Mr. President, there is a simple guideline for this solution as to how Pakistan has responded. When we have needed help and we have gone to Pakistan and asked for help, the Pakistanis were there for us. Let me review the record quickly.

In 1950, when North Korea invaded South Korea, the United States went to Pakistan and asked for their help in the United Nations to vote against that invasion and to authorize U.N. forces to go to war to save freedom and democracy in South Korea. Pakistan said yes when we asked them for help.

In 1954, when we organized the Central Treaty Organization, CENTO—it was designed to stop the spread of communism around the world—we went to Pakistan even though they were in a vulnerable position, close to the Soviet Union, and we asked them to join this military alliance to protect freedom and democracy around the world. Pakistan said yes when we asked them to join.

In 1955, when we helped organize the Southeast Asian Treaty Organization, SEATO, and asked Pakistan to join that organization, Pakistan said yes, and stood shoulder to shoulder with us to stop the spread of Marxism and communism around the world.

In 1959, when we went to Pakistan and asked them to sign a mutual defense treaty, Pakistan once again said yes to the United States. In accordance with that defense treaty Pakistan allowed the United States to set up military air bases within Pakistan designed to perform reconnaissance flights over the Soviet Union.

Now, Mr. President, keep in mind what this was. We asked Pakistan to allow us to set up a base in their own country that would fly our spy planes, our reconnaissance planes, over the Soviet Union, providing vital military intelligence to the United States. Pakistan, close to the Soviet Union, was at great risk and great danger. And once again, even at their own risk, Pakistan said yes to the United States.

Francis Gary Powers, incidentally, was involved in one of those flights, which Americans will remember.

Incidentally Khrushchev himself threatened to wipe this airbase off the face of the Earth. Pakistan took an enormous risk by letting us on their territory, and said yes to helping us.

In 1970, when we wanted to open up relationships with China, Pakistan said yes to our request to allow Henry Kissinger to enter China through Pakistan, cooperating and setting up that relationship with China. Even though the Soviets were very upset by Pakistan, and in less than a year signed a friendship treaty with India partly in relationship to their anger, Pakistan went ahead and said yes to the United States offers for help.

Americans should note that it was within a year after that cooperation with the United States that resulted in a friendship treaty between the Soviet Union and India that India then felt free to send their troops into east Pakistan which saw the Pakistanis lose that war and lose a significant portion of their country.

From 1979 to 1989 the United States went to Pakistan and asked them to cooperate with us in and help us fight the Soviet invasion of Afghanistan through infiltration of military equipment and other devices. Once again Pakistan said yes to the United States even though they faced great danger.

In the gulf war against Iraq in 1990 we asked Pakistan to send troops. They did. They stood side by side and fought with us to repel the Iraqi invasion.

Since 1992 and 1993, Pakistan has been at the forefront of peacekeeping operations. We went to them and asked them to supply troops for Somalia, and they said yes. And we went to them and asked them to supply troops for the Haiti operation, and they said yes. And in 1995 we went to them and asked them to return a suspected terrorist, and they helped arrest him and return him to the United States, a terrorist who was involved in the World Trade Center bombing.

Mr. President, when we have asked Pakistan for help, they have been there. They have stood side by side for America with America. They have stood side by side with us in resisting Soviet aggression. They have stood side by side with us to stop and reverse the Russian invasion of Afghanistan. And, Mr. President, they stood side by side to help us stop or reverse terrorism around the world.

Now, Mr. President, they are asking us, asking us to treat them fairly with regard to this sale that started almost 9 years ago.

Mr. President, at this time I would like to ask that Senator HARKIN and Senator MOSELEY-BRAUN be added as cosponsors to this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Finally, Mr. President, let me suggest this: The reason we ought to pass this amendment is not for Pakistan, although that ought to be a consideration, it is not for anyone else in the world except for the United States.

If there is one thing important to Americans, it is that our word be good, that our commitments be strong, that people place credibility in what America does. Is there anyone in this Chamber that is comfortable with us having taken the Pakistani money and refused either the equipment that we contracted for or their money back? I do not think so. Americans do not deal that way with people. We do not take their money on a contract and then refuse to deliver on the contract or refuse to return their money. We ought to adopt this amendment because of America and what we stand for and who we are, because our word is good, and our commitment is good, because we do not cheat people.

We ought to adopt this amendment because it is a fair compromise of a tough problem that treats people fairly and reasonably. Mr. President, I believe it would be wrong for us to both keep the money and the military equipment and to refuse to resolve that problem. And that stands as a cloud over the integrity of the United States.

Mr. President, I am proud of this country. I think we deal fairly with people. And I think we want people to know that. We ought to pass this amendment more than anything because it says a lot about the kind of people we are and the kind of integrity we have and the validity and the integrity of the word of the United States.

Mr. President, I yield the floor.

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

The PRESIDING OFFICER. Under the previous order, the clerk will report H.R. 1976.

The legislative clerk read as follows:

A 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.

The Senate resumed consideration of the bill.

Pending:

Feingold-McCain amendment No. 2697, to prohibit the use of appropriated funds for the special research grants program that are not subject to a competitive approval process.

Conrad amendment No. 2698, to provide that producers of a 1995 crop are not required to repay advance deficiency payments made for the crop if the producers have suffered a loss due to weather or related condition.

Bumpers amendment No. 2699, to reduce funding to carry out the market promotion program and to target assistance to small companies.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, under the order, there are 4 minutes equally divided on the Feingold amendment, the first amendment to be voted on.

In connection with the Conrad amendment, there has been a modification submitted. In connection with the Conrad amendment, I ask the following: I ask unanimous consent that following the first of the ordered votes, there be 6 minutes of debate for the Conrad amendment No. 2698, with 4 minutes under the control of Senator CONRAD and 2 minutes under the control of Senator COCHRAN.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 2697

The PRESIDING OFFICER. Under the previous order, the pending question is amendment No. 2697, offered by the Senator from Wisconsin [Mr. FEINGOLD]. As indicated, debate on this amendment is limited to 4 minutes equally divided in the usual form.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, my amendment does not cut a dime from the Special Research Grants Program. I want to make that absolutely clear. It just subjects the proposals for funding under this program to new scientific peer review and competition.

Second, this amendment does not negate the committee's recommendations in the report. It just ensures that those recommendations, if they are funded, have to pass a competitive test to be sure they are merited.

Third, this amendment replaces the political competition for these research dollars, which I think is inappropriate for an ever-shrinking agriculture research budget, and what it replaces it with is science-based competition.

Currently, the defining criteria for which institutions are awarded research grants I am afraid is which Members have the most political muscle to get their projects approved by the committee, and I think that is wrong. I think it is unfair to U.S. farmers for Members of the Senate and the House to be spendthrift with these limited research dollars which continue to shrink each year.

Last night, my colleague, the senior Senator from Mississippi, said my amendment would delegate this authority to a ''fancy group of scientists on peer review panels.'' Under our peer review, $50 million is done by peer review, rather than $100 million, which is already done by peer review. Why the difference?

I think it is appropriate to a have peer review panel. I think there still will be an opportunity for committee members to identify projects they believe in and to put them in the committee report, but they would have to go through, also, a peer review, and I am sure most of them would do well on this basis.

The point here is, if my amendment is adopted, the projects would have to be approved on their merit. We would replace a political competition with a fair competition.

Mr. President, I think it is irresponsible of Congress to continue funding these projects based on politics rather than merit. I would say that the scientists that are experts in their field are far better qualified to determine which projects are sound and which are not than are the Members of Congress.

So I urge my colleagues to support this item which I think is not only reform in the agriculture area but a reform in our entire budgeting process. I thank the Chair.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, let me say in response, last night we debated this fully. We had the opportunity to talk about all the different kinds of agricultural research—applied research, basic research, research that is targeted to specific problems of a region or a State. There is a very carefully balanced mix of research dollars in this legislation. Some of it—most of it, as a matter of fact—is done by the Agricultural Research Service at Federal laboratories, by scientists employed by the Government. Some of it is done through a National Research Initiative which is a competitive, peer-review program as the distinguished Senator from Wisconsin said.

Other dollars are allocated by formula, or under the supervision of the Department of Agriculture, which very closely monitors the use of all funds to determine that the research being done has merit and will benefit American agriculture. That is the important part of this.

I am not so much concerned with how we divide these funds, but we think the bill before the Senate provides a proper balance. Members of Congress have had a say-so in how these dollars are allocated, and that is how it should be. They are accountable to the taxpayers. If you turn this all over to a group of scientists somewhere, they are going to have their own buddy system, in effect, and you may see States and regions that will get left out, and I think it might be my region that may get left out.

You may have the large, more wealthy and well-entrenched hierarchy of academia in the Northeast and the Midwest dividing up all the money among themselves, and I am against that.

The system we have now that is reflected in this bill and the appropriations that we have made here and recommended to the Senate, I think, are very thoughtful. They are well crafted to make sure we serve agriculture broadly.

I hope the Senate will support our efforts.

The PRESIDING OFFICER (Mr. ASHCROFT). All time has expired.

Mr. COCHRAN. I move to table the Feingold amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question occurs on agreeing to the motion to lay on the table the amendment No. 2697, offered by the Senator from Wisconsin [Mr. FEINGOLD]. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Oregon [Mr. HATFIELD] is absent due to illness.

I further announce that, if present and voting, the Senator from Oregon [Mr. HATFIELD] would vote ''yea.''

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is absent because of attending a funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 34, as follows:

[Rollcall Vote No. 447 Leg.]

YEAS—64

Akaka	Exon	Levin
Baucus	Faircloth	Lott
Bennett	Ford	Mack
Biden	Frist	McConnell
Bond	Gorton	Mikulski
Breaux	Gramm	Moseley-Braun
Bumpers	Grassley	Murkowski
Burns	Gregg	Nickles
Byrd	Harkin	Packwood
Campbell	Hatch	Pressler
Coats	Heflin	Reid
Cochran	Helms	Sarbanes
Cohen	Hollings	Shelby
Conrad	Hutchison	Simpson
Coverdell	Inhofe	Snowe
Craig	Inouye	Specter
D'Amato	Jeffords	Stevens
Daschle	Johnston	Thomas
DeWine	Kempthorne	Thompson
Dole	Kerrey	Thurmond
Domenici	Lautenberg	
Dorgan	Leahy	

NAYS—34

Abraham	Graham	Nunn
Ashcroft	Grams	Pell
Bingaman	Kassebaum	Robb
Boxer	Kennedy	Rockefeller
Bradley	Kerry	Roth
Brown	Kohl	Santorum
Bryan	Kyl	Simon
Chafee	Lieberman	Smith
Dodd	Lugar	Warner
Feingold	McCain	Wellstone
Feinstein	Moynihan	
Glenn	Murray	

NOT VOTING—2

Hatfield	Pryor

So the motion to lay on the table the amendment (No. 2697) was agreed to.

AMENDMENT NO. 2698

The PRESIDING OFFICER. The question now occurs on amendment numbered 2698 offered by the Senator from North Dakota, [Mr. CONRAD].

Debate on the amendment is limited to 6 minutes, 4 minutes under the control of the Senator from North Dakota and 2 minutes under the control of the Senator from Mississippi.

Mr. COCHRAN. I ask unanimous consent that the rollcall on this Conrad amendment be limited to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2698, AS MODIFIED

Mr. CONRAD. Mr. President, I send a modification to the desk and ask unanimous consent to modify my amendment.

The PRESIDING OFFICER. The Senator has a right to modify in accordance with a previous order.

Without objection, it is so ordered, and the amendment is so modified.

The amendment (No. 2698), as modified, is as follows:

On page 82, line 15, strike ''$795,556,000'' and insert ''$717,778,000''.

At the appropriate place, insert the following:

SEC. . REPAYMENT OF ADVANCE DEFICIENCY PAYMENTS FOR 1995 DISASTER LOSSES.

(a) IN GENERAL.—Notwithstanding subparagraphs (G) and (H) of section 114(a)(2) of the Agricultural Act of 1949 (7 U.S.C. 1445j(a)(2)), if the producers on a farm received an advance deficiency payment for the 1995 crop of a commodity and suffered a loss in the production of the crop due to weather or related condition in excess of 35 percent, the producers shall not be required to repay the amount of the payment on lost production

that does not exceed the percent of production on which crop insurance coverage was not available, as determined by the Secretary of Agriculture.

(b) LIMITATIONS.—The payments not required to be repaid under subsection (a) shall not exceed—

(1) $2,500 for the producers on a farm; and

(2) $35,000,000 for all producers.

Mr. CONRAD. I thank the Chair.

Mr. President, this amendment is to deal with what I think is clearly an unintended consequence. In many parts of the country this year we have crop failure, most of it weather related.

Whether it is wheat in North Dakota or Kansas, whether it is cotton in Mississippi, or corn in Iowa and Illinois, we have a series of circumstances in which unusual crop losses have occurred. That has led to a perverse result.

Farmers across the country are being presented with a bill to repay their advance deficiency payments and in many cases they have no crop with which to pay it back. What has happened is producers were paid an advance deficiency payment, prices rose because of these crop shortages and shortfalls and, as a result, farmers are expected to repay their advance deficiency payments. But those who have suffered a catastrophic loss have no crop with which to make these repayments.

Mr. FORD. Mr. President, may we have order, please? The Senator deserves respect while we listen to this debate.

The PRESIDING OFFICER. The Senator will proceed.

Mr. CONRAD. Mr. President, this is no giveaway program. A farmer must have a loss of at least 35 percent. It is only on that part of farmers' production that is not eligible for crop insurance that would be allowed any forgiveness. There is a $2,500 cap per farmer. On a national basis, there is a $35 million limit. And it is all paid for. It is paid for by reducing the authorization for the Export Enhancement Program from $795 million to $717 million.

I just say to my colleagues, this year we had an $800 million authorization. We are going to spend less than $400 million of that. So I believe these funds are available for this purpose. It will allow farmers to get forgiveness on part of their advance deficiency payment in those circumstances where they have faced massive losses; in those circumstances where they have part of their crop that could not be covered by crop insurance. Where they could have gotten it covered by crop insurance, they are expected to have done so.

It is paid for. It is fair. It will relieve suffering as a result of the transition from previous disaster programs to no disaster program. I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, the Senator from North Dakota last night offered this amendment. We talked about it a good bit. I was determined to come to the floor and move to table it and ask for the yeas and nays.

But he modified the amendment. He sent a modification to the desk and, by so doing, this amendment applies nationwide to farmers who have had weather-related disasters. I am confident that there are some situations where there ought to be an opportunity for some disaster assistance.

You may remember, I was on the floor arguing strongly for a cotton disaster program and the Senate did not approve it. I think one reason why they did not is that it was crop specific. This amendment does apply to all crops. It takes money from the Export Enhancement Program to do this. The payments are going to be capped at a $2,500 per farmer limit. It may even go less, because only $35 million is available nationwide. Depending upon the needs out there and the justifications for these payments to reimburse for advance deficiency payments where a farmer has not made a crop because of disaster, it may exceed $35 million. If it does, there will be a proration of that available money so each disaster victim may get less than $2,500.

I am going to vote for the amendment but I hope this has explained it to the extent Senators will know what they are voting on and understand the amendment.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, I think it is a bad amendment. I like farmers, but it is a little early for Christmas. We just did welfare yesterday, welfare reform, where we are dealing with low-income Americans. My view is, it is a great idea to give farmers $2,500. I think in my State they will understand if I vote ''no.''

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. If I might just conclude, I would like to say this is completely paid for. It is paid for out of farm accounts to another farm account where there is, I think, a clear need across the country, where producers have suffered a catastrophic loss, and where there was not the availability of crop insurance to cover that loss. To the extent there is crop insurance available, no payment is available.

Again, it is paid for completely out of other agricultural accounts.

Mr. FAIRCLOTH addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina. Does the Senator yield time?

Mr. CONRAD. I think all time has expired.

The PRESIDING OFFICER. There are 30 seconds remaining.

Mr. CONRAD. I yield back my time.

The PRESIDING OFFICER. All time has expired.

The Senator from North Carolina.

Mr. FAIRCLOTH. I am opposed.

The PRESIDING OFFICER. The Senator will need consent to address this issue.

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent for 30 seconds to address the issue.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FAIRCLOTH. I am opposed to the amendment. The Senator says the money is there. It came from the taxpayers. We are simply putting $35 million more into another program that we should not be putting money into. The fact we might have put it into some agricultural bill and we are now shifting it to another one makes no difference. We are simply spending $35 million of the taxpayers' money.

The PRESIDING OFFICER. All time has expired. The question now occurs on amendment No. 2698, as modified.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Oregon [Mr. HATFIELD] is absent due to illness.

I further announce that, if present and voting, the Senator from Oregon [Mr. HATFIELD] would vote ''nay.''

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is absent because of attending a funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 34, nays 64, as follows:

[Rollcall Vote No. 448 Leg.]

YEAS—34

Akaka	Ford	Moynihan
Baucus	Grassley	Murray
Bingaman	Harkin	Pressler
Breaux	Heflin	Reid
Bryan	Hollings	Robb
Bumpers	Inouye	Rockefeller
Burns	Jeffords	Sarbanes
Cochran	Johnston	Simon
Conrad	Kassebaum	Stevens
Daschle	Leahy	Wellstone
Dorgan	Lott	
Exon	Moseley-Braun	

NAYS—64

Abraham	Feinstein	Mack
Ashcroft	Frist	McCain
Bennett	Glenn	McConnell
Biden	Gorton	Mikulski
Bond	Graham	Murkowski
Boxer	Gramm	Nickles
Bradley	Grams	Nunn
Brown	Gregg	Packwood
Byrd	Hatch	Pell
Campbell	Helms	Roth
Chafee	Hutchison	Santorum
Coats	Inhofe	Shelby
Cohen	Kempthorne	Simpson
Coverdell	Kennedy	Smith
Craig	Kerrey	Snowe
D'Amato	Kerry	Specter
DeWine	Kohl	Thomas
Dodd	Kyl	Thompson
Dole	Lautenberg	Thurmond
Domenici	Levin	Warner
Faircloth	Lieberman	
Feingold	Lugar	

NOT VOTING—2

Hatfield	Pryor

So, the amendment (No. 2698), as modified, was rejected.

The PRESIDING OFFICER. Under the previous order, the question now occurs on amendment No. 2699 offered by the Senator from Arkansas [Mr. BUMPERS]. There will be 4 minutes for debate equally divided prior to the vote.

AMENDMENT NO. 2699, AS MODIFIED

Mr. BUMPERS. Mr. President, I ask unanimous consent for permission to send a modification to the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, the amendment is so modified.

The amendment (No. 2699), as modified, is as follows:

On page 65, line 18, before the period at the end, insert the following: ''*: Provided further,* That funds made available under this Act to carry out non-generic activities of the market promotion program established under section 203 (e)(4) of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) may be used to provide cost-share assistance only to organizations that are non-Foreign entities recognized as small business concerns under section 3(a) of the Small Business Act (15 U.S.C. 632(a)) or to associations described in the first section of the Act entitled 'An Act to authorize association of producers of agricultural products', approved February 22, 1922 (7 U.S.C. 291). *Provided further,* That none of the funds made available under this Act may be used to pay the salaries of personnel who who carry out the market promotion program established under section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) if the aggregate amount of funds and/or commodities under the program exceeds $70,000,000''.

Mr. BUMPERS. Mr. President, I ask unanimous consent that Senator LEAHY be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS. Mr. President, I would like to have the attention of my colleagues because this will take just about 1 minute to explain to you what I have done on the Market Promotion Program.

I do not believe that it is defensible for the U.S. Congress to be giving money out to the biggest corporations in the world. I have no quarrel with the thrust of the Market Promotion Program.

So here is what I have done to that program. Four things: First, eliminate foreign corporations from eligibility; second, leave all the agricultural cooperatives as they are regardless of size eligible for the program; third, we cut the amount from $110 million to $70 million; and the coup de grace is make it a small-business program. Small businesses are the ones who have the most difficulty in exporting. It is not Gallo Wine. It is not Pillsbury. It is the small-business community.

So I make it small business, other than agriculture cooperatives. I make it a small-business program as defined by the Small Business Administration. While that varies, it is essentially a company that does $50 million a year or has 500 or fewer employees.

Here is a chance to make the program defensible. You can go home and talk to anybody you want to. Your farmers will love it because they stay eligible. Your small-business people love it because they will be eligible to export. Everybody else will love it because you are eliminating foreign corporations. And, finally, everybody will love it because we are cutting from $110 million to $70 million in the full knowledge that we are very likely to have to do some compromise with the House.

I thank the President.

I also ask unanimous consent that Senator KOHL be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, I yield myself such time as I may consume.

Let me just make this point. I have brought to the floor a chart showing the dollar value of agricultural exports by State. We are trying to aggressively go after market share with our agriculture commodities. We are trying to promote and expand the business that we are able to do in overseas markets, and we are making good progress. One of the reasons why we are is because of this program.

Senator BUMPERS and Senator BRYAN have tried to kill this program. They tried it back on April 6 when we had the supplemental appropriations and rescissions bill on the floor. The Senate rejected their amendment. Yesterday, it rejected an effort. Here is another amendment. This is an effort to rewrite the whole program that is under the purview of the Agriculture Committee. We should not be asked to do that on the floor of the Senate. The Senators are not that familiar with the details of the program, the eligibility, the restrictions, and the safeguards that are written in there already. In addition, this amendment reduces the mandatory spending level for this program. That is a decision for the Agriculture Committee to make. They are under a reconciliation instruction. I understand the Agriculture Committee is considering this change.

I yield the remainder of my time to the distinguished Senator from Washington [Mr. GORTON].

Mr. GORTON. Mr. President, this amendment does not do what and exempt what the Senator from Arkansas says it does. He exempts co-ops from his prohibition, but he does not exempt the associations, which is the way most of your farmers will operate. There is not any apple grower in the State of Washington, I do not believe, who is not small enough to be a small business, but when he operates through an association, as he does and as they always do, he will not be exempted from the cuts that the Senator is imposing on him, nor will our asparagus growers, nor will any of your farmers who operate in that fashion.

Mr. BUMPERS. Mr. President, I ask unanimous consent for an additional 30 seconds.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BUMPERS. The modification I just sent to the desk took care of the very thing that the Senator from Washington was complaining about.

Mr. COCHRAN. Mr. President, I ask unanimous consent that this rollcall vote be limited to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi to lay on the table the amendment of the Senator from Arkansas. On this question, the yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Oregon [Mr. HATFIELD] is absent due to illness.

I further announce that, if present and voting, the Senator from Oregon [Mr. HATFIELD] would vote ''yea.''

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is absent because of attending a funeral.

The PRESIDING OFFICER (Mr. CAMPBELL). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 36, nays 62, as follows:

[Rollcall Vote No. 449 Leg.]

YEAS—36

Ashcroft	Frist	Moseley-Braun
Baucus	Gorton	Murkowski
Bennett	Gramm	Murray
Bond	Grassley	Packwood
Boxer	Hatch	Pressler
Campbell	Heflin	Shelby
Cochran	Helms	Simon
Craig	Hutchison	Simpson
Daschle	Kempthorne	Snowe
Domenici	Kerrey	Specter
Feinstein	Lott	Stevens
Ford	McConnell	Thurmond

NAYS—62

Abraham	Exon	Lieberman
Akaka	Faircloth	Lugar
Biden	Feingold	Mack
Bingaman	Glenn	McCain
Bradley	Graham	Mikulski
Breaux	Grams	Moynihan
Brown	Gregg	Nickles
Bryan	Harkin	Nunn
Bumpers	Hollings	Pell
Burns	Inhofe	Reid
Byrd	Inouye	Robb
Chafee	Jeffords	Rockefeller
Coats	Johnston	Roth
Cohen	Kassebaum	Santorum
Conrad	Kennedy	Sarbanes
Coverdell	Kerry	Smith
D'Amato	Kohl	Thomas
DeWine	Kyl	Thompson
Dodd	Lautenberg	Warner
Dole	Leahy	Wellstone
Dorgan	Levin	

NOT VOTING—2

Hatfield	Pryor

So the motion was rejected.

Mr. BUMPERS. Mr. President, I urge the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2699) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RURAL TOURISM IN ALASKA

Mr. STEVENS. Mr. President, I would like to engage my distinguished colleague, the senior Senator from Mississippi, in a colloquy concerning rural tourism in Alaska.

There are precious few opportunities for economic development throughout Alaska's 210 rural villages and communities, reflected by the fact that unemployment rates remain as high as 80 percent. Coupled with the geographical separation of these remote villages from other population centers, many Alaskans are denied access to the basic goods and services that stimulate local economic development.

The single bright spot on the horizon relates to growing interest in a rural Alaska tourism industry. In response, Alaska Village Initiative has, for several years, sought to offset the decline of traditional economic sectors with effective support to the rural tourism industry. I am told that approximately $300,000 would be required to establish and operate a Rural Tourism Development Center, RTDC, the next critical step to assisting these Native Alaskan villages along the road to self-sufficiency.

The RTDC will provide a range of technical assistance services to rural communities and individuals interested in developing tourism projects in Alaska. It will be a ''one-stop shop'' to assist entrepreneurs in developing their ideas from start to finish. It will also coordinate a wide variety of existing Government programs engaged in some aspect of rural tourism development.

The Department of Agriculture funds rural enterprise grants to address just this sort of need nationwide. Since such a grant would appear to be highly justified, I ask the chairman of the subcommittee whether the necessary funds could be provided to establish and operate a Rural Tourism Development Center in Alaska?

Mr. COCHRAN. As the Senator from Alaska noted, the subcommittee did address rural development grants, but was unaware of the problem in Alaska. I appreciate the Senator bringing this problem to my attention. I urge the Department to give equal consideration to an application to address this problem as those included in the committee report.

Mr. STEVENS. I thank the chairman.

Mr. HEFLIN. Mr. President, the aquaculture industry is of vital importance to the economy of west Alabama. In some west Alabama counties, for example, over 20 percent of the total population is employed directly in the production or processing of fish. The Southeastern Fish Cultural Laboratory in Marion, AL has played a major role in this process. It's my understanding that there are similar facilities in Arkansas and Mississippi.

Mr. BUMPERS. It is true that aquaculture is of great importance to the States of Arkansas, Mississippi, and Alabama. In Arkansas, the aquaculture industry is growing by leaps and bounds and the Stuttgart Aquaculture Center has been vital to that growth.

Mr. COCHRAN. The same can be said about the National Warm Water Aquaculture Research Center in Stoneville, MS. The expansion of the aquaculture industry in Mississippi, and the Nation has been responsible for sustaining rural economies that were recently in dire situations.

Mr. HEFLIN. We now have an annual trade deficit in fisheries products ranging from $4.5 to $7 billion. This trade imbalance is the largest of all agricultural commodities and ranks second only to petroleum among natural products. Our domestic aquaculture industry has the potential of turning this trade deficit into a trade surplus with only modest support and encouragement.

Mr. BUMPERS. While it is true that overall, agriculture has a positive balance of trade, the aquaculture sector does not. At the present time, the United States does not have the production capabilities to meet domestic demand for fish and fish products and therefore we are placed in the position that we are forced to import to meet the domestic demand. The aquaculture industry has the opportunity to turn this situation around and we should facilitate this process.

Mr. COCHRAN. Not only do we have the opportunity to turn our trade situation around relative to aquaculture, there is also a real human factor to be considered as well. Nearly 300,000 Americans are employed in aquaculture related work. The catfish industry alone accounts for 121,000 domestic jobs and nearly $2.5 billion in income. If we are able to facilitate the growth of this industry, the economic impact potential is overwhelming.

Mr. HEFLIN. As my colleagues from Mississippi and Arkansas are well aware, the U.S. aquaculture industry has grown more than 15 percent annually since 1980. As a result, aquaculture has emerged as a solid alternative agricultural opportunity and has allowed farmers to diversify. The research and extension infrastructure has been a major resource for aquaculture. Without this research it is doubtful that the aquaculture industry would have gotten off the ground.

Mr. COCHRAN. I could not agree more with my distinguished colleague and Alabama. The research that has supported the growth of this industry has been essential.

Mr. BUMPERS. Aquaculture is primed to take the next step forward and establish itself as an integral and vital form of agriculture. What aquaculture needs now is to be consolidated and coordinated under one department—the U.S. Department of Agriculture. Currently jurisdiction for aquaculture is spread out among the USDA, the Department of Interior, and the Department of Commerce. The Agriculture Research Service could truly assert itself in this regard if the U.S. Department of Agriculture is allowed to assume a leadership role in aquaculture.

Mr. HEFLIN. In an effort to facilitate the continued growth of the aquaculture industry and provide the necessary resource tools, it is highly desirable that all relevant departments and agencies of the U.S. Department of Agriculture, including Agricultural Research Service, take steps necessary to support research in the field of aquaculture and particularly to exercise its authority to assist and help the industry and related fields of aquaculture including the cooperation with and/or the assumption of fish culture laboratories including the Southeastern Fish Culture Lab at Marion, AL.

Mr. COCHRAN. I agree that the suggestion by Senator HEFLIN is desirable and should be carried out as long as it does not result in duplication of ongoing research activities at other research facilities.

Mr. BUMPERS. I concur in what Senator COCHRAN has just said.

CERTIFIED MEDIATION PROGRAMS

Mr. CONRAD. Mr. President, I note the chairman and ranking member of the subcommittee are on the floor. H.R. 1976 provides funding of $3,000,000 for grants to certified State mediation programs. Mediation is a proven effective tool in resolving disputes between the Department of Agriculture and America's farmers and ranchers. And as you know, mediation has been used for quite some time with regard to loans.

However, current law [7 U.S.C. sections 5101 through 5106] also directs certified State mediation programs to offer mediation in other areas of dispute with the Department of Agriculture. These areas include wetlands determinations, compliance with farm programs, including conservation programs, agricultural credit, rural water loan programs, grazing on National Forest System lands, pesticides, and other issues as the Secretary of Agriculture considers appropriate.

Mr. BUMPERS. The Senator is correct. The statute provides that certified State mediation programs are to be used for a wide variety of disputes with the Department of Agriculture. And as the law provides, in States with certified mediation programs, the Secretary of Agriculture is required to participate in ''good faith'' with certified State mediation programs.

Mr. CONRAD. While the legislation is clear, there is a question regarding the Senate Committee's report language of H.R. 1976. The report language states: ''Grants will be solely for operation and administration of the State's agricultural loan mediation program.'' Is it the committee's intent that federal funding not be used for other issues covered by the certified State mediation program?

Mr. BUMPERS. No. It was not the committee's intent to limit the activities of the certified State mediation programs as currently allowed by statute.

Mr. CONRAD. Therefore, it is my understanding that the report language should not be read to limit or exclude activities of the certified State mediation programs that are currently described in the statute. The grants shall be used by certified State mediation programs in a manner which is consistent with 7 U.S.C. sections 5101 through 5106.

Mr. COCHRAN. The Senator is correct. The report language should not be read to limit the activities of the certified State mediation programs which receive grants from the Federal Government.

Mr. CONRAD. I thank the Senators for clarifying the report language with regard to certified State mediation programs.

TOURISM AMENDMENT

Mr. FEINGOLD. Mr. President, last night an amendment I had proposed to H.R. 1976 was adopted unanimously by the Senate. I thank the managers of this bill, the Senator from Mississippi [Mr. COCHRAN] and the Senator from Arkansas [Mr. BUMPERS] for their assistance and cooperation in this matter. I also wish to thank the chairman and ranking member of the Agriculture Committee for their help and guidance on this very important rural development issue intended to clarify that tourist and other recreational-type businesses located in rural communities are eligible for loans under the Rural Business and Cooperative Development Service's [RBCDS] Business and Industry [B&I] Loan Guarantee Program, funded in this bill in the Rural Community Advancement Program.

This is an issue that I first became aware of, and especially interested in, after a constituent approached me late last summer at the Rusk County listening session I held at Mount Senario College in Ladysmith, WI. The constituent owns a tourist lodge in northern Wisconsin and expressed his deep frustration at a problem Wisconsin tourist resort owners were having in attempting to obtain financing for rural development. Specifically, this constituent was interested in obtaining funding from the B&I Program to build an 18-hole golf course next to his lodge, but was told that recreational facilities were prohibited from receiving funding under the program. Concerned by this information, I decided to contact the Agency about the program. What I since learned is a clear illustration of why so many Americans are frustrated with the Federal Government.

The B&I Program was established by the Rural Development Act of 1972 with the aim of improving America's rural economy by creating, developing, or financing business, industry and employment in rural America. When the B&I Program was first established, no restrictions were placed on guaranteeing loans to tourist or other recreational-type businesses located in rural communities. However, on July 6, 1983, the Rural Development Administration revised its internal lending policy relative to the B&I Program and placed restrictions on the program's regulations by prohibiting such funding to tourist or recreation facilities. As a result, currently these loan guarantees are not made available to tourist or other recreational-type businesses.

This policy does not make too much sense to me especially since tourism can definitely play a major role in the development of rural areas. In fact, nationally tourism is a $400 billion industry, and is a $5.6 billion industry in Wisconsin alone. After initially contacting the RBCDS in September of last year, I was advised that the Agency was currently undergoing a review of its loan guarantee policy. I urged the Agency to consider changing its internal lending policy to allow guaranteed business and industry assistance to be made to recreational-type businesses located in rural areas. I want to make it clear that this policy is not the result of any restriction in the authorizing statutes, but rather an agency decision to restrict such funds.

In fact, a General Accounting Office [GAO] report released in July 1992 on the patterns of use in the B&I Program came to the same conclusion. It suggests that the B&I Program is underutilized, which is due in part to the Agency's current restrictions on using B&I funds for activities related to tourism. Furthermore, the GAO recommends revising the B&I program regulations to allow the selective use of loan guarantees for these activities.

All indications are that the Agency seems to be leaning in favor of adopting these changes. I ask unanimous consent that two letters I have received from the RBCDS indicating they ''intend'' to remove these restrictions, one dated October 14, 1994 and the other dated July 14, 1995, be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
RURAL DEVELOPMENT ADMINISTRATION,
Washington, DC, October 14, 1994.

Hon. RUSSELL D. FEINGOLD,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR FEINGOLD: Thank you for your letter concerning the availability of Rural Development Administration (RDA) loan guarantees for tourist resorts located in rural communities. RDA programs are administered at the local level by the Farmers Home Administration.

On July 6, 1983, the RDA Business and Industry (B&I) loan guarantee program regulations were revised and restrictions were placed on guaranteeing loans for tourist, recreation, and amusement facilities. A recent study by the General Accounting Office recommended that the agency revisit this issue. As a result, RDA is considering developing regulations that would allow loan guarantees in connection with certain types of tourist and recreation enterprises.

The purpose of the B&I program is to create jobs which will improve the economic climate in rural communities and provide lasting community benefits. You may be assured that your comments in support of this purpose will be taken into consideration.

We appreciate your support for this program and hope that you find this information helpful.

Sincerely,

WILBUR T. PEER,
Acting Administrator.

U.S. DEPARTMENT OF AGRICULTURE,
RURAL DEVELOPMENT ADMINISTRATION,
Washington, DC, June 14, 1995.

Hon. RUSSELL D. FEINGOLD,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR FEINGOLD: Thank you for your letter regarding the proposed changes to the Business and Industry (B&I) loan guarantee program. As you know, under the Department of Agriculture reorganization, this program is administered by the Rural Business and Cooperative Development Service (RBCDS). We appreciate learning of your concern and regret the delay in responding to your inquiry.

We appreciate your interest in our programs and are pleased to have the opportunity to respond to your concerns. As you note, tourist, recreation, and amusement facilities are currently ineligible loan purposes under the B&I program. However, a study by the General Accounting Office recommended that the Agency revisit the issue of making loans for these purposes and, as a result, RBCDS is developing regulations that would allow loan guarantees in connection with certain types of tourist and recreation enterprises.

The proposed draft regulation would remove restrictions placed on guaranteeing loans to hotels, motels, tourist resorts, beds-and-breakfasts, convention centers and other business involved in recreational services that meet certain standards. However, the regulation will continue to prohibit loan guarantees for golf courses, race tracks and other gambling facilities.

Currently, the regulations changes are being reviewed by our Office of the General Counsel. Unfortunately, we cannot predict with any certainty when the final regulations will be published in the Federal Register.

Again, we appreciate your continued interest in our programs and hope that this information is helpful to you. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

DAYTON J. WATKINS,
Acting Administrator, Rural Business and Cooperative Development Service.

Mr. FEINGOLD. Mr. President, it has been over 3 years since the GAO made its recommendations and over a year since I first contacted the RBCDS about this matter. However, rural America and, in particular, rural Wisconsin communities simply do not have the luxury to wait until Federal agencies finally decide to act.

Mr. President, rural America is indeed at a crossroads in terms of converting from traditional resource-based economies which are becoming less economically viable, to other types of activities which also make a substantial contribution to better living in these areas. Tourism can certainly play a major role in improving the qualify of life in many rural communities and, in fact, rural tourism

should be recognized for what it truly is—a legitimate means to enhance economic development in, and the copmetitiveness of, rural America.

Tourism can, and does, create jobs which help to improve the economic climate in rural communities and provide lasting community benefits. However, without economic assistance to help stimulate growth in rural development, any such successful transition to tourism may prove difficult. That is why the Government must act, and act in a timely fashion, to assist the economies of rural America.

Mr. President, this matter is of importance to rural America. This amendment is not controversial, and will have no budgetary impact. It simply clarifies that tourist and other recreational-type businesses located in rural communities are eligible for loans under the B&I program. I urge my colleagues to support this amendment, and move for its immediate consideration. I thank the Chair, and I yield the floor.

Mr. DOMENICI. Mr. President, I rise to address the Department of Agriculture and Related Agencies appropriations bill for fiscal year 1996.

The Senate-reported bill provides $63.1 billion in new budget authority [BA] and $45.6 billion in new outlays to fund most of the programs of the Department of Agriculture and other related agencies.

All of the funding in this bill is nondefense spending. This subcommittee received no allocation under the crime reduction trust fund.

When outlays for prior-year appropriations and other adjustments are taken into account, the Senate-reported bill totals $63.2 billion in BA and $52.8 billion in outlays for fiscal year 1996.

The Senate Agriculture Appropriations Subcommittee 602(b) allocation totals $63.2 billion in budget authority [BA] and $52.8 billion in outlays. Within this amount, $13.3 billion in BA and $13.6 billion in outlays is for discretionary spending.

Mr. President, there are two issues that I would like to highlight. One deals with a scoring issue and reconciliation, and the other relates to disaster assistance.

SCORING ISSUE

Mr. President, this bill includes mandatory savings to offset discretionary spending. I would caution the committee against including such savings in this bill.

As you know, this is an historic year in which we have set forth a plan to balance the budget in 7 years. The budget resolution contained reconciliation instructions that would cut mandatory spending by more than $600 billion over the next 7 years.

The authorizing committees already have a very difficult job to meet this target. These committees need the maximum flexibility to achieve these very significant deficit reduction savings.

When mandatory savings are included in appropriations bills, it is generally to offset discretionary spending, rather than to achieve savings for deficit reduction.

There are six provisions in this bill which result in mandatory savings totaling $521 million in BA and $381 million in outlays—some of which will be used in reconciliation.

One example is the freeze on the food stamp standard deduction at the 1995 level, which is also in the welfare reform bill now before the Senate. This provision saves $190 million in both BA and outlays in fiscal year 1996.

Because welfare reform is likely to be included in reconciliation, this provision will count toward the reconciliation instruction of the Senate Agriculture Committee.

We made a commitment this year to deficit reduction. We cannot accomplish this goal by double-counting savings in both appropriations and reconciliation bills.

The House struck most of the provisions from its bill at the insistence of the leadership and on behalf of the authorizing committee because the House fully intends most of these savings to be included in the reconciliation bill.

Mr. President, I ask unanimous consent that a letter from the chairman of the House Agriculture Committee outlining the need for the authorizing committees and appropriations committees to respect the jurisdictional parameters on mandatory and discretionary spending be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, September 18, 1995.

Hon. PETE V. DOMENICI,
Chairman, Senate Committee on the Budget, Washington, DC.

DEAR MR. CHAIRMAN: During consideration of its 1996 Agriculture Appropriations bill, House Appropriators and Authorizers went through a very difficult and exhausting round of talks on the issue of mandatory and discretionary spending authority. Accordingly, in an agreement worked out by the House Leadership, the agriculture authorizing committee was directed to stay within the bounds of mandatory spending accounts and the agriculture appropriations subcommittee within the parameters of discretionary spending accounts.

It is my understanding that you are faced with a similar situation in several of the FY 96 appropriation bills coming before the Senate. I would have to agree with you that in addition to the leadership generated accord on this issue in this body, it has indeed been a gentleman's agreement that the appropriators do not steal from the authorizers and the authorizers do not steal from the appropriators. At a time when funds are diminishing rapidly in both the discretionary and mandatory side of the agriculture equation, each committee is being required to reform and drastically reduce its funding. Thus, intrusions by the various committees into accounts not under their purview are particularly harmful to the budgetary and policy reform process.

With this in mind, I was disappointed to learn that not only has the Senate Appropriations Committee chosen to disregard the will of the House on the issue of mandatory and discretionary spending, they have done so to the tune of over $800 million. This not only disregards sound fiscal and budgetary policy, but it also threatens real reform of agriculture programs and the efforts of this committee to reform mandatory entitlement spending.

I appreciate your tireless efforts to reduce the budget deficit and bring sanity to the federal budget. I want to pledge to you the full support of my committee and our colleagues in the House who represent rural districts and enlist your support in opposing any agriculture appropriations bill that contains spending cuts by the appropriations committees to mandatory programs.

With best regards.

Sincerely,

PAT ROBERTS,
Chairman.

Enclosure.

AGRICULTURE SUBCOMMITTEE

[Spending totals—House-passed bill (fiscal year 1996, in millions of dollars)]

	Budget authority	Outlays
Nondefense discretionary:		
Outlays from prior-year BA and other actions completed	.....	3,751
H.R. 1976, as passed by the House	13,310	9,841
Scorekeeping adjustment	.....	.....
Subtotal nondefense discretionary	13,310	13,592
Mandatory:		
Outlays from prior-year BA and other actions completed	501	3,337
H.R. 1976, as passed by the House	48,721	35,750
Adjustment to conform mandatory programs with Budget. Resolution assumptions	620	90
Subtotal mandatory	49,842	39,177
Adjusted bill total	63,152	52,769
Senate Subcommittee 602(b) allocation:		
Defense discretionary	.....	.....
Nondefense discretionary	13,310	13,608
Violent crime reduction trust fund	.....	.....
Mandatory	49,842	39,177
Total allocation	63,152	52,785
Adjusted bill total compared to Senate Subcommittee 602(b) allocation:		
Defense discretionary	.....	.....
Nondefense discretionary	0	−16
Violent crime reduction trust fund	.....	.....
Mandatory	.....	.....
Total allocation	0	−16

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.

Mr. DOMENICI. Mr. President, I am concerned that the authorizing committees will not have full flexibility if appropriation bills continue to use mandatory savings to offset discretionary spending.

I would hope that the authorizing and Appropriations Committee would resolve this issue in conference.

CROP INSURANCE

The Senate-reported bill includes $41 million in an hoc disaster assistance for the 1995 crop of cotton that was adversely affected by insect damage.

I would like to remind everyone that a $5 billion baseline adjustment was made last year to accommodate crop insurance reform, which was enacted into law.

The crop insurance reform was supposed to replace the system of providing assistance through ad hoc disaster legislation.

On August 25, 1994, I stated on the Senate floor that the crop insurance

reform will only work if Congress restrains itself from providing future ad hoc disaster assistance.

I also said this will be difficult based on past experiences. What I have said has come true, and I believe that this is the beginning of the end of the newly reformed crop insurance program if we continue along the path that the Senate-reported bill has taken.

The administration strongly objects to this provision in the bill stating that it is in direct conflict with one of the major tenets of last year's crop insurance reform, namely, that farmers would be discouraged from risk-management through crop insurance as long as Federal crop disaster payments were continually provided on an ad hoc basis.

Mr. BINGAMAN. Mr. President, I rise today to indicate that I intend to vote for H.R.1976, the Agriculture Appropriations Act of 1995.

I believe that H.R.1976 is a reasonable piece of legislation that establishes adequate funding levels for one of the most important segments of our Nation s economy, the American farm and farmer.

While I intend to vote for this legislation, I remain very concerned by the actions of the Senate last night in approving the amendment offered by our colleague from Alaska, Senator STEVENS, to direct the Secretary of Agriculture to take away from the Under Secretary for Natural Resources and Environment any responsibility in the areas he now administers relating to forest management.

As many of my colleagues who opposed this amendment have noted, we here in the Senate often disagree vehemently on matters of policy. I have disagreed with my Republican colleagues in the Senate, and I have disagreed with my Democratic colleagues in the Senate. I have disagreed with both Democratic and Republican administrations. However, Mr. President, I am concerned that, in adopting the amendment by the Senator from Alaska, we have crossed the boundary of reasonable policy differences. I am afraid that we have strayed into an area where when we disagree with someone in the Administration, we can simply come to the floor and in essence fire that person. Mr. President, that is a dangerous and, I think, wrong precedent to be setting. Congress should let the executive branch direct the internal, personnel affairs of the executive branch. That is the system that the Constitution establishes and we should not try to undermine that by legislative fiat.

Again, Mr. President, I will vote for the agriculture appropriations bill, however, it is my sincere hope that the conference committee will remove the language added by the Senator from Alaska s amendment. If not, I will have serious concerns about being able to support the conference report.

LAND GRANT FUNDING FOR TRIBAL COLLEGES

Mr. DORGAN. Mr. President, I am pleased to offer my strong support for the amendment offered by my colleague from New Mexico. This amendment would provide $8.15 million in funding for extension, education and capacity-building programs for the 29 tribal colleges in this country.

The programs authorized under the Equity in Education Land-Grant Act of 1994 for fiscal year 1996 include a $4.6 million endowment payment for tribal colleges, which currently serve nearly 25,000 students. However, the law also authorized $1.45 million for curriculum strengthening grants, the $1.7 million for competitive capacity building grants, and the $5 million for extension programs—and these critical areas remain unfunded.

Land grant status has created new opportunities for tribal colleges and for the people served by them. To date, billions of dollars in land-grant programs for rural America have produced tremendous educational and economic benefits, but Indian lands have received very little. This makes no sense. Large amounts of Indian agricultural land is idle or underdeveloped, largely due to a lack of adequate agricultural training on reservations. And since 75 percent of 54.5 million acres of Indian land in this country is agricultural, a critical component of long-term economic self-sufficiency of tribes is helping people on reservations receive the training they need to use this land to its potential.

Tribal colleges, such as Turtle Mountain Community College in Belcourt, ND, can provide this training. Even though they are located in areas where unemployment ranges from 45 to 86 percent, tribal college graduates are employed at rates of 74 to 85 percent—which means these graduates have contributed millions of dollars in Federal taxes and provided leadership in their communities.

The need for agriculture training is extremely high on reservations, but it has not been met to date. And if tribes are to develop their natural resources and become more economically self-sufficient, we must meet that need. That is why I am pleased to support the Bingaman amendment, and I hope my colleagues will do the same.

The PRESIDING OFFICER. Under the previous order, the question is on the engrossment of the amendments and third reading of the bill.

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

The bill was read the third time.

Mr. COCHRAN. Mr. President, I am going to ask unanimous consent—we are probably not going to take any time for debate before the vote on final passage. I ask unanimous consent there be 10 minutes available for concluding remarks before the vote on final passage. I do not expect that to be used, but I put that request.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, I yield back the remainder of the time on this side.

I ask for the yeas and nays, and I ask unanimous consent that this vote be limited to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is the remaining time yielded back?

Mr. BUMPERS. I yield back such time as I may have remaining.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill, as amended, pass? The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Oregon [Mr. HATFIELD] is absent due to illness.

I further announce that, if present and voting, the Senator from Oregon [Mr. HATFIELD] would vote ''yea.''

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is absent because of attending a funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 3, as follows:

[Rollcall Vote No. 450 Leg.]

YEAS—95

Abraham	Faircloth	Lott
Akaka	Feingold	Lugar
Ashcroft	Feinstein	Mack
Baucus	Ford	McConnell
Bennett	Frist	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Gorton	Moynihan
Bond	Graham	Murkowski
Boxer	Gramm	Murray
Bradley	Grams	Nickles
Breaux	Grassley	Nunn
Brown	Gregg	Packwood
Bryan	Harkin	Pell
Bumpers	Hatch	Pressler
Burns	Heflin	Reid
Byrd	Helms	Robb
Campbell	Hollings	Rockefeller
Chafee	Hutchison	Santorum
Coats	Inhofe	Sarbanes
Cochran	Inouye	Shelby
Cohen	Jeffords	Simon
Conrad	Johnston	Simpson
Coverdell	Kassebaum	Smith
Craig	Kempthorne	Snowe
D'Amato	Kennedy	Specter
Daschle	Kerrey	Stevens
DeWine	Kerry	Thomas
Dodd	Kohl	Thompson
Dole	Lautenberg	Thurmond
Domenici	Leahy	Warner
Dorgan	Levin	Wellstone
Exon	Lieberman	

NAYS—3

Kyl	McCain	Roth

NOT VOTING—2

Hatfield	Pryor

So the bill (H.R. 1976), as amended, was passed.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mr. KERRY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, I move that the Senate insist on its amendments to H.R. 1976 and request a conference with the House of Representatives on the disagreeing votes of the

two Houses thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The motion was agreed to; and the Presiding Officer (Mr. CAMPBELL) appointed Mr. COCHRAN, Mr. SPECTER, Mr. BOND, Mr. GORTON, Mr. MCCONNELL, Mr. BURNS, Mr. HATFIELD, Mr. BUMPERS, Mr. HARKIN, Mr. KERREY, Mr. JOHNSTON, Mr. KOHL, and Mr. BYRD conferees on the part of the Senate.

Mr. COCHRAN. Mr. President, I want to compliment the good effort of all of the members of our committee and our staffs for the work they have done in preparing this bill, in getting it to the floor and handling the bill and answering questions, and my colleagues' dealing with amendments and all of the things that go into managing a bill on the floor of the Senate.

We appreciate the cooperation of all Senators in getting the bill passed in a timely fashion.

I especially want to single out for praise the staff members of this subcommittee: Rebecca Davies, Hunt Shipman, Jimmie Reynolds, Galen Fountain, and Carole Geagley. We thank them very much for their hard work and their expert assistance.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1996

The Senate continued with consideration of the bill.

AMENDMENT NO. 2708

The PRESIDING OFFICER. The Chair would note the pending question now is the Brown second-degree amendment to the committee on page 16 of H.R. 1868.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that I may proceed for about 7 or 8 minutes in morning business.

Mr. BROWN. Reserving the right to object, Mr. President, I will not object, but the distinguished Senators were concerned about the Pakistan amendment I have offered. I will make available an intelligence briefing to Senators in the near period.

I will not object to this, but I do want the Senate to know that I believe Senator LEVIN from Michigan and others will arrange for an intelligence briefing related to this, and those interested should contact Senator LEVIN for that briefing. I think that may speed it up.

I do not object.

Mr. MCCONNELL. Mr. President, will the Senator yield? I inquire of the Senator from Colorado whether he objects to our temporarily laying aside his amendment and taking up other amendments?

Mr. BROWN. The concerns expressed by Senator LEVIN and Senator GLENN do request some additional time for this briefing. I think it would be only due courtesy to them to allow some additional time, so I will not object to moving ahead with the D'Amato amendment.

Mr. GLENN. Reserving the right to object, and I will not object, it is a little premature to say we have this set up or to imply we do because we do not have it set up. We do not know whether we can get the proper official to do the briefing. We will arrange that as fast as we can and let everybody know about that.

The PRESIDING OFFICER. Is there an objection to the request of the Senator from New Jersey for 7 minutes under morning business?

Hearing no objection, the Senator is recognized.

FDA SHOULD REGULATE TOBACCO

Mr. LAUTENBERG. Mr. President, I wanted to take a little time to comment on some legislation that was introduced this morning by my colleague, friend, and distinguished Senator from Kentucky earlier this day, having to do with tobacco.

Mr. President, let me begin by commending the Senator from Kentucky for his acknowledgment that smoking is a serious public health problem among our young people.

Senator FORD's legislation seeks to curb advertising directed at young people and to limit children's access to tobacco. These are important goals. However, I strongly oppose the provision in the Senator's legislation that would seek to strip the FDA from asserting its authority to regulate tobacco products.

Mr. President, nicotine is an addictive drug. This has not only been proven by a number of scientific studies, but was also revealed in confidential industry documents in the past year.

Consider the following statement contained in an industry document by an official with the Brown and Williamson tobacco company. It said, ''Moreover, nicotine is addictive. We are then,'' he goes on to say ''in the business of selling nicotine, an addictive drug.'' Mr. President, this is directly from the tobacco industry.

Now, last month President Clinton took a bold step to fight teenage smoking. He stood up to the industry, the tobacco industry, and he did the right thing. He deserves a lot of credit. President Clinton took the side of parents, American parents. They do not want their children smoking. Neither do I and neither do most here.

The President is targeting smoking by teenagers, and I agree with this approach. It goes right to the source of the problem, especially if you consider the following: 3,000 children start smoking every day. More than 80 percent of all smokers had their first cigarette before the age of 18. If a child does not smoke before age 18, it is very unlikely that they will become a smoker in their adult life.

More than half of all adult smokers had already become addicted regular smokers before they were 18 years of age.

It is clear that smoking is a pediatric disease that ultimately contributes to over 400,000 deaths a year, enormous financial costs, terrific family dislocation and puts a burden on us that continues to add problems to our deficit.

Unfortunately, it is getting worse. Between 1991 and 1994, the percentage of eighth graders who smoked increased by 30 percent. The percentage of 10th graders who smoke increased by 22 percent.

Mr. President, we need the FDA to help us fight this major public health problem. Nicotine is an addictive drug, and the FDA is supposed to regulate addictive drugs. There is no reason to make a special exception for the tobacco industry.

Mr. President, it would be a terrible mistake to tie the agency's hands in this critical area. We need a strong watchdog to ensure compliance with the President's initiatives. We also have to be prepared to take additional steps to reduce teenage smoking. The FDA has a critical role to play.

Mr. President, ensuring compliance with President Clinton's new initiative is not going to be easy. In fact, I now have seen firsthand how easy it is for children to purchase tobacco products. In New Jersey, we have fairly strict rules on the ability to purchase tobacco by those underage. I went on a New Jersey Health Department compliance check in a couple of towns in New Jersey with two 17-year-olds. We went to 10 places to purchase cigarettes. These minors were able to purchase cigarettes at all 10 locations without a question, whether it was a machine which was supposed to be controlled by the management of the store of the location or whether it was directly over the counter.

This is outrageous, Mr. President. The products they were able to buy—and this is not to single out a particular brand because that is irrelevant—but the products are the ones that we commonly see, the better advertised, the more popular. They just happen to be there; some of them had room on the counter. You did not even have to look at the clerk to buy them—just get up and pay for them, no questions asked.

Mr. President, I think it is obvious keeping tobacco away from young people is going to be very difficult. We need the FDA to help lead that battle.

Now, unfortunately, the legislation of our distinguished colleague from Kentucky will strip them of the power needed to respond to this public health crisis. I intend to strongly oppose the proposal and to fight as hard as I can to protect the health and well-being and the futures of our young people.

I yield the floor.

Mr. FORD. Mr. President, I ask unanimous consent I might proceed as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.