sense it is appropriate that it follows on the heels of the Durbin amendment, which was in my view of very modest amendment. This is a shot across the bow of the FDA all right, but it comes from the cannons of the American tobacco industry, and the reason for this amendment is one reason and one reason only, and that is that the FDA in the face of overwhelming medical and scientific evidence is on the verge of classifying nicotine as an addictive substance. So we need to be clear on, frankly, the motives behind this amendment.

Again, Mr. Chairman, it is very unwise. The FDA is making improvement, and working with industry, and expediting the rulemaking process, and I strongly urge the defeat of this amendment.

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

I response to the gentleman from Michigan I would like to just give him some information he might not have, that on July 14 of this year the FDA agents swooped into the headquarters of Synthetic Systems of Seattle, WA, to seize a device that poses a serious threat to the American people. What was the device? It was a chair that had a massage machine attached to it. They came in, and it was a relaxation machine, and the FDA, without warning, came in and removed it, stopped the sale of a relaxing chair machine that had a massage motor attached to it. If that is not an agency out of control, I have never seen one.

I would like to respond to my good friend, the gentleman from California [Mr. RIGGS]. I understand that the timber industry in his area needs help, and we understand that this Congress took steps to take care of that. I really personally resent the implication that the only reason that we are offering this amendment is that the FDA might, might, consider classifying tobacco as an addictive drug. There is no proof of that, and he knows it.

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

Mr. DURBIN. Mr. Chairman, I yield a minute and a half to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Chairman, I am just shocked at the debate that we are hearing this evening. The story the gentleman just told, as far as I know, is an anecdote that is not correct. It did not happen. I have heard these stories over and over again, and they turn out, when we investigate them, to be untrue. This is not the basis for ending an agency that protects the safety of the American people by approving drugs to be effective and protecting us from a food supply that may poison us.

I think this an irresponsible amendment. If this amendment were to be adopted, it would keep the FDA from getting drugs and devices on the market. Our industry in this country for drugs and devices are the marvel and leader of the world because they work with FDA, and, when FDA approves them, everyone recognizes that the FDA approval means that those products do what they are intended to do. They are safe, they are effective, and our industry has been profitable and saves lives.

Let us preserve the FDA and defeat this amendment. I think it is thoroughly irresponsible to want an appropriations bill to do away with the Food and Drug Administration. I wonder what the authorizing committees are all about, what the policy committees are supposed to be doing, if we are going to have amendments dropped out here on the floor without any debate, without any hearings, without any real thought being given to whether the FDA ought to be preserved, in some ways reformed, but made to work as it has done and can continue to do in the future.

The CHAIRMAN. The time of the gentleman from California [Mr. WAXMAN] has expired.

Mr. BUNNING of Kentucky. Mr. Chairman, in yielding such time as he may consume to the gentleman from California [Mr. WAXMAN] for the purposes of a colloquy, does the gentleman believe the things written in CRS are factual?

Mr. WAXMAN. I would.

Mr. BUNNING of Kentucky. The gentleman called me a liar.

Mr. WAXMAN. I did not call the gentleman a liar, but let me tell my colleague, if he would yield to me, I will explain to him my point, and I have heard the story over and over again about the FDA sneaking into offices, and when I investigated it, it just was not true, it just was not accurate.

Mr. BUNNING of Kentucky. So the fact of the matter is the FDA did swoop down on this company in Seattle and do exactly what I said, and that is right here, in case the gentleman is interested, on page 28 of the Congressional Service. Let me get the date for the gentleman.

Mr. WAXMAN. If the gentleman will continue to yield, perhaps they were enforcing the law. I think the gentleman is overreacting to something that is not accurate.

Mr. BUNNING of Kentucky. I say to the gentleman, ''If you call me a liar, I react to it.''

Mr. WAXMAN. This is about the anecdote he is relating to the House.

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

Mr. RICHARDSON. Mr. Chairman, I rise in opposition to the Bunning amendment. I understand that there are some very volatile, negative opinions surrounding the FDA, but it would be irresponsible to simply eliminate all of the programs the Agency oversees.

Reforms at FDA may be necessary, but there are effective and far less draconian methods of accomplishing that than by obliterating the Agency.

Last year I worked with a broad, bipartisan group of Congressmen to pass the Dietary Supplements bill, which brought common sense to the treatment of dietary supplements.

In that effort, we addressed what some considered to be regulatory excess and unreasonable restrictions on the part of FDA. However, even those in the nutrient and supplement industry who objected to FDA's tactics would not suggest that the entire Agency be abolished.

FDA governs the safety of all drug products, is working towards an AIDS vaccine and AIDS diagnostic tests, researches veterinary medicine products and devices, and ensures that food labeling is truthful. Surely we will not say to our constituents that these functions are no longer necessary.

Committees of jurisdiction in this body are free to use their oversight authority to curb overzealous FDA activity, and the appropriations process is always available to shift an Agency's priorities. But to destroy these health research and enforcement programs without a full and open debate would be careless and unproductive.

I urge my colleagues to vote ''no'' on the Bunning amendment.

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

Think about this amendment for just a second. The amendment offered by the gentleman from Kentucky [Mr. BUNNING] will close down the Food and Drug Administration. It will close it down, no funding, and then tomorrow what will happen? The Food and Drug Administration, which is responsible for monitoring the Nation's blood supply so that when someone is in an accident and goes to the emergency room they do not have to worry about that transfusion passing the HIV virus to them? Out of business. The Food and Drug Administration which inspects mammography clinics where our wives and loved ones who go in for breasts examinations can be assured the instruments are accurate and the people working there are professional; the FDA inspects those. Out of business. The Food and Drug Administration which review drugs on the market to try to protect us from disease and help live our lives a little longer, live a little longer, out of business. I ask if this is the Republican revolution that was voted for last year. Is this what they were looking for to get Government off our back, to take the Food and Drug Administration out of business of making sure that the foods, and drugs, and medical devices coming into our homes are safe and effective? I do not think so. I think what Americans are looking for are smart people here in this Chamber pushing for legislation to make more effective Government, not closing down the Food and Drug Administration.

Mr. Chairman, this is a kind of extreme position which I hope all Members of Congress would understand is unwise for America's future. Democrats and Republicans alike should defeat this amendment and perhaps join the gentleman from Kentucky in reforming this agency. There are things we can do to reform it, but turning out the lights is hardly reform. It really closes down an agency that is vitally important to every American family. I hope we will all join in defeating this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. BUNNING].

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

RECORDED VOTE

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

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 19, further proceedings on the amendment offered by the gentleman from

Kentucky [Mr. BUNNING] will be postponed.

Mr. SKEEN. Mr. Chairman, I would like to ask the Chair to proceed now to have the votes at this time, and I ask unanimous consent that we do this.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I rescind that request, and we will let the gentleman from Wisconsin [Mr. OBEY] proceed, and I think then we will have the votes immediately after, and that will take 10 minutes.

The CHAIRMAN. The gentleman from New Mexico [Mr. SKEEN] withdraws his request to proceed with votes that had been rolled over from earlier this evening.

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

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk read as follows:

Amendment offered by Mr. OBEY: Page 71, after line 5, insert the following new section:

Sec. 726. 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 that provides assistance to recipients other than those identified at 7 Code of Federal Regulations 1485.13(a)(1)(i)(J), 1485.12 (a)(2)(ii), and 1485.15(c) or that provides assistance to organizations with annual gross sales of $20,000,000 or more unless it has been made known to the official responsible for such expenditures that the organization is a cooperative owned by and operated for small organizations that are members of the cooperative.

Mr. SKEEN (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 New Mexico?

There was no objection.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

Mr. ZIMMER. Reserving the right to object, Mr. Chairman, I have proposed an amendment that has a considerable amount of support that deals with the same general program that the gentleman from Wisconsin [Mr. OBEY] is addressing, the market promotion program.

I intend to offer my amendment as a substitute for the amendment of the gentleman from Wisconsin [Mr. OBEY], and the agreement that had been reached with the leadership and with the chairman of the subcommittee was that the discussion of the market promotion program would be 1 hour, 30 minutes, divided between the two sides.

Continuing under my reservation, Mr. Chairman, if the amendment offered by the gentleman from Wisconsin is passed, it will in effect preempt the amendment that I have offered in a timely manner, and so I must object to this unanimous-consent request.

The CHAIRMAN. The Chair is willing to entertain suggestions from the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I ask the gentleman if we will have a 10-minute debate, we will accept his amendments, and no votes on that tonight?

Mr. ZIMMER. I reluctantly reject that proposal. The understanding that I reached with the gentleman was that my amendment would be entitled to 1 hour of debate. There are many Members who feel very strongly about this on both sides of the issue, and in effect that debate will be preempted, it will be truncated, by the debate on the gentleman from Wisconsin, Mr. OBEY's amendment. Mr. OBEY is trying to deal with the problem in a good-faith manner, but in a much more limited way than our striking amendment and elimination of the program.

I believe it is entirely appropriate for us to debate the elimination of the program and the limitation and the reduction of the program in the same general debate, and so I must reluctantly object to any unanimous-consent request that does not give proponents and opponents of Mr. OBEY's amendment and my substitute an aggregate of 60 minutes.

□ 2115

Mr. OBEY. Mr. Chairman, if the gentleman will yield under his reservation, I simply ask a question.

Mr. Chairman, the situation, as I understand it, is simply that we are trying to work out a mechanical problem. We are trying to facilitate the completion of all of these appropriation bills this week.

The difficulty we have is that I cannot be on the floor at the same time I am supposed to be in the committee helping to move forward the Labor-HEW appropriations bill.

I do not believe that the gentleman's amendment is in any way inconsistent with mine. Frankly, I had expected that there would be a very truncated discussion on mine, vote up or down, and then we would proceed to the gentleman's, which I think has probably much more interest than mine. But I think the gentleman misunderstands if he thinks that our amendment in any way precludes his amendment. It does not. The gentleman's amendment is simply much more restrictive than ours and can be offered, even though ours is offered, even in the unlikely event that mine is adopted.

Mr. ZIMMER. Mr. Chairman, with all respect, I understand that the gentleman has proposed the same amendment in years past, and it is not designed intentionally as a way to inoculate against the complete elimination of the MPP, but that will be its effect, and that is why I am insisting that we be able to debate them both in the same hour.

Mr. SKEEN. Mr. Chairman, there is a dissimiliarity in the two amendments. One is a limiting amendment; the other one is an omission, a complete omittance of a program. The Zimmer amendment is freestanding and will get its own time, and I will assure the gentleman that he will have a full hour of time, regardless.

Mr. ZIMMER. Mr. Chairman, you have been very fair and very understanding. We have had a number of conversations about this. But with all respect, it is not a question of time, it is a question of timing.

If the Obey amendment is to succeed, it will, for all practical purposes, forestall any reasonable debate on my amendment.

Mr. SKEEN. Mr. Chairman, we will not have any votes on the amendment of the gentleman from Wisconsin [Mr. OBEY] this evening.

The CHAIRMAN. With all due respect to my colleagues on the floor, this has gotten a little bit out of the bounds of normal operating procedure. We have already heard objections to the suggestion of a time limitation by the gentleman from New Mexico [Mr. SKEEN] and the gentleman from Wisconsin [Mr. OBEY]. The Chair is inclined to proceed with the Obey amendment and recognize for 5 minutes on each side, unless the chairman of the committee has a suggestion on how else we proceed, very quickly.

Mr. ZIMMER. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

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

Mr. OBEY. Mr. Chairman, all I am trying to do is to offer an amendment which I expect will be opposed by both sides for opposite reasons. I am simply rising today to offer an amendment that is trying to put some rationality in the export marketing program, which is going to be debated a good deal tomorrow or later this evening as well.

I simply am offering an amendment which suggests that it does not cut any money out of the marketing program. All it suggests is that support under this marketing program should not be allowed for any corporation that has sales of $20 million or more unless it is essentially a co-op. That is all the amendment does.

I have 10 reasons for proposing this amendment. They are the Ernest and Julio Co., the Dole Co., Pillsbury Co., Tyson's Foods, M&M Mars, Campbell Soups, Seagrams, Hershey, Jim Beam Whiskey, Ralston Purina.

I enjoy virtually all of those products. I just do not want to have to subsidize all of them.

At the same time, I think there is room for an export marketing program provided that it is not gobbled up by the big boys.

Now I recognize that those who want the program to stay as is are going to oppose my amendment because they think they have a better chance of killing an amendment to cut off the program. I also recognize that some Members think they have a good chance to

cut off the entire program, and they do not want to vote for my amendment because they think it gets in the way. I apologize for that inconvenience. But I do think that once in a while around here there is room for a middle way. That is all I am trying to do.

With that, in an effort to simply try to move this forward so that Members can go home and the committee can continue to debate the rest of the amendments and roll the votes until tomorrow, I thank the chairman.

AMENDMENT OFFERED BY MR. ZIMMER AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. OBEY

Mr. ZIMMER. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. ZIMMER as a substitute for the amendment offered by Mr. OBEY: Strike the text of the amendment and insert the following:

''SEC. 726. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available in this Act may be used to pay the salaries of personnel who carry out a market promotion program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623).

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided in this Act for ''Commodity Credit Corporation Fund—Reimbursement for Net Realized Losses'' is hereby reduced by $110,000,000''.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. DURBIN. Mr. Chairman, during the course of the evening, we have had suggested time limitations on debate. Does the chairman want to make a time limitation request on the Zimmer amendment?

The CHAIRMAN. The Chair will consider a time limitation request.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 1 hour and that the time be equally divided.

The CHAIRMAN. Does the gentleman refer to debate of both the substitute and the underlying Obey amendment or only to the Zimmer substitute?

Mr. SKEEN. Mr. Chairman, yes, both.

The CHAIRMAN. Does it refer to both the Zimmer amendment and the Obey amendment or only the Zimmer amendment?

Mr. SKEEN. Mr. Chairman, that is my understanding.

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

Mr. SCHUMER. Reserving the right to object, Mr. Chairman, just a clarification. I presume the one hour, I do not care what kind of limit is on the Obey amendment, which we did not know about and came as a surprise, but we were promised one hour on the Zimmer amendment last night for foregoing doing it last night, and I would ask that it be one hour on the Zimmer amendment and then whatever time the gentleman from Wisconsin [Mr. OBEY] is willing to accept on his substitute amendment be added to that.

Mr. CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

Mr. SCHUMER. Reserving the right to object, I would ask the gentleman from New Mexico [Mr. SKEEN] to modify his proposal for 1 hour on the Zimmer amendment and whatever he wants to add, 10 minutes or whatever, to the Obey amendment.

Mr. Chairman, continuing my reservation of objection, I yield to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I would simply like to point out that if we are going to start cross-walking these things, I have an amendment to the gentleman's amendment, and that also ought to be included in the discussion. I would simply prefer to have a five-minute debate on my amendment on the other side. I do not care if the vote is taken tonight or tomorrow, and as far as I am concerned, I do not care how long we stay here tonight debating the gentleman's amendment. I would suspect that they could all be rolled until tomorrow.

Mr. SCHUMER. Mr. Chairman, continuing my reservation of objection, does the gentleman care which order they are debated and voted upon?

Mr. OBEY. Mr. Chairman, if the gentleman will continue to yield, I have already debated mine. I do not need any more time on mine. I would offer another substitute.

Mr. SCHUMER. Mr. Chairman, the proposal I would make is that we spend 1 hour on the Zimmer amendment, no more debate on the Obey amendment, and then move to vote on the Zimmer substitute and then the Obey amendment.

Mr. Chairman, continuing my reservation of objection, I yield to the gentleman from New Mexico [Mr. SKEEN].

Mr. SKEEN. Mr. Chairman, I have a counter for the gentleman, and I would say this, let us do two votes now and get them out of the way, and then we will give you all the time necessary for the Obey and Durbin and Bunning.

Mr. SCHUMER. Mr. Chairman, just a point of clarification from the gentleman, those two votes are not either the Zimmer or the Obey amendment?

Mr. SKEEN. Mr. Chairman, if the gentleman will continue to yield, neither one of those.

Mr. SCHUMER. Mr. Chairman, I have no objection to that.

Mr. WAXMAN. Mr. Chairman, reserving the right to object, I have no objection to rolling over votes while we are all here listening to the debate, but if we are going to vote and then have debate while all of the Members are gone and then vote tomorrow, I find that a highly offensive procedure. There will be no one to hear the debate on either side. So if the proposal is to have our votes and have the debate on that one amendment only and roll it over to have the vote thereafter or roll it over until tomorrow and not have all of the other amendments brought up tonight, I will not object, but I do not think it is proper to have a lot of amendments debated when members are not even here to hear the debate.

The CHAIRMAN. The Chair will enforce regular order. There is no pending question.

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

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

Mr. BUNNING of Kentucky. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The amendment is not withdrawn.

Mr. SKEEN. Mr. Chairman, everybody is a little offended about everybody's other little offenses tonight, and I am sure it is becoming a very prickly situation. I would once again offer, let us do the two votes that we have pending now that we have rolled over and do them now. We will also discuss this amongst the interested parties during the vote, and we will then come up with some resolution on what time to afford the two interested parties during the vote, and we will then come up with some resolution on what time to afford the two interested parties on the issue that we have got that the gentleman from New Jersey [Mr. ZIMMER] and the gentleman from Wisconsin [Mr. OBEY] are interested in.

□ 2130

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. DEUTSCH. Mr. Chairman, the inquiry is very similar to what the gentleman from New York [Mr. SCHUMER] just mentioned. Is it the intention of the chairman of the subcommittee to have debate tonight and then no votes tonight after those next two amendments?

The CHAIRMAN. That is not a parliamentary inquiry. A parliamentary inquiry must be directed to the Chair.

Mr. DEUTSCH. Mr. Chairman, I am asking the Chair to ask the chairman. I think a lot of us are concerned that we are going to have debate this evening on a lot of significant matters.

The CHAIRMAN. The Chair has a number of responsibilities, one of which, however, is not to announce the program for the evening.

There is a pending proposal by the gentleman from New Mexico [Mr. SKEEN] to proceed to the two votes that were postponed from earlier in the evening. That would be possible if the pending amendment to the bill were withdrawn. Is there objection?

Mr. DURBIN. Reserving the right to object, Mr. Chairman, are those two votes first on the Durbin-Hansen-Smith amendment on the tobacco program, and second on the Bunning

amendment, on the Food and Drug Administration?

Mr. SKEEN. That is correct.

Mr. DURBIN. Those are the two votes we would have now, Mr. Chairman?

The CHAIRMAN. The gentleman is correct.

Mr. DURBIN. In that case, Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. There is still a pending amendment by the gentleman from Wisconsin [Mr. OBEY]. He cannot withdraw his amendment because of the objection of the gentleman from Kentucky [Mr. BUNNING]. We must dispose of the pending business involving the gentleman from Wisconsin [Mr. OBEY] before we can move to the other one.

Is there objection to the request of the gentleman from Wisconsin [Mr. OBEY]?

Mr. BUNNING. Mr. Chairman, I withdraw my objection.

The CHAIRMAN. Without objection, the amendment of the gentleman from Wisconsin [Mr. OBEY] will be withdrawn.

There was no objection.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to order of the House of Wednesday, July 19, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: The amendment offered by the gentleman from Illinois [Mr. DURBIN] and the amendment offered by the gentleman from Kentucky [Mr. BUNNING].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series. The first vote is 15 minutes.

AMENDMENT OFFERED BY THE MR. DURBIN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois [Mr. DURBIN] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 199, noes 223, not voting 12, as follows:

[Roll No 544]

AYES—199

Ackerman
Andrews
Archer
Armey
Baldacci
Barrett (WI)
Bartlett
Bass
Becerra
Beilenson
Bereuter
Berman
Bilbray
Blute
Borski
Brown (CA)
Brown (OH)
Brownback
Bryant (TX)
Bunn
Canady
Cardin
Castle
Coburn
Collins (IL)
Conyers
Costello
Cox
Coyne
Crapo
Cunningham
Davis
DeFazio
DeLauro
Dellums
Deutsch
Doggett
Dornan
Dunn
Durbin
Ehlers
Engel
Ensign
Eshoo
Evans
Farr
Fattah
Fawell
Fields (LA)
Foglietta
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Furse
Ganske
Gejdenson
Gibbons
Gilchrest
Gilman
Goss
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hansen
Harman
Hayworth
Hefley
Hinchey
Hobson
Hoekstra
Hoke
Horn
Hyde
Jackson-Lee
Jacobs
Johnson (SD)
Johnston
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
King
Kleczka
Klug
Kolbe
LaFalce
Lantos
Largent
Lazio
Leach
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manzullo
Markey
Martini
McCarthy
McCollum
McDermott
McHale
McInnis
McKeon
McNulty
Meehan
Menendez
Metcalf
Meyers
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Molinari
Moorhead
Moran
Morella
Myrick
Nadler
Neal
Neumann
Oberstar
Obey
Olver
Orton
Owens
Packard
Pallone
Payne (NJ)
Pelosi
Petri
Porter
Poshard
Pryce
Quinn
Ramstad
Rangel
Reed
Richardson
Riggs
Rivers
Roemer
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Roybal-Allard
Royce
Rush
Salmon
Sanders
Sawyer
Saxton
Scarborough
Schiff
Schroeder
Schumer
Seastrand
Sensenbrenner
Shaw
Shays
Shuster
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Stokes
Studds
Talent
Tate
Torkildsen
Torricelli
Traficant
Upton
Velazquez
Vento
Visclosky
Waldholtz
Walsh
Waxman
Weldon (FL)
Weldon (PA)
White
Wolf
Woolsey
Wyden
Young (FL)
Zeliff
Zimmer

NOES—223

Abercrombie
Allard
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Barton
Bateman
Bentsen
Bevill
Bilirakis
Bishop
Bliley
Boehlert
Boehner
Bonilla
Bonior
Bono
Boucher
Brewster
Browder
Brown (FL)
Bryant (TN)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Combest
Condit
Cooley
Cramer
Crane
Cremeans
Cubin
Danner
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Duncan
Edwards
Ehrlich
Emerson
English
Everett
Ewing
Fazio
Fields (TX)
Filner
Flake
Flanagan
Foley
Forbes
Franks (CT)
Frisa
Frost
Funderburk
Gekas
Gephardt
Geren
Gillmor
Gonzalez
Goodlatte
Gordon
Graham
Green
Gunderson
Hall (TX)
Hamilton
Hancock
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hefner
Heineman
Herger
Hilleary
Hilliard
Holden
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Inglis
Istook
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kennelly
Kingston
Klink
Knollenberg
LaHood
Latham
LaTourette
Laughlin
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
Longley
Lucas
Manton
Martinez
Mascara
Matsui
McCrery
McDade
McHugh
McIntosh
McKinney
Meek
Mica
Mink
Mollohan
Montgomery
Murtha
Myers
Nethercutt
Ney
Norwood
Nussle
Ortiz
Oxley
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Pickett
Pombo
Pomeroy
Portman
Quillen
Radanovich
Rahall
Regula
Roberts
Rogers
Rose
Sabo
Sanford
Schaefer
Scott
Serrano
Shadegg
Sisisky
Skaggs
Skeen
Skelton
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Stupak
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torres
Towns
Tucker
Vucanovich
Walker
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Weller
Whitfield
Wicker
Williams
Wise
Wynn
Young (AK)

NOT VOTING—12

Collins (MI)
Dreier
Gallegly
Goodling
Jefferson
Lewis (GA)
Moakley
Reynolds
Stark
Volkmer
Wilson
Yates

□ 2153

Messrs. WAMP, CHRISTENSEN, and MASCARA changed their vote from ''aye'' to ''no.''

Messrs. COSTELLO, MFUME, HYDE, SAWYER, SAXTON, ENGEL, and KIM changed their vote form ''no'' to aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BUNNING

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Kentucky [Mr. BUNNING] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

Mr. WAXMAN. Mr. Chairman, I withdraw my demand for a recorded vote.

The CHAIRMAN. The demand for a recorded vote is withdrawn.

So the amendment was rejected.

AMENDMENT NO. 8 OFFERED BY MRS. LOWEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mrs. LOWEY: At the appropriate place in the bill, insert the following new section:

SEC. . None of the funds made available in this Act may be used to provide deficiency payments and land diversion payments described in paragraph (1), or other payments described in paragraph (2)(B), of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) to any person when it is made known to the Federal entity or official to which the funds are made available that the person has an annual adjusted gross income of $100,000 or more from off-farm sources.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on

this amendment and all amendments thereto close in 30 minutes.

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

Mr. ROBERTS. Mr. Chairman, reserving the right to object, everyone else objected this evening, I just thought it was my turn. Under my reservation, I would like to ask the distinguished gentleman from New Mexico what the arrangement is in regard to the many amendments we have pending, and of course the very important amendment by the two gentlemen who are not on the Authorizing Committee and not on the Appropriations Committee, but must have 1 hour of debate and an immediate vote as opposed to the 10 or 15 or 20 other votes that affect policy, but we are going to debate them tonight, not have votes, roll them over into the next day so nobody will know what they are voting on.

Mr. Chairman, is that the business of the committee?

Mr. SKEEN. Mr. Chairman, if the gentleman will yield, I tell this wonderful gentleman that he is exactly right and to not have a fit until we get this thing reduced to some kind of a settlement. I appreciate everybody's patience. This has been a very difficult situation.

Mr. ROBERTS. Mr. Chairman, further reserving the right to object, I would tell my dear friend and all the sheep that he has and the one he rode in on with a saddle. With a saddle.

Mr. SKEEN. I thank the gentleman. The beauty is in the eyes of the beholder.

Mr. ROBERTS. In the saddle. My concern is this.

□ 2200

My concern is that the agreement has been reached between two of our colleagues, and I was a tad sarcastic when I said neither were members of the authorizing committee and the appropriating committee, reserving 1 hour of debate, which is essential to the market promotion program, which is a very important program not only for the farm program but for American export and all of that.

However, we have at least 8, 10, 15 other amendments on means testing, the farm program, on the Export Enhancement Program, on the Food for Peace Program and on and on. Now, we are not going to have an hour of debate in that regard. We are going to announce that we are going to roll the votes until tomorrow.

I doubt if there are more than six people on the floor when we announce that, and so the debate will not be heard, but we will come in very quickly as of tomorrow, and we will vote, and we will roll those votes, and I have a little problem with that because it is so late at night.

I think each issue deserves this kind of a policy debate, and I will tell you that if some of these key amendments are passed which I consider to be very counterproductive I will urge every member of the Committee on Agriculture to vote no, and this bill will go down.

Now I am not for that. I am not for that. But I think we are getting a little far afield here in terms of reasoned debate on the very key amendments that affect our Nation's policy.

If that is what we are going to do I guess we will just have to go and do it. I do not want to be obstreperous, well, I do want to be obstreperous; I do not want to really pose an obstacle, but the gentlewoman is going to offer an amendment here on means testing. It should have a 30 to 45 minutes at least an hour debate. It will gut the current farm program.

Mr. Chairman, I withdraw my reservation of objection. If that is how we are going to do this, why, fine, but I am just telling you this is a hell of a way to run a railroad.

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

Mr. THOMAS. Mr. Chairman, reserving the right to object, I do not want to threaten or anything else. I just do not know what we are doing. What is it that has been requested? What is the unanimous-consent request?

Mr. SKEEN. Once again, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes, and that is the business before this committee on the Lowey amendment.

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

Mr. THOMAS. Reserving the right to object, Mr. Chairman, does that include a vote on that amendment?

Mr. SKEEN. No.

Mr. THOMAS. Does the gentleman from New Mexico intend to have a vote tonight following debate on this amendment?

Mr. SKEEN. No; at this present time, no.

Mr. THOMAS. Then I object.

The CHAIRMAN. Objection is heard.

Mr. ARMEY. Mr. Chairman, I ask unanimous consent to strike the last word.

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

There is no objection.

The CHAIRMAN. Pending the recognition of the gentlewoman from New York [Mrs. LOWEY], the gentleman from Texas is recognized for 5 minutes.

Mr. ARMEY. Mr. Chairman, let me first express my appreciation to the managers of the bill, both on the Republican and the Democratic side, and to those Members who have exercised their right to bring forward amendments for their willingness to work together and try to negotiate time limits on this bill, even though they are free under the rule to hold each amendment to the 5-minute rule. They have worked very hard together trying to work out time limits for the convenience of the body, and I want to express my appreciation for everyone who has worked with the floor managers toward that end.

This is a rough schedule, I know. I have heard about it quite a bit.

Let me just tell you, 2 weeks ago, or was it a week ago, the leadership team on both sides of the aisle as well as that from the Senate went to the White House and we talked to the President about how seriously important it is for us to move these appropriations bills as quickly as possible. The President of the United States, in his concern for this process, knowing how much we must get done before this year is over, encouraged both the House and the Senate to work through the August recess, and the President was most sincere in his encouragement out of a desire to have this work done, knowing what we must do later.

We made a decision that we would prefer to preserve the August recess out of consideration for the fact that each and every Member of this body already has a scheduled recess period that should not be disrupted.

We further hope to make it possible for each and every Member of this body to avoid working on weekends between now and that August recess, and yet we share the President's conviction we must complete these bills before we adjourn for the August recess.

In that interest, we are, in fact, keeping a rigorous schedule. We prefer not to deny any Member their right to have an amendment. Irrespective of whether or not they are on the authorizing committee or the Committee on Appropriations, the Member has a right to offer this amendment.

We prefer not to write rules where the Committee on Rules would dictate the terms of debate in terms of the time. We prefer instead to place our confidence in the bill managers working in conjunction with the people who have the amendment to make reasonable time limit agreements freely and voluntarily among themselves out of consideration for their colleagues. And that is working reasonably well.

How badly must it work before we write rules that diminish the right of another Member to participate in the process in the interests of time? I do not think it is working that badly, and I again applaud those folks.

Now it is an innovation for us to roll votes while we are in the Committee of the Whole, and we understand it is an innovation that probably does not have a lengthy tradition, but it's something that we thought we could do out of consideration for the Members, and I think to some extent it has worked fairly well.

I must say that some Members with amendments like the gentlewoman from New York [Mrs. LOWEY] are able to feel confident working with the bill managers that a 20-minute time limit will suffice for the purpose of the debate. Others feel very strongly that maybe an hour might be required. But

I should ask you, is that Member who says, ''I really feel like I need an hour'' being more unreasonable than that Member that says, ''I insist on operating under the 5-minute rule''? It does not take that many Members to talk for more than an hour under the 5-minute rule.

So I think even that Member that might have said, ''I would like to have an hour working with the bill managers'' should be appreciated for the effort they made.

Now, again, let me just say I am sorry that the objection has been made. I think it is unfortunate with respect to the good effort that was made by the people involved in negotiating this time. But still, nevertheless, we still have our hopes to complete our desire and that of the President with respect to the completion of these bills before we adjourn on recess on the fourth of August. We still have our hope and our desire that we can do so without working weekends between now and then. We still have our hope and our desire we can do so without diminishing the rights of the Members to participate, and we will continue to work toward that.

But I must tell you, for us to maintain that schedule, we will have to finish this bill tonight. Now, we can, in fact, make a decision to not finish tonight, if you would prefer to not have your adjournment for the weekend at 3 o'clock tomorrow.

These are tough tradeoff decisions we have to make, and again let me thank the bill managers and those with amendments for their willingness to participate freely and voluntarily in negotiating limits on this time so that we can accommodate these tough configurations of choices.

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

Mr. ARMEY. I yield to the gentleman from Missouri.

Mr. GEPHARDT. Mr. Chairman, I would say to the gentleman that we have worn out this body with night after night meetings until 9 and 10 o'clock, and if your announcement means that without being able to get this unanimous-consent request we are going to sit here and grind through both amendments and vote through the night in order to get done, we are going to leave the Members totally exhausted and unable to come back here tomorrow and get the rest of the work done.

We understand what you are trying to do, and we are trying to be helpful. Our Members on both sides, as you have said, have worked hard together to try to reach unanimous-consent agreements, and they have had a good deal of success.

It is late. One of the reasons we are having trouble keeping the agreements coming is because people are getting short of temper. They are wearing out. With the greatest of respect, I suggest that we leave tonight and we come back tomorrow, maybe with a fresher attitude, and we try to go back to getting unanimous-consent requests and vote on the amendments as they come.

You have every right in the world to say that we are going to meet on Friday, maybe to a later time. Maybe the Friday and Monday of next week that you asked for us to be off has to be taken away. But I think people would rather work in the daylight hours and into the early evening. Nine o'clock might be a time beyond which we should not go. And if you will do that I think you will finish your schedule.

Mr. ARMEY. I thank the distinguished gentleman from Missouri, the distinguished minority leader for that recommendation, and again I would like you to know we try to take as many innovations as we feel are feasible under consideration.

At this point, I think all of our work would be more facilitated, Mr. Chairman, if I would surrender my time and let the floor managers get back to work on this bill.

The CHAIRMAN. The gentlewoman from New York controls the time. No other Member may be recognized unless she yields time.

Mr. LAFALCE. Mr. Chairman, I ask unanimous consent, given the statements of the distinguished majority leader and minority leader, to renew the request that was previously made by the distinguished floor manager of this bill, that is that the gentlewoman from New York [Mrs. LOWEY] be entitled to, as I recall, a half an hour, and that the votes would then be rolled until tomorrow.

Mr. THOMAS. Mr. Chairman, I reserve the right to object.

The CHAIRMAN. The gentleman from California reserves the right to object.

First, does the gentlewoman from New York [Mrs. LOWEY] yield for that request?

Mrs. LOWEY. I certainly accept that Mr. Chairman.

The CHAIRMAN. The gentlewoman from New York yields for that request.

Mr. THOMAS. Mr. Chairman, the original request, I believe, was for 20 minutes, if I am correct, 30 minutes, which could have been already completed. We would have started to vote, and we would have gone home.

To say that we are going to roll the vote over until tomorrow on an issue which is absolutely critical to my district when somebody else decides they have an amendment, it is going to be a half an hour debate, but the vote will not occur until later.

I commend the majority leader for packaging votes on a rollover basis during the day. It has certainly been a time saver. But when you have a half an hour debate and say you are going to postpone the vote until tomorrow, that is an aberration of the concept of rolling votes. That amendment is critical.

PARLIAMENTARY INQUIRY

Mr. ARMEY. Mr. Chairman, parliamentary inquiry, who controls the time?

The CHAIRMAN. The gentlewoman from New York controls the time. Will she yield to the majority leader?

Mrs. LOWEY. Yes, Mr. Chairman.

Mr. ARMEY. Reserving the right to object for just a clarification, and I beg the gentlewoman's forgiveness. The gentleman from California did make an important point, and I am sorry I forgot to make this point, and I think the body should know it. There will be no more rolled votes this evening.

That is to say again, we will not roll votes over, collect votes. The votes will take place at the time they are called.

The CHAIRMAN. The gentlewoman from New York controls time.

Mrs. LOWEY. I just want to be sure that at the end of yielding the time I still have the 30 minutes, 15 minutes on each side to debate.

The CHAIRMAN. There is objection to the unanimous consent request. There is not a time limitation, and at this time, the gentlewoman is recognized under the 5-minute rule.

Mr. LINDER. Mr. Chairman, reserving the right to object.

The CHAIRMAN. The gentleman from Georgia will hold his request. There is no pending unanimous consent request. The gentleman from California has objected.

□ 2215

POINT OF ORDER

Mr. THOMAS. Mr. Chairman, I have a point of order.

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

Mr. THOMAS. Mr. Chairman, I did not object on the last unanimous-consent request.

The majority leader has told me there will be no rolling of votes, and that the vote will be called when the amendment is ended, and I will serve notice, I will not object, but when the debate is ended, I will ask for a rollcall vote.

The CHAIRMAN. Under the unanimous-consent request the amendment is debatable for 30 minutes, 15 minutes controlled by proponents, 15 minutes by opponents.

Mr. LINDER. Further reserving the right to object, Mr. Chairman, is it in order for the gentlewoman from New York [Mrs. LOWEY] to move for a motion to allow the debate to occur and the vote to occur also?

The CHAIRMAN. There is no objection. We can enter the order immediately, and we can begin debate.

Hearing no objection, there will be a 30-minute cap on this debate.

The CHAIRMAN. There was no objection. The gentlewoman from New York [Mrs. LOWEY] will control 15 minutes, and an opponent will control 15 minutes.

The Chair recognizes the gentlewoman from New York [Mrs. LOWEY] for 15 minutes.

Mr. ROBERTS. Mr. Chairman, I reserve a point of order against the amendment until the gentlewoman from New York [Mrs. LOWEY] has explained her amendment.

The CHAIRMAN. The gentleman from Kansas [Mr. ROBERTS] reserves a point of order against the amendment offered by the gentlewoman from New York [Mrs. LOWEY] but asks first she have the opportunity to explain her amendment.

The point of order is reserved.

The Chair recognizes the gentlewoman from New York [Mrs. LOWEY] for 15 minutes.

PARLIAMENTARY INQUIRIES

Mrs. LOWEY. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentlewoman will state her parliamentary inquiry.

Mrs. LOWEY. Mr. Chairman, is the gentleman from Kansas proceeding with his point of order?

The CHAIRMAN. The gentleman from Kansas reserves his point of order.

Mr. ROBERTS. Mr. Chairman, has the gentlewoman explained her amendment?

The CHAIRMAN. The gentlewoman from New York [Mrs. LOWEY] may proceed with explaining her amendment. She controls 15 minutes of time.

Is the gentleman from New Mexico [Mr. SKEEN] opposed to the amendment?

Mr. SKEEN. Yes, I am, Mr. Chairman.

The CHAIRMAN. Then the gentleman from New Mexico [Mr. SKEEN] will control 15 minutes of time as well.

The Chair recognizes the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, the Lowey-Greenwood-Andrews-Schumer amendment would disqualify those earning more than $100,000 in off-farm income for receiving subsidy payments. That is off-farm income. The proposal would stop wealthy landowners who often do not live or work on their farms from receiving these subsidies.

Mr. Chairman, the farm subsidy program was originally intended to help family farmers stay on their land and produce a crop. Today, too many subsidies go to independently wealthy, non-resident farm owners who do not work their own land. This amendment affirms our commitment to those family farmers who struggle each year to keep their farms an grow a crop.

There are many people engaged in this debate who are saying we should eliminate all agricultural subsidies. I do not agree. But clearly we must make this program more accountable to the needs of America's farmers. This rational change in the program will ensure that those people receiving these subsidies truly deserve them.

In an era of tight budgets, how can we justify giving these subsidies to millionaires like Sam Donaldson? It just does not make sense.

According to USDA, this proposal will only affect 2 percent of farm owners. The proposal is supported by the Clinton administration, and groups as diverse as Citizens Against Government Waste, Citizens for a Sound Economy, the Environmental Working Group, the National Taxpayers Union, and USPIRG. It is in the CBO's Spending and Revenue Options, and even the Heritage Foundation supports the concept.

CBO estimates that this amendment will save $41 million in fiscal year 1996 alone, and USDA estimates a 5-year savings of $450 million.

Mr. Chairman, this proposal makes fiscal sense, and it makes policy sense. I urge my colleagues to support the Lowey-Greenwood-Andrews-Schumer amendment.

Mr. SKEEN. Mr. Chairman, I yield 8 minutes to the gentleman from Kansas [Mr. ROBERTS].

The CHAIRMAN. Does the gentleman from Kansas insist on his point of order?

Mr. ROBERTS. Mr. Chairman, I reserve my point of order and ask the gentlewoman for several clarifications, if I might.

Would the gentlewoman advise me as to how people would make known to the Secretary of Agriculture that a person has an annual adjusted gross off-farm income in excess of $100,000 and what the Secretary would do to obtain such information?

Mrs. LOWEY. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I received assurance that the Department of Agriculture would understand the intent of this amendment and would put in place appropriate steps to carry out the intent of this amendment.

Mr. ROBERTS. That the Secretary would put into place appropriate steps to carry out the amendment?

Mrs. LOWEY. I am saying that I understand that the Department of Agriculture would understand the intent of the amendment and the appropriate process would follow.

Mr. ROBERTS. Well, let me keep on with my questioning if I might.

Would the gentlewoman advise me whether the Secretary would verify the information received on off-farm income and what the Secretary would do with that information?

Mrs. LOWEY. Mr. Chairman, as I believe this body is aware on appropriations bills, we have the right to offer a limitation amendment, but we do not have the right to dictate the policy. The intent of the amendment is clear.

Mr. ROBERTS. Would the gentlewoman please clarify for me and the membership what calendar year does her amendment apply to—1995? 1996?—and what duties it would impose on the Secretary or other Federal agencies?

Mrs. LOWEY. Mr. Chairman, may I have clarification on the gentleman's questions? Are they all part of the point of order?

Mr. ROBERTS. I am just reserving the point of order under the 5 minutes. If I could, I will reclaim my time for clarification to determine if this gentleman would raise a point of order.

Mr. Chairman, I think it is extremely important to know how the gentlewoman's amendment would be administered if, in fact, it even would be administered.

Mrs. LOWEY. Would the gentleman clarify the point of order?

Mr. ROBERTS. I would like to know if the gentlewoman's amendment, if the restriction that somehow the Secretary of Agriculture would administer without the gentlewoman telling the Secretary how to administer it, would that be applicable to 1995, or 1996, or what year?

Mrs. LOWEY. Mr. Chairman, I believe, as the gentleman is aware, the amendment is printed in the RECORD, and the gentleman will have to state his point or order.

Mr. ROBERTS. In other words the gentlewoman cannot tell me whether this is applicable to crop year 1996 or 1995. I am just asking the gentlewoman a simple question.

Mr. Chairman, I can understand the concern of the gentlewoman because she does not know.

In order to implement her amendment, and this is the final question, and we will get to the end of this, would the Secretary obtain income tax returns from the IRS, or require producers to bring in a tax return, or require producers to certify their off-farm income in order to verify any off-farm income?

Mrs. LOWEY. I believe, Mr. Chairman, that the amendment speaks for itself. The intent is clear, and, if the gentleman does not have a point of order, I believe we should proceed.

Mr. ROBERTS. Mr. Chairman, I will raise the point of order once I get the clarification if, in fact, the gentlewoman can tell me. I am not trying to be argumentative. I am trying to find under clarification whether a point of order should lie against the gentlewoman's amendment. I have discussed this with the gentlewoman prior to discussion as of this late hour. What I am trying to determine is will her amendment in any way require anybody to come in and ask for information of our Nation's farmers. Will her amendment require anybody to go and obtain information? If the information does come in, will anybody verify it?

□ 2230

Mr. ROBERTS. Mr. Chairman, is there any additional duties required of the secretary under the gentlewoman's amendment?

Mrs. LOWEY. Mr. Chairman, as I understand it, it is not the responsibility of myself to develop the point of order.

Mr. ROBERTS. So the answer is no.

Mrs. LOWEY. Mr. Chairman, the intent of the amendment is clear.

Mr. ROBERTS. Mr. Chairman, so the answer is no.

Mrs. LOWEY. Mr. Chairman, as I understand it, I do not have the obligation to develop the point of order.

Mr. ROBERTS. So then would the gentlewoman agree that what we have

here is the equivalent of a strong intent, and I am not trying to put words in the gentlewoman's mouth, a strong intent, a sense of the House then in terms of intent, sort of a sense of the House resolution that this would be the intent of the gentlewoman? In terms of mandatory legislation, that that would not apply here; this is more of a sense of the House of Representatives that this would be the case?

Mrs. LOWEY. Mr. Chairman, I think the intent of this amendment is clear. It was ruled in order by the parliamentarian, and as I understand it, we do not have an obligation to define it further. This amendment certainly expresses the intent.

Mr. ROBERTS. Mr. Chairman, I am not going to raise a point of order. I will not raise a point of order. I will simply, for discussion purposes, proceed.

I think the House can understand what is apparent here. We have no way of knowing how this is going to be enforced. It is a simple attempt here that the only option the secretary has in this regard, and I am talking about Secretary Glickman, a former friend and colleague of us all, is to somehow sit back and let the information in regard to all farm income simply come to him.

Now, maybe a farmer, in a fit of taxpayer-induced guilt, will walk into the secretary's office with a certified copy of his tax return and tell Secretary Glickman that he makes more than $100,000 off the farm and please request that the secretary now pay him. However, barring this kind of situation, this amendment will be, because the secretary cannot, I repeat, cannot, deny any farm program payments for which a producer is eligible under current law without making some kind of active determination that some producers off-farm income exceeds the $100,000.

In other words, passively waiting for off-farm income information to come floating into his office is not a basis for denying payments that the courts, the courts will find acceptable when the secretary begins denying payments to producers.

Let me also say that other than the point of order concern and that there are no marching orders whatsoever on how this is going to be implemented and that every farmer in America, the 98.3 percent who do not make anything close to $100,000, will have to fill out forms and paperwork if this is administered, and the gentlewoman is careful to say that she will not do that, think of the forms and the regulations that everybody is going to have to put up with.

Now, there are several other reasons why this is not a good idea.

Mr. Chairman, the real victims here are not the people that have been piloried simply because they have off-farm income, the doctors, the lawyers, the Sam Donaldsons. Lord knows, I do not care if Sam Donaldson gets a farm program payment. It is the tenant. The tenant will lose their lease. The tenant will be forced to go to cash rent because the landowner will not continue with crop share.

This amendment will hurt the very people that we are supposed to be helping. Every farmer in the country, if this is implemented, is going to have to deal with the IRS in some form; 1.7 of America's farmers are in this category.

I can tell you if they have off-farm income in excess of $100,000, this will be the lawyer and CPA full employment act of 1995. They will separate out that income, and it will not achieve what is intended. We will not have the savings.

Mr. Chairman, I will not raise a point of order. I thank the gentlewoman. I respect the gentlewoman. I urge a no vote on the gentlewoman's amendment.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GREENWOOD].

Mr. GREENWOOD. Mr. Chairman, I rise to commend the gentlewoman from New York for offering this fiscally conservative and well considered amendment. The Lowey amendment simply ensures that those who need subsidy payments receive them.

This not only benefits the American taxpayers but it greatly benefits those small-independent farmers who need subsidies to survive.

Too often, Mr. Chairman, the Federal Government gives subsidies to those who simply do not need them. We have seen this in too many of our Federal programs, however, this has been particularly true with agriculture subsidies.

Independently wealthy, non-resident farm owners have been collecting taxpayers dollars for farm subsidies, and in turn, taking resources away from those farmers who depend on these subsidies for their very existence.

This assistance was never meant to support someone's hobby, which happens to be farming. To the contrary: It was developed to help those farmers who truly depend on the land; those farmers who every year have the threat of the bank foreclosing on their only means of income; and, those farmers who live day-by-day with the threat of losing their land and their crop because of inclement weather.

Mr. Chairman, I need not remind any of my colleagues what the message was last November. The American Public wants real reform, no more giveaways, or out of control programs.

I urge all of my colleagues to support the Lowey amendment. We can no longer mortgage our children's future to subsidize those who do not need it.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. THOMAS].

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

Mr. THOMAS. Mr. Chairman, I have no quarrel whatsoever with any of the statements that were made by the gentleman from Pennsylvania. The problem is, none of that applies to this amendment. If someone is passively involved, if it is a hobby of farming, if they do not have labor or management involvement, the 1987 Budget Reconciliation Act said that they cannot participate.

Those people have already been taken care of. Please read this amendment. What it says is that you are going to deny the funds to these people when it is made known to the Federal entity. When it is made known? How? When it is made known, it is going to be denied. And it is adjusted gross income of $100,000, adjusted gross income.

Come with me to Shafter, California, to Wasco, California, to Pixley, California. Who runs the tractor equipment shop? Who runs the fertilizer shop? Who are the small businessmen in these agriculturally oriented towns? The folks who farm as well. You deny them $100,000 gross income, and they are not either going to be able to be the businessmen or they are not going to be able to farm, and those small towns need both to survive.

It is a poorly conceived amendment. You are going after the wrong target. I am with you if you want to get the Sam Donaldsons and the passive people who do not really put labor or management into farms. We have already gotten rid of those folks. You are creating a nightmare in terms of IRS forms, and you are going to destroy small towns by taking small businessmen who are also farmers who provide two good services. And you are saying, you cannot do both.

It is a bad amendment. Please vote no.

AMENDMENT OFFERED MY MR. MINGE TO THE AMENDMENT OFFERED BY MRS. LOWEY

Mr. MINGE. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. MINGE to the amendment offered by Mrs. LOWEY: Line 8 is amended to insert the following language after the word ''person'': ''who resides in an incorporated municipality with a population that exceeds 50,000, as determined by the 1990 census, or the person''

Mr. DURBIN. Mr. Chairman, I reserve a point of order against the amendment to the amendment.

The CHAIRMAN. A point of order is reserved.

Under the previously agreed to unanimous consent agreement, the amendment by the gentleman from Minnesota is not separately debatable and must be dealt with in the time parameters now controlled by the gentleman from New Mexico [Mr. SKEEN] and the gentlewoman from New York [Mrs. LOWEY].

The Chair recognizes the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, I rise in support of the amendment being offered by the gentlewoman from New

York, and I would like to put this into a perspective that may not have been noted to this point in the debate.

Several years ago, the United States Congress passed a law which recognized that we have a limited amount of resources available to pay farmers in America. We came to the understanding that we cannot pay every farmer all of the eligible amounts that they might be entitled to under a program. So we said, there is a $50,000 payment limitation. No matter how large your farm might be, no matter how complicated your personal circumstances, that is it, $50,000.

Many farmers then raced off to meet with their accountants and attorneys to figure out how to get around it, how to put the farm in the brother's name or in the uncle's name, the son's and daughter's, wife and everybody so that they could split it up and everybody would get $50,000. But it did not work in some instances and some of the wealthy or bigger farmers in my part of the world basically got out of the program.

What the gentleman from New York is suggesting is that we recognize this reality again. It is not just a $50,000 payment limitation now. It is who will receive it. Who will receive it. Pick up your investment manuals, and you will find a lot of recommendations and advice on where to put your money. Stocks and bonds and mutual funds and investments and gold and silver and this and that, some will suggest, buy farmland. Good investment.

Well, the folks that make that decision, the investors who buy farmland are interesting people, but I do not think we should shed a lot of tears about those folks.

What we are dealing with here are people with off-farm income in excess of $100,000. How many farmers today receiving money under the program fall into that category? Off-farm income in excess of $100,000? A few Members of Congress, I might add. But 2 percent, overall 2 percent of the farmers have off-farm income in excess of $100,000. So are we going to decide now to sacrifice these programs and to cut back severely to benefit that 2 percent of investors? I hope not.

The CHAIRMAN. Does the gentleman from Illinois [Mr. DURBIN] have a point of order against the amendment offered by the gentleman form Minnesota to the amendment offered by the gentlewoman from New York?

Mr. DURBIN. Mr. Chairman, I withdraw my reservation of a point of order.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. STENHOLM].

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

Mr. STENHOLM. Mr. Chairman, I rise in opposition to this well-intended but having an entirely different effect amendment than the gentlewoman proposes.

It is true, several years ago, in fact, 1981, this Congress decided to move farm policy in a market-oriented direction and away from subsidization. And we have proceeded steadily in that direction and we will continue so in this year, the 1995 farm bill.

Applying an income test fundamentally modifies the function of agricultural programs and breaks the link between the programs and the accomplishments of national objectives under the current law. Producers would be excluded on the basis of a randomly selected income test.

Listen again to the answers of the gentlewoman from New York as she attempted to answer the questions of the gentleman from Kansas [Mr. ROBERTS]. She could not and would not for a very good reason. There are no good answers.

If she did answer them, there would in fact have been a point of order logically applied to this amendment, because we ought not to be dealing with these kind of matters on an appropriation bill. We ought to be debating them as we change the direction of farm policy.

If we want to go back to a fully subsidized, away from market-oriented direction, then let us do that in the 1995 farm bill. But to fundamentally change tonight by means testing, you simply will move away from market orientation.

The unintended consequences are many. Means testing could cause a decline in the number of producers who participate. We know what will happen with means testing. The 2 percent that we are talking about tonight will immediately cash rent their farms to their tenants. When you cash rent, that will have an obvious effect on that tenant farmer. The tenant farmer will have to go to the bank, will have to borrow the money to put it up. That is the rules of the FSA office today.

There are so many reasons to oppose this amendment tonight. I could go on, but time is limited.

□ 2245

Mr. Chairman, I urge opposition to the amendment, and would urge the gentlewoman to seriously consider withdrawing the amendment.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. ANDREWS].

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

Mr. Chairman, I rise to oppose the Minge amendment and support the underlying Lowey amendment. Mr. Chairman, this has been a revolutionary year, or promises to be a revolutionary year with respect to the budget of the United States. This Congress has made decisions to give school districts less money to teach children how to read, for better or for worse, I think for worse. It has made decisions to dredge fewer rivers. It has made decisions to raise rates of interest for students for student loans. It has made decisions to reduce school lunch allocations.

Now we are being asked to do the following: we are being asked to say that people who own farms, who have gross adjusted income other than from farming of more than $100,000 a year, other than from farming, should no longer be given a Federal welfare check.

In the same year, my colleagues, in which we are saying that we can cut back on school lunches and student loans and environmental protection, are we not ready to say to those who own farms and have income other than from farming, other than from farming, in excess of $100,000 a year, that it is about time that they took a cut, too?

If this is to be a revolutionary year in the Federal budget, let the revolution continue with the Lowey amendment. Support it. It is the right thing to do.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma [Mr. LUCAS].

Mr. LUCAS. Mr. Chairman, most in America understand the term ''learn from our mistakes.'' However, it seems Congress sometimes forgets this fundamental dogma of society.

Does the author of this amendment realize that over the years numerous changes have been made in the way Federal farm program payments have been made, limited and targeted to certain individuals? These changes have always been made by the Committee on Agriculture and have had a wide variety of results, sometimes intended, sometimes not so intended.

Who does this amendment really impact? Banning the so-called wealthy landowners with large off-farm incomes from participating in the programs will create collateral damage, surely unforeseen by the author of this amendment. This amendment will not hurt rich people, it will hurt the small tenant farmers who rent from someone, who inherited their property, or left agriculture for other opportunities. These amendments hinge on many factors, or agreements, I should say, including crop yields, weather, good management, and yes, Federal farm programs.

If a source of income was stripped out of this equation, the small tenant farmer is likely to be pushed off the land or forced to move to a cash rent agreement, which moves all the production risk to the producer and away from the landowner.

Mr. Chairman, let me make a personal observation about this issue. I am a career farmer and rancher from western Oklahoma. I have experienced the euphoria of a bountiful harvest, and the financial burdens of a short crop. I know what it is like to be a young farmer just starting out, being primarily a cattle rancher, a cow-calf operation. It has been about 10 years since I have participated in any Federal program, and I have no plans to start in the future.

Being a Member of Congress, and the compensation that comes along with this job, the author's amendment would prohibit me from participating in any of these programs. I do not quibble with that. I do argue the fact that should I decide to change the focus of my agribusiness, this amendment would place a young farmer-rancher from my home county who is just trying to start out in farming at a disadvantage. With this limitation, Mr. Chairman, we force them to cash rent, take them out of crop share, put the burden only on the small producer, and wipe him or her out.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SCHUMER].

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

Mr. Chairman, I rise in support of this amendment. Let me just make a couple of points. First, I think every one of us knows that farming is very tough work. It is backbreaking. It depends on weather and other vicissitudes far away from what people do. I think that there is a great deal of sympathy, with justification, for the American farmer. However, we are not really talking about the American farmer here. We are talking about people who have large, large non-farm incomes who are not farmers. They may own land, but they are not farmers.

Everyone says that this will decimate the farm programs. Mr. Chairman, let me tell the Members who we are dealing with. We are dealing with a number of people who receive less than 2 percent of all the deficiency payments, not 2 percent of the farmers. It is far less than 2 percent of the farmers. It is probably less than half of 1 percent of the farmers. It is 2 percent of the entire farm income. What does the average family farmer make? Between $30,000 and $35,000 for getting up early in the morning, working late at night, working hard, worrying about the weather. We are not talking about those people. We are talking about the people who do not deserve this kind of price support from the Government, and who ruin it for the rest of the farmers.

Every time there is one of these TV things on, the whole program gets knocked. If Members want to reform the program before it goes away, this is a very, very logical amendment to support, and I urge my colleagues to do it.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Arkansas [Mrs. LINCOLN].

Mrs. LINCOLN. Mr. Chairman, I thank the gentlewoman for yielding time to me.

With all due respect to the gentlewoman from New York, we are not talking about windowbox gardens, we are talking about large farming operations that provide an abundant and affordable food supply on the grocery stores shelves of this Nation.

I would like to reiterate what the chairman of the Committee on Agriculture, the gentleman from Kansas, [Mr. ROBERTS] says; it is impractical to try to implement this amendment. To the gentleman from California, we have taken care of the extreme situations like Sam Donaldson, with active participation language in the 1987 budget reconciliation. We are talking about the difference here between crop rent and cash rent. We are not hitting the people that the gentlewoman from New York is fully trying to get at. We are going to be damaging the small farmers across this Nation that are providing an affordable and abundant food supply on the grocery store shelves.

Mr. Chairman, I encourage my colleagues to vote against this amendment. With all due respect to the gentlewoman, I do believe she does not quite understand. I come from a seventh-generation farm family. Most of the farmers in my district are hard-working farmers. They understand, too, that if they do not have that subsidy in order to be able to pay back that cash rent, there is absolutely no way they will be able to continue farming.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Chairman, entitlement spending is the fastest growing portion of the Federal budget. And if we don't do something to slow the rate of growth now, in 35 years the entire budget will be spent on mandatory programs.

Most people know that Medicare and Social Security are entitlement programs, but they don't realize that farm subsidies and business tax breaks are entitlements, too. If we want to be even-handed about making spending cuts to eliminate the deficit, every mandatory spending program will have to be on the table.

The Lowey-Schumer amendment is a reasonable and fair approach to curbing farm entitlements. Let's face it, a farmer with an annual non-farm adjusted income of more than $100,000 doesn't need any more government handouts.

If we're serious about balancing the budget, and getting a handle on the growing national debt, we need to stop giving money to people who clearly don't need it.

Vote for the Lowey-Schumer amendment, and put some reasonable limits on farmers' access to the Federal trough.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. DURBIN], the ranking minority member.

Mr. DURBIN. Mr. Chairman, since the gentleman from Minnesota offered his amendment under this restricted time, we will not have any time to debate it, but I would like to explain what he has done, or tries to do with his amendment. He wants to say it just is not a question of whether or not you happen to be a person with off-farm income over $100,000, he wants to limit it to only those people who live in incorporated municipalities with a population that exceeds 50,000. I guess that is the city folks he has gone after, but the fact is I live in a part of the world where rich people live out in the country, too. If we are going after folks with off-farm income in excess of $100,000, it really does not make any difference to me where they live.

Mr. MINGE. Mr. Chairman, will the gentleman yield? I think he has misinterpreted the amendment.

Mr. DURBIN. I do not thing I have.

Mr. MINGE. Yes, he has turned it inside out.

Mr. DURBIN. What we have here is a restriction that only applies to those who reside in incorporated municipalities. I do not know what the gentleman is doing this for, but frankly, it goes beyond the intent of the amendment offered by the gentlewoman from New York. I hope we will defeat the amendment offered by the gentleman from Minnesota [Mr. MINGE], and then adopted the amendment offered by the gentlewoman from New York [Mrs. LOWEY].

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

Mr. Chairman, the intent of this amendment is very clear. We want to be sure that the farm subsidy programs are helping the farmers who are farming the land, keeping the farmers on their land. This amendment only pertains to those people, too often very wealthy investors with more than $100,000 in off-farm income.

We understand many of the questions which have been posed to us today. They are just not relevant. This amendment only pertains to those investors with off-farm income over $100,000. They should not be receiving a subsidy in these very difficult times. We were on a committee today that was cutting student loans and cutting all kinds of programs that help our people in all of our communities around this country. Why should somebody with an income over $100,000 get a farm subsidy paid for with taxpayer dollars? It is the right thing to do. I hope Members will support this amendment.

Mr. SKEEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska [Mr. BARRETT].

(Mr. BARRETT of Nebraska asked and was given permission to revise and extend his remarks.)

Mr. BARRETT of Nebraska. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, in the interests of time, I rise in strong opposition to the amendment offered by the gentlewoman from New York [Mrs. LOWEY].

Mr. Chairman, I rise in opposition to the Lowey amendment, to limit farm program payments based on a producer's off-farm income.

You've already heard it said on the floor today, you've heard it from other members of the Agriculture Committee, and now I'm going

to say it again. This is not the time, nor the proper bill, to be reforming and tinkering with Federal farm programs.

In just 2 months, we will have a farm bill out here on the floor, and I will welcome debate on this issue. Save your amendment for that time.

Agriculture will do its share and more, toward deficit reduction and a balanced budget. We're going to report out a farm bill that saves $13.4 billion in mandatory farm program spending over the next 7 years, just as was proposed in our final budget resolution. That's a chunk of money out of the pockets of the people who put the food on your table, but we are going to do it.

Finding that $13.4 billion in savings may mean that we may have to abandon totally the whole price-support, supply-management farm program we've had around since the 1930's. I can assure you as chairman of the subcommittee that will start to draft the farm bill, that we are looking at all alternatives.

We may bring out a bill that has an expanded payment limitation, tied to off-farm income as proposed in this amendment; or the issue may be moot under some new agriculture support system. The amendment proposes a cut-off of $100,000—how do we know if that is the correct cut-off, without knowing the context of the program for the next 5 or 7 years?

Let's wait and debate payment limitations in the proper context, that being the 1995 farm bill. Oppose this amendment.

Mr. SKEEN. Mr. Chairman, I yield the final 1 minute to the gentleman from Idaho [Mr. CRAPO].

Mr. CRAPO. Mr. Chairman, we have had lots of folks here from large metropolitan areas telling us how we should micromanage our farm program. However, once again, those who would like to micromanage this program have created a rule that is going to hurt the very people that they say they are trying to help. What will this program, which affects at most only 1.7 percent of the participants in agriculture, do? It is going to do just as other speakers have said. It is going to cause those landowners who then will not be able to participate in this program to shift from their rent programs to cash rent programs. Then the risk is all going to be shifted to the tenants.

This will allow the landlord to protect against his loss, and the tenants will then not be able to share with the landlord some of the benefits of this program. The tenant will then have his ability to secure bank financing risked and put at jeopardy, and the net result will be no loss of income to those who are being attacked in this proposal, and instead, an economic harm to the farmer-tenant.

Why should we take a step now in this House to try to micromanage the farm plan when the Committee on Agriculture, which is served by those who understand these programs, is going to be getting a full review of it in the next few months? Let us let those who know what is going to be done by these programs do the managing.

Mr. FAZIO of California. Mr. Chairman, I rise in opposition to the amendment offered by my good friend, Congresswoman NITA LOWEY, which would prohibit commodity payments to producers with off-farm income exceeding $100,000.

This amendment is short-sighted because it severely undervalues the critical importance of the off-farm contribution to agriculture.

But I also think it conveys a basic lack of understanding of what is happened on the farm in the U.S. today.

First, let's realize how small a target the gentlelady is shooting at—the Department of Agriculture tells us that the households targeted by the this amendment represent less than 2 percent of all farm operator households and receive just 2.3 percent of all deficiency payments.

Second, let's examine the American firm today so we can put this amendment in a little context.

Today, only 57 percent of the 945 million acres of U.S. farmland is actually owned by those who farm it. The rest is cash-rented or crop-shared.

Excluding this rented land from payments would undermine the conservation and supply control objectives of Federal farm policy.

It is important to remind my colleagues that these are not income distribution programs.

We are talking about price stabilization programs for important crops which, in turn, permit American consumers to pay less of their incomes for food than any other country in the world.

We are talking about conservation programs for important cropland to protect our farmlands from erosion and to protect our waterways from excessive runoff.

Without the incentive of farm payments, these owners would be longer be bound by strict conservation and land management rules.

As a result, we would jeopardize vast amounts of environmentally sensitive land, and we would impair the ability of the program to stabilize markets for important crops.

We must also remember that these owners share the financial risks of crop production with farm operators. These off-farm investors infuse significant capital into the agricultural sector, generating many of the jobs, and much of the economic activity in rural America.

Without this capital, farmland values could decrease, creating equity problems for farmers and creditors alike.

This investment is a critical source of funding for those who would not be able to farm otherwise.

This amendment would deny the right to farm to thousands of young farmers who are starting off with limited resources, and who lack the large amounts of cash that would be needed to buy their own land in order to farm.

These owners are, in many cases, retired farmers, or sons and daughters of farmers, who are only trying to keep the farm in the family. Often, they make it possible for their siblings or offspring to remain on the farm.

In short, farm programs are not welfare programs. income tests like this amendment help to discourage productivity and efficiency, and in the long run, undermine the competitiveness of U.S. agriculture in world markets.

I strongly oppose the gentlelady's amendment, and I urge my colleagues to vote "no" on the Lowey amendment.

Ms. HARMAN. Mr. Chairman, imagine this scenario: A so-called farmer who lives in a fancy Los Angeles home, drives a luxury car, and enjoys a salary of well over $100,000 from a downtown Los Angeles business may receive a check every year from the U.S. Department of Agriculture as a deficiency payment for the wheat on his Kansas farmland. He may never even visit this land, yet checks are delivered, without fail, to his home in Los Angeles every year.

Unbelievably enough, checks for gentlemen farmers just like this are arriving in mailboxes in big cities across the country at taxpayer expense. There are 735 so-called farmers receiving subsidies in the city of Los Angeles alone, and I know they are not living on family farms. They may grow tomatoes in their backyards, but certainly not wheat, rice, feed-grain or cotton—the crops for which deficiency payments are made.

The U.S. Government has been paying so-called farmers who live in big cities and have an annual adjusted gross income of $100,000 or more from off-farm sources far too long. Over the past decade, taxpayers have paid more than $1.3 billion to city-dwelling farmers whose permanent full-time residence is in the heart of one of the 50 most populous urban areas in the United States.

I strongly support the Lowey amendment, and I encourage all of my deficit hawk colleagues to join me. During a time when reducing the deficit is of tantamount importance, this Government handout should be among the first to go. This amendment will save taxpayers $41 million in fiscal year 1996 alone.

As a supporter of the balanced budget, I believe that cutting payments like those to city-dwellers making over $100,000 is critical to achieving our goal. For this deficit hawk, there are many tough budget choices ahead, but this is not one of them. Cutting subsidies for those who don't need them is fiscally responsible, and it's the right thing to do.

This amendment will keep subsidies out of the hands of wealthy, nonresident farmowners who don't need or deserve them without curtailing subsidies to hardworking, family farmers. Please join me in supporting the Lowey amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Minnesota [Mr. MINGE] to the amendment offered by the gentlewoman from New York [Mrs. LOWEY].

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York [Mrs. LOWEY].

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

RECORDED VOTE

Mrs. LOWEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 158, noes 249, answered "present" 8, not voting 19, as follows:

[Roll No. 545]

AYES—158

Ackerman	Barrett (WI)	Berman
Andrews	Becerra	Bilbray
Barcia	Beilenson	Bilirakis

Blute
Borski
Brown (OH)
Bryant (TX)
Bunn
Cardin
Clay
Collins (IL)
Conyers
Coyne
Davis
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Doyle
Duncan
Durbin
Engel
Ensign
Eshoo
Evans
Fattah
Fawell
Filner
Flake
Flanagan
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frisa
Furse
Gejdenson
Gilman
Gonzalez
Graham
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Harman
Hinchey
Holden
Horn
Inglis
Istook
Jackson-Lee
Jacobs
Johnson (SD)
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King
Kleczka
Klink
Klug
LaFalce
Lantos
Largent
Lazio
Levin
Lewis (GA)
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Markey
Martini
Mascara
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Menendez
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Moran
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Payne (NJ)
Pelosi
Petri
Porter
Ramstad
Rangel
Reed
Rivers
Rohrabacher
Roukema
Roybal-Allard
Royce
Rush
Salmon
Sanders
Sanford
Scarborough
Schroeder
Schumer
Sensenbrenner
Shadegg
Shaw
Shays
Slaughter
Smith (WA)
Stearns
Stockman
Stokes
Stupak
Talent
Tate
Torkildsen
Torres
Torricelli
Towns
Tucker
Upton
Velazquez
Vento
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
Woolsey
Wyden
Zimmer

NOES—249

Abercrombie
Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bevill
Bishop
Bliley
Boehlert
Boehner
Bonilla
Bonior
Bono
Brewster
Browder
Brown (FL)
Brownback
Bryant (TN)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dingell
Doolittle
Dornan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Farr
Fazio
Fields (LA)
Fields (TX)
Foley
Forbes
Fowler
Franks (CT)
Frost
Funderburk
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Goodlatte
Gordon
Goss
Gunderson
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Hoke
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kasich
Kelly
Kim
Kingston
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Laughlin
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
Lucas
Manton
Manzullo
Matsui
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Meek
Metcalf
Mink
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Pickett
Pombo
Pomeroy
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Regula
Richardson
Riggs
Roberts
Roemer
Rogers
Ros-Lehtinen
Rose
Roth
Sawyer
Saxton
Schaefer
Schiff
Scott
Seastrand
Serrano
Sisisky
Skaggs
Skelton
Smith (NJ)
Smith (TX)
Souder
Spence
Spratt
Stenholm
Stump
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Traficant
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Williams
Wise
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff

ANSWERED ''PRESENT''—8

Dooley
Ewing
Ganske
Meyers
Myers
Sabo
Skeen
Smith (MI)

NOT VOTING—19

Boucher
Brown (CA)
Collins (MI)
Dreier
Foglietta
Gallegly
Gibbons
Goodling
Jefferson
Martinez
Moakley
Reynolds
Shuster
Solomon
Stark
Studds
Volkmer
Wilson
Yates

□ 2319

Mr. EWING changed his vote from ''no'' to ''present.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. SMITH of Michigan. Mr. Chairman, inasmuch as I have a pecuniary interest in the amendment offered by the gentlewoman from New York [Mrs. LOWEY], I am abstaining from rollcall vote No. 545.

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

I think my colleagues may be interested in hearing this.

Mr. Chairman, I would like to present this proposal to give us a road map, and I hope that we have got agreement. To begin with, no more votes tonight. We will finish the debate on everything on the bill, debate only, with the exception of MPP, which we will take up tomorrow morning under the following agreement: Zimmer, 60 minutes; Obey, 10 minutes; Kennedy, 20 minutes; Deutsch, 20 minutes.

Tomorrow we would proceed as follows: The House will meet at 10 a.m. We will do 10 1-minutes on a side, rule on the transportation bill, general debate on transportation, get into transportation for about an hour. Then we would rise after the first vote is ordered, take record votes on the agriculture bill rolled from this evening, 5-minutes to summarize Hoke, take debate plus the votes on MPP as I described, and the final passage on the agriculture bill and hope to go home by 3 p.m., not a.m.

□ 1120

Mr. SKEEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. LAHOOD] having assumed the chair, Mr. KLUG, Chairman of the Committee of the Whole House on the State of the Union reported that the Committee, having had under consideration the bill (H.R. 1976) making appropriations for Agriculture, rural development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1996, and for other purposes, had come to no resolution thereon.

LIMITING AMENDMENTS TO BE OFFERED DURING FURTHER CONSIDERATION OF H.R. 1976, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATION ACT, 1996

Mr. SKEEN. Mr. Speaker, I ask unanimous consent during further consideration of the bill H.R. 1976 in the Committee of the Whole pursuant to House Resolution 188 on the legislative day of Friday, July 21, 1995, after disposition of any questions earlier postponed under the authority granted by the order of the House of July 19, 1995, no further amendment shall be in order except the following—

First, the amendment of Representative ZIMMER, to be debatable for 60 minutes;

Second, the amendment of Representative OBEY, to be debatable for 10 minutes;

Third, the amendment of Representative KENNEDY of Massachusetts, to be debatable for 20 minutes; and

Fourth, the amendment of Representative DEUTSCH, to be debatable for 20 minutes, and further—

That each amendment—

First, may be offered only in the order specified;

Second, may be offered only by the specified proponent or a designee;

Third, shall be considered as read;

Fourth, shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent;

Fifth, shall not be subject to amendment, except as specified; and

Sixth, shall not be subject to a demand for division of the question in the House or in the Committee of the Whole, and further—

That when proceedings resume after postponement on the amendment offered by Representative HOKE, that amendment shall again be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.