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

Mr. WAXMAN. Reserving the right to object, Mr. Speaker, I wish to inquire of the subcommittee chairman the time limits he indicated, are those for debates for this evening on those amendments?

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

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

Mr. SKEEN. No, Mr. Speaker.

Mr. WAXMAN. Those are for debate for tomorrow?

Mr. SKEEN. Yes.

Mr. WAXMAN. And what will we debate this evening?

Mr. SKEEN. Tonight we do whatever anybody brings up tonight.

Mr. WAXMAN. So we will go on with other amendments?

Mr. SKEEN. And then roll the votes until tomorrow and do the MBP tomorrow.

Mr. WAXMAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. 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 APPROPRIATION 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.

□ 2325

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. SHAYS (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier tonight, the amendment offered by the gentlewoman from New York [Mrs. LOWEY] had been disposed of.

Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. HOKE

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

The Clerk read as follows:

Amendment offered by Mr. HOKE: Page 71, after line 2, insert the following new section:

SEC. 726. The amounts otherwise provided in this Act for under the heading ''Public Law 480 Program Accounts'' are hereby reduced by the following amounts:

(1) The amount specified in paragraph (1) under such heading, $129,802,000.

(2) The amount specified in paragraph (2) under such heading, $8,583,000.

(3) The amount specified for the cost of direct credit agreements, $104,329,000.

Mr. HOKE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes.

Mr. DURBIN. Reserving the right to object, Mr. Chairman, is there a problem with 20 minutes? 25?

Mr. SKEEN. OK; 25 minutes.

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

Mr. POMEROY. Reserving the right to object, Mr. Chairman, does the amendment go to the appropriate title? To which title does the amendment address?

The CHAIRMAN pro tempore. The gentleman is adding a new section to the end of the bill.

Mr. POMEROY. To the end of the bill?

The CHAIRMAN pro tempore. Yes.

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

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

Mr. HOKE. Reserving the right to object, Mr. Chairman, just for clarification, the time will be controlled by me on our side and by someone that the chairman will designate in opposition.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Ohio [Mr. HOKE] will be recognized for 12½ minutes, and the gentleman from Illinois [Mr. DURBIN] will be recognized for 12½ minutes.

The Chair recognizes the gentleman from Ohio [Mr. HOKE].

Mr. HOKE. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, Congressman MEEHAN and I are offering an amendment that would reduce the funding level for title I of the Agricultural Trade Development and Assistance Act of 1954 by $113 million to the level requested by the President and approved in the fiscal year 1996 budget resolution that we passed.

Our amendment does not reduce title II emergency humanitarian food aid, nor does it reduce title III food grants for the poorest countries. Indeed, the Hoke-Meehan amendment would not deny humanitarian food aid to Bosnia or any other war-torn or impoverished country.

Under title I, U.S. agriculture commodities are sold on long-term credit at below market interest rates. The original objective of title I was to move large amounts of surplus U.S. agricultural commodities. In the 1950's the program amounted to more than 80 percent of U.S. food foreign aid and fully 20 percent of the total value of U.S. agricultural exports.

Today we no longer possess huge agricultural surpluses. In 1994, title I represented only about 10 percent of U.S. food foreign aid and less than one-half of 1 percent of all U.S. agricultural exports.

Supporters of title I claim that it promotes economic development, but according to the GAO and the U.S. Department of Agriculture, title I's contribution to sustainable economic development is minimal.

In fact, title I sometimes results in a short-term increase in the food supply of some recipient countries, which in turn drives down the price of local farm products and distorts the agricultural markets of those countries. This has resulted in reduced domestic agricultural production, ultimately defeating our purpose of fostering long-term sustainable economic development.

In fact, it is for that very reason that Egypt and Pakistan, whose local farm economies were disrupted by title I assistance, have pulled out of the program completely.

Some supporters argue that title I develops foreign markets for U.S. agribusiness conglomerates that they might not otherwise have. But GAO has found that because title I subsidizes agricultural commodities at below market rates, whatever market shares may be gained by U.S. companies in the short term won't necessarily develop into long-term commercial relationships at prevailing market prices. In other words, once the subsidy is eliminated, the market no longer exists.

What title I does accomplish is it enriches a small number of giant agribusiness conglomerates, like Archer-Daniel-Midlands, Cargill, Bunge, and Continental Grain Co., all of whom maintain a well-funded stable of Washington lobbyists.

So we have to ask what possible justification is there for an 80-percent increase in the title I program above the administration's request and the budget resolution, especially when we are trying to balance the budget.

The Hoke-Meehan amendment does not affect humanitarian aid in any way whatsoever. It does not touch title II or title III. Rather, the Hoke-Meehan amendment is about ending corporate welfare in the form of Federal subsidies for a program that not only does not work, but which has actually harmed the very people we have intended to help.

This is a clear example of what happens when you give a person a fish, but refuse to teach them how to fish.

Thus, I strongly urge my colleagues to vote for the Hoke-Meehan amendment that will conform title I's funding level to that approved by the fiscal year 1996 budget resolution.

□ 2330

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

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana [Mr. LIVINGSTON].

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

Mr. LIVINGSTON. Mr. Chairman, this well-intended amendment is what I would call the shoot-yourself-in-the-foot amendment. It is P.L. 480 funding which in fact over the years has been cut by 24 percent, just in the last 2 years. Total food aid tonnage has dropped from 8 million tons in 1993 to an expected 4 million tons in 1995, a 50 percent cut. The United States has retreated from giving food to the hungry. Other donor countries have not been able to fill the gap, and 750 million people in the world are hungry each and every day of their lives.

Half of these people are children. If the children survive, most will suffer from lifelong disabilities and disease due to poor health and nutrition. We can and have helped millions of people through our Food and Peace Program and our Food for Progress Programs. But we cannot if we cut this program.

Each dollar spent on food aid in this program has at least a double impact. First, the funds are spent here in the United States to grow, process, fortify, bag, can, rail, barge and ship agricultural commodities.

Second, the commodities are provided to poor countries that cannot afford to buy adequate amounts of food to meet basic needs.

In the marketing year 1992–93, 40 countries that had graduated from U.S. food assistance programs imported $13 billion of agricultural products from the United States, which was 31 percent of U.S. agricultural exports that year.

The proposed cuts in P.L. 480 will cause pain not only for the countries that are recipients of our largesse, but also for our own people. We will deny money to the people that are starving, the chronically hungry. The food that is not sent to them which is used in the program not only provides food for today for them but also is linked to their health care, to their education, to their work programs, which provide opportunities for people tomorrow.

Most importantly, in sum, Mr. Chairman, if we cut the money in this program, we will be denying jobs to Americans, American citizens, farmers, grocers, shippers, longshoremen, et cetera, et cetera, et cetera. People are dependent on this program in this country and around the world, and if we cut this program as severely as the gentleman has suggested, we will indeed be shooting ourselves in both feet.

Mr. DURBIN. Mr. Chairman, I yield 2 minutes and 30 seconds to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Chairman, I rise in very strong opposition to the Hoke amendment to cut $113 million from the Food for Peace program. Mr. Chairman, the food assistance provided by P.L. 480 is not a favor we do for the world. For 40 years Congress has supported the Food for Peace program on a bipartisan basis because it serves our interests. P.L. 480 not only responds to the humanitarian needs of people suffering from food shortages; it enhances our national security by promoting economic development and political stability in less developed countries while cultivating markets for U.S. agricultural commodities.

The Food for Peace program is an important part of our Nation's foreign policy. In North Dakota we strongly believe an ounce of prevention is worth a pound of cure, and P.L. 480 is that ounce of prevention. By promoting economic development and political stability in less developed nations, P.L. 480 is a very cost-effective insurance policy against political unrest and even military conflict that could threaten our own national security.

P.L. 480 also benefits our economy by cultivating foreign markets for U.S. agriculture exports. In fact, 43 of our top 50 consumer nations of American agriculture exports were once U.S. foreign aid recipients. Between 1990 and 1993, U.S. exports to developing and transition nations increased. Exports increased $46 billion.

Finally, P.L. 480 is a vital tool in the post-GATT era. While the Uruguay round ratchets down export subsidies, other market development tools are no longer available. If history is our teacher, we know that the Europeans will redirect export subsidy reductions into GATT-legal market development programs. For us to cut programs like P.L. 480 is engaging in unilateral disarmament while other nations seek to develop their international markets.

□ 2340

Those who seek to destroy our export programs, like the amendment before us represents, will reap what they sow: lost jobs, a weaker economy, and little hope of regaining our share of the international market.

Mr. Chairman, P.L. 480 feeds the hungry, supports our foreign policy objectives, and provides vital support for U.S. agriculture exports. Therefore, I strongly urge my colleagues to vote against the Hoke amendment.

Mr. DURBIN. Mr. Chairman, I would like to yield 30 seconds to the gentleman from Missouri [Mr. SKELTON].

The CHAIRMAN pro tempore. The gentleman from Ohio [Mr. HOKE] has the time.

Mr. HOKE. Mr. Chairman, I would be happy to go out of order and allow the gentleman from Illinois [Mr. DURBIN] to yield 30 seconds to the gentleman from Missouri [Mr. SKELTON].

Mr. DURBIN. Mr. Chairman, I yield 30 seconds to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. I much appreciate the gentleman yielding time to me, Mr. Chairman.

Mr. Chairman, as has been pointed out by two speakers tonight, the pole star of this whole debate is the fact that those countries that once were the recipients of this food for peace have graduated and are part of the export market of the United States of America. As we work on this amendment, as we think about it, we should think about the future, because our future is in exports, that is the balance of trade. That is where we make our money as a Nation.

Mr. HOKE. Mr. Chairman, I yield myself 15 seconds to say this is not humanitarian aid, this is not food grants for the poorest countries; these are grants to big agriconglomerates. This is corporate farm welfare.

Mr. Chairman, I am delighted to yield 3 minutes to the distinguished gentleman from Massachusetts [Mr. MEEHAN] cosponsor of the amendment.

Mr. MEEHAN. Mr. Chairman, this amendment will bring some reason back to the expenditure of taxpayer money for the Public Law 480, title I program. The present funding level in the bill is $120 million above the administration's request. That is an incredible 80 percent above the administration's request.

In a letter to the Committee on Appropriations, OMB Director Alice Rivlin expressed the administration's opposition to this increase in funding. As Director Rivlin stated, ''The subcommittee has funded P.L. 480 in excess of the President's request, title I has been shown to have limited effectiveness in advancing its goal of market development. The administration urges the committee to reduce this program so that higher priority programs can be funded.''

As with scores of other Federal programs, this initiative, when begun, had a valid policy purpose. In the 1950's, impediments such as the inconvertibility of foreign currencies, and the lack of foreign exchange held by potential customers, limited the commercial export of large domestic agricultural commodity surpluses. The situation that now exists is a far cry from the circumstances that existed in the 1950's. Even though this program has been redirected in recent years these reforms have not solved many of its inherent problems.

In a recent report, the GAO stated ''the importance of title I, domestically and internationally, has declined significantly since the program's inception. Increased food aid donations from other countries and the establishment of new USDA export assistance programs has reduced the importance of title I aid as a humanitarian, surplus disposal, and export assistance program.''

Programs such as the Commodity Credit Corporation's short and intermediate-term credits, and the Export Enhancement Program, are also designed to penetrate new markets. In light of these complementary programs the current funding level in the bill for title I is excessive.

I wish to assure my colleagues that this funding in no way diminishes the emergency and humanitarian food programs available through title II and III of P.L. 480. Nor is this amendment an attack on the ocean freight differential, otherwise known as cargo preference.

This amendment is about providing a responsible level of funding for a program that needs additional reform and focus in order for it to accomplish its stated goal.

The reduction provided for in this amendment will still enable the U.S. Department of Agriculture to continue this program, and to support the expansion of markets in developing countries.

I urge my colleagues to support the amendment.

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

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

Mr. EMERSON. Mr. Chairman, I thank the distinguished chairman of the subcommittee for yielding time to me.

Mr. Chairman, I rise today in very strong opposition to this amendment, which would effectively cause very significant harm, and would undermine an important market-building tool for this Nation's agricultural industry. Forty-three out of 50 countries that used to be recipients of U.S. food aid have developed into cash-paying customers of U.S. agricultural commodities. Titles I, II and III of P.L. 480 each have a distinct purpose in helping recipients evolve from nations in chronic poverty to countries with stable economies, and to diminish these operations undermines the integrity of the program overall.

Public Law 480 is a very unique foreign aid program. I would appreciate Members' attention to this. Each dollar spent on food aid has an impact here in the United States, as well as the recipient Nation. First, the funds are spent in the U.S. to grow, process, fortify, bag, can, rail, barge, and ship agricultural commodities. Then the commodities are provided to poor countries that cannot afford to buy adequate amounts of food to meet very basic needs.

Title I, the portion of food aid that is committed to countries that exhibit long-term potential to become customers of U.S. agriculture, is a meaningful program that allows countries to make the transition between grant beneficiaries to commercial customers of U.S. commodities. As such, the authorizers and the appropriators have agreed that it is very important that we maintain funding for this program at the 1995 level, the Committee on Appropriations and the Committee on Agriculture, to meet the overall budget numbers. The plan presented in H.R. 1976 achieves this designated goal.

Title I is a particularly important aspect of the P.L. 480 program because it is targeted at developing commercial markets for U.S. commodities. Many examples exist of countries that have successfully made the transition from a concessional buyer to a hard cash purchaser, one of the most poignant being Egypt, which now buys nearly one-half billion dollars a year in U.S. wheat and feed grains.

How can we dispute the merits of investing in a program that has been so successful in cultivating a customer that now constitutes about 1 percent of our total agricultural exports through its bulk grain imports alone? Let us not forget that the half-billion that Egypt now spends on grains creates an estimated 10,000 jobs right here in the United States.

The CHAIRMAN pro tempore. The Chair will inform the Members that the gentleman from Ohio [Mr. HOKE] has 1½ minutes remaining, the gentleman from Illinois [Mr. DURBIN] has 3¼ minutes remaining, and the gentleman from New Mexico [Mr. SKEEN] has 15 seconds remaining.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. HOKE. Is it correct that we had 12½ minutes to begin with, Mr. Chairman?

The CHAIRMAN pro tempore. The gentleman is correct. The gentleman is correct, our time is not correct. We will correct that. The gentleman from Ohio [Mr. HOKE] has 5½ minutes remaining.

Mr. HOKE. Could the Chair review all of the times, please?

The CHAIRMAN pro tempore. The Chair would be delighted to. The gentleman from Ohio [Mr. HOKE] has 5½ minutes remaining, the gentleman from Illinois [Mr. DURBIN] has 3¼ minutes remaining, and the gentleman from New Mexico [Mr. SKEEN] has 15 seconds remaining.

Mr. HOKE. Mr. Chairman, who has the right to close the debate?

The CHAIRMAN pro tempore. The committee position closes the debate.

Mr. HOKE. Therefore, the gentleman from New Mexico, with 15 seconds, gets to close debate.

The CHAIRMAN pro tempore. He may ask time from the gentleman from Illinois, but the committee position closes.

Mr. HOKE. Mr. Chairman, I yield 90 seconds to the distinguished gentleman from California [Mr. ROYCE].

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

Mr. Chairman, I rise in support of this amendment, which would reduce spending for Public Law 480 to the level requested by the administration, and to the level provided for in the budget resolution which we adopted in May. The level proposed in the bill for this program is approximately 80 percent more than the administration requested. It exceeds the adopted 1996 budget resolution assumptions by more than $100 million.

Proponents argue that the amount in the bill is the same as the current year level. However, those levels have been proposed for rescission, and a GAO study completed just three weeks ago at the request of the House and Senate authorizing committees concludes that, and I am going to quote from that GAO report, concludes that the program as currently instructed does not significantly advance either the economic development or the market objectives of the 1990 act.

□ 2350

That GAO report goes on to say that the program should either be seriously restructured or should be scrapped entirely. I believe we should take the time to study the GAO report findings before we dump $100 million more into this program than was requested.

I urge my colleagues here to vote ''aye.''

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

Mr. Chairman, let me say in opposition to this amendment, I hope that the gentleman who is offering this amendment will be sensitive to the fact that we have cut Public Law 480 funding 24 percent over the past 2 years. The needs around the world have gotten much worse. Some 750 million people are hungry each and every day of their lives. This debate here turns on budgetary terms, dollar amounts, outlays and budget authority. But anyone who has traveled overseas and actually seen what the Public Law 480 program means to real living people I think can put it in a new perspective. The United States has a reputation of being a generous, charitable country, and we have come to the rescue of many people in distress in the past. Public Law 480 has been one of our best efforts. What the gentlemen from Ohio and Massachusetts seek to do with their amendment is to cut some 500,000 metric tons of food aid in the next year. They insist that this will not hurt starving people, but history tells us they are wrong.

Last year funds from Title I were shifted to Title II to cover some of the emergency food aid needs in the Rwandan crisis. This year additional emergency food aid is needed in Rwanda, Burundi, parts of the former Yugoslavia and the Soviet Union. Who knows where next year's crises will be? We do know that if the Hoke-Meehan amendment is adopted, fewer funds and no surplus commodities will be there to provide in response.

I know that it is not fashionable politically to be in support of food aid programs for starving people overseas.

There are not many people who will cheer you back in your district for that. But the bottom line is this program has been around for 30 years and has been a great source of pride to Americans as we have seen heart-wrenching pictures on television and in the news media which have called our attention to the fact that with all our challenges in the United States, there are other places in the world in far worse conditions.

This cut in Title I may seem very easy to us sitting here in the comfort of the United States of America. But for the people who are literally starving to death halfway around the world, this is a cut that should not take place. Our committee considered this Public Law 480 and actually made a reduction below last year's expenditure. What we are trying to do now is to appeal to the gentlemen offering this amendment and those who will vote on it and ask them to take into consideration that there still will be a role for the generosity and charity of the United States in helping those poor people overseas who literally are the least of our brethren.

I rise in opposition to this amendment, and I hope my colleagues will join me in voting against it.

Mr. HOKE. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. ZIMMER].

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

Mr. Chairman, the gentleman from Illinois referred to humanitarian aid and aid for those in the throes of poverty and those who are afflicted by warfare. Those portions of Public Law 480 are not affected by this amendment. This amendment deals with title I which was designated as a way to get rid of America's huge agricultural surpluses back when we had huge surpluses. Today title I is a program that gives good intentions a bad name. It wrecks local farm economies in countries we are trying to help by driving down the cost of food so local farmers cannot compete and earn a decent price. It creates short-term opportunities for select shippers and a coterie of exporters and shipping companies. But this is an advantage that is temporary and fleeting. It is a hothouse situation, because it depends on the below-market financing that is provided.

One point that has not been mentioned is that this program provides a tremendous opportunity for corruption in the countries that are receiving the assistance, and some of the recipients of money under this program are amongst the most corrupt in the world.

Mr. Chairman, I believe that what we should do with this amendment is simply to reverse an astounding 80 percent increase that the committee adopted over the President's request and over our own budget resolution, keeping the essential and humanitarian aspects of this law and removing that part which is not justified.

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

The CHAIRMAN pro tempore (Mr. SHAYS). The gentleman from Ohio [Mr. HOKE] is recognized for 2 minutes.

Mr. HOKE. Mr. Chairman, the opponents of this bill would like you to believe that what this bill is about is humanitarian aid and food aid and Food for Peace and all of these wonderful sounding things that none of us would ever want to oppose. But the fact is that that is not what this is about. What this is about is the baldest kind of corporate welfare, the very kind of corporate welfare that we are trying to eliminate, and in this case it is agri-corporate welfare. The money goes to the largest conglomerates of agriculture in the United States. It also goes to some shippers on a smaller basis. But this title does not in any way go to humanitarian or emergency aid. It is exactly the kind of subsidies that not only are wrong because they give disproportionate amounts of money to companies in the private sector that ought not get them but it is also wrong because what it does is it actually creates problems for the countries that receive the money themselves and it creates a kind of a welfare dependence that has been well-documented in other places with respect to the bad impacts that it has had on those local economies. It has happened in Africa, it has happened in El Salvador with respect to milk products, and we continue to do this.

This is not to help with humanitarian aid foreign countries that are truly poor and need the help. This is to help American agri-conglomerates that simply do not need it. I strongly urge my colleagues to look at this carefully and closely and to adopt this amendment. It is going to exactly what we already passed in this House and it goes to exactly what the President and the administration have called for.

Mr. SKEEN. Mr. Chairman, I have 15 seconds in which to close this thing. I oppose this vehemently and strongly and urge a ''no'' vote on it. I thank the Chairman for the 15 seconds.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio [Mr. HOKE].

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

RECORDED VOTE

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

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

AMENDMENT NO. 41 OFFERED BY MR. MC INTOSH

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 41 offered by Mr. MCINTOSH: At page 71 of the bill, after line 2, insert after the last section the following new section:

SEC. 726. None of the funds made available in this Act shall be used to increase, from the fiscal year 1995 level, the level of Full Time Equivalency Positions (whether through new hires or by transferring full time equivalents from other offices) in any of the following Food & Drug Administration offices: Office of the Commissioner, Office of Policy, Office of External Affairs (Immediate Office, as well as Office of Health Affairs, Office of Legislative Affairs, Office of Consumer Affairs, and Office of Public Affairs), and the Office of Management & Systems (Immediate Office, as well as Office of Planning and Evaluation and Office of Management).

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

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

Mr. DURBIN. Mr. Chairman, reserving the right to object, is 10 minutes acceptable?

Mr. SKEEN. If the gentleman will yield, it certainly is acceptable to me, Mr. Chairman.

Mr. MCINTOSH. Mr. Chairman, if the gentleman will yield, I have about 6 or 7 minutes.

Mr. SKEEN. Shall we make it 12 minutes?

Mr. DURBIN. Twelve minutes is acceptable.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Indiana [Mr. MCINTOSH] will be recognized for 6 minutes, and 6 minutes will be equally divided between the gentleman from New Mexico [Mr. SKEEN] and the gentleman from Illinois [Mr. DURBIN].

The Chair recognizes the gentleman from Indiana [Mr. MCINTOSH].

□ 0000

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

Mr. Chairman, this amendment deals with the employment in the front office at FDA. The FTE levels at FDA's nonoperational managerial offices have increased by over 25 percent from fiscal year 1989 levels. This growth in overhead expenditures represents an inefficient use of resources that must be reversed.

The savings that will be achieved in overhead reductions can be used to redirect their efforts toward hiring additional employees to provide additional approval for much-needed drugs, devices and other medical products. Such a reinvestment will increase the ability of the agency to timely review product applications.

The amendment I am offering would prevent an increase from the fiscal year 1995 levels in the level of full-time employees in the following offices: the

Office of the Commissioner, the Office of Policy, the Office of External Affairs, and the Office of Management Systems.

Mr. Chairman, this is one of several amendments that I was planning to offer tonight. The other amendments I am not going to offer. I have spoken with the gentleman from Virginia [Mr. BLILEY], the chairman of the authorizing committee, and the gentleman from Florida [Mr. BILIRAKIS], the chairman of the subcommittee. They share my concerns.

I wanted to address some of the issues and the problems that have been caused by the failure of FDA to have sufficient employees in some of the agencies that are operational, that do approve the drugs, the devices and the other medical products.

First of all, we have discovered that there is an increasing amount of surveillance and oversight that the agency does of the industry. This oversight effort has increasingly led them to slow down the approval of new drugs and new therapies and in many ways harass the manufacturers of products who may disagree with the FDA's chosen method of operation.

I hear time and time again from people who we have suggested could come and testify before my Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs that they are afraid to do so because the agency has such an overwhelming enforcement authority. My amendment would have simply directed them to limit expenditures on enforcement to 10 percent so that they can turn their efforts to seeking new product approvals.

I plan to work with the gentleman from Virginia [Mr. BLILEY] and the gentleman from Florida [Mr. BILIRAKIS] in making sure that that redirection of priorities occurs in their reauthorization bill later this fall.

Finally, another issue is off-label uses. I was going to offer an amendment that would have said the FDA had to discontinue efforts to prevent the distribution of medical literature and other means of promoting off-label uses in drugs.

Let me give the body a little background in this, and I have to tell you that working with FDA in this areas is a little bit like entering into Alice in Wonderland.

The FDA has an unwritten policy that prevents manufacturers from disseminating enduring materials such as medical journals, the Journal of the American Medical Association, and other highly reputable journals and textbooks if they contain information about nonapproved, that is, the FDA has not yet sanctioned, uses of a manufactured product, even through the agency has determined the product is safe for use for other purposes.

They do not allow this until the agency has either examined the journal article or the material or approved the product for the off-label use.

This is where Alice meets the Mad Hatter. It takes years and years to get that type of approval for additional uses and costs the companies millions of dollars. Meanwhile, patients suffers because they are not able to have their doctors learn about this treatment and be able to get the most recent medical information.

Let me tell you, off-label uses are critical for treating children and others such cancer. Virtually all of the new treatments developed in this country come about when doctors start using labeled existing drugs in new ways, off-label uses.

The FDA has also a draft policy that prohibits virtually all support, financial or otherwise, by drug and medical device manufacturers of any educational activities designed to disseminate truthful, accurate information and designed to provide training with respect to off-label uses.

This is just nuts. You have got big, powerful, wealthy drug companies and device manufacturers willing to spend their money to train doctors on how to use these newest techniques, and the FDA has a new draft policy saying they cannot do it. The Mad Hatter strikes again.

FDA's actions raise serious first amendment concerns. Are we to say that manufacturers of these devices cannot disseminate truthful and accurate information? FDA's policies already have and continue to significantly inhibit the free flow of peer reviewed, scientific information about drug uses.

Ironically, while the agency does not prevent physicians from prescribing uses of therapeutic products, in other words, the doctor can use the off-label use, the devices and the drugs have, even though they have not been approved by FDA for that use, the agency policies have significantly curtailed the ability of doctors to receive information about that, to receive the understanding in journals, such as the Journal of the American Medical Association, about what they think these off-label uses are.

Of course, in the world of Alice in Wonderland, as the Queen said, execute first, trial later. I urge the body to adopt my amendment and send a message to the agency that this is no longer going to be the practice.

Mr. SKEEN. Mr. Chairman, we on this side would be glad to accept the gentleman's amendment.

Mr. Chairman, I yield 2½ minutes to the gentleman from Minnesota [Mr. GUTKNECHT].

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

Mr. Chairman, I rise in support and I stayed up because I wanted to talk on this issue of the McIntosh amendment.

Earlier tonight we had a rather heated exchange here on the floor of the House talking about the FDA between the gentleman from Kentucky and the gentleman from California. I think the gentleman from Kentucky referred to the FDA as a rogue agency out of control. That may have been too strong, Members of this body. But I do believe that Mr. Kessler and his agency needs to have their horns trimmed and be put on a shorter leash.

Earlier today, the gentleman from California [Mr. WAXMAN] talked about a credibility question about a story that was shared on the floor of this House. I want to share a couple of stories tonight, several of them that I believe to be true, one that I absolutely know to be true.

I have in my district and in the State of Minnesota a number of medical device companies and an awful lot of physicians who work with them. Among other things, they have developed a number of new technologies which are being used in other countries, but they cannot or have not gotten approval here in the United States.

For example, there is a simple device which can prevent people from having a second heart attack called a stint. I have cardiologists in my area who literally have to go now over to Europe to do the research on those technologies because they cannot get the approval, and it takes so long, and it is so expensive in the United States.

In fact, when they go to Europe, sometimes they actually smuggle back into the United States liquid injectable aspirin because it is not available in the United States because it is too expensive to get FDA approval, and it takes too long, and it is not worth it. There are not enough people that need it.

In fact, one of my cardiologists was in this town a few months ago for an international exposition, and he went down to look at technologies which are available in virtually every other country in the world but they are not available in the United States because the FDA takes so long and it is so expensive to get them approved.

Let me just share this also. I believe this to be true. The last time the FDA approved a new food additive in the United States was 5 years ago.

We are going to have hearings I understand next week, and they are going to be talking about some of the raids that this agency has been conducting on medical device companies. I know that we are going to, hopefully, have some hearings in the McIntosh committee.

I do support this amendment, but I do believe what we really need is to rein in on this agency so that we can have the same devices here in the United States that they are enjoying in Europe and Japan.

Mr. DURBIN. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon [Mr. WYDEN].

Mr. WYDEN. Mr. Chairman, first, I wanted to say to the gentleman from Indiana that I appreciate the way he has addressed this issue. It seems to me that all Members should want to see more dollars devoted to the drug approval process and less to bureaucracy,

and I think we can agree on that on a bipartisan basis.

We do need comprehensive FDA reforms. I have introduced legislation towards this end. I know a number of our colleagues have as well.

We ought to be pushing for tighter time lines to get products out, save money, save time, and on this matter of off-label drug uses, I think we can come up with a policy that ends FDA's censorship over important medical journal articles and at the same time protects consumers.

For example, what I have proposed is we say that these journal articles would be made available, but the FDA, if they found questions in a journal article, would be in a position to add additional information so this would supplement what was out in a journal article.

This, I found, has been acceptable to industry. It has been acceptable to the cancer groups that the gentleman from Indiana [Mr. MCINTOSH] has correctly discussed. This is the kind of constructive work we can do on a bipartisan basis.

I want to tell the gentleman from Indiana, I am very pleased that he has kept his amendment on the question of freezing front-office dollars.

Mr. DURBIN. Mr. Chairman, I yield 1½ 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 commend the gentleman for the way he was offered his amendments and that he has not offered the others. I want to tell him I will be pleased and happy to work with him on his concern with regard to the Food and Drug Administration.

I do want to inform my colleagues that the food and drug law has been written in a very harsh fashion by the Congress of the United States because of the fact that it is susceptible to serious abuse, not by the honest people in the prescription pharmaceutical industry or in the device industry but rather by fly-by-nights who come in and go out and who will use pharmaceuticals and use other devices in an improper fashion.

The law requires that these devices and that these prescription pharmaceuticals and other things be, first, safe and, second, that they be effective, that they do not hurt and that they do what they are supposed to do.

It is FDA's difficult mission to see to it that products are used in the fashion for the purposes that they are used for. They can be tested.

I will tell my colleagues that the testing process is long, and it is so for a very good reason. Other countries have had massive scares over pharmaceuticals and other things which have caused huge health problems in the country, and I would just remind my colleagues about the thalidomide scare of some years ago where a whole generation of European children were born with flippers and without hands and arms and were otherwise deformed. That was something which created a massive scare in this country and resulted in a very major change. The result was a good piece of legislation which has been balanced.

It is possible, I think, that it shall and can be reviewed, and I would look forward to working with the gentleman toward that purpose.

Mr. SKEEN. May I inquire of the Chair how much time we have left?

The CHAIRMAN pro tempore (Mr. SHAYS). The gentleman from New Mexico has 30 seconds remaining. He is the only gentleman who has time.

Mr. SKEEN. Mr. Chairman, I yield that to my ranking member, the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. I want to thank my colleague from New Mexico for yielding me the time.

Mr. Chairman, let me say that I am glad that the gentleman from Indiana has offered this amendment this evening, and we look forward to working with him, and I hope we do not lose sight of the fact of the important mission that the Food and Drug Administration has.

They should be reformed, they should be improved, and we can work toward that end, but they certainly perform an invaluable function which no other Federal agency does. I hope that in our criticism of the present practices we do not overlook much of the good that is being done by a lot of hard-working professional people.

I support the amendment by the gentleman from Indiana.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SANFORD

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

The Clerk read as follows:

Amendment offered by Mr. SANFORD: Page 71, after line 2, insert the following new section:

''SEC. 726. None of the funds appropriated or otherwise made available in this Act shall be used for the construction of a new office facility campus at the Beltsville Agricultural Research Center.''.

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

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

There was no objection.

The CHAIRMAN pro tempore. The gentleman from South Carolina [Mr. SANFORD] will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

Mr. DURBIN. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Illinois [Mr. DURBIN] will be recognized for 5 minutes.

The Chair recognizes the gentleman from South Carolina [Mr. SANFORD].

□ 0015

Mr. SANFORD. Mr. Chairman, this amendment prevents the construction of a new 350,000-square-foot office building in Maryland. With so many pressing demands on our Nation's budget and so many different ways to cut this budget, the logical budget is: Why here? Why now?

I think there are 4 good reasons that make a lot of sense as to why we ought to look at this. The first, GSA, Government Services Administration, controls 644 million square feet, let me say that again, 644 million square feet of office space. That is enough office space to fill the commercial cores in New York, Chicago, Los Angeles, and Houston combined. That says to me, with that kind of office space intact and this revolution that is supposedly taking place here in Washington, do not we have enough? Do we really need to go out and add another 350,000 square feet of space.

Second, even if we do, I think we would be putting the cart before the horse if we built this building now. The reason being, this fall the farm bill comes out, and that is going to have a lot to do with whether the Ag Department is growing, staying the same or shrinking. If it happens to be shrinking, which could well be the case given the fact we have got 114,000 folks on staff which roughly works out to about one for every six working farmers, if it were to actually be cut, we may not need this building, or if it were not to be cut, look at the number of different agencies ceilings and different departments that are talking about being closed here in Washington.

Again, I think that has done to do with why the National Capital Planning Commission, which is the Federal agency in charge of watching out how different agencies control space, has disapproved this plan and disapproved this building. They, in fact, say the following: ''It appears that the opportunities may exist for meeting virtually all of USDA's fiscal year 2000 administrative space requirements within its existing inventory, without construction of the Beltsville office complex.'' I think they know more about this than most of us. I ask we heed their advice.

Third, the budget. KASICH and his budget crew came up with a plan that gets us to a balanced budget by the year 2002. This building was not included as part of that budget.

Finally, National Taxpayers Union and Citizens for a Sound Economy think this amendment would make a lot of sense.

I hope my colleagues will join.

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

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 South Carolina would take a microphone at his leisure. I would just like to ask him two or three questions.

First, I would like to ask the gentleman, has he ever be in the south building of the Department of Agriculture?

Mr. SANFORD. If the gentleman will yield, I have run by it practically every morning.

Mr. DURBIN. Ever been inside?

Mr. SANFORD. No.

Mr. DURBIN. I think it is important you go inside before you get deeply into this amendment. You know what you are going to find? A 60-year-old building that is a fire trap. The reason we got into this debate, because many of us are worried about the safety and security of the men and women who work in that building. When a fire alarm goes off anywhere inside that building, they literally have to evacuate every employee. It is not divided by corridors or sections so that in the event of a fire or emergency they can even protect the people inside.

The ventilation system is so antiquated that not only it does not heat and cool the building, in fact what it does is endanger the people working in there.

So we are talking about in the first instance a genuine fire trap which on any given day could cause a great embarrassment to the gentleman from California when a tragedy might strike.

Point number 2, does the gentleman know how much money we expect from the Federal taxpayers by building the new campus at Beltsville and replacing the leased space which we are currently using for U.S. Department of Agriculture across the city of Washington?

Mr. SANFORD. I have heard upwards, close to $1 billion.

Mr. DURBIN. The figure I have is not that high, $200 million over 10 years. Unfortunately, the Department of Agriculture, with reduced status, fewer functions, fewer employees, is spread all over the D.C. area. We are paying rent. Unfortunately, we are paying too much for that rent. We went through this battle last year and said there has got to be a better way.

It turns out if we build the building and occupy it and depreciate it, it is cheaper for taxpayers. It is not just a matter of building a building. It is a matter of getting out of expensive leased space to do it.

The reason I asked the gentleman these questions is my first reaction when I heard about a new building was the same as his, for goodness sakes, at this time, this is the wrong place and time to do it.

Yet I went down there and took a look at the south building.

Mr. SANFORD. On those two points, if the gentleman would yield, on the south building, as you might notice, my amendment does nothing to preclude reconstruction to the south building.

Mr. DURBIN. Reclaiming my time, here is the practical difficulty. In order to do the kind of work that is necessary on the south building, the GSA did extensive surveys and found that they had to take the employees out as the construction was taking place.

That is why this whole plan that we have developed involves moving out to Beltsville for temporary quarters and eventually moving back into a renovated south building, and then using what is constructed at Beltsville for permanent facilities so all the leased space can come together into something we own.

I am sure the gentleman's life experience, like my own, we rented for years, it was not worth much, finally bought a home, and now I take a lot more pride in it.

Mr. SANFORD. If the gentleman will yield, I would agree absolutely in a static environment, but the problem is we know right now we are not working in a static environment. I think that actually has a lot to do with why the National Capital Planning Commission, in fact, disapproved the plan and, in fact, said because things like the Department of Commerce may one day be an empty building and because a host of other agencies are looking at dropping numbers rather than increasing numbers, there may be more than enough space in Washington, DC.

Mr. DURBIN. Reclaiming my time, I will tell the gentleman there are many possibilities. There are many eventualities. There is one solid hard cold fact. The south building of the U.S. Department of Agriculture today is a fire trap. It is dangerous to tens of thousands of people who go there every day. It could not pass the most basic fire and safety inspection. And I do not think the gentleman from South Carolina, certainly the gentleman from Illinois, would not want it on his conscience that we are not doing everything we can to protect those employees.

That is why I got into this. I think what we have come up with is a reasonable approach that ultimately will save taxpayers $200 million and do it in a very professional way.

I would add that I am not an expert at this. We gave to the General Services Administration the responsibility to come up with a plan. They came up with one. We went back and forth and negotiated with the U.S. Department of Agriculture.

From the gentleman to come in now and say, well, we have got problems, let us get rid of that, you still are going to have a south building that is a fire trap. You are still going to have leased space that costs you dearly.

Mr. SANFORD. If the gentleman will yield again, I want to reemphasize my amendment in no way precludes renovation to the south building. The whole idea is putting the cart before the horse. All I am suggesting by this amendment is, given all that may be happening in terms of downsizing the Federal Government, maybe, just maybe since it is federally owned land, this building would be going on out in Maryland since that space is not going anywhere.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from South Carolina [Mr. SANFORD].

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

RECORDED VOTE

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

The CHAIRMAN pro tempore. (Mr. SHAYS). Pursuant to the order of the House of Wednesday, July 19, further proceedings on the amendment offered by the gentleman from South Carolina [Mr. SANFORD] will be postponed.

Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. OLVER

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

The Clerk read as follows:

Amendment offered by Mr. OLVER: Page 71, after line 2, insert the following new section:

SEC. .(a) LIMITATION ON USE OF FUNDS.—None of the funds made available in this Act shall be used to pay the salaries of personnel to provide assistance to livestock producers under provisions of title VI of the Agricultural Act of 1949 if crop insurance protection or nonuninsured crop disaster assistance for the loss of feed produced on the farm is available to the producer under the Federal Crop Insurance Act, as amended.

(b) CORRESPONDING INCREASE IN FUNDS.—The amount otherwise provided in this Act for ''Rural Development Performance Partnerships'' is hereby increased by $60,000,000.

Mr. OLVER (during the reading), Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

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, the time to be equally divided, I will claim 5 minutes.

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

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Massachusetts [Mr. OLVER].

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

The language of my amendment prohibits benefits under the livestock feed program for losses which could be covered under the crop insurance program.

The subcommittee had provided $80 million for the livestock feed assistance program, and by the language that I offer, by limiting that livestock feed assistance program to those who could not use the Federal Crop Insurance Program, we can reduce the needs for the livestock feed assistance

amount from $80 to $20 million, and in that process we are able to free up $60 million which then can be used for the rural development performance partnerships, which is essentially the moneys that hundreds of communities all over this country use in districts all over the country in rural areas of the country, use to develop drinking water systems, waste water treatment systems, by either grants or loans, or a combination of grants and loans in most instances, and for solid waste management systems.

The communities that get this money are small communities, the most stressed communities probably in this country outside of the very core urban areas. They are communities without a strong tax base, without a strong commercial base. They are continually under stress, and they are of a severely limited capacity to deal with what are extremely capital-intensive programs and where the per capita costs of those capital-intensive programs happen to be exceedingly high, therefore, because of the low population of rural communities.

All that is required here is that if crop insurance is available, it is to be used rather than using the livestock feed assistance, and that gives us the $60 million available for the program.

Now, this is a program which in the present fiscal year was counted at almost $700 million. Under the program as it now stands in the bill, it would be down to $430 million, and so the addition of 60 would bring that up a little bit and change a 40-percent cut in this program for so many communities all over the country, in infrastructure grants and loans, it would allow that cut to be only a 30-percent cut.

So I would hope that we would adopt this amendment and help these hundreds of communities all over the country that this money can be used for.

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

Mr. SKEEN. Mr. Chairman, I strongly oppose the amendment.

I yield the remainder of my 5 minutes to the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. I thank my good friend and colleague from New Mexico for yielding me the time.

I rise in strong opposition to the gentleman's amendment. The amendment, while I am sure really redirects funds into an important program, and the gentleman and I have discussed this at length, for example, the cuts in the water and sewer programs which we all hope can be restructured, and we all hope that we can find additional funds for these very important programs, but the gentleman's amendment also restructures, or throws a monkey wrench is a better word, into an important reform of the crop insurance and disaster program that was just implemented by the Committee on Agriculture just this past year.

This major new reform that was designed to save the taxpayers billions of dollars and move our farmers away from dependence on the Government disaster programs really has not had a chance to work, and already the gentleman has simply brought an amendment that has not been considered by the authorizing committee. We have had no hearings, and it would fundamentally change the protections designed for the livestock industry.

We left the livestock disaster program in place because there was no other way to cover them. As I have indicated, it is entirely possible that some changes in the newly reformed crop insurance disaster protection program will be needed. As a matter of fact, we are going to have a major overhaul of the crop insurance program. It is underfunded, and it is mandatory, and we have several proposals that I think would be very, very salutory.

But these proposed changes should receive the same careful consideration as the original reform provisions. For example, this amendment does not make it clear how we are to treat a livestock producer who grows 25 percent of his feed and then purchases the rest. Is this producer to lose all of his disaster protection because he is prudent enough to provide a fraction of his own feed?

□ 0030

Mr. Chairman, these are exactly the kind of problems that caused us, after long thought, to design the program in its present state. Certainly a more careful consideration should be given before the program is changed or simply used for a bank for vitally needed sewer and water programs. We should reject this amendment.

I would only add that this amendment also abridges the agreement that the authorizers and the appropriators have reached, at least on our side of the aisle, after many, many meetings, and the $60 million that would be used by the gentleman would be into a situation where we would either double-score it and it would not count in regards to our scoring responsibilities or the Ag Committee is going to have to go find another $60 million to cut in regards to our budget responsibilities.

We have an agreement with the gentleman from New Mexico [Mr. SKEEN] and the chairman of the committee, and the chairman of the Committee on the Budget that the appropriators will make the appropriate cuts in regards to their budget responsibilities and the authorizers in our pasture will make our cuts.

I know the gentleman is extremely concerned about the water and sewer programs. This is the wrong way to go about it. I will be more than happy to work with the gentleman to find some money in the appropriate discretionary account.

And one last thing: In the last several weeks we have had a real disaster in farm country more especially with our cowboys in reference to the terrible weather, 100 degrees, 105 degrees, 110 degrees. In feedlots all across the country and on ranches all across the country we have had heavy livestock losses, and all prices in the livestock sector are very depressed. This is exactly the wrong time to take the emergency program for livestock producers that we hope we will not use during a time when they are experiencing very heavy losses due to weather-induced conditions.

So, Mr. Chairman, I would urge the gentleman to perhaps work with us, perhaps maybe withdraw his amendment, but if he insists on going on ahead, we will have to oppose it very, very strongly.

Mr. OLVER. Mr. Chairman, I yield myself 45 seconds, and then I will yield the remainder of my time to the ranking member of the committee.

Mr. Chairman, I would just like to point out that, if there is a livestock loss which would not now be covered, not now be coverable, under the crop insurance program, that the livestock loss is still covered under the livestock feed program. That is the provision, that is the language of the legislation, that I have provided. So there is no problem, at least as I understand it, there.

Secondly, if what we are doing is banking $60 million so that it will be easier there for the dealings on the problem of mandatory expenditure, then I think this will be much more valuable to put this where it can be used where 40 percent cuts were being made and use only 30 percent cuts in the infrastructure accounts which all of our communities do.

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

Mr. DURBIN. Mr. Chairman, everyone seems to agree that we should put more money into water and sewer programs. We all know there are a lot of communities that need them. Otherwise they cannot improve their systems for public health reasons. The obvious question here is whether or not this provision, when it comes to livestock feed programs, should be allowed to continue.

I agree with the gentleman from Massachusetts it should not. So many of these farmers, and cowboys and ranchers want to be rugged individualists and say, ''No, I'm not going to buy crop insurance, I'm on my own, buddy, leave me alone,'' and then things get tough, and guess what?

They come and knock on Uncle Sam's door and say, ''Well, now I need some help.''

What this amendment says is, ''Grow up.'' If you got crop insurance available, buy it, and, if you don't, you're going to pay. If you have a disaster, you're not going to get as much money from the Federal Government.''

Is that a radical suggestion? I think that ought to be the policy across the land, to tell producers and business people that, if there is insurance available, use it, and, if they do not use it,

they are going to suffer as a result of it.

Now, to say we are going to hold them harmless regardless I think creates bad conduct on their part. The gentleman from Missouri and I were co-chairs of a disaster task force. We now spend or compensate for about 95 percent of the disasters and losses in the United States. We cannot afford to continue to do it. Individuals have to accept more personal responsibility.

The CHAIRMAN pro tempore (Mr. SHAYS). The gentleman from New Mexico [Mr. SKEEN] has 30 seconds remaining.

Mr. SKEEN. Mr. Chairman, I yield 30 seconds to the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Chairman, I would really hope it would not come to this, to get back into this whole argument on the disaster program and crop insurance. The mandatory crop insurance program is underfunded. It is not working well in high-risk agriculture country mainly because of the efforts of the gentleman from Illinois.

Now we will adhere to our responsibilities in regards to crop insurance, and we are trying to move away from the disaster program. But to try to rewrite an unworkable crop insurance bill right in the middle of an appropriation bill when we are trying to do it in the farm bill is just not the way to do business. I want water and sewer programs, but that was a very untoward remark by the gentleman from Illinois, and I resent it.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Massachusetts [Mr. OLVER].

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

RECORDED VOTE

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

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

Mr. BARRETT of Nebraska. Mr. Chairman, I would like to submit for the record a copy of a letter from Agriculture Secretary Glickman expressing the administration's support and commitment to agricultural export programs such as the Market Promotion Program and the Export Enhancement Program.

DEPARTMENT OF AGRICULTURE,
Washington, DC, July 19, 1995.

Hon. BILL BARRETT,
Chairman, Subcommittee on General Farm Commodities, Committee on Agriculture, U.S. House of Representatives, Washington, DC.

DEAR BILL: As the United States House of Representatives considers the fiscal year 1996 appropriations bill for the Department of Agriculture (USDA), I would like to express my commitment to USDA's export programs.

With the help of the Market Promotion Program (MPP), the Export Enhancement Program, and USDA's other export programs, U.S. agricultural exports are expected to reach a record level of $51.5 billion in 1995. These programs have proven that they work, achieving export growth nearly every year since they were first enacted in 1985. MPP, in particular, has proven its worth, helping the high value exports that it targets to quadruple over the last decade. Our farmers and ranchers depend upon foreign markets—23 percent of cash farm receipts is now earned from exports.

In the current world trade environment, I view these programs as critical tools. The Uruguay Round Implementation Act was enacted last year largely because of the support it received from American agriculture. The agricultural sector will benefit greatly from that agreement, but funding for export promotion and the so-called ''green box'' programs is critical. The Uruguay Round agreement permits countries to continue to subsidize and promote agricultural exports. Our competitors are doing just that.

The fact is, the competition is well on its way towards seizing new market opportunities. The European Union (EU) will spend $54 billion under the Common Agricultural Policy to support its agricultural sector in 1996, including $9 billion for export subsidies. The EU will spend $7 million more for wine export promotion this year ($93 million) than USDA will invest in promotion for all products under MPP. Competitors are also increasing GATT-legal spending for export promotion and credit guarantees. Last year, competitors spent $500 million on export promotion. This year, Canada announced a new credit guarantee program for about $713 million.

I know there is an urgent need to control spending and to reduce the federal deficit, but I urge you to resist efforts to balance the budget on the backs of America's farmers and ranchers. I appreciate your support of our joint efforts to promote U.S. agricultural exports.

Sincerely,

DAN GLICKMAN,
Secretary.

Mr. MILLER of California. Mr. Chairman, the committee report accompany H.R. 1976, the fiscal year 1996 Agriculture appropriations bill, contains a provision that will seriously affect the availability of food on Indian reservations. In the report, the Appropriations Committee directs the Secretary of Agriculture to begin the termination of the Food Distribution Program on Indian Reservations, commonly known as the commodities program. Indians who benefit from the commodities program are to be transferred to the Food Stamp Program. Given the current levels of poverty and hunger on Indian reservations, the phase out of the commodities program is an unwise and uninformed maneuver that is nothing short of another clear breach of this Nation's trust responsibility to native Americans.

The administration requested $78.6 million for reservation commodities in fiscal year 1996. The committee's bill provides for $65 million, a decrease of $13.6 million—17 percent. The President's request reflects the fact that the commodities program must operate with a $0 carry-in for fiscal year 1996 as opposed to carry-ins of $13.4 million in fiscal year 1994 and $27.3 million in fiscal year 1995, as well as the fact that food costs have risen steadily, from $45.6 million in fiscal year 1994 to $47.7 million in fiscal year 1995 to an estimated $49.2 million in fiscal year 1996.

The commodities program serves more than 110,000 native Americans each month who reside on or near reservations in 24 States. The reservation commodities program was the only commodities program maintained by the Nixon administration following the institution of the national Food Stamps Program in 1974. Both Congress and the Nixon administration carefully examined food needs and determined that the Food Stamps Program would not adequately meet the needs of native Americans living on or near reservations.

The main reason that the Food Stamps Program is unsuited for Indian reservations is that the program requires individuals to trade food coupons for food at grocery stores. In many reservation areas there are simply no or few grocery stores, round trips of up to 100 miles to buy groceries are not uncommon, and transportation is often unavailable. In addition, the prices for foods at existing on-reservation stores are generally much higher than those at off-reservation stores. In other words, food stamps will buy less at reservation stores than off-reservation stores. Thus, this bill not only makes it harder for Indians to get food, but it also makes it likely that they will end up with less food.

In addition, while tribes operate the distribution of commodities, States operate the Food Stamps Program. Conversion to the Food Stamps Program will require native Americans to travel vast distances to the nearest State food stamp office. Other problems with the food stamps program include a differing set of eligibility rules, and the likelihood that nonperishable foods, which make up the bulk of the commodities programs, will be less available under the food stamps program because stores are less likely to stock them.

Finally, it appears that conversion to the Food Stamp Program will result in increased costs to the Federal Government. In fiscal year 1994, the average per month cost of food stamp benefits was $69.01 compared to $33.51 for commodities. Thus, conversion to food stamps would more than double the per-person food cost of service to Indian beneficiaries.

In sum, the Appropriation Committee's plan to phase out the commodities program will not only increase hunger and hardship on Indian reservations but will also increase costs to the Federal Government. This policy is clearly anti-Indian and, without any hint of hesitancy or remorse, literally takes food out the mouths of the poorest of the poor. Mr. Chairman, the Indian population which is dependent upon the commodities program needs our protection and not our spite. As trustees and fiduciaries to the more than 550 native American tribes, we should treat them better.

Mr. VENTO. Mr. Chairman, I rise in opposition to the fiscal year 1996 Agriculture appropriations bill, which carries through on the directives of the House Republicans' welfare reform plan by cutting food stamps and other nutrition programs.

As we saw with their welfare reform measure, the new majority in the House wants to launch an extreme and broad-based attack on poor children and families. As part of this attack, they are cutting the Food Stamp Program, one of the most essential programs for people in need, and capping the number of participants which may receive assistance from the Special Supplemental Food Program for Women, Infants, and Children [WIC]. WIC is a program with such proven benefits as fewer premature births, fewer fetal deaths, and better cognitive performance in children, one family would have to leave the WIC program for another to be served.

Under this appropriations bill, inflation will no longer be considered as a factor when determining a family's eligibility for food stamps. This means that families will either become ineligible for benefits or see their benefits reduced as inflation impacts their income and ability to meet their basic needs. The bill also cuts overall funding for food stamps in 1996 by $1.7 billion compared to this year 1995. States predictably will tighten eligibility requirements in order to try to keep down costs and the result will mean that fewer poor families will be able to receive food assistance. Furthermore, this bill completely eliminates the food stamp contingency reserve which is used to shore up the program when the need for food stamps becomes greater than optimistically low limits estimated. Republicans claim that cutting funding for food stamps and other public assistance programs will move people off of welfare. The question is: where are the children, women and the elderly going? Not only is the GOP cutting food stamps, but they are intent on cutting the social safety net of education, training, child care, shelter, and medical care in numerous proposals and measure being advanced in this Congress.

The WIC program is among the most successful and cost-effective of our Federal nutrition programs and promotes the health and well-being of our country's children. Currently, the WIC program can not even provide benefits for all eligible women and children due to lack of funds. I have supported full funding of this program, which should be a high priority if we value our future enough to care for our children. However, Republicans want to further limit the number of children who may benefit from the program by capping the number of participants at current levels. This will decrease the effectiveness of this program by ruling out any opportunity for a response from the Government when there is an increase in the number of children and families in need of services.

Nutrition programs provide an extremely valuable way to promote good health and prevent disease for some of our most vulnerable citizens. When we fund nutrition programs, we invest in children and families and create economic and social benefits for all. When the Republicans cut back on nutrition programs, we will see a rise in malnutrition and a resulting rise in health care costs. The Republican approach to nutrition programs is to cut off benefits with the notion that you can forcefeed change and reduce poverty through such harsh action. I do not support this approach and I believe that the Federal Government has a role in helping people. I oppose this bill because of the shortfall in funding and the policy changes that are being superimposed through this ill considered appropriation process.

Mr. CHAMBLISS. Thank you, Mr. Chairman. Last night my colleagues from New York, Ms. LOWEY withdrew her amendment to the Agriculture appropriations bill which pertains to the peanut program. I commend the gentlelady for withdrawing her amendment and would state that I appreciate the fact that the gentlelady now agrees that the farm bill needs to be written in the Agriculture Committee as opposed to the appropriations process.

We members of the Agriculture Committee have been working very diligently to reform all agriculture programs. I have been particularly involved in working on a reform of the peanut program that will be a more market oriented program and will still provide a safety net for peanut growers.

That bill will address the concerns of the gentlelady and I think will satisfy the vast majority of those that have objections to agriculture programs.

Again, I thank the gentlelady for allowing the authorizing committee to do its job.

Mrs. VUCANOVICH. Mr. Chairman, as a former member of the Agriculture Appropriations Subcommittee, I recognize the difficulties faced by the chairman and ranking member and I commend them for their efforts on this bill. H.R. 1976 provides $15.9 billion in agricultural programs but still saves $5.2 billion, compared to spending last year. However, with tough challenges come tough decisions, and I am faced with one today. I am concerned about an amendment to be offered later during this debate and the effect this will have on low-income housing for people in my State of Nevada and throughout the Nation. Specifically, 502 direct housing loans help those low- and very-low-income families who are unable to obtain financing elsewhere. Without these funds, it will be difficult or impossible for people to achieve the American Dream of owning their own home. In addition, I am concerned about other reductions to rural programs including rural waste disposal projects and rural development.

Although reluctant, I will support this amendment because it does have some good provisions in it regarding the Conservation Reserve Program and the Wetlands Reserve Program. However, I urge the chairman to continue to fight to restore funding for the 502 housing program and some of the other rural programs in conference.

Mr. CUNNINGHAM. Mr. Chairman, I cannot begin to express how pleased I am that a compromise was reached yesterday between Agriculture Secretary Glickman and Representative WALSH regarding the implementation of meat and poultry safety rules.

Representative WALSH's withdrawal of his amendment to the fiscal year 1996 Agriculture appropriations bill is a clear sign of his commitment to enact change into the current food handling process. The new agreement will allow for additional public hearings to be held to consider the views of all interested parties throughout the rule-making process. I am relieved that there will not be a delay of the USDA's implementation of safeguards and standards to improve meat inspection.

Unfortunately, the issue of safe food and the devastating effect of foodborne illness are not new to me. I have closely followed this issue since the 1993 E.coli outbreak on the West Coast. I have had the pleasure of working with members of STOP [Safe Tables Our Priority], an organization founded by victims' families who are dedicated to the prevention of foodborne illness.

Until the tragedies were highlighted a few years ago, I do not believe that people were aware of the inherent dangers associated with the consumption of raw meat products. It is unfortunate that a number of deaths occurred before significant changes were made to the current food handling processes.

I think that we would all agree that our Nation's meat inspection policy must be improved. Obviously, a system that was created in 1906, and has changed very little since that time, is in need of repair. A new inspection system based on HACCP or hazard analysis and critical control points, is needed to prevent problems from occurring throughout the production process.

Once again, I commend my colleague, Representative WALSH, for his willingness to compromise with the administration regarding the procedural problems in an effort to improve the current system. I also want to applaud the efforts of the ranking minority member of the Agriculture Subcommittee, Representative DURBIN, in bringing this matter to the House's attention. I believe that the risks are too high to wait any longer to implement change into the current food handling process. We cannot rest until everything is being done to protect the safety of our food, and provide for the well-being of our loved ones.

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. SHAYS, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 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.

COMMUNICATION FROM THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE OF REPRESENTATIVES

The Speaker pro tempore laid before the House the following communication from Scot M. Faulkner, Chief Administrative Officer of the House of Representatives:

CHIEF ADMINISTRATIVE OFFICER,
HOUSE OF REPRESENTATIVES,
Washington DC, July 20, 1995.

RE: State of Illinois v. Melvin Reynolds

Hon. NEWT GINGRICH,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to rule L (50) of the Rule of the House that my Office has been served with a subpoena issued by the Circuit Court of Cook Country, Illinois.

After consultation with the General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

SCOT M. FAULKNER,
Chief Administrative Officer.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. VOLKMER (at the request of Mr. GEPHARDT) for today, after 6 p.m., on account of illness of spouse.

By Mr. BACHUS (at the request of Mr. ARMEY) until 4:30 p.m. today, on account of attending a funeral.