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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, SECOND SESSION

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# House of Representatives

The House met at 11 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We pray, gracious God, for the abundance of Your spirit in our lives and in the lives of every person. Our petition is that Your gifts of mercy and justice, of understanding and peace, of tolerance and patience, of freedom and responsibility, will rest in our hearts and souls and minds this day and every day, and cause us to be the people You would have us be. In Your name, we pray. Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California [Mr. LANTOS] come forward and lead the House in the Pledge of Allegiance.

Mr. LANTOS led the Pledge of Allegiance as follows:

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

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with amendments a bill of the House of the following title:

H.R. 2036. An act to amend the Solid Waste Disposal Act to make certain adjustments in the land disposal program to provide needed flexibility, and for other purposes.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain fifteen 1-minutes on each side.

## TIAHRT AMENDMENT TO AID FLAT ECONOMY

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

Mr. TIAHRT. Mr. Speaker, our economy is flat. Many experts say that we are bordering on recession. I think the Clinton administration should shoulder the blame. The union workers remember that President Clinton signed both NAFTA and GATT into law and both agreements have not worked. Now the President will not even use the tools available within the agreements to save American jobs. That is why I am proposing an amendment to the farm bill. It is supported by the AFL–CIO to prioritize the export enhancement program to save jobs. Union jobs, support farmers, and export value-added products like flour will force the President to do the right thing. It is no wonder our economy is flat. We need someone to fight for our jobs, and that is what Congress intends to do.

## RESOLUTIONS CONDEMNING ASSAULT ON FREE MEDIA IN SERBIA AND DENOUNCING LOUIS FARRAKHAN'S SUPPORT OF TERRORIST REGIMES IN LIBYA, IRAN, AND IRAQ

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

Mr. LANTOS. Mr. Speaker, this morning I am introducing two resolutions, and I know these resolutions will receive broad bipartisan support. The Communist dictator of Serbia, Slobodan Milosevic, has closed down the only independent television station in Belgrade. I think it is an outrage that, as Milosevic is trying to work his way back into acceptance by the civilized world community—and he should do so—he also simultaneously closed down the Soros Foundation, a humanitarian and charitable organization that has done an enormous amount of good for the people of Serbia and indeed for the people of countless other countries. I am calling on President Clinton in the most emphatic terms to insist that the independent television station in Belgrade be reopened and the Soros Foundation be allowed to continue its work.

My second resolution, Mr. Speaker, denounces Louis Farrakhan's visit to Libya, Iran, and Iraq. It is critical that the President of the United States direct executive agencies to establish whether U.S. laws were broken. Farrakhan can say whatever he wants, but he must obey the law.

## THE CLINTON CRUNCH

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

Mr. BALLENGER. Mr. Speaker, the Clinton crunch is upon us.

No, this is not a new kind of cereal. It does not go snap, crackle, and pop if you pour whitewater—or should I say milk—over it.

No, Mr. Speaker, the Clinton crunch is a disease that infects middle-class America.

Its symptoms? Higher taxes and stagnant wages.

Its cause? The policies of the Clinton administration.

The cure? Lower taxes and a balanced budget.

Mr. Speaker, it is true, the Clinton crunch is upon us. Luckily, there is still hope for middle-class America. But we must act soon. We must cut taxes and we must balance the budget.



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Unfortunately, the current occupant of the White House does not seem that interested in cutting taxes or balancing the budget. In fact, he would rather feed the Clinton crunch with higher taxes and more Washington spending.

Mr. Speaker, the differences could not be clearer. Bill Clinton wants higher taxes and higher spending. House Republicans want lower taxes and less spending. Which do you think is the cure for the Clinton crunch?

## GOP EXTREMIST AGENDA WRONG APPROACH

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

Mr. PALLONE. Mr. Speaker, our constituents are worried about jobs. They see downsizing in their communities. They are concerned about wages because the economy continues to be a problem for many Americans. But the answer is not the GOP extremist agenda that basically protects the rich and the powerful but threatens the health, safety, and security of America's working families.

The Republican leadership over the last year has been putting forth this extremist agenda at the expense of the middle class, at the expense of the average working American. They have tried to put into place tax breaks for large corporations and for wealthy Americans. They have tried to cut taxes, or they have tried to eliminate tax credits, the earned income tax credits for working Americans at the lower end of the income spectrum.

At the same time, you see the President suggesting that we do things to help the average working American. The President has talked about tax cuts for families. He has talked about doing things for education, such as your ability to deduct tuition that you pay for your student, your children that are in college. It really is terrible that we continue to see this GOP extremist agenda that hurts the average working American, and I hope that now that we are back in session and we are away from this 3-week break that we are starting to see some action in this Congress to help the average working American.

## FIX THE WELFARE SYSTEM

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

Mr. CHABOT. Mr. Speaker, the existing welfare system is a mess. It hurts the very people that it is supposed to help. In 1992, President Clinton campaigned on a pledge to end welfare as we know it. Remember that? Now, after 3 years of the Clinton Presidency, he has not lifted a finger to do anything about the failed welfare state. It is true that he has talked about the values of work and family, but if we examine the record, the President has not signed into law any reform of welfare. In fact, he vetoed the only genuine welfare reform bill to pass this Congress in a generation.

The President is now in the midst of backing away from the compromise welfare agreement passed unanimously by the National Governors' Association, both Democratic and Republican Governors. He had originally praised the plan as a huge step in the right direction. It is time for the President to cut the cord with the special interest groups, the liberal groups, and to help us fix the failed welfare system in this country.

## CEO'S HIT JACKPOT

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

Mr. TRAFICANT. Mr. Speaker, while American workers keep losing their jobs, the top chief executive officers just keep hitting the lotto. Check this out. Chemical Bank go rid of 12,000 workers; the boss made $2.5 million. GTE got rid of 17,000 workers; the boss made a cool $2 million. IBM shafted 60,000 workers; the boss made $2.6 million.

And AT&T, they take it all. They got rid of 40,000 workers and Robert Allen, chief executive officer, made 3.3 million big ones. They call it downsizing. I call it larceny. AT&T does not stand for American Telephone and Telegraph anymore. It stands for Allen and two temporaries. That is Robert Allen, folks; $3.3 million, think about it.

I yield back the balance of all this unemployment.

## CUBAN ATTACK AN OUTRAGE

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

Mr. ZIMMER. Cuba's downing of two planes whose only arms were pamphlets is an outrage, and it shows how desperate Fidel Castro is in his fight to deny the Cuban people liberty and freedom. Castro is an international outlaw, no more and no less.

I am very disappointed in the President's response to this outrage. It is entirely inadequate. If President Clinton were serious about responding to this terrible offense against U.S. citizens, he would demand that the international community join with us in an international embargo to tighten the noose around Castro and to allow democracy to take root there. He would also reverse his Executive order of last October which liberalized cultural ties with that country, only rewarding a repressive regime for the enslavement of its own people.

We must get serious, Mr. Speaker, and the way that we should start doing so is to enact the Burton-Helms legislation in its original form, not some watered down version that the President has endorsed.

## LIFT THE DEBT CEILING

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

Mr. GENE GREEN of Texas. Mr. Speaker, we are getting dangerously close to default, and simply put, there is the wrong way to run the finances of our great Nation. Congress' failure to raise the debt ceiling will have immediate and devastating effects. The U.S. credit rating will be ruined; Social Security checks on which 43 million senior citizens rely will bounce. Benefits for over 37 million of our Nation's veterans will not be allocated. Pensions for 4 million civilian and military retirees are at risk.

Mr. Speaker, this is craziness. This is deja vu back to the days of holding the Government hostage to force acceptance of a balanced budget plan that the American people have rejected. Now the Republicans are trying it all over again, except this time the hostage is our Nation's full faith and credit, 43 million senior citizens, 3 million veterans, and 4 million civilian and military retirees.

When will they learn? Waiting until the last minute and insisting on including provisions that have nothing to do with the debt limit is the height of irresponsibility, and my friends on the other side of the aisle should be ashamed. It is time we pass a clean debt ceiling bill and get on about the Nation's business. Shame on coming this close to defaulting on our Nation's obligations.

## NEWEST WASHINGTON BUZZWORD

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

Mr. BASS. Mr. Speaker, I guess the new buzzword we are going to hear now from the other side of the aisle is going to be the use of the word ''extremist.'' Everything we do is going to be called extremist. I would only ask that we return to the issues that we have been talking about here in Congress for the last 14 months, balancing our Nation's budget for our children and our grandchildren. Extremist is passing a welfare reform bill that encourages work and holds families together. Extremist is preserving, protecting and improving the Medicare system for our senior citizens. Extremist is giving the States more control over Medicaid. Extremist is sending power and money and influence back to State and local authorities and citizens of this country, extremist.

Mr. Speaker, let us spend the next few months talking about our Nation's hopes and not its fears. Let us make America proud of its elected officials once again.

## GOP AGENDA HOSTILE TO MIDDLE AMERICA

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

Mr. MILLER of California. Mr. Speaker, it is no wonder that the Republican program for the last 14 months is so far away from the needs and the hopes and the aspirations of America's working families. When you consider at the end of last year when the Republicans came together to discuss how they were doing and what they were going to do this year, one of their honored speakers was Al Dunlop, a man who went to Scott Paper Co. and 2 years later fired thousands of workers with little or no notice and walked away with $100 million in his pocket. He advised the Republican caucus to forget the working-class issues, they did not matter.

Well, they matter to millions of Americans, to millions of Americans who are worried about losing their job, and with that losing their health care; about losing their job, and with that the ability to pay for their children's education. And what do we see cuts in education for their children. We see cuts in student loans for their children. We see them trying to keep the health care bill that would make health care portable from one employer to another from coming to the floor. What we see is an agenda that is outright hostile to middle America and to the working families of this country.

□ 1115

## SALUTE TO ENGINEERS

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

Mr. BARTLETT of Maryland. Mr. Speaker, I rise today to ask my fellow Members of Congress to join me in saluting the contributions of engineers to America.

Last week was National Engineers Week celebrated annually since 1951. The timing recognizes the role played by our first President, George Washington. Washington's education and experience as a land surveyor and promoter of invention, education, and the construction of roads, canals, docks, and ports earned him the recognition as our Nation's first engineer.

February is also Black History Month and African-American engineers invented some of our most important and best-known inventions including: blood banks, the four-way traffic signal, and potato chips.

Engineering is our Nation's second largest profession with more than 1.8 million working engineers according to the U.S. Bureau of Labor Statistics.

Every day, engineers are creating new ways to use technology to improve our quality of life. The contributions of engineers surround us and are so pervasive that we sometimes take them for granted.

National Engineers Week offers us the opportunity to stop, take notice, give thanks for the work of engineers, and encourage our young people to study science and math and consider engineering as a career.

Engineers build a better future every day.

## DISCOVER WORKING AMERICA

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

Ms. DELAURO. Mr. Speaker, I have always been a little skeptical about death bed conversions, and as the bells toll for the demise of the Gingrich Republican revolution, we are witnessing an epidemic of conversions among my Republican colleagues.

Suddenly the Republican Party has discovered working America. They are desperately trying to convince the hard-working families of this country who are struggling to get ahead that the Republican Party is their friend. But, in fact, since taking control of this Congress, they advanced an extreme agenda that would hurt working men and women of this country. Their budget would let companies raid pension funds. They would deny the children of working families college loans. Their budget would cut Medicare and long-term care, denying families a dignified retirement. And they would deny a raise in wages so that, in fact, people could pay their bills every week.

But they, in fact, would provide to the wealthiest in this Nation a tax break, and tax breaks that would allow them to continue to reap the benefits.

Mr. Speaker, what the Republican Party really does not understand is that the American people are too smart to fall for this. They did not buy NEWT GINGRICH's extreme agenda, and they will not buy this election-year gimmick either.

## TRIBUTE TO SERGEANT BOLIN

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

Mr. BARR of Georgia. Mr. Speaker, too many Americans take freedom for granted, expecting it as constant a force of nature as the daily rising of the Sun.

Fortunately for all of us, there are men like Special Forces S.Sgt. Neal Bolin, who stand watch at freedom's door; protecting us from the demons of totalitarianism; ready to sacrifice their own personal comfort and safety for ours. For them, liberty is not a given, but the goal of a very real and dangerous struggle.

This past February 12, Staff Sergeant Bolin lost his life, while seeking to preserve the life and safety of others, on a rescue mission for a plane missing in the jungles of Panama.

I was honored to attend services for Sergeant Bolin, and to pay respects to his life and family. The people of Georgia and the Nation are grateful to Neal Bolin for the sacrifice he made. We are also grateful to his parents, and to his widow, for this American hero. While Sergeant Bolin's young daughter has lost a father, our country benefits from the new chapter in the annals of military service and dedication written by her father.

## DO NOT DESTROY AMERICAN WORKING FAMILIES

(Mrs. MINK of Hawaii asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous material.)

Mrs. MINK of Hawaii. Mr. Speaker, the House is about to debate the farm bill, and it will be a contest of the wills of both sides of this Chamber in its dedication to the concept of jobs.

One of the most interesting developments in the Republican Presidential race is that they have discovered that jobs are uppermost in people's minds. In debating the farm bill, I hope that this House will keep in mind the fact that we are talking about jobs, not about commodities.

There is this wholesale effort to try to destroy the farm community. I come from a farming district. Sugar is an important commodity. If they do away with the sugar program, it will mean 6,000 jobs in my district alone.

And so when we come to this floor to talk about the farm bill, it is not commodities. It is not some abstract notion about something that we put on the table to consume. It is thousands of jobs in the sugar industry alone. It is 420,000 jobs that are about to be eliminated.

So, focus on what the American people are concerned about. It is jobs in America. Let us not destroy our American working families.

## AMERICA NEEDS A SOUND ENERGY POLICY

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

Mr. WATTS of Oklahoma. Mr. Speaker, today marks the fifth anniversary of the end of the Persian Gulf war. We can all remember the great pride we felt on that day 5 years ago.

During the gulf war, our strong defense came through—just the way it is supposed to—and now it is time for Congress to come through—just the way it is supposed to—with a sound energy policy.

Since the gulf war, oil imports have reached an all-time high and domestic oil production has reached an all-time low.

Twenty years ago we imported 35 percent of our oil. Today we import over 50 percent. Clearly we are overly dependent on foreign sources of oil to

drive our cars, to heat our homes, and to fuel our economy.

We are putting ourselves in a worse state of dependency than we were in, just before the oil crises of the seventies.

Today I am calling on my colleagues to send the Nation a wake up call about the lack of a sound energy policy in the United States. For the month of March, one of our colleagues will speak on the floor every day about this critical issue.

I am hopeful that these remarks will help us to develop a plan to secure control over America's energy future.

## WHERE IS THE DEBT CEILING BILL?

(Mrs. KENNELLY asked and was given permission to address the House for 1 minute.)

Mrs. KENNELLY. Mr. Speaker, today is February 28. Where is the debt ceiling? Speaker GINGRICH, Majority Leaders ARMEY and DOLE promised the President in writing to act on debt ceiling legislation by February 29 in a manner acceptable to both you and the Congress, in order to guarantee the Government does not default on its obligations.

Unfortunately, that does not look like it is going to happen. But the Republican leadership needs to understand they can't stall indefinitely without dire consequences.

On March 15, the debt ceiling snaps back to a lower level pursuant to the legislation we passed earlier to guarantee March Social Security checks. This means that the debt will have exceeded the debt limit and as a consequence, no securities may be issued under any circumstance for any reason without increasing the debt ceiling. This snap back has potentially disastrous consequences for the Medicare and Social Security trust funds. Because the Treasury cannot issue any kind of securities, it cannot issue the $2 billion of new investments in the Social Security and Medicare trust funds that need to be issued on March 15 and each day thereafter.

This is a very serious problem which, if the Republican leadership allows to happen, will require legislation to make the Social Security and Medicare trust funds whole. I call on the Republican leadership to bring a clean debt ceiling bill to the floor immediately and not jeopardize the Social Security and Medicare trust funds.

## DOUBLE WHAMMY OF HIGHER TAXES AND DECLINING WAGES

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

Mrs. SEASTRAND. Mr. Speaker, ''It's the economy, stupid.'' That is what President Bill Clinton told us in 1992. Today, 4 years later, America is feeling the Clinton Crunch—that double whammy of higher taxes and declining wages.

To combat the Clinton crunch Republicans believe we should balance the budget and cut taxes. President Clinton thinks we should maintain the status quo.

Just look at the record. Republicans, for the first time in a generation, passed an honest balanced budget. The President not only vetoed that plan but he has refused to negotiate in good faith toward a compromise. Now our plan also cut taxes. We cut capital gains taxes to create jobs and boost the economy, and we provided a $500 per-child tax credit to help families suffering from the Clinton crunch.

Mr. Speaker, the choice has never been clearer. On the one hand we have Republicans, men and women who mean what they say and keep their word. And on the other hand we have President Bill Clinton, a say-anything, do-nothing liberal President.

## PUTTING THE SQUEEZE ON WORKING FAMILIES

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

Mr. STUPAK. Mr. Speaker, the last speaker in the well said let us take a look at the Republican plan, and let us take a look at what they have done. Republicans say they stand up for working people, when they fought for policies that have squeezed working families and denied them and their children needed opportunities. They have refused to raise the minimum wage. They have passed higher taxes for working families. They have passed a Medicare premium that will increase on 37 million beneficiaries. They have passed the corporate raid on workers' pensions. Your pensions are no longer safe with this new Republican majority. They have passed the repeal of the Medicaid guarantee on nursing home coverage.

Mr. Speaker, I hope America will take a look at the Republican record and their plan and see that it is nothing but putting a squeeze on working families and unwilling to cooperate with the majority of people in this country.

## MEXICO NOT COOPERATING TO HALT DRUG TRAFFICKING

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

Mr. STEARNS. Mr. Speaker, the Foreign Assistance Act of 1986 mandates that on March 1 the President must announce which nation will be officially listed or certified as cooperating in the effort to halt drug production and trafficking. Mexico better not be on that list.

It is imperative that we take action against Mexico, that we finally denote the country for what it is. Simply put, Mexico has become a narco-state. Each year, nearly three-quarters of all the Colombian cocaine consumed by Americans flows across the 2,000-mile United States-Mexican border.

Mr. Speaker, the President has the opportunity to seize his accountability. He has the opportunity to right some of our wrongs. He has the opportunity to effect change.

I urge him to act. America should not certify Mexico.

## EDUCATION IS THE KEY TO REBUILDING THE MIDDLE CLASS

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

Mr. BROWN of Ohio. Mr. Speaker, it is clear that the Gingrich revolution is over. As Members of Congress returned finally for work this week, all of us have been hearing from voters in our district, Republicans and Democrats alike, that the voters are rejecting the extremism of the Gingrich revolution, rejecting Medicare cuts in order to pay for tax breaks for the rich, rejecting reducing safeguards on Medicaid, in nursing homes, nursing home standards, again for tax breaks for the rich, cutting student loans in order to pay for tax breaks for people in this country that do not need it.

Republican policies, Gingrich policies, over the last 12 months would cut 2½ million students off direct student loans, would deny Pell grants to 380,000 students, would deny 50,000 young people the opportunity to serve their community while earning money for college, would deny 180,000 children access to Head Start, again all in order to pay for a tax break for the wealthiest people in the country.

All evidence says that good education is the key to rebuilding the middle class, putting people to work, giving people good wages, so they can raise their families the way Americans always have.

## GINGRICH REVOLUTION JUST BEGINNING

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

Mr. SOLOMON. Mr. Speaker, I heard the previous speaker from the other side of the aisle, he was a Democrat, say that the Gingrich revolution was over?

Let us set the record straight right now, ladies and gentlemen. The Gingrich revolution is the Reagan revolution. That revolution was temporarily interrupted. It is about to begin again, and the Gingrich revolution started with the Contract With America.

Let me assure you one thing: We have not been able to get all the Contract With America through this Congress. Come November, we are going to elect a Republican President, and then we are going to pass the Balanced

Budget Act, we are going to pass the line-item veto, we are going to pass all of these issues that the American people have wanted so far.

Is the Gingrich revolution over? Do not kid yourself. It is just beginning.

□ 1130

## PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule:

Committee on Banking and Financial Services, Committee on Commerce, Committee on Government Reform and Oversight, Committee on International Relations, Committee on the Judiciary, Committee on National Security, Committee on Resources, Committee on Science, Committee on Small Business, Committee on Transportation and Infrastructure, and Committee on Veterans' Affairs.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

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

There was no objection.

## LAYING ON TABLE HOUSE RESOLUTION 352, AUTHORIZING SPEAKER TO DECLARE RECESSES SUBJECT TO THE CALL OF THE CHAIR

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that House Resolution 352, authorizing the Speaker to declare recesses subject to the call of the Chair from February 2, 1996, through February 26, 1996, be laid on the table, because it is no longer relevant.

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

There was no objection.

## LAYING ON TABLE HOUSE RESOLUTION 323, PROVIDING FOR CONSIDERATION OF H.R. 2677, THE NATIONAL PARKS AND NATIONAL WILDLIFE REFUGE SYSTEMS FREEDOM ACT OF 1995

Mr. SOLOMON. I ask unanimous consent that House Resolution 323, providing for consideration of H.R. 2677, the National Parks and National Wildlife Refuge Systems Freedom Act of 1995, be laid on the table.

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

There was no objection.

## PROVIDING FOR CONSIDERATION OF H.R. 2859, AGRICULTURAL MARKET TRANSITION ACT

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 366 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 366

*Resolved,* That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2854) to modify the operation of certain agricultural programs. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed two hours equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Agriculture now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. Notwithstanding clause 5(c) of rule XXIII, no amendment to the committee amendment in the nature of a substitute shall be in order except the amendments specified in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 2 of this resolution. Each amendment specified in the report may be considered only in the order specified in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments made in order to the committee amendment in the nature of a substitute are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendment as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. It shall be in order at any time for the chairman of the Committee on Agriculture or his designee to offer amendments en bloc consisting of amendments specified in the report of the Committee on Rules accompanying this resolution not earlier disposed of or germane modifications of any such amendments. Amendments en bloc offered pursuant to this section shall be considered as read (except that modifications shall be reported), shall be debatable for twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. For the purpose of inclusion in such amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form of a germane perfecting amendment to the text originally proposed to be stricken. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. HALL], my good friend, pending which I yield myself such time as I might consume. During consideration of this resolution, all time yielded, of course, is for the purpose of debate only.

Mr. Speaker, I insert for the RECORD the following extraneous material:

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

[As of February 27, 1996]

| Rule type | 103d Congress | | 104th Congress | |
|---|---|---|---|---|
| | Number of rules | Percent of total | Number of rules | Percent of total |
| Open/Modified-open [2] | 46 | 44 | 58 | 64 |
| Modified Closed [3] | 49 | 47 | 21 | 23 |
| Closed [4] | 9 | 9 | 12 | 13 |
| Total | 104 | 100 | 91 | 100 |

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of February 27, 1996]

| H. Res. No. (Date rept.) | Rule type | Bill No. | Subject | Disposition of rule |
|---|---|---|---|---|
| H. Res. 38 (1/18/95) | O | H.R. 5 | Unfunded Mandate Reform | A: 350–71 (1/19/95). |
| H. Res. 44 (1/24/95) | MC | H. Con. Res. 17 | Social Security | A: 255–172 (1/25/95). |
| | | H.J. Res. 1 | Balanced Budget Amdt | |
| H. Res. 51 (1/31/95) | O | H.R. 101 | Land Transfer, Taos Pueblo Indians | A: voice vote (2/1/95). |
| H. Res. 52 (1/31/95) | O | H.R. 400 | Land Exchange, Arctic Nat'l. Park and Preserve | A: voice vote (2/1/95). |
| H. Res. 53 (1/31/95) | O | H.R. 440 | Land Conveyance, Butte County, Calif | A: voice vote (2/1/95). |
| H. Res. 55 (2/1/95) | O | H.R. 2 | Line Item Veto | A: voice vote (2/2/95). |
| H. Res. 60 (2/6/95) | O | H.R. 665 | Victim Restitution | A: voice vote (2/7/95). |
| H. Res. 61 (2/6/95) | O | H.R. 666 | Exclusionary Rule Reform | A: voice vote (2/7/95). |
| H. Res. 63 (2/8/95) | MO | H.R. 667 | Violent Criminal Incarceration | A: voice vote (2/9/95). |
| H. Res. 69 (2/9/95) | O | H.R. 668 | Criminal Alien Deportation | A: voice vote (2/10/95). |
| H. Res. 79 (2/10/95) | MO | H.R. 728 | Law Enforcement Block Grants | A: voice vote (2/13/95). |
| H. Res. 83 (2/13/95) | MO | H.R. 7 | National Security Revitalization | PQ: 229–100; A: 227–127 (2/15/95). |
| H. Res. 88 (2/16/95) | MC | H.R. 831 | Health Insurance Deductibility | PQ: 230–191; A: 229–188 (2/21/95). |
| H. Res. 91 (2/21/95) | O | H.R. 830 | Paperwork Reduction Act | A: voice vote (2/22/95). |
| H. Res. 92 (2/21/95) | MC | H.R. 889 | Defense Supplemental | A: 282–144 (2/22/95). |
| H. Res. 93 (2/22/95) | MO | H.R. 450 | Regulatory Transition Act | A: 252–175 (2/23/95). |
| H. Res. 96 (2/24/95) | MO | H.R. 1022 | Risk Assessment | A: 253–165 (2/27/95). |
| H. Res. 100 (2/27/95) | O | H.R. 926 | Regulatory Reform and Relief Act | A: voice vote (2/28/95). |
| H. Res. 101 (2/28/95) | MO | H.R. 925 | Private Property Protection Act | A: 271–151 (3/2/95). |
| H. Res. 103 (3/3/95) | MO | H.R. 1058 | Securities Litigation Reform | |
| H. Res. 104 (3/3/95) | MO | H.R. 988 | Attorney Accountability Act | A: voice vote (3/6/95). |
| H. Res. 105 (3/6/95) | MO | | | A: 257–155 (3/7/95). |
| H. Res. 108 (3/7/95) | Debate | H.R. 956 | Product Liability Reform | A: voice vote (3/8/95). |
| H. Res. 109 (3/8/95) | MC | | | PQ: 234–191 A: 247–181 (3/9/95). |
| H. Res. 115 (3/14/95) | MO | H.R. 1159 | Making Emergency Supp. Approps | A: 242–190 (3/15/95). |
| H. Res. 116 (3/15/95) | MC | H.J. Res. 73 | Term Limits Const. Amdt | A: voice vote (3/28/95). |
| H. Res. 117 (3/16/95) | Debate | H.R. 4 | Personal Responsibility Act of 1995 | A: voice vote (3/21/95). |
| H. Res. 119 (3/21/95) | MC | | | A: 217–211 (3/22/95). |
| H. Res. 125 (4/3/95) | O | H.R. 1271 | Family Privacy Protection Act | A: 423–1 (4/4/95). |
| H. Res. 126 (4/3/95) | O | H.R. 660 | Older Persons Housing Act | A: voice vote (4/6/95). |
| H. Res. 128 (4/4/95) | MC | H.R. 1215 | Contract With America Tax Relief Act of 1995 | A: 228–204 (4/5/95). |
| H. Res. 130 (4/5/95) | MC | H.R. 483 | Medicare Select Expansion | A: 253–172 (4/6/95). |
| H. Res. 136 (5/1/95) | O | H.R. 655 | Hydrogen Future Act of 1995 | A: voice vote (5/2/95). |
| H. Res. 139 (5/3/95) | O | H.R. 1361 | Coast Guard Auth. FY 1996 | A: voice vote (5/9/95). |
| H. Res. 140 (5/9/95) | O | H.R. 961 | Clean Water Amendments | A: 414–4 (5/10/95). |
| H. Res. 144 (5/11/95) | O | H.R. 535 | Fish Hatchery—Arkansas | A: voice vote (5/15/95). |
| H. Res. 145 (5/11/95) | O | H.R. 584 | Fish Hatchery—Iowa | A: voice vote (5/15/95). |
| H. Res. 146 (5/11/95) | O | H.R. 614 | Fish Hatchery—Minnesota | A: voice vote (5/15/95). |
| H. Res. 149 (5/16/95) | MC | H. Con. Res. 67 | Budget Resolution FY 1996 | PQ: 252–170 A: 255–168 (5/17/95). |
| H. Res. 155 (5/22/95) | MO | H.R. 1561 | American Overseas Interests Act | A: 233–176 (5/23/95). |
| H. Res. 164 (6/8/95) | MC | H.R. 1530 | Nat. Defense Auth. FY 1996 | PQ: 225–191 A: 233–183 (6/13/95). |
| H. Res. 167 (6/15/95) | O | H.R. 1817 | MilCon Appropriations FY 1996 | PQ: 223–180 A: 245–155 (6/16/95). |
| H. Res. 169 (6/19/95) | MC | H.R. 1854 | Leg. Branch Approps. FY 1996 | PQ: 232–196 A: 236–191 (6/20/95). |
| H. Res. 170 (6/20/95) | O | H.R. 1868 | For. Ops. Approps. FY 1996 | PQ: 221–178 A: 217–175 (6/22/95). |
| H. Res. 171 (6/22/95) | O | H.R. 1905 | Energy & Water Approps. FY 1996 | A: voice vote (7/12/95). |
| H. Res. 173 (6/27/95) | C | H.J. Res. 79 | Flag Constitutional Amendment | PQ: 258–170 A: 271–152 (6/28/95). |
| H. Res. 176 (6/28/95) | MC | H.R. 1944 | Emer. Supp. Approps | PQ: 236–194 A: 234–192 (6/29/95). |
| H. Res. 185 (7/11/95) | O | H.R. 1977 | Interior Approps. FY 1996 | PQ: 235–193 D: 192–238 (7/12/95). |
| H. Res. 187 (7/12/95) | O | H.R. 1977 | Interior Approps. FY 1996 #2 | PQ: 230–194 A: 229–195 (7/13/95). |
| H. Res. 188 (7/12/95) | O | H.R. 1976 | Agriculture Approps. FY 1996 | PQ: 242–185 A: voice vote (7/18/95). |
| H. Res. 190 (7/17/95) | O | H.R. 2020 | Treasury/Postal Approps. FY 1996 | PQ: 232–192 A: voice vote (7/18/95). |
| H. Res. 193 (7/19/95) | C | H.J. Res. 96 | Disapproval of MFN to China | A: voice vote (7/20/95). |
| H. Res. 194 (7/19/95) | O | H.R. 2002 | Transportation Approps. FY 1996 | PQ: 217–202 (7/21/95). |
| H. Res. 197 (7/21/95) | O | H.R. 70 | Exports of Alaskan Crude Oil | A: voice vote (7/24/95). |
| H. Res. 198 (7/21/95) | O | H.R. 2076 | Commerce, State Approps. FY 1996 | A: voice vote (7/25/95). |
| H. Res. 201 (7/25/95) | O | H.R. 2099 | VA/HUD Approps. FY 1996 | A: 230–189 (7/25/95). |
| H. Res. 204 (7/28/95) | MC | S. 21 | Terminating U.S. Arms Embargo on Bosnia | A: voice vote (8/1/95). |
| H. Res. 205 (7/28/95) | O | H.R. 2126 | Defense Approps. FY 1996 | A: 409–1 (7/31/95). |
| H. Res. 207 (8/1/95) | MC | H.R. 1555 | Communications Act of 1995 | A: 255–156 (8/2/95). |
| H. Res. 208 (8/1/95) | O | H.R. 2127 | Labor, HHS Approps. FY 1996 | A: 323–104 (8/2/95). |
| H. Res. 215 (9/7/95) | O | H.R. 1594 | Economically Targeted Investments | A: voice vote (9/12/95). |
| H. Res. 216 (9/7/95) | MO | H.R. 1655 | Intelligence Authorization FY 1996 | A: voice vote (9/12/95). |
| H. Res. 218 (9/12/95) | O | H.R. 1162 | Deficit Reduction Lockbox | A: voice vote (9/13/95). |
| H. Res. 219 (9/12/95) | O | H.R. 1670 | Federal Acquisition Reform Act | A: 414–0 (9/13/95). |
| H. Res. 222 (9/18/95) | O | H.R. 1617 | CAREERS Act | A: 388–2 (9/19/95). |
| H. Res. 224 (9/19/95) | O | H.R. 2274 | Natl. Highway System | PQ: 241–173 A: 375–39–1 (9/20/95). |
| H. Res. 225 (9/19/95) | MC | H.R. 927 | Cuban Liberty & Dem. Solidarity | A: 304–118 (9/20/95). |
| H. Res. 226 (9/21/95) | O | H.R. 743 | Team Act | A: 344–66–1 (9/27/95). |
| H. Res. 227 (9/21/95) | O | H.R. 1170 | 3-Judge Court | A: voice vote (9/28/95). |
| H. Res. 228 (9/21/95) | O | H.R. 1601 | Internatl. Space Station | A: voice vote (9/27/95). |
| H. Res. 230 (9/27/95) | C | H.J. Res. 108 | Continuing Resolution FY 1996 | A: voice vote (9/28/95). |
| H. Res. 234 (9/29/95) | O | H.R. 2405 | Omnibus Science Auth | A: voice vote (10/11/95). |
| H. Res. 237 (10/17/95) | MC | H.R. 2259 | Disapprove Sentencing Guidelines | A: voice vote (10/18/95). |
| H. Res. 238 (10/18/95) | MC | H.R. 2425 | Medicare Preservation Act | PQ: 231–194 A: 227–192 (10/19/95). |
| H. Res. 239 (10/19/95) | C | H.R. 2492 | Leg. Branch Approps | PQ: 235–184 A: voice vote (10/31/95). |
| H. Res. 245 (10/25/95) | MC | H. Con. Res. 109 | Social Security Earnings Reform | PQ: 228–191 A: 235–185 (10/26/95). |
| | | H.R. 2491 | Seven-Year Balanced Budget | |
| H. Res. 251 (10/31/95) | C | H.R. 1833 | Partial Birth Abortion Ban | A: 237–190 (11/1/95). |
| H. Res. 252 (10/31/95) | MO | H.R. 2546 | D.C. Approps. | A: 241–181 (11/1/95). |
| H. Res. 257 (11/7/95) | C | H.J. Res. 115 | Cont. Res. FY 1996 | A: 216–210 (11/8/95). |
| H. Res. 258 (11/8/95) | MC | H.R. 2586 | Debt Limit | A: 220–200 (11/10/95). |
| H. Res. 259 (11/9/95) | O | H.R. 2539 | ICC Termination Act | A: voice vote (11/14/95). |
| H. Res. 261 (11/9/95) | C | H.J. Res. 115 | Cont. Resolution | A: 223–182 (11/10/95). |
| H. Res. 262 (11/9/95) | C | H.R. 2586 | Increase Debt Limit | A: 220–185 (11/10/95). |
| H. Res. 269 (11/15/95) | O | H.R. 2564 | Lobbying Reform | A: voice vote (11/16/95). |
| H. Res. 270 (11/15/95) | C | H.J. Res. 122 | Further Cont. Resolution | A: 229–176 (11/15/95). |
| H. Res. 273 (11/16/95) | MC | H.R. 2606 | Prohibition on Funds for Bosnia | A: 239–181 (11/17/95). |
| H. Res. 284 (11/29/95) | O | H.R. 1788 | Amtrak Reform | A: voice vote (11/30/95). |
| H. Res. 287 (11/30/95) | O | H.R. 1350 | Maritime Security Act | A: voice vote (12/6/95) |
| H. Res. 293 (12/7/95) | C | H.R. 2621 | Protect Federal Trust Funds | PQ: 223–183 A: 228–184 (12/14/95) |
| H. Res. 303 (12/13/95) | O | H.R. 1745 | Utah Public Lands. | |
| H. Res. 309 (12/18/95) | C | H.Con. Res. 122 | Budget Res. W/President | PQ: 230–188 A: 229–189 (12/19/95) |
| H. Res. 313 (12/19/95) | O | H.R. 558 | Texas Low-Level Radioactive | A: voice vote (12/20/95) |
| H. Res. 323 (12/21/95) | C | H.R. 2677 | Natl. Parks & Wildlife Refuge. | |
| H. Res. 366 (2/27/96) | MC | H.R. 2854 | Farm Bill. | |

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; D-defeated; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

Mr. SOLOMON. Mr. Speaker, the bill made in order by this rule, the Agriculture Market Transition Act; in other words, the farm bill, was taken largely from the agricultural title of the Balanced Budget Act. If the President had signed that bill, the farmers of America would have had a farm policy in place with plenty of time to plan for their 1996 crops. Unfortunately, President Clinton vetoed the Balanced Budget Act, so now that the time for planting is coming close in many parts of the country, the need to move this bill promptly is very, very important.

Therefore, it is necessary to have a rule which places some limits on the number of amendments which may be offered on the House floor today. The Committee on Rules tried to be as fair as possible to all who would like to offer amendments on all of the controversial issues. Amendments have been made in order on every single one of those.

On February 16, about 12 days ago, I sent a ''Dear Colleague'' letter to every Member of the House, all committee offices, and all leadership offices on both sides of the aisle, notifying them that any Member desiring to offer an amendment to this bill should file it with the Committee on Rules by 3 p.m. on Monday, February 26. That was the day before yesterday. An announcement of this process was then made on the floor of the House at the next available opportunity by the gentleman from Florida [Mr. GOSS]. A total of 75 amendments were filed in response to that announcement, so evidently Members have had more than enough time to file their amendments. I am very pleased about that.

Mr. Speaker, the Committee on Rules has been as fair as possible in producing this rule on the floor today. The rule provides 2 hours of general debate, equally divided, followed by the consideration of a total of 16 amendments which are specified in the report accompanying this rule. Amendments are made in order dealing with the major areas of controversy; namely, the dairy program, the sugar program, the peanut program, the cotton program, and a conservation program, and each of these major issue amendments have bipartisan sponsorship from both sides of the aisle. It is important to make that notation.

Of the remaining amendments, five are offered by Democrats and two of those have bipartisan sponsorship as well. There are amendments dealing with the environmental concerns, such as the Conservation Reserve Program and environmental restoration in the Everglades. While not every possible amendment is in order, the areas of greatest concern will have an opportunity to be debated fully, and if the House can work its will on this legislation, we will immediately appoint conferees, go to conference with the Senate, and get a farm bill that the farmers of this country can depend on and we can do it right away.

The rule waives all points of order to allow consideration of the bill and the amendments specified in the report accompanying this rule. The amendments will be considered in the order printed in the report and will not be subject to further amendment. The debate time for each amendment is set forth in that report based on the time that was requested from both sides of the aisle. We have allocated as much time as was requested. So here again we have been as fair as we could.

In order to expedite consideration of the amendments where agreements can be worked out, the rule also provides that the chairman of the Committee on Agriculture may offer amendments en bloc. That means he may join them together, consisting of amendments printed in the Committee on Rules report or germane modifications of those amendments. If the proponent of the original amendments does not agree with what is being offered by the chairman, he or she may still offer the original amendment. So nobody is being gagged. If you do not want your amendment considered en bloc, it will not be, and you will have a separate vote on it.

Mr. Speaker, the rule provides a very fair way to consider a complex piece of legislation, and it merits the support of this House. Mr. Speaker, the bill made in order by this rule is designed to move the Government out of the farming business and let farmers start producing to meet market needs, rather than producing to meet the requirements of Government programs. That is what this is all about. That is what this debate is all about today.

In the long run, this will result in lower costs to the taxpayers and more efficient production of food for consumers by the farmers of this Nation.

Mr. Speaker, I ask for a ''yes'' vote on the previous question, a ''yes'' vote on the rule, and a ''yes'' vote on final passage of this bill. We need to get it to the President for his signature.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. HALL of Ohio. Mr. Speaker, House Resolution 366 is a modified closed rule to consider H.R. 2854, the Agriculture Market Transition Program. As my colleague, Mr. SOLOMON, has described, this rule provides 2 hours of general debate, equally divided between the chairman and ranking minority member of the Committee on Agriculture.

Under this rule, only those amendments included in the Rules Committee report may be offered. It also permits a motion to recommit, with or without instructions.

Mr. Speaker, I am generally opposed to rules such as this which restrict the rights of Members to freely amend pending legislation. There is a long tradition of the House considering farm legislation under an open rule and I am reluctant to break with that tradition.

This week, the Rules Committee received requests to make in order more than 70 separate amendments. This modified closed rule makes in order only 16. Many worthwhile amendments important to Members of both sides of the aisle were denied.

H.R. 2854, in its present form, does not adequately address a number of basic requirements that should be in farm legislation. It is my understanding that, without modification, the President would veto it. Some of the amendments that would be made in order by this rule, if passed, would improve the bill.

One of these amendments is a bipartisan effort sponsored by Mr. ROTH, Mr. HAMILTON, Mr. BEREUTER, and me. This amendment reauthorizes key export and food assistance programs and improves flexibility in the delivery and development of food aid programs.

Because the authority for food aid programs has expired, the United States has lost much of its ability to respond to new demands and food crises overseas. If these programs are not reauthorized, many people in places like Rwanda, Bosnia, and Angola, will go hungry. In these countries of crises, American food assistance is the difference between life and death. In countries recovering from a recent emergency, such as Ethiopia, Mozambique, and Haiti, the lack of food aid could cause severe food shortages.

The Roth-Hamilton-Bereuter-Hall amendment reauthorizes these food aid programs for 7 years and renews America's pledge that we will not abandon the hungry and the needy of the world.

An estimated 800 million people around the world suffer from early death, disease, and stunted growth because they don't have enough to eat. I feel strongly that as we move forward with farm legislation, we must not abandon America's longstanding commitment to fighting starvation and helping needy people around the world.

Another amendment which would also improve the bill and which was made in order is sponsored by Mr. SOLOMON and Mr. DOOLEY and is a substitute to the dairy title of H.R. 2854. The existing dairy title would increase the cost of dairy products to consumers. It would also increase the cost to taxpayers for certain hunger assistance programs, such as the program helping women, infants, and children.

Therefore, it is my hope that the amending process on the House floor and the subsequent conference with the Senate will result in a bill that the President can sign and that will help farmers, consumers, and needy people here and abroad.

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

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentleman from Sanibel, FL [Mr. GOSS], a very valuable member of the Committee on Rules, like a right arm to me.

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Mr. GOSS. Mr. Speaker, I thank the gentleman from Glens Falls, the distinguished chairman of the Rules Committee, for yielding me this time. Mr. Speaker, I'm pleased to rise in support of this very fair and comprehensive rule for the consideration of H.R. 2854, the Agricultural Market Transition Program. There are two critical factors that went into the creation of this rule.

Time is of the essence—the President's veto of the Balanced Budget Act has left farmers in the lurch, forcing us to expedite the process here on the House floor at this late February date.

The second principle that went into forging the rule is that a debate about the fundamental principles behind our farm programs is desirable and healthy at this point. We are on the verge of approving a 7-year authorization for most major commodity programs, tobacco being a notable exception. We need to be sure we know where American farmers and consumers are headed. As any guide traversing the Everglades will tell you, it is far better to consult the map and plot a course before setting out across the territory, rather than after you have gotten lost.

Personally, I believe that the time for deep Government involvement in agricultural markets ended long ago. I would like to see this country move away from this last bastion of central economic planning and into a true free-market system that will reward farmers and consumers alike. The rule before us allows the House to consider important amendments in all the major commodity areas, including rice, cotton, wheat, peanuts, dairy, and more. I look forward to supporting my colleague from Florida, DAN MILLER, on his amendment to gradually phase out the sugar price support program—this is an issue of some consequence to southwest Floridians. From the jobs point of view and consumers point of view and quality of life. The rule also allows for amendments dealing with the issue of conservation. In Florida, we have learned a lesson about conservation that should be noted nationwide—without proper environmental stewardship and protection, national treasures like the Everglades could literally disappear. An amendment to be offered later will provide some much-needed funding for Everglades restoration—this is a necessary and responsible step that Congress can take on a major environmental issue and I would urge my colleagues to support the Foley amendment. While the Rules Committee could not possibly make in order all the amendments filed—there were 74 of them—I am confident that this fair and balanced rule allows for a full debate of American farm policy.

If my colleagues doubt that, I ask them to stay tuned for the next 2 days because they are going to hear it and see it. It certainly says that this rule is worthy of Members' support, and I urge Members' support for the rule.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], the very distinguished former chairman of the Committee on Rules.

Mr. MOAKLEY. Mr. Speaker, I thank my colleague from Ohio for yielding time to me. I appreciate his participation on this bill.

Mr. Speaker, this bill is late. This bill is bad. This bill will cost American families a lot of money.

It's also being brought up under a modified closed rule. So there's going to be just about nothing we can do to fix it.

Mr. Speaker, restrictive rules are starting to be pretty regular events these days.

In fact, during the 2d session of the 104th Congress, my Republican colleagues have brought up 100-percent restrictive rules. In other words, they haven't allowed the House of Representatives to fix a single one of their bills this year—and many of them badly needed fixing.

Mr. Speaker, today we have a bill that gives handouts to large corporations while it takes away the safety net for family farmers. It's welfare for the rich and fertilizer for the rest.

Mr. Speaker, I want to point out to my colleagues a very serious problem with this rule that will hurt American consumers, especially families with children. This rule contains a nonfat milk solid unfunded mandate on American consumers to the tune of $400 million a year.

Under this bill, milk prices will go up, possibly as high as 40 cents a gallon. This huge increase in milk prices will raise costs for families with children, it will mean that food stamps are worth less, it will mean that WIC does less for expectant mothers, and that school lunch programs have to pay more to get less.

I don't believe we were sent to Washington to do that.

Many of my colleagues may remember the 8 days last January my Republican colleagues promised an end to unfunded mandates which tell businesses what to do but don't give them the money to pay for it.

Now, given what my Republican colleagues promised last January, we should be able to do something about this. We should be able to strike this milk solid mandate and save American families the 40 cents a gallon they'll soon be paying at the cash register.

But this rule says no. This rule says—remember that issue that was so important last year? Well, it's not so important anymore. This rule takes the much-ballyhooed rules change giving Members the right to strike unfunded mandates and throws it out the window.

Specifically it prevents Members from offering motions to strike Federal unfunded mandates which CBO says will cost American consumers $3.6 billion over the next 7 years.

So if my colleagues like the idea of the American people anteing up at the grocery store to pay for this ridiculous milk solid idea; if my colleagues have changed their opposition to unfunded mandates; they should support this rule. If not, I urge them to oppose this rule. Let's break the 100-percent restrictive rules record and help American consumers while we're at it.

Mr. SOLOMON. Mr. Speaker, the previous speaker is one of my best friends, but one could sure tell he does not know much about cows. Maybe there are not any in downtown Boston. They have some other good things over in Boston, though.

The next speaker I am going to recognize came to this Congress with me 18 years ago, and I just cannot understand why he has not changed a bit. It must be something to do with the milk he drinks up at Fond du Lac, WI, but he is a great Member of this body. He and I agree on 99.44 percent of everything except maybe milk.

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. PETRI].

Mr. PETRI. Mr. Speaker, the only thing is that both of our heads of hair are getting to look a little bit more like a nice white glass of milk.

Mr. Speaker, in all the years the Democrats controlled the House, every farm bill came up under an open rule. A year ago my party took over with grand promises of greater openness. And now we are presented with the first-ever closed rule on a farm bill.

Seventy-odd amendments were submitted to Rules and only 16 are allowed.

I sought, together with several of my colleagues, to offer an amendment to phase out the Federal dairy program, of which my own district is probably the third largest beneficiary in the country.

The dairy program is the most byzantine Soviet style price fixing scheme in the entire Federal Government. Even many of my dairy farmer constituents are prepared to kill this monstrosity because they know it is completely unnecessary and even harmful to their industry.

If we cannot kill this program with leadership from the heart of dairy country, what can we kill?

I have been working on this effort for the past year, and my amendment is supported by a wide array of pro-free-market, pro-taxpayer, pro-consumer, and industry groups running clear across the political spectrum. And now this rule tells me I cannot offer it.

Don't we Republicans believe in openness? Don't we believe in free markets? Don't we believe in deregulation? Don't we believe in smaller government? Don't we believe in balancing the budget?

Whatever happened to all these principles? I will tell you what happened. They are all being trampled under the heel of this rule.

I urge all my colleagues to vote against this profoundly embarrassing closed rule.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. OBEY], the once and future chairman of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I would urge Members to vote against this rule and against this bill. This is probably the worst farm bill to have hit the floor of the House in the last 25 years.

I especially want to address myself to dairy. I do not know if Members are

aware of it, but under the rules which have applied in this country since roughly 1934, if you are a dairy farmer and live in Florida, you are paid, courtesy of the Government milk marketing order system, about $3 more for 100 pounds of milk than you are paid if you live in Wisconsin. I do not think that makes any sense. Yet this bill today is going to see to it that that system continues far longer than it ought to.

My friend, the gentleman from Wisconsin [Mr. GUNDERSON] tried to provide a compromise approach to the dairy milk marketing order situation, which tried to end that ridiculous milk marketing order system within 2 years. Unfortunately, it did not accomplish its goal. So, in my view, the Gunderson amendment is well-intentioned but ineffective. But now, to make matters worse, the Committee on Rules has allowed the amendment to be offered by the gentleman from New York, [Mr. SOLOMON], the chairman of the Committee on Rules, which will retain that existing, ridiculously stupid milk marketing order system for 4 years. And there is virtually no mechanism in the bill by which we can end that outrage.

There is absolutely no reasonable public policy reason why a farmer from one part of the country should get $3 more for 100 pounds of milk than they get in another part of the country. And in my view, the amendment that Mr. SOLOMON offers is going to make the situation worse.

It seems to me that this bill, with the limited number of amendments that are being allowed, this bill amounts to nothing more than a rip-off of taxpayers and a kiss-off for most upper Midwest dairy farmers. I am not going to have any choice but to vote against the rule, to vote against the Solomon amendment, to vote against the entire bill, because, frankly, this farm bill is a turkey. And what ought to happen to it is what happens to most turkeys on Thanksgiving. It ought to be devoured. It should not be passed by a respectable legislative body.

I would urge Members to vote against the bill. If the Committee on Agriculture cannot do better than this, it ought to be disbanded.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Let me just say to the previous speaker that if we do not end up with a farm bill, we are not going to have any corn to feed the turkeys and there will not be any Thanksgiving. So on behalf of Thanksgiving, come over here and vote for this bill and let us get it passed into law.

Let me also take exception to my two good friends that just spoke, one is a Republican from Wisconsin and another is a Democrat from Wisconsin. Let me just tell them that I would assume that the chairman of the Subcommittee on Livestock, Dairy, and Poultry, who is also from Wisconsin, wrote the dairy title that is in this bill. I would assume it has been written to their satisfaction. But now I hear a lot of opposition to it, and the opposition to my attempt to change it.

Let me tell my colleagues how I attempt to change it. All of the organizations that I know, whether they be conservative people that want government off the backs and out of the pockets of the American people or whether they are consumer groups that want to make sure that prices do not skyrocket from legislation passed by this Congress, they all support the Solomon amendment. Members will see that later on this evening when the Solomon amendment comes up.

Why is that? It is because the Solomon amendment takes a commodity called dairy and phases government subsidies out of it completely. If the Solomon amendment is adopted, it is the only commodity that will be totally phased out of government subsidies no longer supported by the taxpayer. That is what the Solomon amendment does.

Second, the Solomon amendment changes the language in the current dairy title which Secretary Glickman, on the other side of the aisle, Secretary of Agriculture, told me in a letter yesterday, and which all of the consumer groups are telling me today, that if the dairy title stays as it is, it will increase the cost of school lunches and food stamps by $1 billion. That means the taxpayers have got to come up with an additional $1 billion to pay for school lunches and food stamps. That is if the dairy title stays the same.

□ 1200

If the Solomon amendment is adopted, it does not raise it one nickel.

WIC. If the dairy title stays in effect the way it is, it will deprive 80,000 people of the services of WIC, 80,000. The Solomon amendment will not deprive one.

I am not going to get into it further; we will discuss it when we take up the amendment itself. But those are the differences between the Solomon amendment and between the existing dairy title.

Now, why was the Solomon amendment made in order? You might say, well, because he was the chairman of the Committee on Rules and has a little weight up there, and that might have something to do with it. But the truth of the matter is that whether you are talking about sugar or peanuts or cotton or dairy or conservation, what we have done is make in order one amendment on each of those that would be an opposite views of what is in the bill. Those that want to abolish all sugar subsidies have their right on the floor. So we have been as fair as we possibly can. Certainly, we are not going to make in order two Wisconsin amendments to an already Wisconsin dairy bill; we just could not do that, because that would not be fair then to the rest of the country.

So let us be fair about it. We have been fair about it. I urge you to support the rule and the bill itself.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I rise in a moment of some solemnity because it is always tragic when something dies young, and the one piece of legislation from the Contract With America, the unfunded mandates bill, it had a very short life because one of the things we heard last year that was very important was to prevent Congress from imposing unfunded mandates on the private sector. This legislation, according to the Congressional Budget Office, and let me read what the Congressional Budget office says:

> CBO has determined that enacting this bill would impose private sector mandates, as defined in Public Law 104–4, an attachment to proviso analysis. According to CBO, over the life of this bill, $3.6 billion in unfunded mandates are imposed on the private sector.

The CBO says some of this increase will be passed on to users of sugar and sugar-containing products in the United States, most of us believe.

Another point: ''The bulk of such costs will be passed on to consumers in higher prices for fluid milk.'' So we have a bill that is going to raise sugar products, raise milk prices. It is an unfunded mandate, and the Contract With America that was alluded to, the gentleman from New York said this was just a continuation of the Reagan revolution, which was interpreted, apparently, by George Bush, as I got the chronology. We had the Reagan revolution. George Bush came around, and it got kind of sidetracked, but Mr. GINGRICH came out and put it back in. But what did he say? He said that there would be, under the rule, if the Congress passed an unfunded mandate bill on the private sector, as this bill is, according to CBO, then under this scheme any Member could get up on the floor and demand a separate vote on those unfunded mandates.

Now CBO says this bill has many unfunded mandates. The unfunded mandate bill we passed last year says if such a bill comes forward, any Member can get up and demand a separate vote. But the Committee on Rules waived it.

So the first time the unfunded mandates bill was relevant to legislation, the Committee on Rules made it go away. So the poor Contract With America barely is 2 months old, and out it goes. Apparently, the most important part of the Contract With America was the escape clause because the Republicans have just escaped the rules.

It reminds me, actually, the Contract of America, apparently this unfunded mandate business, of Groucho and Chico Marx in ''Coconuts,'' I think it was, where they were going over the contract, where they were going over this clause and that clause, and Chico says to Groucho, ''What's this clause?''

Groucho says that is the sanity clause, and Chico throws it out and

says, ''You cannot fool me, there ain't no sanity clause.''

Apparently, there ''ain't'' no unfunded mandates provision either. But there is a sanity clause.

As my friend, the once and future chairman of the Committee on Rules, pointed out, this bill has got a lot of sanity clause provisions for farmers. One of the things that continues to impress me is the fact that my conservative colleagues, the believers in the free market, stand on their own two feet, get the government off of people's backs, get the government's hands out of our pockets, let the market govern; somewhere they have found a footnote in all those conservative texts that say, ''But not for agriculture, not for peanuts, not for sugar, not for milk, not for tobacco.'' But that we will get into with the bill.

The key point that has to be stressed is this: The one substantive piece of legislation affecting the general public that went through under the Contract of America was the unfunded mandates bill. Under the unfunded mandates bill, which I voted for, we should be having automatically separate votes on the billions of dollars of unfunded mandates this agricultural bill imposes on the private sector of America. And we will not have any such votes because the Committee on Rules waived the provision.

So people should understand that the Contract With America, the first time anything was relevant to the Contract With America came before us, the Republican Party decided to break the contract. Maybe the American people ought to respond next November.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Speaker and my colleagues, I rise in opposition to the rule. Regardless of the amendments and regardless of the pros and the cons, I am concerned with the process, and I have, throughout these meetings, have disagreed with the process that no bill came out of the Committee on Agriculture in the beginning. It was taken, picked from the air and put into the reconciliation bill, the one that was vetoed by the President.

Let me mention here a lot of colleagues on the other side are saying the President vetoed a farm bill. He did not. He vetoed that whole mess that was a reconciliation bill. But let me say that I am not satisfied that we have followed a fair process—all of my tenure here in this Congress, 32 years, we have had bipartisanship, we have come out of the committee, disagreement here, disagreement there, but we have come out of the committee with a product from the committee. This is not a product from the committee. It has come from other sources for other reasons that is not a product of the committee.

The rule does not provide for openness. We have always had open rules or the farm bill so that everyone, regardless of how we feel or how they feel, has had an opportunity to address the issues in which they would be involved or which mattered to them. This has not been done, and as a former chairman of the committee, I know there will be amendments that I would be opposed to, but I cannot in good conscience agree to a rule that limits this Member or that Member.

This is not a committee bill, this is not a consensus bill, and I must oppose the rule.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. GUNDERSON], one of the long-time Members of this body, who is the chairman of the Subcommittee on Livestock, Dairy, and Poultry of the Committee on Agriculture. He and I sometimes disagree on the dairy issue, but I would yield him 2 minutes of time.

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

Mr. GUNDERSON. Mr. Speaker, I was going to withhold my discussions on the dairy title until we got into general debate on the amendments later today or tomorrow, but as I listened to the rule debate, I think there are some things that need to be fully understood.

The committee proposal on dairy is not the Wisconsin proposal, it is not the Midwest proposal, it is certainly not the Steve Gunderson proposal. Many of you are well aware that we did try to move toward a free market as a part of balanced budget one. Our leadership came to us and they said can you find the maximum amount of reform that is politically acceptable? And so we did that. We have spent the last 2 months working with literally every region of the country to bring about as close to a national consensus as you will ever get the dairy industry to have in terms of reform. That is what is in the committee bill.

And I think it is also important to understand when we talk about all these charges about what this bill is going to do to consumers, let us ask USDA. USDA does not talk about a billion-dollar impact on feeding programs; USDA says someplace between $4 to $500 million if we keep the California standards and mandate them for the entire country.

Now, everybody knows there has to be modification in the California standards in conference. The Senate has nothing. We know we have got to modify that area. Frankly, we have pledged, we have pledged to certain people we will make some modifications in that area. They know that, but they do not want to tell the truth, and that is not the gentleman from New York I am referring to. I am referring to the large manufacturing side of this industry, which has one goal: They want to keep the price support program in effect, they want to keep butter and powder on support for at least 5 years so we cannot use GATT and get into the world dairy market and become a market-oriented dairy economy so that prices depress, farmers produce more milk trying to survive, and then all of a sudden they can buy cheap milk.

This is not something being done out of the benevolent hearts of the large corporations for the poor farmers or poor consumers. Let us understand their motive in this one, my colleagues. Look at the committee bill. It is a delicate compromise which responds to every region of the country.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. VOLKMER].

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

Mr. VOLKMER. Mr. Speaker, I too rise in strong opposition to this rule.

I know the gentleman from New York [Mr. SOLOMON], the chairman of the committee, gave me one of my eight amendments, but it is not the one that I asked for; well, it is not the one I asked for, but that is all right. But the point is, and I think you go back to historical significance, this is a first time since I have been in this Congress, and I am now in my 20th year, that we have ever had a modified rule or semiclosed rule or closed rule on any farm bill. I was here in 1977, 1981, 1985, and 1990. Every year was an open rule. That is under Democrats, not under Republicans. The Republicans say, no, you cannot have all those amendments.

There were 74, if I remember right, 74 or 75, that were noticed to the Committee on Rules. I have looked at most of those amendments, and, to be honest with you, many of them are very important. Those are ideas that a Member of this Congress came here about agriculture, and he wanted to be able to bring it up, or he or she, on this floor when we had the farm bill.

But the great wisdom of the Committee on Rules, the chairman of the Committee on Rules says, no, that idea just is not any good, we are not going to accept it. You do not have the right to come to this floor and offer your amendment.

That is what the Committee on Rules is telling Members of this Congress: They no longer have a right to offer legitimate amendments, and I think that is terrible.

What is that doing to the House of Representatives? It is no longer a democracy in this House of Representatives. The U.S. House of Representatives is now under autocratic rule, more like a dictatorship. We are not going to have the full debate on legislation on this floor. We are only going to debate the things we want to be debated. We are going to let them do a few things, but they cannot have full time to debate.

Now in the past it has taken over a week to do a farm bill. They are going to do it in less than 2 days because

they are not going to let Members fully debate their amendments.

I strongly oppose the rule, and I strongly oppose the bill.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. BOEHNER], the chairman of the Republican conference and member of the Committee on Agriculture, one of the most respected Members of this body.

Mr. BOEHNER. Mr. Speaker, I thank the chairman of the Rules Committee for yielding this time to me, and suggest to the Members that we have coming before us today the most sweeping change in ag policy that we have seen in 60 years. We make real reforms in ag policy to try to move agriculture in this country from a government-run supply control supply management program to more market orientation than we have seen again in 60 years.

Now, we tried to bring this bill up about 3 weeks ago, and the gentleman who just spoke and preceded me, the gentleman from Missouri [Mr. VOLKMER], did everything he could to prevent the bill from coming to the floor. Now the gentleman from Missouri and all of us understand in ag country the farmers and bankers need to understand what the program is going to be because the Government ag program died last September 30, and so it is of utmost urgency that we move this bill through this House.

Now, the Committee on Rules, and working with Members from both sides of the aisle, have allowed some 15 or 16 amendments to be brought to the floor for debate. I believe there is ample time over the next 2 days to debate this fully and to represent all of the interests and concerns of all of the Members, and so I think that we have before us a good rule, and I would urge my colleagues to support it.

□ 1215

Mr. HALL of Ohio. Mr. Speaker, I yield 2½ minutes to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Speaker, I want to begin my remarks by responding directly to the comments of the preceding speaker. He talks about the sweeping reforms contained in this farm bill. He is right, there are sweeping reforms. All the more important that we fully debate, that we consider alternatives.

This new majority has taken another tack. They say ''No, we have to do it our way, or you have to do it no way.'' That is no way to develop policy regarding a very fundamentally important policy for agriculture in this country.

Second, he suggests that here we are at the end of February 1996, without a farm bill, and that is because the minority somehow prevented this body from developing a new farm bill. What bull that is. Come on. They failed to meet the demand of getting a new farm bill in place in 1995, they failed to bring it up in a timely manner in January 1996; they took February off, for gosh sakes, against the opposition of virtually every Member on this side of the aisle. And to have the temerity to suggest that somehow this debacle is the fault of the minority is a bit much.

Mr. Speaker, there is a real problem with this rule. It does not allow alternatives to be considered, and the fatal flaw of the freedom to farm legislation is that it eliminates the safety net for farmers. Farmers have two risks they cannot control, Mr. Speaker. They cannot control falling prices and they cannot control production losses. The Freedom-To-Farm Act addresses neither of those risks. In fact, it phases out the protections that have kept family farmers in the business of farming for decades.

I had an amendment which would have allowed the freedom-to-farm payments in the first 2 years, but moved in a strong marketing loan program providing some protection against falling prices for farmers over the second 5 years of the program. I am bitterly disappointed that that was not made in order. I think it was an extraordinarily important alternative to be considered.

Mr. Speaker, I want to quote the chairman of the Committee on Rules on preceding comments he has made about closed rules. He says: ''Mr. Speaker, sometimes it is hard to convey to the average citizen what the fuss about restricted rules is all about, but when you are telling them they are being robbed of their full right to representation in the House of Representatives because a committee says their Congressman cannot offer amendments, they begin to see things in a different light;'' the gentleman from New York, JERRY SOLOMON, April 28, 1993. Then in closing he says, in a debate in March 1993, JERRY SOLOMON, chairman of the Committee on Rules, he says: ''To paraphrase the real One Book, by your gag rules, you shall be known and reviled.'' That applies to the new majority in this instance with crystal clarity.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just am compelled to respond a little bit. As I look at this bill before us, this is the farm bill that was in the Balanced Budget Act. Who vetoed the Balanced Budget Act? President Clinton. If he has signed it, this bill would become law today.

Mr. Speaker, I think it is important to set the record straight about the glorious past the Democrats are attempting to paint here, based on the gentleman's previous comments. We have been told that the last farm rule in 1990 was an open rule. In fact, it was what I would call modified open in that it required preprinting of amendments. However, the rule closed title 20 of the farm bill to any amendments.

Moreover, after the amendment process had gone on for 2 weeks, the Rules Committee produced a second, modified closed rule, to limit debate on the remaining amendments that had been printed in the RECORD.

So, we do learn from the past, even if some would attempt to paint a rosier picture of it than existed.

Finally, for those who yearn for those glorious days of open rules under the Democrats, let me point out that so far in this Congress 64 percent of our rules have been open or modified open compared to just 44 percent under the Democrats in the last Congress.

So you have it much better in the Congress today than you have ever had it before. That is because I am going to see to it, we are going to try to make these as fair and open as we can. Watch what happens in the next several weeks as far as open rules are concerned.

Mr. Speaker, I include for the RECORD a summary of the amendment process on the 1990 farm bill (H.R. 3950).

The material referred to is as follows:

SUMMARY OF THE AMENDMENT PROCESS ON THE 1990 FARM BILL (H.R. 3950)

On July 20, 1990, the Rules Committee reported a modified open rule (H. Res. 439) for consideration of the ''Food and Agricultural Resources Act of 1990,'' H.R. 3950, requiring only that amendments must be pre-printed in the Congressional Record on or before July 20th.

The rule provided for three and one-half hours of general debate—two hours to the Ag Committee, and 30 minutes each to the Ways and Means, Foreign Affairs and Education and Labor committees. The rule made in order the Ag Committee substitute as base text for amendment purposes, as modified by amendments printed in the Rules Committee's report. The rule also permitted the Ag Committee chairman to offer en bloc amendments consisting of pre-printed amendments or germane modifications thereof. The rule permitted Rep. Gejdenson to offer an amendment to title XII (not printed in the report) and waived all points of order against it. The rule made in order an amendment printed in section 3 of the report on the rule that was not subject to amendment except by Rep. Panetta. Finally, the rule prohibited any amendments to title XIX of the bill.

On July 23rd, the rule was adopted, 293 to 80, and the House completed general debate. The rule was then considered for amendment over an additional six day period: July 24, 25, 27, 30, 31, and August 1. On August 1st the House passed the bill by a vote of 327–91.

All told, some 49 amendments were offered and voted—14 on rollcall votes and 35 on voice votes. Of the 49 amendments offered, 37 were offered by Democrats and just 12 were offered by Republicans. In addition, one Democrat and two Republican amendments were withdrawn, and points of order were sustained against two other Republican amendments. A total of 38 of the 49 amendments offered were adopted—most by voice vote. Of the 11 amendments not adopted, 7 were defeated on recorded votes. (The Madigan motion to recommit with instructions to limit certain benefits were rejected on a division vote of 38 to 92.)

Note.—It should be noted that on July 31st the Rules Committee reported a second rule (H. Res. 444) on the bill that limited debate time on four specified amendments (Conte, 20 minutes; Conte 60 minutes; Stenholm, 20 minutes and a De Fazio amendment to Stenholm, 20 minutes; and Frenzel, 40 minutes. Moreover, the rule limited debate time on any further en bloc amendments by the chairman and any other amendments preprinted in the Record to not more than 10 minutes each.

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

Mr. SOLOMON. I yield to the gentleman from North Dakota.

Mr. POMEROY. I thank the chairman for yielding. He is a man I respect, and I think he has made excellent points while he was a minority Member about opening up this place.

Mr. SOLOMON. I am going to.

Mr. POMEROY. Mr. Speaker, I have in my hand the CONGRESSIONAL RECORD of the consideration of the rules from the preceding farm bills back to 1965. By my reading, none has been considered under a rule as restrictive as the one considered today.

Second, your statistics about whatever number of rules are open versus closed is of no consequences to North Dakota, when the farm bill is up under a closed rule. Agriculture in North Dakota is better than half of our economy. This is the big kahuna. This is the most important legislation that this body will consider relative to my State, and you have not allowed me to offer an important alternative to the freedom to farm bill. We deserve better, Mr. Speaker. I hope my colleagues vote down this rule.

Mr. HALL of Ohio. Mr. Speaker, I include certain extraneous material at this point in the RECORD. This has to do with the various rules that have come to the floor in this past session relative to closed rules. As a matter of fact, it affects all rules.

The material referred to is as follows:

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS

| Bill No. | Title | Resolution No. | Process used for floor consideration | Amendments in order |
|---|---|---|---|---|
| H.R. 1* | Compliance | H. Res. 6 | Closed | None. |
| H. Res. 6 | Opening Day Rules Package | H. Res. 5 | Closed; contained a closed rule on H.R. 1 within the closed rule | None. |
| H.R. 5* | Unfunded Mandates | H. Res. 38 | Restrictive; Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference. | N/A. |
| H.J. Res. 2* | Balanced Budget | H. Res. 44 | Restrictive; only certain substitutes | 2R; 4D. |
| H. Res. 43 | Committee Hearings Scheduling | H. Res. 43 (OJ) | Restrictive; considered in House no amendments | N/A. |
| H.R. 2* | Line Item Veto | H. Res. 55 | Open; Pre-printing gets preference | N/A. |
| H.R. 665* | Victim Restitution Act of 1995 | H. Res. 61 | Open; Pre-printing gets preference | N/A. |
| H.R. 666* | Exclusionary Rule Reform Act of 1995 | H. Res. 60 | Open; Pre-printing gets preference | N/A. |
| H.R. 667* | Violent Criminal Incarceration Act of 1995 | H. Res. 63 | Restrictive; 10 hr. Time Cap on amendments | N/A. |
| H.R. 668* | The Criminal Alien Deportation Improvement Act | H. Res. 69 | Open; Pre-printing gets preference; Contains self-executing provision | N/A. |
| H.R. 728* | Local Government Law Enforcement Block Grants | H. Res. 79 | Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference | N/A. |
| H.R. 7* | National Security Revitalization Act | H. Res. 83 | Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference | N/A. |
| H.R. 729* | Death Penalty/Habeas | N/A | Restrictive; brought up under UC with a 6 hr. time cap on amendments | N/A. |
| S. 2 | Senate Compliance | N/A | Closed; Put on Suspension Calendar over Democratic objection | None. |
| H.R. 831 | To Permanently Extend the Health Insurance Deduction for the Self-Employed. | H. Res. 88 | Restrictive; makes in order only the Gibbons amendment; Waives all points of order; Contains self-executing provision. | 1D. |
| H.R. 830* | The Paperwork Reduction Act | H. Res. 91 | Open | N/A. |
| H.R. 889 | Emergency Supplemental/Rescinding Certain Budget Authority | H. Res. 92 | Restrictive; makes in order only the Obey substitute | 1D. |
| H.R. 450* | Regulatory Moratorium | H. Res. 93 | Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference | N/A. |
| H.R. 1022* | Risk Assessment | H. Res. 96 | Restrictive; 10 hr. Time Cap on amendments | N/A. |
| H.R. 926* | Regulatory Flexibility | H. Res. 100 | Open | N/A. |
| H.R. 925* | Private Property Protection Act | H. Res. 101 | Restrictive; 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text. | 1D. |
| H.R. 1058* | Securities Litigation Reform Act | H. Res. 105 | Restrictive; 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it. | 1D. |
| H.R. 988* | The Attorney Accountability Act of 1995 | H. Res. 104 | Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference | N/A. |
| H.R. 956* | Product Liability and Legal Reform Act | H. Res. 109 | Restrictive; makes in order only 15 germane amendments and denies 64 germane amendments from being considered. | 8D; 7R. |
| H.R. 1158 | Making Emergency Supplemental Appropriations and Rescissions | H. Res. 115 | Restrictive; Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) od rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment. | N/A. |
| H.J. Res. 73* | Term Limits | H. Res. 116 | Restrictive; Makes in order only 4 amendments considered under a ''Queen of the Hill'' procedure and denies 21 germane amendments from being considered. | 1D; 3R |
| H.R. 4* | Welfare Reform | H. Res. 119 | Restrictive; Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a ''Queen of the Hill'' procedure; All points of order are waived against the amendments. | 5D; 26R. |
| H.R. 1271* | Family Privacy Act | H. Res. 125 | Open | N/A. |
| H.R. 660* | Housing for Older Persons Act | H. Res. 126 | Open | N/A. |
| H.R. 1215* | The Contract With America Tax Relief Act of 1995 | H. Res. 129 | Restrictive; Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute. | 1D. |
| H.R. 483 | Medicare Select Extension | H. Res. 130 | Restrictive; waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time. | 1D. |
| H.R. 655 | Hydrogen Future Act | H. Res. 136 | Open | N/A. |
| H.R. 1361 | Coast Guard Authorization | H. Res. 139 | Open; waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute. | N/A. |
| H.R. 961 | Clean Water Act | H. Res. 140 | Open; pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business. | N/A. |
| H.R. 535 | Corning National Fish Hatchery Conveyance Act | H. Res. 144 | Open | N/A. |
| H.R. 584 | Conveyance of the Fairport National Fish Hatchery to the State of Iowa. | H. Res. 145 | Open | N/A. |
| H.R. 614 | Conveyance of the New London National Fish Hatchery Production Facility. | H. Res. 146 | Open | N/A. |
| H. Con. Res. 67 | Budget Resolution | H. Res. 149 | Restrictive; Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language. | 3D; 1R. |
| H.R. 1561 | American Overseas Interests Act of 1995 | H. Res. 155 | Restrictive; Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee. | N/A. |
| H.R. 1530 | National Defense Authorization Act FY 1996 | H. Res. 164 | Restrictive; Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes section 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins. | 36R; 18D; 2 Bipartisan. |
| H.R. 1817 | Military Construction Appropriations; FY 1996 | H. Res. 167 | Open; waives cl. 2 and cl. 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold for spending amounts pending passage of Budget. | N/A. |
| H.R. 1854 | Legislative Branch Appropriations | H. Res. 169 | Restrictive; Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl. 2 and cl. 6 of rule XXI against the bill. All points of order are waived against the amendments. | 5R; 4D; 2 Bipartisan. |
| H.R. 1868 | Foreign Operations Appropriations | H. Res. 170 | Open; waives cl. 2, cl. 5(b), and cl. 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl. 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ). | N/A. |

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

| Bill No. | Title | Resolution No. | Process used for floor consideration | Amendments in order |
|---|---|---|---|---|
| H.R. 1905 | Energy & Water Appropriations | H. Res. 171 | Open; waives cl. 2 and cl. 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority. | N/A. |
| H.J. Res. 79 | Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag. | H. Res. 173 | Closed; provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr. | N/A. |
| H.R. 1944 | Recissions Bill | H. Res. 175 | Restrictive; Provides for consideration of the bill in the House; Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment. | N/A. |
| H.R. 1868 (2nd rule) | Foreign Operations Appropriations | H. Res. 177 | Restrictive; Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min. each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments. | N/A. |
| H.R. 1977 *Rule Defeated* | Interior Appropriations | H. Res. 185 | Open; waives sections 302(f) and 308(a) of the Budget Act and cl 2 and cl 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Tauzin amendment; self-executes Budget Committee amendment; waives cl 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority. | N/A. |
| H.R. 1977 | Interior Appropriations | H. Res. 187 | Open; waives sections 302(f), 306 and 308(a) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Tauzin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority. | N/A. |
| H.R. 1976 | Agriculture Appropriations | H. Res. 188 | Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Skeen amendment first order of business, if adopted the amendment will be considered as base text (10 min.); Pre-printing gets priority. | N/A. |
| H.R. 1977 (3rd rule) | Interior Appropriations | H. Res. 189 | Restrictive; provides for the further consideration of the bill; allows only amendments preprinted before July 14th to be considered; limits motions to rise. | N/A. |
| H.R. 2020 | Treasury Postal Appropriations | H. Res. 190 | Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; provides the bill be read by title; Pre-printing gets priority. | N/A. |
| H.J. Res. 96 | Disapproving MFN for China | H. Res. 193 | Restrictive; provides for consideration in the House of H.R. 2058 (90 min.) And H.J. Res. 96 (1 hr). Waives certain provisions of the Trade Act. | N/A. |
| H.R. 2002 | Transportation Appropriations | H. Res. 194 | Open; waives cl. 3 of rule XIII and section 401 (a) of the CBA against consideration of the bill; waives cl. 6 and cl. 2 of rule XXI against provisions in the bill; Makes in order the Clinger/Solomon amendment waives all points of order against the amendment (Line Item Veto); provides the bill be read by title; Pre-printing gets priority. *RULE AMENDED*. | N/A. |
| H.R. 70 | Exports of Alaskan North Slope Oil | H. Res. 197 | Open; Makes in order the Resources Committee amendment in the nature of a substitute as original text; Pre-printing gets priority; Provides a Senate hook-up with S. 395. | N/A. |
| H.R. 2076 | Commerce, Justice Appropriations | H. Res. 198 | Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Pre-printing gets priority; provides the bill be read by title.. | N/A. |
| H.R. 2099 | VA/HUD Appropriations | H. Res. 201 | Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Provides that the amendment in part 1 of the report is the first business, if adopted it will be considered as base text (30 min.); waives all points of order against the Klug and Davis amendments; Pre-printing gets priority; Provides that the bill be read by title. | N/A. |
| S. 21 | Termination of U.S. Arms Embargo on Bosnia | H. Res. 204 | Restrictive; 3 hours of general debate; Makes in order an amendment to be offered by the Minority Leader or a designee (1 hr); If motion to recommit has instructions it can only be offered by the Minority Leader or a designee. | ID. |
| H.R. 2126 | Defense Appropriations | H. Res. 205 | Open; waives cl. 2(l)(6) of rule XI and section 306 of the Congressional Budget Act against consideration of the bill; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; self-executes a strike of sections 8021 and 8024 of the bill as requested by the Budget Committee; Pre-printing gets priority; Provides the bill be read by title. | N/A. |
| H.R. 1555 | Communications Act of 1995 | H. Res. 207 | Restrictive; waives sec. 302(f) of the Budget Act against consideration of the bill; Makes in order the Commerce Committee amendment as original text and waives sec. 302(f) of the Budget Act and cl. 5(a) of rule XXI against the amendment; Makes in order the Bliely amendment (30 min.) as the first order of business, if adopted it will be original text; makes in order only the amendments printed in the report and waives all points of order against the amendments; provides a Senate hook-up with S. 652. | 2R/3D/3 Bipartisan. |
| H.R. 2127 | Labor/HHS Appropriations Act | H. Res. 208 | Open; Provides that the first order of business will be the managers amendments (10 min.), if adopted they will be considered as base text; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; waives all points of order against certain amendments printed in the report; Pre-printing gets priority; Provides the bill be read by title. | N/A. |
| H.R. 1594 | Economically Targeted Investments | H. Res. 215 | Open; 2 hr of gen. debate. makes in order the committee substitute as original text | N/A. |
| H.R. 1655 | Intelligence Authorization | H. Res. 216 | Restrictive; waives sections 302(f), 308(a) and 401(b) of the Budget Act. Makes in order the committee substitute as modified by Govt. Reform amend (striking sec. 505) and an amendment striking title VII. Cl 7 of rule XVI and cl 5(a) of rule XXI are waived against the substitute. Sections 302(f) and 401(b) of the CBA are also waived against the substitute. Amendments must also be pre-printed in the Congressional record. | N/A. |
| H.R. 1162 | Deficit Reduction Lock Box | H. Res. 218 | Open; waives cl 7 of rule XVI against the committee substitute made in order as original text; Pre-printing gets priority. | N/A. |
| H.R. 1670 | Federal Acquisition Reform Act of 1995 | H. Res. 219 | Open; waives sections 302(f) and 308(a) of the Budget Act against consideration of the bill; bill will be read by title; waives cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Pre-printing gets priority. | N/A. |
| H.R. 1617 | To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS). | H. Res. 222 | Open; waives section 302(f) and 401(b) of the Budget Act against the substitute made in order as original text (H.R. 2332), cl. 5(a) of rule XXI is also waived against the substitute. provides for consideration of the managers amendment (10 min.) If adopted, it is considered as base text. | N/A. |
| H.R. 2274 | National Highway System Designation Act of 1995 | H. Res. 224 | Open; waives section 302(f) of the Budget Act against consideration of the bill; Makes H.R. 2349 in order as original text; waives section 302(f) of the Budget Act against the substitute; provides for the consideration of a managers amendment (10 min.) If adopted, it is considered as base text; Pre-printing gets priority. | N/A. |
| H.R. 927 | Cuban Liberty and Democratic Solidarity Act of 1995 | H. Res. 225 | Restrictive; waives cl 2(l)(2)(B) of rule XI against consideration of the bill; makes in order H.R. 2347 as base text; waives cl 7 of rule XVI against the substitute; Makes Hamilton amendment the first amendment to be considered (1 hr). Makes in order only amendments printed in the report. | 2R/2D |
| H.R. 743 | The Teamwork for Employees and managers Act of 1995 | H. Res. 226 | Open; waives cl 2(l)(2)(b) of rule XI against consideration of the bill; makes in order the committee amendment as original text; Pre-printing get priority. | N/A. |
| H.R. 1170 | 3-Judge Court for Certain Injunctions | H. Res. 227 | Open; makes in order a committee amendment as original text; Pre-printing gets priority | N/A. |
| H.R. 1601 | International Space Station Authorization Act of 1995 | H. Res. 228 | Open; makes in order a committee amendment as original text; pre-printing gets priority | N/A. |
| H.J. Res. 108 | Making Continuing Appropriations for FY 1996 | H. Res. 230 | Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee. | |
| H.R. 2405 | Omnibus Civilian Science Authorization Act of 1995 | H. Res. 234 | Open; self-executes a provision striking section 304(b)(3) of the bill (Commerce Committee request); Pre-printing gets priority. | N/A. |
| H.R. 2259 | To Disapprove Certain Sentencing Guideline Amendments | H. Res. 237 | Restrictive; waives cl 2(l)(2)(B) of rule XI against the bill's consideration; makes in order the text of the Senate bill S. 1254 as original text; Makes in order only a Conyers substitute; provides a senate hook-up after adoption. | 1D |
| H.R. 2425 | Medicare Preservation Act | H. Res. 238 | Restrictive; waives all points of order against the bill's consideration; makes in order the text of H.R. 2485 as original text; waives all points of order against H.R. 2485; makes in order only an amendment offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (3/5 requirement on votes raising taxes). | 1D |
| H.R. 2492 | Legislative Branch Appropriations Bill | H. Res. 239 | Restrictive; provides for consideration of the bill in the House | N/A. |
| H.R. 2491<br>H. Con. Res. 109 | 7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform. | H. Res. 245 | Restrictive; makes in order H.R. 2517 as original text; waives all pints of order against the bill; Makes in order only H.R. 2530 as an amendment only if offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (3/5 requirement on votes raising taxes). | 1D |
| H.R. 1833 | Partial Birth Abortion Ban Act of 1995 | H. Res. 251 | Closed | N/A. |
| H.R. 2546 | D.C. Appropriations FY 1996 | H. Res. 252 | Restrictive; waives all points of order against the bill's consideration; Makes in order the Walsh amendment as the first order of business (10 min.); if adopted it is considered as base text; waives cl 2 and 6 of rule XXI against the bill; makes in order the Bonilla, Gunderson and Hostettler amendments (30 min.); waives all points of order against the amendments; debate on any further amendments is limited to 30 min. each. | N/A |
| H.J. Res. 115 | Further Continuing Appropriations for FY 1996 | H. Res. 257 | Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee. | N/A |

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

| Bill No. | Title | Resolution No. | Process used for floor consideration | Amendments in order |
|---|---|---|---|---|
| H.R. 2586 | Temporary Increase in the Statutory Debt Limit | H. Res. 258 | Restrictive; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee; self-executes 4 amendments in the rule; Solomon, Medicare Coverage of Certain Anti-Cancer Drug Treatments, Habeas Corpus Reform, Chrysler (MI); makes in order the Walker amend (40 min.) on regulatory reform. | 5R |
| H.R. 2539 | ICC Termination | H. Res. 259 | Open; waives section 302(f) and section 308(a) | |
| H.J. Res. 115 | Further Continuing Appropriations for FY 1996 | H. Res. 261 | Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr). | N/A. |
| H.R. 2586 | Temporary Increase in the Statutory Limit on the Public Debt | H. Res. 262 | Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr). | N/A. |
| H. Res. 250 | House Gift Rule Reform | H. Res. 268 | Closed; provides for consideration of the bill in the House; 30 min. of debate; makes in order the Burton amendment and the Gingrich en bloc amendment (30 min. each); waives all points of order against the amendments; Gingrich is only in order if Burton fails or is not offered. | 2R |
| H.R. 2564 | Lobbying Disclosure Act of 1995 | H. Res. 269 | Open; waives cl. 2(l)(6) of rule XI against the bill's consideration; waives all points of order against the Istook and McIntosh amendments. | N/A. |
| H.R. 2606 | Prohibition on Funds for Bosnia Deployment | H. Res. 273 | Restrictive; waives all points of order against the bill's consideration; provides one motion to amend if offered by the Minority Leader or designee (1 hr non-amendable); motion to recommit which may have instructions only if offered by Minority Leader or his designee; if Minority Leader motion is not offered debate time will be extended by 1 hr. | N/A. |
| H.R. 1788 | Amtrak Reform and Privatization Act of 1995 | H. Res. 289 | Open; waives all points of order against the bill's consideration; makes in order the Transportation substitute modified by the amend in the report; Bill read by title; waives all points of order against the substitute; makes in order a managers amend as the first order of business, if adopted it is considered base text (10 min.); waives all points of order against the amendment; Pre-printing gets priority. | N/A. |
| H.R. 1350 | Maritime Security Act of 1995 | H. Res. 287 | Open; makes in order the committee substitute as original text; makes in order a managers amendment which if adopted is considered as original text (20 min.) unamendable; pre-printing gets priority. | N/A. |
| H.R. 2621 | To Protect Federal Trust Funds | H. Res. 293 | Closed; provides for the adoption of the Ways & Means amendment printed in the report. 1 hr. of general debate. | N/A. |
| H.R. 1745 | Utah Public Lands Management Act of 1995 | H. Res. 303 | Open; waives cl 2(l)(6) of rule XI and sections 302(f) and 311(a) of the Budget Act against the bill's consideration. Makes in order the Resources substitute as base text and waives cl 7 of rule XVI and sections 302(f) and 308(a) of the Budget Act; makes in order a managers' amend as the first order of business, if adopted it is considered base text (10 min). | N/A. |
| H. Res. 304 | Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia. | N/A | Closed; makes in order three resolutions; H.R. 2770 (Dorman), H. Res. 302 (Buyer), and H. Res. 306 (Gephardt); 1 hour of debate on each. | 1D; 2R |
| H. Res. 309 | Revised Budget Resolution | H. Res. 309 | Closed; provides 2 hours of general debate in the House | N/A. |
| H.R. 558 | Texas Low-Level Radioactive Waste Disposal Compact Consent Act | H. Res. 313 | Open; pre-printing gets priority | N/A. |
| H.R. 2677 | The National Parks and National Wildlife Refuge Systems Freedom Act of 1995. | H. Res. 323 | Closed; consideration in the House; self-executes Young amendment | N/A. |
| | PROCEDURE IN THE 104TH CONGRESS 2D SESSION | | | |
| H.R. 1643 | To authorize the extension of nondiscriminatory treatment (MFN) to the products of Bulgaria. | H. Res. 334 | Closed; provides to take the bill from the Speaker's table with the Senate amendment, and consider in the House the motion printed in the Rules Committee report; 1 hr. of general debate; previous question is considered as ordered.. | N/A. |
| H.J. Res. 134<br>H. Con. Res. 131 | Making continuing appropriations/establishing procedures making the transmission of the continuing resolution H.J. Res. 134. | H. Res. 336 | Closed; provides to take from the Speaker's table H.J. Res. 134 with the Senate amendment and concur with the Senate amendment with an amendment (H. Con. Res. 131) which is self-executed in the rule. The rule provides further that the bill shall not be sent back to the Senate until the Senate agrees to the provisions of H. Con. Res. 131. | N/A. |
| H.R. 1358 | Conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts. | H. Res. 338 | Closed; provides to take the bill from the Speakers table with the Senate amendment, and consider in the house the motion printed in the Rules Committee report; 1 hr. of general debate; previous quesetion is considered as ordered. | N/A. |
| H.R. 2924 | Social Security Guarantee Act | H. Res. 355 | Closed | N/A. |
| H.R. 2854 | The Agricultural Market Transition Program | H. Res. 366 | Restrictive; waives all points of order against the bill; 2 hrs. of general debate; makes in order a committee substitute as original text and waives all points of order against the substitute; makes in order only the 16 amends printed in the report and waives all points of order against the amendments; circumvents unfunded mandates law; Chairman has en bloc authority for amends in report (20 min.) on each en bloc. | 5D; 9R; 2 Bipartisan. |

* Contract Bills, 67% restrictive; 33% open. ** All legislation 1st Session, 56% restrictive; 44% open. *** Legislation 2d Session. 100% restrictive; 0% open. **** All legislation 104th Congress 60% restrictive; 40% open. ***** Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103d Congress. ****** Not included in this chart are three bills which should have been placed on the Suspension Calendar. H.R. 101, H.R. 400, H.R. 440.

Mr. HALL of Ohio. Mr. Speaker, I yield 2½ minutes to the gentleman from California [Mr. FARR].

Mr. FARR of California. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise with great concern about the debate we are about to have. Most people do not understand what this debate is all about. It is about the rules that allow the amendments to come to the floor. It is as simple as that. The issue here is whether you will have an open rule which allows any amendments to be brought up, or will you have a closed rule or a modified closed rule, which allows very few or no amendments.

What alarms me, and I wish the alarms would go off in this building for the people who are sitting here in the gallery, those who are watching, those who are wandering around, it is that this building represents democracy in the United States. It says this is the great hall where people can debate all issues.

But I will tell you, on this farm bill, which is one of the most important bills we have to debate in Congress, because agriculture touches every State, and it touches each differently; some States grow sugar cane, some States grow peanuts, some States grow coffee, some States grow artichokes, some States grow wheat, some States grow corn, some States grow cows, some States grow pigs and sheep, but no State does it all.

So this is the bill that touches America and the greatness of America, and yet the process we are using denies public access. It denies the debate that we ought to have, that says look, there were 74 amendments presented to the Committee on Rules, and only 15 of them were allowed to come to the floor; 15 allowed to come to the floor on a bill that has never had public input. This process is denying people access to their government, and that may be denied on the Senate side, but the Constitution protects this hall and this House. That Constitution says that this is the people's House.

You have to reject rules like this, because what is going to happen is the end product is not going to be trusted by the people. It is not just the laws we make and we put into the books, it is the confidence that we have to build with the American public that what we are doing here is right and just.

This is a controversial bill. People do not understand commodity programs. This is not a freedom to farm act, this is how we regulate commodities. Indeed, if we are going to have any trust in that, we will have to build that trust by open rules, not closed rules.

It is said about sausages, if we are talking about the farm bill and what goes into sausages, that if you like laws and sausages, you should never watch either of them being made. Mr. Speaker, reject this rule. It is anti-everything this House stands for under our Constitution.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from West Palm Beach, FL [Mr. FOLEY], a new Member of this body, and an outstanding Member.

Mr. FOLEY. Mr. Speaker, let me thank the gentleman for yielding time to me, and commend the Committee on Rules and its chairman for fair consideration of over 70 amendments on this bill. Why is it fair? It makes in order five Democratic amendments. It makes in order five Republican amendments. It makes in order four bipartisan

amendments. I think it has been extremely fair for all sides, both sides of the aisle, and any Member who has interests in agriculture.

We talk about delay. Count up the number of quorum calls, motions to adjourn, motions to rise, and recorded Journal votes required by the minority in the first 100 days of Congress. Talk about why we are waiting until February to consider some important legislation. That will give you a significant answer.

One of the amendments is extremely important to restoring one of this Nation's true environmental treasures, the Florida Everglades. The rule makes in order my amendment, which will provide $210 million for the purpose of environmental restoration in the Everglades, a provision similar to that which has already passed in the Senate bill.

Let us make one thing perfectly clear. We would not be in a position today where this type of structured rule would be necessary had the President not vetoed the balanced budget bill placed on his desk last year. In addition to putting the future of this country at risk by jeopardizing the financial security for future generations with his veto, the President's actions made planting decisions for farmers in rural America extremely difficult due to the expiration of most of this country's agricultural policies.

This rule that is being debated today will ensure the timely passage of this bill so that farmers and ranchers can make decisions they need to make and provide America with the safest, cheapest, most abundant food supply in the world. I ask my colleagues to support this very fair rule.

Mr. HALL of Ohio. Mr. Speaker, I have no further requests for time on this rule. I would urge certainly a ''no'' vote on the previous question. If the ''no'' vote prevails, I would offer an amendment immediately to pass an open rule on the agriculture bill that is before us.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume. I will close for the majority.

Mr. Speaker, let me respond to my good friend, the gentleman from Massachusetts [Mr. FRANK]. The unfunded mandate law that he is talking about does not prohibit unfunded mandates. It simply requires that such mandates be identified in the committee report, which the committee has done, so that the House can determine whether to support or whether to oppose them. That is the way the law was written.

The committee has complied with the mandate law by identifying the private sector mandates in its report. That is in the report. The law does not provide for a separate vote on such private sector mandates. That is not in the law. That is only public sector. Only the public sector mandates require a separate vote. Certainly if there were any in here, and it has been flagged by CBO, then we would be having those separate votes. Since there are no public sector mandates in the bill, we are not denying any separate votes at all.

The Committee on Agriculture has complied with the unfunded mandate law, and so has the Committee on Rules. If anyone has any question beyond that, they can always ask for votes as they see fit.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. First, Mr. Speaker, my understanding is that the legislation did say that there should be a separate vote on a private sector unfunded mandate unless the Committee on Rules waived it. I understand the Committee on Rules can waive it. But what the gentleman has now said is people should understand what this great big unfunded mandate bill comes down to.

It does not mean there will not be any unfunded mandates on the private sector, apparently. It does not mean we will even have to automatically vote on each unfunded mandate. The great contract reform on unfunded mandates for the private citizens come down to this: We will not do an unfunded mandate on you for several billion dollars unless we put it in the committee report. I am sure the American people will feel very reassured and protected that they know that there will not be any more unfunded mandates unless they are mentioned in a committee report. Congratulations on a great legislative accomplishment.

Mr. SOLOMON. Mr. Speaker, let me just say that the Committee on Agriculture has complied with the unfunded mandate law. So has the Committee on Rules.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. KINGSTON). The question is on ordering the previous question.

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

Mr. HALL of Ohio. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 228, nays 182, not voting 21, as follows:

[Roll No. 31]

YEAS—228

| | | |
|---|---|---|
| Allard | Ballenger | Bateman |
| Archer | Barr | Bereuter |
| Armey | Barrett (NE) | Bilbray |
| Bachus | Bartlett | Bilirakis |
| Baker (CA) | Barton | Bliley |
| Baker (LA) | Bass | Blute |
| Boehlert | Goss | Neumann |
| Boehner | Graham | Ney |
| Bonilla | Greenwood | Norwood |
| Bono | Gunderson | Nussle |
| Brownback | Gutknecht | Packard |
| Bunn | Hamilton | Parker |
| Bunning | Hancock | Paxon |
| Burr | Hansen | Pombo |
| Burton | Hastert | Porter |
| Buyer | Hayes | Portman |
| Callahan | Hayworth | Pryce |
| Calvert | Hefley | Quillen |
| Camp | Heineman | Quinn |
| Campbell | Herger | Radanovich |
| Canady | Hilleary | Ramstad |
| Castle | Hobson | Regula |
| Chabot | Hoekstra | Roberts |
| Chambliss | Hoke | Rogers |
| Chenoweth | Horn | Rohrabacher |
| Christensen | Hostettler | Ros-Lehtinen |
| Chrysler | Houghton | Roth |
| Clinger | Hunter | Roukema |
| Coble | Hutchinson | Royce |
| Coburn | Hyde | Salmon |
| Collins (GA) | Inglis | Sanford |
| Combest | Istook | Saxton |
| Cooley | Johnson (CT) | Scarborough |
| Cox | Johnson, Sam | Schaefer |
| Crane | Jones | Shadegg |
| Crapo | Kasich | Shaw |
| Cremeans | Kelly | Shays |
| Cubin | Kim | Shuster |
| Cunningham | King | Sisisky |
| Davis | Kingston | Smith (MI) |
| Deal | Klug | Smith (NJ) |
| DeLay | Knollenberg | Smith (TX) |
| Diaz-Balart | Kolbe | Smith (WA) |
| Dickey | LaHood | Solomon |
| Doolittle | Largent | Souder |
| Dornan | Latham | Spence |
| Dreier | LaTourette | Stearns |
| Duncan | Laughlin | Stockman |
| Dunn | Lazio | Stump |
| Ehlers | Leach | Talent |
| Ehrlich | Lewis (CA) | Tate |
| Emerson | Lewis (KY) | Tauzin |
| English | Lightfoot | Taylor (NC) |
| Ensign | Linder | Thomas |
| Everett | Livingston | Thornberry |
| Ewing | LoBiondo | Tiahrt |
| Fawell | Longley | Torkildsen |
| Fields (TX) | Lucas | Torricelli |
| Flanagan | Manzullo | Traficant |
| Foley | Martini | Upton |
| Forbes | McCollum | Vucanovich |
| Fowler | McCrery | Waldholtz |
| Fox | McHugh | Walker |
| Franks (CT) | McInnis | Walsh |
| Franks (NJ) | McIntosh | Wamp |
| Frelinghuysen | McKeon | Watts (OK) |
| Frisa | Metcalf | Weldon (FL) |
| Funderburk | Meyers | Weller |
| Gallegly | Mica | White |
| Ganske | Miller (FL) | Whitfield |
| Gekas | Molinari | Wicker |
| Gilchrest | Montgomery | Wolf |
| Gillmor | Moorhead | Young (AK) |
| Gilman | Morella | Young (FL) |
| Goodlatte | Myrick | Zeliff |
| Goodling | Nethercutt | Zimmer |

NAYS—182

| | | |
|---|---|---|
| Abercrombie | Collins (MI) | Foglietta |
| Ackerman | Condit | Ford |
| Andrews | Conyers | Frank (MA) |
| Baesler | Costello | Frost |
| Baldacci | Coyne | Gejdenson |
| Barcia | Cramer | Gephardt |
| Barrett (WI) | Danner | Geren |
| Becerra | de la Garza | Gibbons |
| Beilenson | DeFazio | Gonzalez |
| Bentsen | DeLauro | Gordon |
| Berman | Dellums | Green |
| Bevill | Deutsch | Gutierrez |
| Bishop | Dingell | Hall (OH) |
| Bonior | Dixon | Hall (TX) |
| Borski | Doggett | Hastings (FL) |
| Boucher | Dooley | Hefner |
| Brewster | Doyle | Hilliard |
| Browder | Durbin | Hinchey |
| Brown (CA) | Edwards | Holden |
| Brown (FL) | Eshoo | Hoyer |
| Brown (OH) | Evans | Jackson (IL) |
| Cardin | Farr | Jacobs |
| Clay | Fattah | Jefferson |
| Clayton | Fazio | Johnson (SD) |
| Clement | Fields (LA) | Johnson, E. B. |
| Clyburn | Filner | Johnston |
| Coleman | Flake | Kanjorski |

Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McNulty
Meehan
Meek
Menendez
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Murtha
Nadler
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Roybal-Allard
Sabo
Sanders
Sawyer
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Skaggs
Skeen
Skelton
Slaughter
Spratt
Stark
Stenholm
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wynn
Yates

NOT VOTING—21

Bryant (TN)
Bryant (TX)
Chapman
Collins (IL)
Dicks
Engel
Furse
Harman
Hastings (WA)
Jackson-Lee (TX)
McDade
McKinney
Myers
Neal
Oxley
Riggs
Rose
Rush
Seastrand
Stokes
Weldon (PA)

☐ 1249

The Clerk announced the following pair:

On this vote:

Mr. Riggs for, with Mrs. Collins of Illinois against.

Messrs. OWENS, SCHIFF, and KENNEDY of Massachusetts, and Ms. KAPTUR changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. SEASTRAND. Mr. Speaker, on rollcall No. 31, due to pressing business, I was not able to vote. Had I been present, I would have voted ''yea.''

The SPEAKER pro tempore (Mr. KINGSTON). The question is on the resolution.

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

RECORDED VOTE

Mr. HALL of Ohio. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 244, noes 168, not voting 19, as follows:

[Roll No. 32]

AYES—244

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lowey
Lucas
Maloney
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Peterson (MN)
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Ramstad
Regula
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Schumer
Seastrand
Shadegg
Shaw
Shays
Shuster
Sisisky
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torricelli
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wolf
Young (AK)
Young (FL)
Zeliff

NOES—168

Abercrombie
Ackerman
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (OH)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Gejdenson
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jacobs
Jefferson
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Luther
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McNulty
Meehan
Meek
Menendez
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Nadler
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Petri
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Roybal-Allard
Sabo
Sanders
Sawyer
Schroeder
Scott
Sensenbrenner
Serrano
Skaggs
Skeen
Skelton
Slaughter
Spratt
Stark
Stenholm
Stockman
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Wise
Woolsey
Wynn
Yates
Zimmer

NOT VOTING—19

Brown (FL)
Bryant (TX)
Chapman
Collins (IL)
Dicks
Furse
Gephardt
Harman
Jackson-Lee (TX)
McKinney
Myers
Neal
Radanovich
Riggs
Rose
Roth
Rush
Stokes
Wilson

☐ 1306

The Clerk announced the following pair:

On this vote:

Mr. Riggs for, with Mrs. Collins of Illinois against.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## RESIGNATION AS MEMBER OF COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

The SPEAKER pro tempore (Mr. KINGSTON) laid before the House the following resignation as a member of the Committee on Government Reform and Oversight:

CONGRESS OF THE UNITED STATES,
*Washington, DC, February 28, 1996.*

Hon. NEWT GINGRICH,
*Speaker of the House,*
*The Capitol, Washington DC.*

DEAR MR. SPEAKER: I hereby resign from the House Committee on Government Reform and Oversight.

Sincerely,

GENE TAYLOR,
*Member of Congress.*

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

## RESIGNATION AS MEMBER OF COMMITTEE ON AGRICULTURE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Agriculture:

CONGRESS OF THE UNITED STATES,
*Washington, DC, February 28, 1996.*

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

DEAR MR. SPEAKER: I would like to inform you that I am resigning from my committee assignment on the House Agriculture Committee.

Thank you very much.

Sincerely,

CYNTHIA MCKINNEY,
*Member of Congress.*

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

## ELECTION OF MEMBERS TO SUNDRY STANDING COMMITTEES OF THE HOUSE

Mr. FAZIO of California. Mr. Speaker, I offer a privileged resolution (H. Res. 367) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 367

*Resolved*, That the following named Members be, and they are hereby, elected to the following standing committees of the House of Representatives:

To the Committee on Transportation and Infrastructure, Tom Sawyer of Ohio, Gene Taylor of Mississippi;

To the Committee on Science, Harold Volkmer of Missouri, to rank directly below Mr. Brown of California; Bart Gordon of Tennessee, to rank directly below Mr. Hall of Texas;

To the Committee on International Relations, Charlie Rose of North Carolina, Pat Danner of Missouri;

To the Committee on Banking and Financial Services, Cynthia McKinney of Georgia.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT OF INTENT TO OFFER ON TOMORROW A MOTION TO INSTRUCT CONFEREES ON H.R. 956, COMMONSENSE PRODUCT LIABILITY AND LEGAL REFORM ACT OF 1995

Mr. CONYERS. Mr. Speaker, pursuant to rule XXVIII, I hereby announce my intention to offer a motion to instruct conferees on H.R. 956 tomorrow.

The form of the motion is as follows:

Mr. CONYERS moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 956 be instructed to insist upon the provisions contained in section 107 of the House bill.

## ORDER OF AMENDMENTS ON H.R. 2854, AGRICULTURAL MARKET TRANSITION ACT

Mr. VOLKMER. Mr. President, I ask unanimous consent that my amendment, which is in order to be the fourth amendment to the farm bill, H.R. 2854, be in order instead after the Solomon-Dooley amendment.

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

Mr. ROBERTS. Mr. Speaker, reserving the right to object, the gentleman from Missouri [Mr. VOLKMER] and I have discussed this at length. I think the gentleman has made a very reasonable request.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

## AGRICULTURAL MARKET TRANSITION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 366 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2854.

☐ 1310

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2854) to modify the operation of certain agricultural programs, with Mr. YOUNG of Florida in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Kansas [Mr. ROBERTS] and the gentleman from Texas [Mr. DE LA GARZA] each will be recognized for 1 hour.

The Chair recognizes the gentleman from Kansas [Mr. ROBERTS].

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

Mr. Chairman, at long last the House of Representatives will now consider a farm bill, and in this regard I would like to make some commentary as to the reasons why we on the Republican side adopted the policy approach that we have.

In that regard I think, unfortunately, during most of the debate in this regard to this year's farm bill, much of the rhetoric has ignored several basic facts. There are dramatic changes taking place that involve U.S. agriculture. Farmers are competing for increased demand in a growing global marketplace.

The Congress is serious, finally, about a balanced budget. The political climate will not permit any rubberstamped acceptance of status quo policies in agriculture or anywhere else. Farmers and ranchers know, boy do they know, the current farm program is outdated and in need of reform.

So the question is, what kind of policy takes these givens into account and makes sense? After conducting 19 hearings, traveling over 60,000 miles, and listening to over 10,000 farmers and ranchers, agribusiness men and women, and many others involved in agriculture, this is what farm country told us: One, they are sick and tired of regulatory overkill and demand regulatory reform; two, they strongly support a balanced budget. They know a balanced budget will save agriculture and farmers and ranchers $15 billion in lower production costs. They also requested a consistent and aggressive export program, and they want more flexibility and ability to respond to market signals and to make their own financial decisions.

So taking all of these points into account, we have proposed an innovative approach to farm program policy. It has received the most debate of any farm program proposal in modern history. It was originally called freedom to farm, and is now before us as the Agricultural Market Transition Act.

Let me explain the policy rationale. The original New Deal farm programs over 60 years ago were based on principles of supply management. If you control supply, you raise prices. Over the last 20 years, the principal justification for the programs has been that farmers received Federal assistance in return for setting aside a portion of their wherewithal, that is, their acreage.

☐ 1315

That assistance was largely in the form of something we called deficiency payments to compensate farmers for prices below a Government-set target price for their production. Today, unfortunately, that system has collapsed as an effective way to deliver assistance to farmers.

Worldwide agricultural competition takes our markets when we reduce production. The more we set aside, the more our competitors overseas simply increase their production by more than we set aside. They steal our market share. In short, the supply management rationale not only fails under close scrutiny by the many critics of ag policy, it has enabled our competitors to increase their production and we lose the market share.

As I have indicated, the Freedom to Farm Act, Agriculture Market Transition Act, was born of an effort to create a new farm policy from an entirely new perspective. Acknowledging that budget cuts were inevitable, that we must meet our budget responsibilities, freedom to farm set up new goals and new criteria for farm policy.

No. 1, get the Government out of farmers' fields. No longer do you put the seed in the ground to protect your acreage base to receive a Government subsidy. Return to farmers the ability to produce for the markets, not the Government programs. And to provide a predictable and guaranteed phasing down of Federal financial assistance.

By removing Government controls on land use, freedom to farm effectively eliminates the No. 1 complaint of farmers about the programs: bureaucratic redtape, paperwork, all of the regulations and the Government interference. Endless waits at the county ASCS office or the SCS office will end. Hassles over field sizes, whether the right crop

was planted, or the correct amount of acres would be a thing of the past. Environmentalists should be pleased that the Government no longer forces the planting of surplus crops and what we call monoculture agriculture. And a producer who wants to introduce a rotation on their farm for various environmental or agronomic reasons would be free of the current restrictions.

This bill builds on the conservation compliance requirements, the environmental requirements, if you will, of 1985 and 1990, of the 1985 and 1990 farm bills, and positively impacts 300 million acres.

This bill is the most environmentally responsible farm program in 60 years. We will have more to say about that in the future debate. Under freedom to farm, farmers can plant or idle all their acres at their discretion. They are in control. The restrictions on what they can plant are greatly reduced. Response to the market would assume a larger role in our farmer planning. And divorcing payments from production and, by the way, we already started that when yields were frozen in 1985 and we went to flex acres and we froze target prices and we cut target prices, that has already happened, that would end any pressure from the Government in choosing crops with which to pursue. So all production incentives would come from the marketplace and the individual farmer.

In return for this, we proposed a guaranteed payment, the guarantee of a fixed, albeit it declining, payment for 7 years would provide the predictability and consistency that farmers have wanted and provide certainty to creditors as a basis for lending.

Listen up, Mr. and Mrs. American farmer and your banker and your farm credit troop, any other lending institution, sit down with your banker, your lender, 7 years, you know what you are going to get. You can plan on it. It is a risk management account. You do not have to wait on the Congress.

The current situation in wheat, corn, and cotton country, under which our prices are very high but we do not have any crops but large numbers of producers have lost their crops due to weather or pests, that would be corrected by this kind of a payment system. These producers this year cannot access the high prices. They do not have a crop. And instead of getting help when they need it the most, the old system really cuts off their deficiency payments and even demands they pay back the advance deficiency payments. What a time. We are blowing away in the Great Plains. We are bone dry. We have prairie fires. We do not have any crops.

The current farm program says pay back advanced deficiency payments, and we get no payment, no disaster payments or no help. The freedom to farm ensures that whatever financial assistance is available will be delivered regardless of the circumstances, because the producer signs a contract with the Federal Government for the next 7 years. High prices, high payments, oh, we have heard a lot of criticism about that. First, the payments will not be high. You cannot cut annual spending in half compared to the last farm program bill over the last 5 years and have high payments. That does not work.

No farmer, let me repeat this to all of the critics and you will hear it in this debate, no farmer is going to take his market transition payment and retire. Farmers will continue to farm.

Second, under freedom to farm, the payments made to producers must be looked at from a new perspective. It is a transition to full farmer responsibility for his economic life, a risk management account.

Just as farmers will need to look to the market for production and marketing signals, freedom to farm will require that farmers manage their finances to meet all the price swings. It is true that when prices are high, farmers will receive a full market transition payment. It is equally true that if prices decline, farmers will receive no more than the fixed market transition payment. That means the farmer must manage his income, both market and Government, to account for weather and price fluctuations.

But under this plan, he makes the decision, not Washington, not Congress, not the ASCS office, not the SCS office. He makes that decision.

In short, under freedom to farm, we authorize the market transition payments to farmers as opposed to the current program's deficiency payments, to serve as a form of compensation as we move U.S. Agriculture from an economy heavily influenced by the Federal Government to one in which our Government role is substantially reduced and the primary influence is the marketplace.

The old program did provide market insulation for each bushel of production. But that system is collapsing under the weight of budget cuts. You have heard the former chairman of the House Committee on Agriculture, the gentleman from Texas, the Hon. KIKA DE LA GARZA, chairman emeritus of the committee. You have heard the gentleman from Texas [Mr. STENHOLM], a leader in the farm community, a spokesman for agriculture. You have heard me, you have heard others talk about how farmers have already given at the office in regards to their budget responsibilities and that $65 billion in budget authority has already been cut from farm programs over the last 10 years. True. Nobody knows that in Washington, or very few know it in Washington. Not many people in the press understand that, that we have already cut ag spending 9 percent a year for about the last 9 or 10 years.

Well, what is to prevent the continued slow asphyxiation in regards to budget cuts and the amount of money that we should have in regard to a responsible farm program? Under freedom to farm, we enhance the farmers' total economic situation. In fact, under freedom to farm it results in the highest net farm income over the next 7 years of any of the proposals before Congress. You represent farmers. Under this plan you have more investment in production agriculture, more farm income than any other plan. We lock it up, and we still meet our budget responsibilities.

Now, if you believe there will be no more budget cuts and no more budget reconciliations and no more budget battles, freedom to farm is not for you. If you believe that if farmers just hang on a little longer, their prospects for more Government support will improve in this climate, freedom to farm is not for you. If you believe that farm programs will not continue under the budget gun, that we will not have our fingers, our arms, our legs on the budget chopping block, freedom to farm is not for you.

If, however, you believe that there will be more reconciliations, that the heat on farm programs—and you will hear amendments about that in the debate on down the road during the amendment process—if you think that this heat on farm programs will only increase and that Congress needs more than deep budget cuts to present to farmers and not so slow asphyxiation, then freedom to farm makes sense.

Now, the severest, the severest critics of farm programs in the press, on television, major newspapers, have hailed the freedom to farm as the most significant reform in ag policy since the 1930's. We have received national acclaim from our critics of farm program policy that this is long-needed, long-awaited reform. Our congressional critics have also decided that our freedom to farm program represents the kind of reform that they can support, and they believe that it is the kind of reform that is needed.

Nearly every agriculture economist who has commented on freedom to farm has supported its structure and its probable effect on farmers in the ag sector. We are at a crossroads now, folks. We can either sink deeper into Government controls and rapidly sagging Government support and a lack of investment in regards to our ability to feed this Nation and the troubled and hungry world, or we can strike out in a new direction that at least holds out the prospect of assisted transition to a private marketplace, a market-oriented agriculture.

The Freedom to Farm Act is that new direction. We need to seize it. Now is the time.

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

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

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

Mr. DE LA GARZA. Mr. Chairman, I rise in opposition to H.R. 2854 as currently presented to the House, and in

support of three en bloc amendments which I will be offering. Let me preface this by saying that my opposition is in no way indicative of the actions of the chairman of the committee but, rather, Mr. Chairman, in past years we have had the opportunity to prepare comprehensive farm policy in a deliberate, all-inclusive manner. When we have been required to comply with budget reconciliation instructions, the House Committee on Agriculture has complied to the tune of $50 billion in savings from 1981 through 1993. However, in this particular farm bill, if you call it a farm bill, national farm policy for the next 7 years was developed by the Republican leadership.

Mr. Chairman, Americans are the best fed people in the world. They have a stable and abundant supply of nutritious food and pay a lower percentage of their disposable income for food than any other of the industrialized nations in the world.

I would like to think that the House Committee on Agriculture, on a bipartisan basis and in spite of what editorial writers say, has played a constructive role in this success story. But that is no more, unfortunately. For example, last year Speaker GINGRICH, the Republican leader, and the Republican whip wrote a letter to the gentleman from Kansas, Chairman ROBERTS. That letter dictated to the Committee on Agriculture, in no uncertain terms, the specific policy option that the committee was to choose in order to meet its reconciliation savings.

No room was left for the committee to deliberate, for the committee to obtain views of farmers, of consumer groups, of the administration. That leadership-dictated policy was the foundation of what is now included in H.R. 2854.

Mr. Chairman, the policy included by decree of the gentleman from Georgia, Speaker GINGRICH, in the bill now before the House was first introduced as a bill in August. In a blatant rejection of our sacred principles of open government, our committee did not hold one single hearing on this proposal and still has not to this day. There were other hearings held to gather information, much before this time, but none on the proposal itself.

Mr. Chairman, farmers in every region of this country have very grave concerns about the agriculture provisions before this House. They represent a sudden and dramatic abandonment by the Government of its role in sharing the farmer's risk. Farmers are particularly concerned that a sudden withdrawal of the Federal Government may make the difference in their fight to stay on the farm. Yes, they may know that each year they will get a cash payment, but if prices collapse next year, will that payment be enough? If wheat prices fall to $2.50, how many wheat farmers will be out of business in Kansas, in the Dakotas, in Washington States? If cotton prices fall back down to 45 cents, how many cotton growers spread out all over the South and areas of the Southwest will survive? If corn prices are under $2, where will the corn belt be? What if milk prices fall to $9. How many of New England's dairy farmers make it?

Mr. Chairman, farmers will hope for the best. But if the best does not materialize and a substantial base of our food and fiber production capacity is lost, will we feel that it was worth the risk?

All these questions, Mr. Chairman, and we have no answers; not even opinions. All we had in the Committee on Agriculture this year were a few votes. No discussion. No consideration of the views of farmers, the consumers, the businesses that thrive on the products of agriculture, those hearings on which we have always heavily relied. The policy before the House was not aired out in the Committee on Agriculture, it was dictated by the Republican leadership. When a bipartisan majority of our committee defeated this bill last fall, the Republican leadership nevertheless packaged it with tax cuts and health care program changes and forced it on the floor.

□ 1330

Mr. Chairman, it was inevitable that the President would veto that bill and he did, and I agree that it should have been vetoed. Rather than acting quickly to move farm policy forward, our committee sat until the end of January and did nothing. Only in the hours before a 3-week congressional break did our committee finally act, and again I respectively state this is through no fault of the chairman of the committee. The actions were held in other areas by other people.

Mr. Chairman, a further frustration to us is that farm policy continues to be driven by outdated decisions. The Republican leadership continues to insist on cutting over $13 billion from agriculture programs. We know that these cuts were not conceived in the context of any consideration to good farm policy. We were cutting acting with numbers in a vacuum only. We have to attach faces and places to legislation. This has not been done to this day. Rather, the decision to cut the very heart out of farm programs was integral to the radical Republican policy of cutting $270 billion out of the rate of increase in Medicare and providing for a $245 billion tax cut. This has fluctuated, it has changed up and down, and the administration has become involved in these overall considerations, all of it outside of the realm of the members of the Committee on Agriculture.

Mr. Chairman, all parties have now conceded that any tax cut will be for less, as will reductions in health care program spending as we move forward to a balanced budget. No committee in this House has provided more for a balanced budget than the Committee on Agriculture. Had every committee done what we have done, we would not be worrying about a balanced budget at this point in time. If the enormous tax and Medicare cuts have been abandoned, is it not also time to recognize that the size of the cuts ordered for agriculture should be reexamined? Those policies were after all the driving force behind the Republican decision to cut $13 billion from agriculture.

Mr. Chairman, we are in a difficult position. Time is not available to fully address the errors that have been committed in this flawed process. There will be some who would say, well, there will be a conference. Conference has limitations, limitations that restrict activity by members of the conference. Farmers who should have already made crucial farming decisions are kept waiting. The very fact that we have not acted yet has jeopardized agriculture. Action in farm policy for 1996 must be taken and taken quickly.

In that light, our No. 1 priority is to make what changes we can in this flawed bill to strengthen our farm economy and its rural base.

Mr. Chairman, the bill is titled the ''Agriculture Market Transaction Program,'' and we believe that few have escaped the meaning of the term ''transition'': That the Federal Government will withdraw completely from its partnership with the producer in providing for the food security of our Nation. And I have just come back from my district and other parts of Texas, and they now say that ''this bill is not what we were talking about.'' We want to reduce regulation; we want to reduce needless spending. We did not want to say ''take the Government completely out as we act in unison, together, for the betterment of America.''

So they did not say that we should withdraw completely from the partnership with the producer in providing for the food security of our Nation. However, if such a transition is to occur, we believe that now is an appropriate time for investments to be made with the posttransition period in mind.

Regretfully, the rule does not provide for that. It is limited in scope, it is limited as to how many amendments, what type of amendments. Many of you heard the chairman of the Committee on Rules: We did this because we did not want this many more amendments from Wisconsin, and so on. Toward the end, Mr. Chairman, we proposed to increase the Department of Agriculture's authority to invest in the rural infrastructure, water deliveries, sewage disposal. We propose to increase this authority to make investments that conserve and protect our natural resources, and we propose to make crucial investments in agriculture research, education and extension.

Yesterday I was in my district, for a meeting of rural housing representatives and all you need to do is go down there and you will see the immense need in rural housing, and as I told them and I repeat to you today, the creature of G-d has a certain level of

dignity mandated by laws beyond, beyond our country and beyond this Chamber. The human dignity that needs to be addressed includes decent housing so that those of higher intellect have a decent place to live. Only within government can we form a partnership. Earning a minimum wage is not going to allow someone to buy housing for them and for their family, and we have hundreds of thousands of those people, but yet we are not addressing those areas.

We propose to ensure that our highly productive oilseed industry, which will receive no benefit from the bill's contract payments, is able to continue to compete effectively in world markets. We would delete the set level for the oilseed market loan in the bill, which is set at an arbitrary fixed amount, dealing in a vacuum, and replace it with a formula based on actual market prices.

Finally, we believe that our agriculture sector is so important to our Nation that we deserve a farm policy debate in 2002. To ensure that debate, we propose to retain permanent farm support authority.

Therefore, on behalf of Democratic members of the Committee on Agriculture, I will offer three amendments en bloc, the first, authored by the gentlewoman from North Carolina [Mrs. CLAYTON]. The amendment would provide the Commodity Credit Corporation with the authority to dispense $3.5 billion of its funds for rural development conservation and research, education and extension.

The second was written by the gentleman from South Dakota [Mr. JOHNSON], who has been a tremendous inspiration in this endeavor. It would set the loan rate for oilseed marketing assistance loans at 85 percent of the 5-year average price for oilseeds, excluding the high and the low years.

The third would strike the provision of the committee substitute which repeals the permanent farm law.

Mr. Chairman, I am dismayed over this process. Our people deserve better from this Congress. We have been the partnership. The experts and the major periodicals in New York and San Francisco and Orange County; I keep reading editorials form Orange County about the farm, farm products, farm process, farm policy. We have in my family seven grandchildren who know more about farm policy that the editorial writers from Orange County, CA, Mr. Chairman.

Also, I ask the committee and the Members to stay with us on the amendments that we will be opposing. Many of those amendments that were granted are aimed at satisfying the needs of major media. They have not spoken to agriculture. They have not spoken to rural America. They have not spoken to the people. They are looking at that headline in the major periodical. Would you trust a newspaper in New York City to set the policy for the farmers and ranchers of America? And, needless to say, Mr. Chairman, of all of the matters involving the budget, we have met our commitment.

Furthermore, Mr. Chairman, let me say that everything that we do as far as production in this country, manufacturing, industrial production, everything is in deficit as far as international trade is concerned. Everything is deficit. That is the free market. It is in deficit. Dollars are flowing out, dollars we do not have. The only thing that is bringing money back, green back, green dollars back, is agriculture. The only thing that is positive is agriculture. And yet they say subsidy, subsidy, subsidy. Look at this chart. You cannot see the line at the bottom. That is how much of an impact we make on the budget, seven-tenths of 1 percent is agricultures share of the trillions of dollars we spent on the budget.

And then here is a major one. The green is agriculture. The red is everything else. The red is in deficit, has been. Except for selling a few high tech items and airplanes, agriculture is the only one bringing money back from abroad.

So saying we need a new direction, we need another this, another that, what we need is, with the help of the good Lord, a little more rain here and less rain there, and a policy that manages, I do not care how you slice it. Every company, every industry manages, manages, and we cannot go and face the world because all other countries, most of them camouflage support of their agriculture and we would be the only one that does not support agriculture under the guise of satisfying our New York newspaper who says the free market.

The free market has never existed. There has always been some manipulation. There will be more manipulation, and we are shooting ourselves in the foot when we yield to those pleas for liberators so that we can be eaten by those that camouflage their intentions and their agriculture.

We need strong agriculture, we need to have a program where the government participates, and this program unfortunately phases out. Yes, you will get a little money. If somebody goes to Las Vegas and they win the first thing on the machine and second thing on the machine, they say we got it. Stay there long enough and you have lost it all. This is what this is going to do, show a little money, show a little candy up front. Eventually, 7 years, we are off and away and we will be as loose as that satellite that broke from the tether up in the skies the other day. It is loose out there and heaven knows where it is going to be. We do not want American agriculture to be in that condition.

So I urge Members to support those amendments that might make this a little better, oppose those that try and destroy programs that have worked. We are the best fed people in the world, we spend less money than everyone else in the world, and, oh, the sugar, sugar, sugar. We are talking about jobs, jobs for Americans, and if you open up and the world unloads all the sugar, we are not going to have a sugar program and the people are not going to have lower prices in sugar. Even now when we did not have a sugar program the prices skyrocketed, skyrocketed to the consumer. When we have held it down to a level, when we have reduced, the product at the retail store did not come down, the product that they talk about the consumer as being gouged, that did not come down at all, the soft drinks, all of the cookies, all of the candies. They did not come down at all. We kept paying the same. But yet they blame it all on the program.

So, Mr. Chairman, I hope that the Members that have listened will agree with us also that we need stability. Stability can only be done in a partnership. That partnership has worked and is working, and I hope that we continue it.

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

Mr. Chairman, I would like to make the observation to my dear friend and colleague from Texas that the New York Times editorial board did not sit in our offices when we constructed the Freedom To Farm Act, and we would not want them to sit there, but at least in terms of their opinion, it would be helpful if they would not perjure agriculture as he has indicated.

Let me also say that the gentleman from Texas is affectionately called the chairman emeritus of the House Agriculture Committee for good reason. He has been a champion of agriculture, he has furnished us outstanding leadership, he is regarded all over the world as a Secretary of State of Agriculture.

□ 1345

Mr. Chairman, I checked with his seven grandchildren, who have mentioned they are going to have an appreciation night for KIKA, pardon me, the gentleman from Texas [Mr. DE LA GARZA], as of tomorrow in his home State of Texas. Of the seven grandchildren, four have endorsed the freedom-to-farm concept.

Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky [Mr. LEWIS].

Mr. LEWIS of Kentucky. Mr. Chairman, I rise today in support of the farm bill, and am proud to say I was one of the nine original sponsors of the first freedom-to-farm bill.

Last year, Mr. Clinton killed freedom to farm when he vetoed the Balanced Budget Act of 1995.

But make no mistake about it. Today's bill still lives up to that nickname.

It still lets the folks who actually grow crops decide what to plant—and how much. They know their own soil better than all the Washington Bureaucrats combined. It cuts Government intrusive paperwork and provides the needed safety net for farmers.

In less than 2 years of representing Kentucky's Second District, I've spoken with hundreds of farmers. From the Second District alone, more than 45 members of the Kentucky Farm Bureau are here today, waiting for us to pass this bill.

If there's one thing nearly all of them agree on, it's that they'd rather spend time planting and harvesting crops than filling out Government paperwork. Or drawing lines on maps.

I think they may be even more excited about our crop insurance reform. After the President signs this bill, farmers won't be forced to buy crop insurance just to participate in Government programs.

I think many of them will continue to but it, but these businessmen and women didn't appreciate being told to do so.

They're pretty independent folks, and they're looking forward to getting some of the burden of big government off their backs.

They're also pretty conservative folks. They care about the future of their children, and grandchildren. And they've told me they're happy to help balance the budget if they can spend more time in the fields and less at the ASCS office.

They're still looking for further regulatory reform, and tax cuts that will help them stay in business, or pass on the family farm. We need to continue to pursue these farmer- and family-friendly measures.

Mr. Chairman, today we begin to overhaul our Nation's 60-year-old agricultural policy. I congratulate Chairman ROBERTS' courage and vision on this matter.

This is truly the most sweeping change in farm policy since the New Deal.

It's good for farmers, it helps us move toward a balanced budget and it doesn't pull the rug out from under the people who feed our Nation.

Mr. Chairman, let's continue to lead, let's pass the farm bill.

Mr. DE LA GARZA. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Missouri [Mr. VOLKMER].

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

Mr. VOLKMER. Mr. Chairman, I rise in strong opposition to what has been called by the author of this bill as freedom to farm. I call it freedom not to farm, because if anybody reads this bill, they will find that farmers are able to get payments, and they are not little payments, able to get payments and they do not even have to farm.

That is right. I will repeat it. Farmers get payments and they do not even have to farm. It is not just 1 year, it is for 7 years. It is not for a few dollars, like a recipient of AFDC or food stamps gets. We are talking about $80,000 to some farmers. We are talking about some farmers over a period of 7 years getting well over a quarter of a million dollars, and they do not have to farm.

Many of those farmers are not the little farmers. These are medium-size farmers, but they have a lot of farmland. The amount of farmland they have gives them the number of acreage that they have been farming, at least 1 out of the last 5 years, the amount of payment. They can get $80,000, and then if they have cotton and a marketing loan program, they can get another $150,000. That is $230,000 in 1 year. They can also make a half a million on the farm operation and still get the $230,000.

There is something wrong here, folks. This is not getting government off your backs. This is high-priced welfare. This is not cheap welfare. This is real high-priced welfare. This is not a little $300 a month AFDC or an $80 a month Food Stamp Program, these are thousands of dollars, and over a period of years, over $1 million to some farmers, over $1 million to a farmer.

What is going on? I thought we had a budget crisis. I though we had problems with money. We are going to give $36 billion away in the next 7 years, and farmers do not have to do a thing if they do not want to. If they want to, that is fine, but they do not have to.

Instead of calling it freedom to farm, I would call it freedom not to farm. I do not know why they object. I had an amendment that I asked to be put in order, but the Committee on Rules did not permit it. It said at least you have to plant some crops in order to get a payment. I think that is reasonable. I think most people would think that is reasonable. But the Committee on Rules no, you cannot have that amendment; we are not going to permit that because we do not want farmers to have to plant crops in order to get these payments.

I think it is terrible that this House would even consider making these kinds of payments to a very few number, about 28,000 people throughout the United States, out of 250 million in order to pass freedom not to farm.

Mr. ROBERTS. Mr. Chairman, it is with personal pleasure that I yield 3 minutes to the distinguished gentleman from Oklahoma [Mr. LUCAS], a very viable member of the committee. The gentleman not only brings expertise to the Committee on Agriculture, but he is a real, live farmer and cattleman.

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

Mr. LUCAS. Mr. Chairman, I rise in strong support of H.R. 2854, the Agriculture Market Transition Act of 1996. It is the agriculture policy that will shape rural America as we head into the 21st century.

This new farm policy is based on four basic themes: The current program is flawed and must be reformed; the Government must get out of the farmer's fields; farmers must have the ability to produce for the markets, not Government programs; and finally, we must provide a predictable and guaranteed phasing down, but not out, of Federal financial assistance in farm country.

Taking these basic themes into account, we on the Agriculture Committee formulated the Agriculture Market Transition Act.

To those who will say that this bill does not contain true reform, I would encourage you to wake up and smell the coffee. This bill is the biggest change in farm policy that we have seen since 1949. This includes peanuts, sugar, and dairy.

Many during this debate will cite high commodity prices as a reason for sinking this reform. This argument has no merit. High prices are a result of a short harvest last year and another dismal crop projection this year. Sure my producers would enjoy $5 wheat if they had a crop to sell. But the reality is that the High Plains from west Texas to the Canadian border are in financial turmoil.

At the time of my producers greatest need, Uncle Sam's current assistance program is no help. For in a time of short crops and high prices, the current program asks for money back. It is truly senseless.

Colleagues, in short, the current program doesn't work. Our job on the committee and in this Congress is to construct a program that will stop this bleeding. I believe the Agriculture Market Transition Act is the best way to do this.

My friends, agriculture is truly at a crossroads. It is time we break the bonds of the old and ring in a market oriented program that will guide us into the next century. I urge my colleagues to support H.R. 2854 without significant amendment. The future of rural America depends on its passage. We must have a farm bill.

Mr. DE LA GARZA. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. DOOLEY].

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

Mr. DOOLEY. Mr. Chairman, I rise in strong opposition to the freedom to farm proposal. I think all of us would agree that there is an appropriate role for Government in farm policy. That is to provide a safety net for farmers in those years of a price collapse. It is to provide for assistance in breaking down unfair trade barriers that prevent our U.S. farmers from being competitive in the international marketplace, and also to provide assistance in the research that can ensure that our farmers will have the technology to be the low-cost competitors in the world. But it is not an appropriate role of the Federal Government to ensure that taxpayers of this country are going to be making $36.5 billion in payments to farmers over the next 7 years, regardless of what commodity prices may be.

Today if Members would go into any of the commodity markets on the

major farm programs, they could forward contract in December 1996 on cotton, corn, wheat, barley, and oats, at a price that is higher than the target price today, on which our subsidies are based.

On corn and cotton, you can forward contract into December 1997, covering 2 crop years, at a higher price than the target price. Under the current farm programs, the taxpayers of this country will be making minimal outlays to farmers. But under freedom to farm, what happens? We are asking the taxpayers of this country to lay out $5.6 billion in this next year, and $5.4 billion in the following year. This is just not good policy, and it lacks all common sense.

In fact, we can be thankful that the same people that put together this agriculture reform were not the ones that devised our welfare reform, for if they were, we would be ensuring that anybody who received a welfare payment in 1 out of the last 5 years, that we would give them a welfare payment, guaranteed, for the next 7 years regardless of what happened to their income. They could win the lottery and the taxpayers of this country would still be obligated to write them a check for 7 years.

This is bad policy. It does not ensure that farmers in the future will have that safety net; not a safety net that guarantees them a profit, but a safety net that ensures that when we have a price collapse, when income is low, that the Federal Government will be there to ensure that we do not have widespread bankruptcies throughout this land.

Oftentimes people have contended that this freedom to farm is a transition to an era without subsidies. The gentleman, the Republican from Oklahoma, just recently responded that he hopes we look at this as a transition, not to transition out of programs, but to move into a new era. He is still hoping we have some financial obligations or money going into the agriculture sector post-freedom to farm.

What we ought to be doing is devising a farm policy in this country that ensures that our farmers are going to have the tools to be competitive in the international marketplace. Freedom to farm does not provide that.

Mr. ROBERTS. Mr. Chairman, I am very happy to yield 1½ minutes to the gentleman from Iowa [Mr. LIGHTFOOT], a good friend and a good champion for the farmer.

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

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

Mr. Chairman, I rise today to offer my strong support for H.R. 2845, the Agriculture Market Transition Act introduced by the gentleman from Kansas, [Mr. ROBERTS]. This legislation gives farmers what they want and what they need. It is a simple, consistent, and flexible farm bill to ensure successful family farming operations.

I do not come to this floor totally out of touch with this issue. I was raised on a farm. My folks still farm. I spent 16 years as a farm editor before getting involved in politics some 12 years ago. I think this bill represents true reform for agricultural programs.

Let us look at the reality of the situation. This body has become more urban as the years have gone by. We cannot get the votes out of this body to put together the kind of programs that have been put together in the past. It is just not there. Farmers are becoming almost like the eagle on my tie, an endangered species. There are not many of them left. Yet, if you ask the average person on the street what happens if we lose the farmers, their response is, ''It does not make any difference. I have Safeway.'' They just do not understand what is involved in the food chain. So this is the one piece of legislation that can rescue farmers.

I guess it boils down to where do you put your faith? Do you trust farmers, or do you trust bureaucrats and political appointees? I am going to go with the farmers. The farmers want the liability to produce for the market instead of a Government program. They want the ability to manage their land in a resourceful type fashion, without burdensome controls and regulations. This legislation must be passed now.

Mr. DE LA GARZA. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Hawaii [Mrs. MINK].

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

□ 1400

Mrs. MINK of Hawaii. Mr. Chairman, I thank by colleague, the ranking member of the Committee on Agriculture, for yielding me the time.

Mr. Chairman, this debate today will include an amendment that is to be offered regarding the sugar program. I rise to take my precious 3 minutes to address this amendment. Of all the Members who have sugar growers, as far as I can see in the statistics, it is grown to a much larger extent in my district than in any other Member's district. There are about 65 Members who have producers of sugar, both cane and beet, and we have a very, very large stake depending upon the outcome of this amendment.

The Miller-Schumer amendment basically will eliminate U.S. domestic sugar production. All the market economists and specialists that I have spoken to indicate that if this amendment should pass today and should become law, it will virtually eliminate the U.S. sugar production. For myself and my district, it will mean about 6,000 jobs. So I ask the Members of this Chamber today in debating the farm bill to not talk about this abstract notion of commodities. We are talking about jobs.

Listen to the Republican Presidential debates and you will see that the American people are concerned about jobs. When we talk about reforms, certainly, there must be reforms. We talk about cuts in the budget; of course, there must be cuts in the budget.

But when you look at the sugar program, there is not one penny of tax subsidy going into this program, so why are we targeting this particular industry that is so essential? Are not farmers working Americans like any other workers anywhere else in our industries? What is the difference? These are hard-working people working under the standards that have been established by Congress, whether it is environmental, labor or health or whatever, and we want to shut them down in place of foreign sugar where there are no environmental concerns, no workers' standards, no environmental standards, no safety standards, and give a preference to foreign sugar so that a few of our mega corporations can make millions and millions of dollars at the expense of 420,000 jobs in America that are related to the sugar industry? It is mind-boggling.

We are committed to the preservation of jobs in this country. We are not for shutting down businesses. Certainly, we are for balancing the budget, but no one can show me that there is one penny of taxpayers' money going into the sugar program. On the contrary, we are paying into the Treasury, and this bill that is coming up is going to add more money.

I ask the Members of the House to think carefully about this amendment. Are we eliminating jobs and killing an entire industry?

Mr. ROBERTS. Mr. Chairman, I thank the gentlewoman for her comments.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Georgia [Mr. CHAMBLISS], a valued member of the committee.

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

Mr. CHAMBLISS. Mr. Chairman, I wish to say to the chairman of the Committee on Agriculture how much I appreciate his leadership through what has been a very difficult year with ag policy. We have stepped into a situation where we have had to meet budget constraints and agriculture has always been called on, even in years when we were not trying to balance the budget, to make cuts in our programs. The chairman of the committee has been a very valued asset to me personally, and I thank him for that leadership.

Also to my subcommittee chairmen, the gentleman from Illinois [Mr. EWING] and the gentleman from Nebraska [Mr. BARRETT], who have just done a super job in bringing us forward. And I thank the gentleman from Missouri [Mr. EMERSON] and the gentleman from Texas [Mr. COMBEST] for their valued friendship and leadership. I cannot leave out the gentleman from Wisconsin [Mr. GUNDERSON]. He has just worked so diligently, the particularly

in the area of dairy. To my friend, the gentleman from Texas [Mr. DE LA GARZA], we on the other side of the aisle have had our disagreements certainly, but it has always been in a very professional and a very courteous manner, and I commend him for his leadership over there.

Agriculture has always been the backbone of the economy of this country. I come from the largest agriculture county in the State of Georgia. Agriculture drives our State, and certainly agriculture drives my home county and the people there. Less than 2 percent of the people of this country feed 100 percent of the people of this country. We provide the safest, finest quality of food products on the shelves of our grocery stores of anybody in the world. We spend less than 10 cents out of every dollar on food products, whereas other industrialized countries like Japan spend over 20 cents out of every single dollar for food products. We are able to do that because of strong agriculture programs that we have in this country that provided those safe, high-quality products and we have been able to stabilize the retail cost of agricultural products over the years. But times are changing. We are moving into the 21st century. The Agricultural Marketing Transition Act moves us in the direction. I commend the chairman, and I urge the support of that bill.

Mr. DE LA GARZA. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California [Mr. FARR].

Mr. FARR of California. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I just heard some students out in the hallway saying, oh, they are just talking about agriculture and that is boring. The difficulty with this debate is, it is everything but boring because it is really the engine that drives the American economy and it is wonderful history and it is great culture and to understand what agriculture is, is really to listen to this debate.

I happen to represent just one State that is very diverse in agriculture in California, and California farmers in my district, I think, are the most productive farmers in the world when they grow specialty crops. These are big crops in our area, but in agriculture language here in Washington, they are known as minor crops. Specialty crops produce 2.5 billion dollars' worth of fresh fruits, vegetables, and horticulture crops without any Federal price supports, without any other direct Federal support, including water. We grow lettuce and artichokes and strawberries and flowers and over 100 different crops. That is just in two, three counties in California.

They have succeeded by embracing the full benefits of potential risks and of great market. They are models for American agriculture, and I believe that American agriculture must move in that direction to remain viable into the next century. But even market-driven agriculture needs a national farm policy. It needs conservation, it needs research, it needs rural development, it needs market promotion. These are all really crucial to our future success and sustainability. I think the issue about agriculture in America is to sustain it so that our grandchildren and great-grandchildren can still move into the same lands, hopefully not covered by shopping centers, and allow those great-grandchildren to be able to farm in this great country.

The Federal Government has a deep responsibility to make sure that these programs help all of rural America. H.R. 2854 has some problems because it ignores some of the crucial goals of the American farm policy. While I do not like the transition program that is in the bill, I think it is too expensive and makes payments regardless of the farmer's production or market prices, it still moves agriculture toward the market, and I can support that. But I cannot support the bill if it also does not address the conservation issues, the research, and the rural development and I am particularly concerned that it does not address the loss of farmland to urban sprawl.

I have coauthorized legislation with my good friend, the gentleman from Maryland [Mr. GILCHREST], to help States address the troubling loss of farmland to urbanization, over a million acres last year at current rates. The States have taken the lead in helping farmers keep this land in agriculture and out of the grasp of urban sprawl, and the Federal Government should help these States with their efforts, and so far they are not. A version of our bill was added to the Senate farm bill by Senator SANTORUM. Unfortunately, neither this bill nor the conservation amendment allowed by the rule includes any farmland protection measures.

Mr. Chairman, I cannot support the bill without adequate funding for conservation, research, and rural development.

Mr. ROBERTS. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. EWING] and commend him for the outstanding job that he has done as an excellent subcommittee chairman in addressing reform in many of our farm programs, particularly in regard to sugar and peanuts, the programs that probably come under the most criticism.

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

Mr. EWING. Mr. Chairman, this is crunch time for this Congress. It is time for us to act on the farm bill. This will be the first important rewrite of the depression-era farm programs that have been on the books for decades.

There is some very good news in the rewrite that is being proposed here today. The good news includes that American farmers should be better off and better able to decide what they are going to plant under this proposal that is before us today. It also is good news that it brings an end to Government control of farm markets and artificially inflated prices and limited food supplies. The environment is also helped by the legislation we will consider here today by removing current farm policy, which in some cases has been a disincentive to natural crop rotation, maybe to overuse of fertilizer.

Taxpayers I think should also rejoice because there is savings in the billions in this bill for agriculture. Some critics carp that the reforms do not go far enough, and yet others say the reforms go too far. The Democratic leadership in the House says that the reforms go too far, while the administration says this bill is going to cost too much and it does not go far enough. But I think that means that this is a pretty good middle-ground reform measure.

The legislation holds potential for far-reaching reforms in agricultural policies and will reverse several decades of farm policy. Congress should not miss the opportunity today to pass this bill because it includes less Government, less cost to the taxpayers, more production safety net for American agriculture, and market orientation. American farmers, American farm organizations know this is a good bill and there is opportunity in here for American farmers to prosper, certainly something this Congress should be for.

Mr. Chairman, let me say in closing that the bill includes portions for peanuts, for sugar, for cotton, for dairy, for feed grains. The bill is a package. We cannot just pass part of this package. We must pass the package for American agriculture. Vote ''yes'' on this bill and vote ''no'' on those amendments that would gut this package.

Mr. DE LA GARZA. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. TEJEDA].

Mr. TEJEDA. Mr. Chairman, I rise now to highlight a gaping hole in this farm bill. Missing is the Emergency Livestock Feed Assistance Program.

For more than 50 years, this crucial program provided a vital safety net for livestock ranchers in times of severe drought. This farm bill eliminates that protection.

When a severe drought hits, ranchers need assistance to maintain their livestock. The alternative for many ranchers is financial disaster.

Ranchers must feed their livestock whether it rains or not—whether feed is plentiful or scarce. The Emergency Feed Assistance Program provides short-term help during such a crisis.

Some of my colleagues who returned home to huge snow drifts may find this hard to believe. But right now, today, ranchers in south Texas face a sustained drought.

Formerly productive pastures are turned into dust, with no end in sight. Rainfall since October is 9 inches below normal. With cattle prices low, the current drought may force many ranchers in my district to lose everything.

The Federal Government should provide a reliable program when ranchers need help preserving their livestock. Hard-working ranchers depend on us, American consumers depend on us, this program provides stability in difficult times.

More than 1,000 ranchers in my district used this Emergency Feed Assistance Program last year alone. Without it, ranchers will have nowhere to turn in times of severe need.

Ranchers look for all possible options during a drought, and turn to this program as a last resort. Under this farm bill, their last option will be gone.

□ 1415

Mr. ROBERTS. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. THORNBERRY], a distinguished champion of agriculture.

Mr. THORNBERRY. Mr. Chairman, I want to commend the chairman of the committee and all the members for the good job they have done in very difficult circumstances.

Mr. Chairman, there are three things the agricultural economy in my district desperately needs. First is a good gain. No matter how important we think we are, I do not think we can do much about that. We need better cattle prices. I am not sure we can do anything about that today. Third, we need a farm bill. We are the only ones that can do something about that.

It is too late now. We have got farmers, we have got bankers, fertilizer dealers, all sorts of people in the rural economies who are trying to make decisions, and we need a farm bill now so they can know what the rules of the game are going to be.

I may not be thrilled with every nook and cranny of this bill, but it is something rural America can live with. It is something that will continue to provide an abundant, cheap source of food and fiber for this country that I think all too often we take for granted, and it is something that should not be broken up piece by piece, because I am concerned the whole thing would unravel at that point.

Mr. Chairman, I think this is a good bill. It ought to be passed. It should not be broken up, and farmers need to be able to get on about their business.

Mr. DE LA GARZA. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I wish that we could put the debate in context in that one would not go from one end and one would not go to the other.

My distinguished colleague and friend from Texas just mentioned, ''Got to act now.'' We had all of last year to act. But you were doing some contract business of some kind and forgot the contract with American farmers and agriculture. And also that we are forcing. No one has to join the program. Any farmer anywhere in the United States is free to do what he or she wants. They do not have to join the program. They can do the free market.

I know agriculture, fruit and vegetables, they do the free market and do not rely to any extent on Government. But their costs keep escalating. The costs of seed goes up. The cost of fertilizer goes up, and you do not know what the market is going to be, up or down.

So, Mr. Chairman, we must remember this as one Member comes on the floor, says his thing, the one that is not here comes and say another thing; I wish we could keep it all in context.

Mr. ROBERTS. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. LATHAM], another real-life farmer and a very valued member of the Committee on Agriculture.

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

Mr. LATHAM. Mr. Chairman, I want to thank the chairman, the gentleman from Kansas [Mr. ROBERTS], for the opportunity to speak here today and thank him also for the tremendous amount of work and effort that he has put into this excellent bill, and the subcommittee chairs, the gentleman from Nebraska [Mr. BARRETT], the gentleman from Illinois [Mr. EWING], the gentleman from Wisconsin [Mr. GUNDERSON], the gentleman from Missouri [Mr. EMERSON], who have shown such great leadership all through this debate.

This debate has gone on, I believe, too long. There has been a lot of obstruction set up. We could have had this bill done several weeks ago except for some Members in the minority stopped it through a procedural move, but it has been very, very difficult. We have had, I think, 19 hearings. We have had thousands of people give us input. Farmers, real live farmers, themselves tell us that finally we need to break the central control that Washington has on agriculture, to finally let the farmers themselves make some of their own decisions and to really respond to the market that we have today.

This debate has gone on and on, and through the committee process, and I am very pleased that we did come up with a bill that had bipartisan support from the committee to really free up agriculture once and finally after 60 years, to allow individuals to actually produce on their farms what they want rather than what some bureaucrat here in Washington tells them.

If you look at what happened last year in Iowa, we had two disasters, especially in southern Iowa. One was a flood that went through, and the second was the farm program did not work, and the catastrophic insurance did not work for those farmers.

What we are asking those people from last year to do right now, if we would continue the current central Washington control program, is to pay back deficiency payments because markets are high even though they did not have a crop, and it is going to break those people. We have got to reform this program. We have got to pass the bill today and pass it intact, and I appreciate the chance to speak.

Mr. DE LA GARZA. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Michigan [Mr. BARCIA].

Mr. BARCIA. Mr. Chairman, I rise in limited support of H.R. 2854—the Agricultural Market Transition Act. I say limited support because the inclusion of the sugar and dairy provisions of this bill are essential to key components of production agriculture in my district and in my State. Without them, I find little to support in this bill.

Farm programs have already been cut by 50 percent in the last 10 years. I continue to tell my colleagues that if other programs had only done half as much as agriculture, we probably would be spending time trying to deal with the budget surplus. But to continue to demand that farmers endure greater and greater cuts is a tremendous disservice to the most productive people in our economic arsenal. It is an insult to individuals who year after year generate the most positive returns on our balance of payments.

Representations have been made that this sugar program is the same as it has been for the past several years. That is false. There are already significant changes proposed in the sugar program by this bill that I know many growers would prefer to avoid. The fact is that some changes have to be made to continue the program and some changes are being made.

However, Mr. Chairman, there are some who dislike the sugar program because it makes sugar cost more. American consumers have been the beneficiaries of some of the most stable prices on sugar of any consumer in the world. Every other country in the world has a sugar price support program, so the constant reference to the alleged ''world price'' of sugar is a farce. That price represents the residual supply that is left over for trade when all of the other sugar supplied under profitguaranteeing contracts has been sold, and when domestic needs have been met.

A smart businessman knows that if he makes a huge profit on 75 to 90 percent of his production, he will still make a large overall profit if he sells the remainder even at a loss. That is exactly what is happening with sugar. How else can one explain that sugar is being sold for between 10 and 12 cents per pound—excluding delivery costs so don't even buy in to the price you hear quoted—when average production costs are over 15 cents per pound as demonstrated in study after study?

In my 3 years in Congress, I have yet to receive a single letter from a constituent saying that the price of sugar is too high. So who are these supposed consumers who would save if the sugar program were gutted as some propose? Bakers, candy manufacturers, food processors, and soft drink manufacturers, that is who they are. The amount of sugar contained in a consumer package of their products is usually minor. When was the last time any of us saw a manufacturer drop the price of a

candy bar, a box of cereal, a soft drink, a bottle of ketchup, or any other product by a penny or less? Certainly if those pennies are multiplied by the millions of units of production it turns into significant dollars.

But the point is the consumer never has and never will see a price reduction due to minor changes in the price of an ingredient of a food product.

Our support program guarantees imports of foreign sugar, and those imports are expanding. Our producers are forced to remain competitive and they have done so. The sugar program must stay in this bill to have my support.

Our dairy farmers have also been singled out for mistreatment by some who believe that large corporate operations should be allowed to drive smaller producers. Dairy marketing orders have allowed reasonable competition without destruction of productive capacity. They should continue.

Dairy farmers have been forced to pay assessments long enough. It is time to stop treating them differently than any other producer. This bill ends assessments.

And the bill properly moves strongly toward greater exports of dairy products because we know that we need to have greater presence in export markets to take full advantage of the productive capacity of our dairy farmers. This bill does this as well.

Mr. Chairman, I know some truly believe in the idea of transitional payments to end farm price supports, with the belief that now at a period of higher farm prices is the best time to do it. It is true that it is the best time from the standpoint of not putting producers in a precarious position this year.

But I remain concerned about the future. If it is anything that a farmer knows it is that farm prices do not stay high. I am concerned about people who will change what they plant, because they do not have the production history to qualify for as large a payment as do other growers. I am concerned about young farmers who have not established any history, because the full brunt of this program falls on them. They will be producing for market price alone, and these are the farmers that we cannot afford to lose. If the young farmer disappears, so does our ability to have a stable food supply for the future.

Mr. Chairman, I know all programs should be reviewed and many need modifications. Farm programs are not exempt. New paths are being forged here today that I hope will be in the farmer—and the consumer's—best interest for years to come. For that reason, I will support final passage assuming the bill in the end still contains the sugar and dairy provisions I have described.

Our farmers are vital. They support their communities. They believe in and support their country. Most of the military academy appointees in my district come from rural areas. Our farmers deserve our support, and this is one Member that is going to give his to them.

Mr. ROBERTS. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Illinois [Mr. LAHOOD], a very valuable member of the committee.

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

Mr. LAHOOD. Mr. Chairman, it is a thrill for me to come down on this floor and speak on this bill because I think it is a very good bill. A lot of hard work has gone into it.

Before I say anything further, I want to pay special compliments to the chairman of the committee. This will be his last farm bill in this House. I know that he will be working on many more farm bills in the other body when he goes over there, but you have done great work, Chairman ROBERTS, in cobbling together all of the different interests.

I also want to pay my respects to the ranking member, who has added so much to farm policy in America over a long period of time, who is also retiring, not to the other body but back to Texas. And you have contributed mightily to farm policy in America, and I think I speak for Members on both sides who say we are in your debt to both of you for what you have done.

We have a good bill. This bill was not put together on the spur of the moment. There were 19 hearings held around the country, one in central Illinois, where we had 500 people show up and talked to us about what they thought was important about farm policy; 60,000 miles were traveled. This committee has worked hard to put together a farm bill.

The Agricultural Market Transition Act, formerly known as Freedom to Farm, is a very, very good bill. It will save the taxpayers of America, in round numbers, $13 billion over 7 years. It will cost somewhere in the neighborhood of $40-plus billion, but it will save an enormous amount, and it will make the reform that is necessary and is needed in farm country and also with relationship to food policy.

This bill has the support of every major farm organization in America, and that is something that I think is also very, very important, because when you look at the diverse group of farm organizations in this country, they represent many different points of view. This bill has bipartisan support. Three Democrats on our committee voted for this bill, as well as all of the Republicans.

In the Senate, a similar bill was passed with 20 Democrats. It is not identical, but it is similar to. It makes the reform that is needed.

When we talk about reforming everything else in Government, we are also talking about reforming agriculture, decoupling agriculture from Government, getting the rules and regulations off the backs of farmers, giving them the flexibility to do what they know how to do best, which is plant and grow crops and provide the food and fiber for our country and for the world.

It makes an awful lot of sense for every Member of this Chamber to support this bill, and for those who had heartburn about certain provisions, they have been allowed to offer their amendments and will offer amendments later on.

□ 1430

I think that the Committee on Rules has been very fair in allowing many different points of view to be offered in their amendments.

So in the final analysis, I think it is incumbent upon all Members of this Chamber, both Republicans and Democrats, to support this bill. It is a good bill. It makes sense. For those who think we have taken all too long, at one time you were saying we have not taken enough time. Some say we have taken too much time. The time is now for foreign policy to be set so our farmers and ranchers across the country will know what the policy will be.

Mr. Chairman, this is a good bill. The gentleman from Kansas, Chairman ROBERTS, deserves a lot of credit for the work he has done. I congratulate the gentleman, and encourage all Members in this body to support this bill.

Mr. Chairman, I rise today in support of H.R. 2854, the Agricultural Market Transition Act. But, first, Mr. Chairman, I want to personally commend the distinguished chairman of the House Agriculture Committee, PAT ROBERTS. PAT, you have done a remarkable job. Your efforts are monumental and revolutionary. I wish you well in the future. Kansas will certainly benefit from your wisdom and tireless efforts for many years to come.

Mr. Chairman, the Agriculture Market Transition Act is a culmination of voices from around the country. Chairman ROBERTS took the committee on the road to gather input from real farmers. The committee traveled over 10,000 miles and heard from 300 witnesses on what farmers and ranchers wanted in Federal farm policy. The central Illinois men and women, who testified, all first, second, and third generation family farmers, were unanimous in their call for less regulation from Washington and a more market-oriented program, which allows producers to grow according to market signals, and not edicts from Washington. The message was clear, Mr. Chairman: give the family farmer a break. ''Let us decide what to plant, rather than bureaucrats in Washington''.

The Agriculture Market Transition Act, with its 7-year guaranteed payments, does just that. It removes burdensome regulation and allows producers to get more of their income from the marketplace. It frees production agriculture to meet the food demands of emerging economies around the world, as more and more countries embrace democratic ideas and principles. This bill, Mr. Chairman, takes American agriculture into the 21st century to meet those demands.

Mr. Chairman, the American public will not stand for the status quo. They want reform. This bill is reform. I urge my colleagues to support the bill.

Mr. DE LA GARZA. Mr. Chairman, I yield 3 minutes to the distinguished

gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Chairman, I thank the ranking member for yielding me the time.

Mr. Chairman, I want to take issue with a couple of things the preceding speaker, a gentleman for whom I have great respect, just said. First of all, he indicated this bill is essentially like the Senate bill. In fact, I have major problems with the Senate bill, but it is a huge improvement over the bill before us. Such an improvement, in fact, that some of us sought to have it offered as an amendment today so we could vote for the Senate version instead of the House version.

I am surprised that the rule just passed does not allow us to even vote on the Senate version, but I think it underscores the fact that this is not the Senate version of the farm bill before us.

The gentleman observed the process has been terrific, wonderful, fair. I do not know what Committee on Agriculture he has been on, but it has not been the House Committee on Agriculture I have been serving on. In fact, there has not been one hearing, not one hearing, of the freedom to farm bill that is before us today. Can you imagine, the most significant overhaul of agriculture policy in decades, and on the actual bill the chairman does not schedule a hearing? That is what we have had to endure.

Amendments, the gentleman said if they had problems with the bill they could just offer an amendment. Well, I should tell the gentleman, he is absolutely incorrect. I had a problem with this bill, a huge problem. I will explain it to you in a moment. but I tried to offer an amendment, and the Committee on Rules did not make it in order.

Unlike prior farm bills that offered much less a radical overhaul of farm programs and were considered under open rules allowing free flowing debate and give and take, this is under a closed rule. The amendments offered make the bill worse. But if you have an amendment that made it better, they did not allow it.

Here is where the bill falls apart. Its fatal flaw is that it fails to recognize the fundamental economics of family farming. Family farmers invest and expose hundreds of thousands of dollars every crop year.

I do not care how good you are, there are two risks you cannot do much about: Production loss or market price collapse. Those are exposures that you just have to deal with. It has been the role of past farm programs to help family farmers deal with those risks. This bill does not help family farmers deal with those risks. This bill eliminates the protections formerly offered, protections which I and others call a safety net for family farmers.

They have eliminated the safety net, but offered instead some up front payments, payments that look pretty good in 1996 and 1997, but ultimately eliminate the protections family farmers need to stay in business. That is where this bill is absolutely wrong and absolutely against the interests of every farmer, every community dependent upon farming, right across the country.

I urge the Members of this body to reject this bill. It has been deeply flawed in process, but it is even more fatally flawed in substance.

Mr. ROBERTS. Mr. Chairman, it is a pleasure to yield 2 minutes to the gentlewoman from Wyoming [Mrs. CUBIN], a valuable member of the Republican Task Force on Agriculture.

Mrs. CUBIN. Mr. Chairman, I do have to take exception with the previous speaker. As it was pointed out earlier, there were 19 hearings held in order to put this bill together, so there was plenty of input, there was plenty of negotiation. This is a result of hours and hours of tough negotiations.

As far as taking the safety net out from under American farmers, there are no better producers in the world than American farmers. What the role of the United States should be is to create a level playing field so that our producers can compete. Then they should see that the regulations for that level playing field are enforced. American farmers can compete every time.

While this bill may not be perfect, it is a complete package. To attack or separate out one program is to threaten the cohesive hold of the negotiated package. This is a negotiated package. If the bill is ripped apart, there will be fewer benefits than if the complete package is adopted.

I do not know of any person involved in agriculture that wants to remain under the thumb of the Federal Government. Again, what the Federal Government's role should be is to see that our agriculture producers are allowed to compete on a level playing field.

Let me give an example. The sugar program is part of this bill. It has been greatly reformed, and yet it still remains under attack. The loss of the reformed sugar program will devastate the domestic industry. The domestic industry has taken part in these negotiations. They have given everything they can give and still try to keep this industry alive. There is nothing more that they can give.

I commend the chairman and the committee for their work on this, and I urge that everyone vote in favor of the entire package and against the amendments.

Mr. DE LA GARZA. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I wish to clarify what the gentlewoman just mentioned who just spoke and the colleague from North Dakota, Mr. POMEROY, felt that his word had been challenged. I agree with the gentleman. One, the only thing that I agree with the gentlewoman is this is not a perfect bill, period.

A negotiated package: I do not know who they negotiated with, because I was not a party. Any member of the minority was not a party. So I do not know who they negotiated with. I will state here and now that there was no hearing on the introduced bill which we are discussing now, no hearings.

Now, they rambled all over the United States prior to the session, but basically all of that was lost because of this contract business that we wasted all of last year on.

So the gentleman from North Dakota [Mr. POMEROY] was correct, and I back him. There was no hearing at all on the introduced bill. It was a negotiated package? I do not know who they negotiated with, unless it was the majority with their leadership.

Mr. ROBERTS. Mr. Chairman, it is a personal privilege and pleasure to yield 4 minutes to the gentleman from Missouri [Mr. EMERSON], a close friend and colleague and esteemed subcommittee chairman, the gentleman who knows more about nutrition and food stamps than perhaps anybody else in the Congress, a valued member of the committee.

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

Mr. EMERSON. Mr. Chairman, I thank the distinguished chairman for yielding me time. Mr. Chairman, I want to commend the distinguished chairman of the committee for the outstanding leadership that he has displayed in putting together a farm bill in very, very difficult circumstances as they relate particularly to the budget.

Mr. Chairman, I rise in support of H.R. 2854, the Agricultural Market Transition Act. A definitive farm program plan is anxiously awaited by producers throughout the country as they begin planting the 1996 crop and prepare for a new crop marketing year. This bill provides the definitive farm program that farmers need while delivering the U.S. taxpayer a program that represents budgetary savings over the next 7 years.

For many years now, the American consumer has enjoyed the most abundant and affordable supply of food and fiber in the world. Our Nation's Federal agricultural policy is responsible, in part, for this success and it is on that foundation that we must work toward the future.

The world around us has evolved over the past 5 years and now our agricultural livelihood must evolve in response to those changes. As we prepare for the next millennium of American agriculture, we will look to the future and see a global market that is more critical to the American producer than ever before. Moreover, in some reaches of the globe, the outlook has never looked so promising.

The bill before us today is a step forward in the evolution of farm policy. H.R. 2854, the Agricultural Market Transition Act, mirrors the conference report of title I of the Balanced Budget Act of 1995. It represents sweeping change in farm policy by presenting farm producers with greater flexibility

to pursue profits from the marketplace, but retains elements of the policy that has served us so well over the years such as the nonrecourse marketing loans.

This measure represents compromises made to help ensure that producers in all regions of the country will make a smooth transition to a more market oriented program. It also offers the regulatory reform and flexibility that farmers have been seeking to help them plant for the world market rather than the U.S. Government. Moreover, H.R. 2854 moves future farming generations toward a more secure financial future by helping attain our responsible balanced Federal budget goals.

I regret that, through the administration's veto of the Balanced Budget Act of 1995, the White House chose to disregard the principles and fundamental goals of a balanced Federal budget. At the same time this lapse in farm policy has stymied the cropping and financing efforts of farmers across the Nation. However, today we have the opportunity to get fiscal policy and farm legislation back on the right track through the passage of this bill and I urge its adoption, without significant amendments.

Mr. DE LA GARZA. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I do so to commend the gentleman from Missouri, who just spoke. Unfortunately we do not have the nutrition part in this bill, but the gentleman has been a leader and has worked diligently in that area. Hopefully, we might soon get on to farm bill II so that we might cover those areas that our distinguished colleague from Missouri has worked so hard on. We thank the gentleman for his interests and for what the gentleman has done.

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

Mr. DE LA GARZA. I yield to the gentleman from Missouri.

Mr. EMERSON. Mr. Chairman, I would like to thank the distinguished chairman emeritus for his very kind remarks.

Mr. DE LA GARZA. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. PETERSON].

Mr. PETERSON of Minnesota. Mr. Chairman, I thank the gentleman from Texas for yielding this time to me.

Mr. Chairman, this bill is not perfect, and the process probably could have been a lot better and a lot different than it was, but I think we lose sight that there are some good things in this bill. We are reforming the sugar program and extending it, something that a lot of people did not think we were going to get done, but we got accomplished in this bill.

There have been, in certain areas, a lot of work done within the committee. I just want to talk about the dairy provisions. I wanted to commend the gentleman from Wisconsin, Chairman STEVE GUNDERSON, and his committee for all the work that they have done in this area. The gentleman and I and others traveled to every part of this country to put together these dairy changes.

People need to understand that this is the most significant reform in the dairy program that has been offered up in 50 years. Most of it is reform. We do some things to help the farmer. We get rid of the budget assessments. We do a lot of things that a couple of years ago would have been very controversial with farmers and people did not want to do. We discontinue the price supports on butter and powder immediately. We reduce price supports over time on cheese and make a number of reforms that frankly a lot of people thought we were never going to be able to accomplish.

There are going to be alternatives put forward here that claim to be reform, but if one looks into them, one will find out that they are phasing this out over a long period of time. Historically, when we tried to get the order system changed and when the department even had testimony in their hearings that they ought to change the order system, it has not happened. In this bill we have order system reform mandated. There is a hammer. If it does not happen, the class 1 price differentials that are written into the statutes are going to be repealed.

There is significant reform in the dairy area in this legislation. The committee, at least in that part of the process, did its work. We traveled all over the country. We worked on a bipartisan basis. We have come up with a bill here that I think we can all be proud of and support. I just hope that the people will not lose sight of the fact that there has been a lot of good work put into this bill just because there are a couple of areas that are controversial and we are divided on.

So I voted for this bill in committee, and I encourage the support of my colleagues if we keep the dairy part of this bill in the bill.

□ 1445

Mr. ROBERTS. Mr. Chairman, I yield 2 minutes to the gentleman from Idaho [Mr. CRAPO], another valued member of the House Committee on Agriculture.

Mr. CRAPO. Mr. Chairman, it is a pleasure for me to stand in support of this legislation today. There has been a lot of talk about whether we really are reforming and whether the right reforms have been made. The bottom line is that the big debate here is another playout of some of the big debates we have had over the last year. It is whether we want Government control of the agriculture industry or whether we want to start freeing up our agricultural producers so they can farm to market principles rather than for the Government.

I think it is very critical to point out that we have heard a lot of talk in America for the last 4 or 5 weeks about the critical crisis we face in agriculture because Congress has not got a farm bill out. Our farm producers do not know what crops to plant.

They do. Their lenders do not know whether they can lend to them and on what basis they can lend to them. It is a signal point that we have gotten to the point in this country when American agriculture producers have to wait for Congress to tell them what they can plant before they can make their planting decisions. That is what this reform battle is all about.

There are a lot of people who will try to say, well, we should not have this kind of a freedom to farm approach because it does not connect with crop prices or we should not have this type of reform. But the real battle here, the battle we are fighting in this Congress on this issue as so many others is whether we should have the ability in the agricultural community, the agricultural industry in this country to make decisions about what to plant, when to plant, how much to plant, and all of the other decisions that have to be made based on market principles and market decisions rather than on a Government, a Federal statute.

I held farm meetings in my district, 26 counties, and talked to those who produce the food supply for the people of our Nation. They told me that if we do anything in terms of reform, they want us to get the Federal Government out of the business of running agriculture. That is what this bill does. That is why we ought to support it.

Mr. DE LA GARZA. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, no farmer is forced to use the program. Letting farmers plant what they want, when they want it, how they want it, they can do that now. We were ratcheting down. We were reforming. We were changing. We are taking regulation down. We were doing that in a systematic manner, at the same time saving $50 billion. The previous gentleman, he would not listen when we mentioned and said the farmer wants Government out of his hair. Government can be out of his hair today and continues to be.

Mr. Chairman, I yield 4 minutes to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman from Texas for yielding time to me and also to rise and say, yes, farmers do indeed want a farm bill. They are complaining that they have no guidance from us. But I am not sure they are asking for this farm bill, and if we were sincere in wanting to respond to the urgency and to the emergency of the lack of a farm bill, we would have easily put on this floor the Senate farm bill as flawed as that is.

So this is not really about responding to the urgency of it. This is indeed about changing how we respond to farmers in our communities. Traditionally, we have provided what we called a safety net, not necessarily any guaranteed payment. This proposal says over the next 7 years we will guarantee payment that will be coupled from production and that will not ever guarantee

people, even if they do not indeed plant their individual crops.

We should have a safety net. A safety net recognizes that reasonable food, safe food is in the interest of America. We will not let our small farmers go down without having that safety net to retrieve when they need that. That is what this is about.

Let us speak about what is not in this proposal. There are no funds in this proposal about rural development. What happened to all of our citizens, their opportunity for clean water, for sewerage, for housing, for the things that make it livable in our communities? We do not find that in this farm bill. And if we are talking about going to a market system, why are we not putting more moneys in development to enhance our farmers' new technology and new research so they can compete? There are no moneys in this particular farm bill for that.

Again, we do not want to have food stamps, where we are feeding the poor. We want to take that out. Again, we want to decouple any relationship to the larger community to the farm bill. So this farm bill is not only deficient in what it has, but it also is deficient in what it does not have.

This is a bad farm bill, either way you look at it. Perhaps more devastating, however, than what it contains and what it does not contain is how we derived this farm bill. This farm bill, we had no hearings on this floor or in our committee as an organization to really consider this. We went to some field hearings, yes, and I participated in some. But we would not take that collective information, bring it together so we could deliberate. That perhaps is the most detrimental part of this process. It is flawed in how we derived it. It is flawed as to what we are going to do to the poor farmers who are not going to have opportunities. Why would we be paying cotton farmers now high prices and cotton now is at a high price? It makes no sense, makes no sense.

If we related the farm bill to the welfare reform, we really would be paying welfare mothers for the next 7 years at the rate they are getting for the last 5 years.

If we made that comparison, we would see that what we are doing is guaranteeing paying our farmers in a welfare farm. Farmers do not want to be treated that way. They want to be treated with respect. They only want the Government money when they need it. Here we are guaranteeing it at a fixed rate, although we are sliding it down over the next 7 years, and then we drop them altogether.

I think that is unreasonable. It is unfair and this bill should be rejected on the face of it.

The CHAIRMAN. The Chair advises the gentleman from Kansas [Mr. ROBERTS] that he has 22 minutes remaining, and the gentleman from Texas [Mr. DE LA GARZA] has 12 minutes remaining.

Mr. ROBERTS. Mr. Chairman, it is a privilege to yield 3 minutes to the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. Mr. Chairman, I thank the chairman for the time and for his excellent work on behalf of reforming this agricultural program for America.

Most programs in this bill that are being debated are subsidized American farm commodities. Sugar is not. Sugar is not subsidized currently under the farm programs. Sugar is the one commodity that is an import problem, not an export problem. Sugar is an import problem because across the oceans the sugar cartel exists that in many cases subsidizes the production of sugar in many countries and then has the capacity to dump undercost surplus sugar into our market unless we do something about it.

The farm program has traditionally done something about it. It sets a limit on how much of this cheap subsidized foreign sugar can be dumped into the U.S. market. I can tell my colleagues what would happen if the proponents of the amendment to eliminate the sugar program succeed. They may or may not believe me. But I can tell my colleagues what really happened in the 1970's when the sugar program was not around for a 5-year period. What happened was for the first year, the dumped cheap sugar came in, American consumers were so happy. The price of sugar dropped about 8 cents a pound. Thirty-some-odd mills shut down in Louisiana. Sugar family farmers dropped out of business in Louisiana. I have got 20,000 families in the business in my district. They went out of business in the end.

The bottom line is that after this awful destruction in the sugar farm economy, the price of sugar to the American consumer went up to 70 cents a pound, a tenfold increase. That is what we are in for if we yield to those folks who want to end the sugar program and allow cheap, subsidized, foreign, dumped sugar to come in at unlimited rates.

I urge my colleagues to defeat that amendment. The current program guarantees stability of prices for Americans at about half the price most other people are paying in most nations in the world. It guarantees the farmer a chance to make a living, a chance to survive, a chance to produce sugar for Americans made in America. Without the sugar program, that chance ends; 20,000 sugar families in my district are likely out of business, 420,000 Americans out of business, a $26 billion loss of business for America. That does not make sense.

We need to defeat this amendment aimed at killing the sugar program, because that is what it does.

Mr. DE LA GARZA. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. STENHOLM], our distinguished colleague and a great leader in this effort.

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

Mr. STENHOLM. Mr. Chairman, I would say in the beginning that I agree with those that have characterized the bill before us as not a perfect bill. I would also agree with those that have characterized the process which brings us today as being deficient in many, many areas. But we are here.

Now I would say, I think it is time to put in a good word for agriculture. There were some 74 amendments that were to be offered today, but under the moderately closed rule we only have 14. Many of those 14 are very harmful, extremely harmful to an already deficient bill. I would hope that my colleagues could rally and to keep some of these additional bills from passing or the amendments to the bill.

Much has been said about market orientation. Let me point out to the House that since 1981, the 1981, 1985, and 1990 farm bills have moved us into the international marketplace. We have been quite successful because this year the expected exports of agriculture commodities are running at $60 billion. The trade surplus is running at $22 to $24 billion. We are told that for every $1 billion there are 20,000 jobs that are created, so this bill today is a giant job creator.

We will hear a lot about subsidies and expenditures and budgets today. Let us make sure we start the debate with a solid base, not the baseline but a solid base. The 1990 farm bill spent $56.9 billion. The bill before us proposes to spend $42.96 billion over 7 years. The previous was 5 years. The bill before us cuts not rate of increase but cuts expenditure on agriculture by 46 percent. Some of us feel that is too extreme for an industry as important as agriculture is. We fought that fight, but we have lost because we are a minority voice.

There will be a lot said, as my previous speaker, my colleague from Louisiana did an excellent job of talking about the sugar industry. We can say the same about almost any industry. The only justification that any of us can stand on this floor and suggest that subsidies for agriculture or any other business are justified, is to provide a level playing field for our producers in the international marketplace. That is the only justification that we can have today.

Let me point out that the European Union will spend $40 billion this year and $40 billion next year and $40 billion the year after, and yet we expect our producers to compete with that kind of subsidy. We are being outspent six to one. Yet it seems that the majority wants to see us phase those out and have our producers go cold turkey in this international marketplace. That is why some of us believe that is not the best policy.

We had this a few years ago, three to be exact, those that suggested that the elimination of farm programs should be the direction we have already succeeded in wool and mohair. And everybody rejoiced. The editorial boards, the

TV commentators, everyone rejoiced that we killed the wool and mohair program. What has been the result for the United States? U.S. sheep breeding herds have dropped 21.6 percent. Sixteen thousand American families have quit the sheep industry. Lamb imports have increased by 50 percent, wool imports by 11 percent. Four of the Nation's lamb packing plants have closed, including the only plants in Texas, the only plant in Minnesota, and the only producer-owned plant in California. The Nation's largest wool textile company has filed for bankruptcy.

I chose to use my 5 minutes to talk about the state of agriculture as it is and the importance of taking a bill that many of us believe is extremely deficient in many, many areas. But for heaven's sake, let us not make it worse by pursuing the idea that somehow, some way our producers can compete in the international marketplace with our Government not standing shoulder to shoulder with them, and that is foolish.

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That is the debate that we have heard, and I want to concur with the ranking member who said when we talk about hearings on freedom to farm, there have been no hearings on freedom to farm, and my colleagues know it. We have had hearings on the farm program and the direction it ought to go; that is true. But at no time did we ever have any discussions of the specifics of what this particular legislation will do for us, to us, or any other way.

So as we go into this debate now, in many areas I hope that we can concentrate on the fact that agriculture is a rather important industry and needs to be supported to the best of our ability.

Mr. ROBERTS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Florida [Mr. FOLEY], another valued member of the House Committee on Agriculture.

Mr. FOLEY. Mr. Chairman, I rise today in strong support of H.R. 2854.

As a freshman Member of Congress, I came here to reform this process, and in the ag bill we have done just that. It amazes me to look at the amendments that have been filed, people that have the best intentions but do not understand rural America. They do not understand supply management. They do not understand cost to the consumer; sugar, for one.

Yes, I am here to talk about reforms because they are in the bill. Retail prices of sugar, lower than most anywhere else in the world, here in the United States; 40-plus thousand jobs here in the United States.

As my colleagues know, this Congress has passed NAFTA, it has passed GATT, promised great things for the American consumer. Do we get a price break from any of those benefits? Absolutely not. And what we are talking about today is not a phaseout program as described by the gentleman from California [Mr. MILLER] and the gentleman from New York [Mr. SCHUMER]. It is death and elimination of a program; it is death and elimination of jobs. It will be an increase in price to the consumer.

Sugar is blamed for a lot of things on this House floor. Coca Cola, Diet Coke, Regular Coke, priced the same. Cereal; 5 cents worth of sugar in a box of cereal costs 4 bucks. Is sugar the culprit? Absolutely not.

My colleagues, we are ushering in a new era of ag policy in this Nation, but let us remember those that have jobs that are supporting their families. In my community I have families, white, black, Hispanics, feeding their children through their hard labor working for the sugar industry. They are not on welfare; they have proud jobs. Do not succumb to the temptation of those that indicate that their amendments are reform. Their amendments are destruction for the U.S. ag policy, for the abundant supply of food that we now have, and it is, in fact, for the elimination of thousands of jobs.

I stand here today proudly backing the chairman's efforts to reform our farm programs.

Mr. ROBERTS. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. SMITH], who is yet another valued member of the House Committee on Agriculture.

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

Mr. SMITH of Michigan. Mr. Chairman, as my colleagues well know, we are all valued members in that committee now.

I think the gentleman from Texas [Mr. STENHOLM] made a point that should be recognized, and that is that major cuts in programs of this budget, there are two major cuts when we look at what has happened in the last 7 years and the next 7 years. One is an actual dollar cut in defense spending; one is an actual dollar cut in agricultural spending.

As I talked to my colleagues, there is an impression that farmers are rich and therefore do not need any help. I think it would be good if I just covered how some of the farmers in my district live. Most of the farmers average 320 acres, a lot of dairy farmers. That means they get up at 5 o'clock in the morning since cows have to be milked roughly 12 hours apart. They get up at 5 o'clock in the morning. Sometimes the water is frozen. It is tough to get out of that bed. They get home at night after doing chores in the evening at about 7:30.

These farmers live on very meager incomes, often having to take their kids out of music lessons because their income from farming is not that good. We look at some farmers that have maybe thousands of acres of land and maybe end up being millionaires, but that is not the norm.

What is keeping this industry the strongest in the world are the individual owners that are putting in those 14-hour days and producing the food and fiber that has allowed this country to grow. We now produce food and fiber for only 11 percent of our take home dollar. That compares to about 20 percent in Europe, and if we get into the Asian countries, 50 and 60 and 70 percent. We have the highest quality food and fiber at the lower price of any place in the world, and it is because farmers spend a tremendous amount of time working.

As we make this transition to the marketplace, it is important that we do it gradually. I would hope that most of these amendments could be defeated.

Mr. ROBERTS. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. NETHERCUTT]. When the Republican Party wished to set up a Republican task force on agriculture, made up of a preponderance of our new freshmen Members, the choice for the chairman of the task force was obvious, and so I am delighted to yield him 2 minutes to speak in regards to this general debate.

Mr. NETHERCUTT. Mr. Chairman, it is my honor to be chairing the Republican task force on agriculture, thanks to his input, and the gentleman is due an awful lot of congratulations on this bill, Mr. Chairman. The gentleman has made me and those of us who are not members of the Committee on Agriculture, but who care about agriculture, feel very much a part of the Committee on Agriculture, and at times, frankly, Mr. Chairman, it has been nice not to be a member of the committee, be a member of the Committee on Appropriations ag subcommittee, given the hard challenges my colleagues have had this year.

But he is to be congratulated, and I am happy to rise in support this really revolutionary bill. It is the Agriculture Market Transition Act. It is a new look for American agriculture, one that is not overnight change for farmers in this country, but one that is a program that is phased in, that will be deliberately and sensibly imposed upon the farmers of America, giving them the ultimate opportunity to adjust to a market economy and farm for the market, not farm for the Government programs that exist. It is easing them into the very challenging efforts to compete in a world market, and it is something that is appropriate that we do for American agriculture.

I want to remind my colleagues that this is not the only time we will look at changes in agriculture policy by this Federal Government. We will take a look back in the next year and two and three and four to make sure that this approach to agriculture reform is working. We will also be looking at a farm bill, too, a chance for this Congress to have an opportunity to revise and make regulatory reform and tax reform to assist the American farmer. That is what Government should and should seriously be doing as we move into the next century of agriculture.

This is revolutionary change for agriculture. It is difficult for everybody to accept all at once. That is why we are phasing it in. It is good for the American farmer, and I urge my colleagues to support it.

Mr. DE LA GARZA. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, I appreciate all of those that have participated in the debate. I may not have agreed with all that has been said. I have taken and would take exception to some of the areas that have been addressed, I think incorrectly, but nonetheless I would not challenge any Member's prerogative to say what she or he might want to.

But I do want to again say that when there was mention that it was negotiated, it was not negotiated with the minority, certainly not with the ranking member of the minority. I now suspect that it was negotiated with this task force led by the gentleman from Washington and not with the minority, so it was a negotiation within the majority and their leadership, and that is a flawed process.

This is a people's House; this is where people are supposed to, through their elected Representatives, have input into the legislative process. We had none. Those of us that happen to be in the minority had no opportunity to represent our people, to represent our constituencies. We were not given that opportunity, and this is the flawed process that I am objecting to.

At the Committee on Rules, the same thing. We have been told, well, that is how the Democrats did it. It is here and now, and I am not here to argue how or when or what. All I know is that we are effectively told this is how it is going to be done, we are in charge and we are sorry if you do not like it, that is too bad.

Mr. Chairman, I yield such time as he may consume to my colleague, the gentleman from Georgia [Mr. BISHOP].

Mr. BISHOP. Mr. Chairman, I appreciate the gentleman's courtesy in allowing me to be heard on this. This farm bill is something that is tremendously important to the people of the district that I represent.

As many of my colleagues already know, I represent the largest peanut growing district anywhere in the United States. Peanuts are a very, very important industry in south Georgia. I represent those very proudly, and I am here to talk about this farm bill because my farmers are anxious.

The people in middle and south Georgia are concerned that we are here almost at the end of February with no farm bill. They do not know how much to plant, when they can plant. They do not know how much rent to pay, they do not know how much rent to charge. They do not know whether or not they will be able to get loans in order to finance their crop for the 1996 year.

Time is of the essence. We cannot stop the calendar. We cannot stop nature. This farm bill must go forward.

There is a lot that I do not like about this farm bill. The direction that we are taking our farm policy is not necessarily a good direction. Yet we have worked very hard to reform the peanut provisions in this bill. I believe that the peanut program has been very thoroughly and soundly reformed and that it will represent market orientation and a low net cost to taxpayers. There are some things we do not particularly care for, but at this point we must get a farm bill and we must get it passed now.

I urge this House and my colleague to think seriously about what this farm bill will mean to all the farmers who are now waiting anxiously to get their crops in the ground, to make their financial arrangements, and to get a crop for 1996.

Mr. DE LA GARZA. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, let me at this point thank the Democratic leadership in the House, for they have in no way, in any way negative, interfered with the process. They have allowed us to make the decisions; they have allowed us to work toward setting the policy. The unfortunate part is that we have not been allowed by the majority, but we have had a free hand from our leadership to do what we as a committee, members of the Committee on Agriculture, saw best for American agriculture. And it is not only American agriculture. It is out there, the infrastructure, roads, water, housing, electricity, all of those areas that encompass living in rural America. We have the same right as urban and as other areas to expect assistance in areas where there is need.

The farm family has the same right to have a light out there in the countryside, to have telephones out there in the countryside, to have roads out there in the countryside, to have assistance for their children at the schools. We have not discussed this; this has not been a part. This has come down, down, down, and we find ourselves here frustrated to the end. After 32 years here, this is a first time that I have had to direct input through the committee process on the final version that we are discussing.

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Mr. Chairman, I would say to the chairman of the committee, he may share some of his frustration because he might have been on that side of it, but not because of the leadership of the Committee on Agriculture. Always, every ranking member that I had when I was chairman was consulted. Everything was done together. Our leadership did not interfere. If I made a deal with, God rest his soul, Mr. Madigan as ranking member, our leadership agreed and supported us in those agreements. Unfortunately, the willingness of this committee chairman personally has not in any way helped us in that respect because he has not had that freedom and that ability.

I do not know if this will make problems for him or not, but this is a fact, that he has been most willing to cooperate at all times, but the guidance and the substance has come from other directions. The timing has come from another direction. We have not been part.

The only experience I have had this session with a conference committee was when we were told by the senior Senator, chairman of the conference: ''We are not going to give you any time to speak. I am going to have my say. I am walking out of here. You can stay if you want to. We do not care. We are going to treat you like you treated us.'' We never treated them in the Committee on Agriculture in that respect.

I say again, I thank the chairman for his interest in communicating with us, but I am in despair about the process that has been forced on us and has been forced on him. Unless there is an ability to change to make this bill better, I do not see how I can support it. However, I am here to try, and even though the process is limited, the time is limited, the amendments that we can discuss are limited, how some of the amendments got here, because we were still trying to get more funds for rural America. We were not able to. They have been allotted to someone else through another process, not with our participation.

For now, I am hoping we can make this a better bill. If not, I will be reluctantly forced to vote against it.

Mr. ROBERTS. Mr. Chairman, I am pleased to yield 4 minutes to the distinguished gentleman from Nebraska [Mr. BARRETT]. Through his leadership we have crafted an outstanding piece of legislation that deals with the conservation reserve program. He has been working very diligently in regard to trade and other matters, in regard to his subcommittee chairmanship.

Mr. BARRETT of Nebraska. Mr. Chairman, I thank the distinguished gentleman for yielding me this time.

Mr. Chairman, I though that I might discuss for 3 or 4 minutes the merits of the market transition act. My mind goes back to a year ago, more than a year ago, when the chairman of the Committee on Agriculture, the gentleman from Kansas [Mr. ROBERTS], and I began discussing the concept of freedom to farm. From those conversations and from those hearings, of course, developed that concept which we are discussing essentially today as the Agriculture Marketing Transition Act.

I wanted to discuss the merits of the transition act, because there are many. But instead, as I listened to the conversation on the floor this afternoon about welfare and about the eventual outcome of the program and whether or not it would be eliminated, I thought about a letter which I received just this afternoon about 2 hours ago from the largest farm organization in my State, Nebraska; as a matter of fact, the largest farm organization in America: the Farm Bureau. I thought

the gentleman who authored the letter made some very thoughtful, informative remarks about some questions and some concerns that many Members of this body have had.

Let me share a couple of them, and I will not begin to quote the entire letter, but some of the concerns regarding the welfare payment issue I quote at this point:

For quite some time, farm policy critics have labeled farm programs as welfare, and will probably continue their attack into the future.

Those who claim that freedom to farm amounts to welfare should also explain why price support programs based on artificially set prices are not welfare. The Agriculture Marketing Transition Act provides income stability and a safety net for producers to assure a secure food system while they move to a more market-oriented agriculture. It is a fallacy to compare farm program recipients to welfare recipients. The public policy involved with welfare payments is to support individuals who are in need. The public policy involved with farm program payments is to support the agricultural economy—in the macro sense—to assure that this country has a safe and abundant supply of food.

In addition, opponents who state that it is wrong to give farmers payments in years when the crop prices are good, such as this year, may not have a realistic picture as it relates to a producer's financial situation. Just because the prices are good does not mean the farmers are making a profit. Typically, the reason crop prices are good is that there is only a small number of bushels for the farm to sell. A producer's bottom line is often worse under those conditions than in a year with lower prices and higher yields.

In light of these points, it is obvious that debate could continue for a long time on the public's perception of the farm program as welfare. In particular, the question becomes, how much would the freedom to farm approach affect that perception? The bottom line is that the worries about public reaction are far outweighed by the benefits received by the historic leap that the freedom to farm approach takes in moving a farm policy in the direction that will allow farmers to plant for the marketplace—not for the government.

With regard to a comment made earlier about the future of farm policy after 7 years, one additional point the gentleman makes, and here I quote: ''It is important to keep in mind that there are no provisions in the bill that require farm programs to be eliminated after 7 years.'' I think that is most appropriate.

Mr. Chairman, at the appropriate time, I will include this letter in the RECORD. I thank the chairman again for his leadership in bringing this to the floor, and I would urge the body to support H.R. 2854.

The letter referred to is as follows:

NEBRASKA FARM BUREAU FEDERATION,
*Lincoln, NE, February 28, 1996.*

Hon. BILL BARRETT,
*U.S. House of Representatives, Washington, DC.*

DEAR BILL: As the farm bill is debated this week in the House, the Nebraska Farm Bureau Federation urges your support for immediate passage of a farm bill that is similar to the ''freedom to farm'' approach.

First of all, I would like to extend our appreciation to you for all your work and support for pushing a true market-oriented farm bill as contained in the Agriculture Marketing Transition Act. For your review and consideration, I would like to share with you some of the factors we considered as our policy position evolved in support of the ''freedom to farm'' concept.

The first and probably the most important factor for NFBF's support was the urgency of passing a farm bill in time for spring planting. Along with the urgency of the situation, political realities forced us to examine the alternatives if Congress does not adopt something similar to ''freedom to farm.''

If the USDA is forced to implement the permanent agriculture law, the Act of 1949, costs to the federal government would greatly increase and plantings of wheat, corn, and feed grains could be reduced at a time of low reserves and increased world demand. In addition, this would send the message to our foreign competitors that U.S. agriculture policy is in disarray. Secondly, a simple extension to the 1990 Act or failure to finalize a farm bill as quickly as possible could also significantly reduce the funding available for commodity programs as the agricultural baseline is projected to be revised downward by the Congressional Budget Office.

In my view, concerns about the ''freedom to farm'' approach have centered on two points. First, opponents are concerned that the contract payments will be viewed as welfare payments to farmers. Secondly, some are concerned that there will not be any farm program after the seventh year of the bill. These issues were also to some members of Farm Bureau but the following points were used as a part of our policy determination.

In regard to the welfare payment issue, Farm Bureau has always been concerned about the public's perception of farm programs. Those concerns will not be any different under a ''freedom to farm'' proposal. For quite some time, farm policy critics have labeled farm programs as welfare and will probably continue their attack into the future.

Those who claim that ''freedom to farm'' amounts to welfare should also explain why price support programs based on artificially set prices are not welfare. The Agriculture Marketing Transition Act provides income stability and a safety net for producers to assure a secure food system while they move to a more market-oriented agriculture. It is a fallacy to compare farm program recipients to welfare recipients. The public policy involved with welfare payments is to support individuals who are in need. The public policy involved with farm program payments is to support the agriculture economy—in the macro sense—to assure that this country has a safe and abudant supply of food.

In addition, opponents who state that it is wrong to give farmers payments in years when the crop prices are good (such as this year), may not have a realistic picture as it relates to a producer's financial situation. Just because the prices are good does not mean the farmers are making a profit. Typically, the reason crop prices are good is that there is only a small number of bushels for the farmer to sell. a producer's bottomline is often worse under those conditions than in a year with lower prices and higher yields.

In light of these points, it is obvious that debate could continue for a long time on the public's perception of farm programs as welfare. In particular, the question becomes ''how much would the ''freedom to farm'' approach affect that perception?'' The bottomline is that the worries about public reaction are far outweighed by the benefits received by the historic leap the ''freedom to farm'' approach takes in moving farm policy in the direction that will allow farmers to plant for the marketplace—not for the government.

In regard to future farm policy after seven years, it is important to keep in mind that there are no provisions in the bill that require farm programs to be eliminated after seven years. In fact, it is our view that public policymakers should actively debate what future farm policy should be after the year 2002 while considering such issues as supply and demand factors, international trade barriers, financial condition of agriculture, monetary policy and trade policy and other issues important to our farmers and ranchers.

Future farm policy and the degree in which government is involved should depend on the uncontrollable impact worldwide policies and events may have on U.S. agriculture and it's ability to develop markets and sell his/her products. Producers and policymakers alike should continue to assess the need and structure of future farm programs throughout the entire duration of the seven year bill.

Thank you for your consideration of Farm Bureau's viewpoint on the farm bill and again thank you for all your support and representation for Nebraska farmers.

Sincerely,

ROB J. ROBERTSON,
*Vice President/Governmental Relations.*

Mr. ROBERTS. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. GOODLATTE], a member of the committee, and a most valued member.

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

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

Mr. Chairman, I rise in strong support of the Agriculture Marketing Transition Act. I also rise to congratulate my chairman for the fight he has waged against the advocates of big government, and the Washington knows best mindset.

One of the most unfortunate results of the veto of the Balanced Budget Act was its negative impact on farmers. That legislation included the most sweeping reform of farm programs in 60 years.

After coming so far on agriculture reform last year, it would be a shame to retreat from much needed change that will save taxpayers billions of dollars and expand opportunities for our hardworking farmers.

If this bill is not passed and signed into law, then the Department of Agriculture will be forced to implement outmoded depression era farm laws that do more harm than good.

I was proud the Agriculture Market Transition Program, enjoyed quick, bipartisan support from the House Committee on Agriculture.

Passing this bill means true reform. Farmers will finally be able to produce for the market instead of for the Government.

This legislation is preferable to extending current law because folks are fed up with complicated farm programs. These programs require farmers to count, measure, certify, and document every acre and crop on the farm. The Agriculture Market Transition Program eliminates nearly all of this needless paperwork burden.

More importantly, this program also strengthens our export potential and ability to compete with foreign farmers. It ends the annual acreage idling program that hurts competitiveness and has forever stigmatized federal farm programs by paying farmers not to plant.

Farmers get the Government off their fields and out of their business. That's why the Farm Bureau and many other agricultural organizations support our approach.

Without Government interference, farmers will be able to make more money by increasing production to meet world demand that is rapidly growing. Increased grain production could mean lower feed prices for the hard pressed livestock, poultry and dairy farmers in my district.

Now is not the time to retreat on market reforms. We must support and strengthen America's position as the most reliable and important supplier of food in the world.

By signing this farm reform bill, the President can prove that he meant it when he said that the ''era of big government'' is over.

With spring on the way, farmers and their families cannot afford to wait. We have a solid bipartisan solution that brings real reform to our farm programs. It makes sure that our farmers have the opportunity to do what they do best—provide the safest and most abundant food supply at affordable prices.

Mr. Chairman, I urge support for this taxpayer-saving, farmer-friendly bill.

Mr. ROBERTS. Mr. Chairman, it is my pleasure to yield 3 minutes to the distinguished gentleman from Wisconsin [Mr. GUNDERSON]. The gentleman from Wisconsin has worked harder and longer, with more criticism, and yet should have received more credit than any other member of the Committee on Agriculture. His service to the House as the designated expert, having more expertise in dairy, has been simply outstanding.

Mr. GUNDERSON. Mr. Chairman, I thank the gentleman very much for yielding time to me, and I thank him and commend him for his leadership under what I think him and commend him for his leadership under what I think have been the most difficult circumstances ever to try to deal with farm legislation.

Mr. Chairman, this is a very different time. This is a very different circumstances. This is the first farm bill we have ever put together in the post-balanced budget era. This is the first farm bill we have ever put together in the post-GATT era. This is not going to be business as usual. This is totally changing the way agriculture has operated in this country. As a result of that, we bring you today, on behalf of the Committee on Agriculture, the most comprehensive reform in agricultural policy in the history of most of these programs.

As the chairman of the Subcommittee on Livestock, Dairy, and Poultry, I can tell the Members, we bring the most comprehensive reform in the 45-year history of the dairy program; and it is time we do, because we are not only balancing the budget, we are not only preparing for that post-GATT world era economy, we are doing so in a decade in which we have seen 125,000 dairy farmers go out of business. So let us understand what we are trying to do here today.

We are trying to reform this program. We are eliminating butter and powder price supports. We are telling USDA to come up with comprehensive reform of the pricing system. We are telling them to consolidate the orders. We are telling them to bring everybody under the same rules and regulations. We are telling them to prepare this industry to succeed and compete successfully in a world dairy economy. We are doing all of that and, Mr. Chairman, we are still saving the taxpayers over $700 million in the cost of the dairy program.

Mr. Chairman, this has not been easy, the chairman of the committee is right. This has been compromise. Every region of the country, from California to the Northwest, from the Southeast to the Northeast to the Midwest, every region has given. We have reached a consensus, probably a bigger consensus among producers than we have ever had in the history of dairy debates in this country.

If Members look at the attacks that are coming, there are some high-funded lobby campaigns by the large manufacturers in this country, spending millions of dollars in disinformation and frankly, blatant propaganda, trying to suggest to you that somehow we are going to rape the American consumer.

I invite you to listen to the debate as we move on, because we will show you, according to USDA standards, according to CBO standards, according to CRS standards, this is nothing but a blatant misinformation campaign by those who are trying to keep the dairy industry from competing in the market-oriented economy at home and abroad. They do not want us to trade. The reason they do not want us to trade dairy products is because if we trade dairy products, there might be some competition for the cheap milk they want to buy today. So they are doing everything in their power, despite their rhetoric about committing us to free markets, to make sure it does not happen.

Support the bill, oppose the amendments, and pass it in the end.

Mr. ROBERTS. Mr. Chairman, I yield myself the balance of the time.

The CHAIRMAN. The gentleman from Kansas [Mr. ROBERTS] is recognized for 4 minutes.

Mr. ROBERTS. Mr. Chairman, I have been keeping notes of some of the comments made by my colleagues and friends across the aisle who have been making wild-eyed speeches. While I am sure this is not the best bill possible, I may vote for it, and some of those concerns I think certainly ring true in terms of just this gentleman's concern and frustration; but I would like the opportunity to, if not set the record straight, to at least play the record that I want to hear and let people make up their minds.

No hearings, no hearings, no hearings, never had any hearings other than the 60,000 miles, the 19 hearings, and the 10,000 farmers and ranchers we visited with.

Now it is true that the subject of those hearings was not a specific bill labeled ''Freedom to Farm,'' but those hearings certainly served as a backdrop and a blueprint for that. No hearings? Well, we had a budget task force. We have tried to work together to try to reach our budget responsibilities in the past, and it became obvious that that was going to be very, very difficult for several reasons, No. 1, the budget number was really tough on the Republican side, but we were going to reach a balanced budget.

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That is the thing that really drove this debate, that is, to get to a balanced budget, save the farmer and rancher $15 billion. During the budget task force hearings, we asked the minority which way do you want to go? Do you want to keep the current system, current structure? I said no, I think we are going to die. I think we are going to have policy rubble. I think we are going to lose $8 billion in the baseline, fancy word for how much money is available in agriculture. Then another $6 billion, then budget cuts, then another appropriations process, then future budget cuts, and you add it all up, it is $20, $25 billion; you end up with rubble.

I think we need a different approach. We settled on freedom to farm, which locks up more farm income, more money for production and agriculture than any other. Then we had two markups in committee that went on for hours. Started at 9, 10, 11, 12, 1, 2, 3, 4, 5, clear into the morning, one or two, same people on the floor doing the criticizing said they have not had any say in this with regards to this. Who were those people in the committee hearing, the markup that offered the amendments? Pros and cons debated?

This chairman tried to be very fair in regards to offering ample time to each and every member. It was not a hearing, no, but it was a markup, and everybody certainly knew the pros and cons of the legislation, and every farm organization in America has had this and they have had it back to the county organizations, and guess what. Most of them are for it and they penciled it out. I mean the farmer. I mean the producer finally figured out that he was going to get a payment this year, next year, did not have to pay back the advanced deficiency payments.

Yes, we have had hearings all throughout farm country. Every economist that has taken a look at this has said there is more farm income in this than any other program. Yes, all the Nation's press have weighed in. No, I

really do not check with the New York Times and the San Francisco paper. I might check the Dodge City Globe. They are for it. But yes, they say yes, this is the best reform and the best program we can put together, and public opinion does count.

Now, this has been the most discussed and, quite frankly, I understand the concern of my dear friends across the aisle, cussed farm program reform we have ever had. Let us not talk anymore in regards to the hearings.

Not enough money? I usually do a glasses show. I take glasses and I pour out all the water in regards to losing the baseline in the next budget appropriations, factor when we get cut and cut and cut again, and then we say guess what, the glass that has the most water is freedom to farm. Too much money? First there is not enough money, then there is too much money.

Can we please quit referring to farm programs as welfare programs? The payment that we are now providing is significantly less than the last 5 years when the then-majority did not do any complaining about farm programs. Too much money? They are complaining about when the farmer receives it. The real issue is that the farmer, in receiving this payment, will have a risk management account. He makes that decision, not when prices are high and the farmer has no crop.

So consequently in regards to what we are trying to accomplish here, and we will continue the tap dance in regards to setting the record during the amendment process.

Mr. CRAMER. Mr. Chairman, I rise in support of the Agricultural Market Transition Act. I thank Mr. ROBERTS for his efforts to ensure the preservation of America's farmers.

Mr. Chairman, briefly, I would like to pay tribute to Mr. DE LA GARZA for his many years of exemplary, bipartisan leadership as chairman of the Agriculture Committee. KIKA, you will be missed. I wish you the best.

It is often said on this floor, in reference to a particular bill, ''that bill is not a perfect bill''. This can certainly be said for this bill as well. I seriously question the process used, or lack thereof, to formulate vital farm policy for our Nation.

Nevertheless, farmers in my north Alabama district and farmers all over this great country can not be made to suffer any longer as hostages of the budget debate. It is past due for farmers to make financial arrangements for spring and summer crops. The uncertainty surrounding the program is making it difficult for them to obtain production loans. We owe them this much-needed security by voting to pass this bill.

I rise in strong opposition to the Shays-Lowey peanut amendment. The amendment would result in the loss of thousands of American jobs and put most peanut farmers completely out of business.

The 16,194 peanut farms in this country are small, family-owned farms averaging only 98 acres of peanut production, according to the U.S. Census of Agriculture. Seventy-seven percent of the counties in the heart of America's peanut-producing region already have a 20 percent poverty rate or higher.

In addition, eliminating the bill's peanut program could increase Government spending by eliminating the $83 million in budgetary reduction assessments. A $190 million forfeiture and crushing of all peanut inventories in area marketing pools could also result.

Mr. Chairman, the United States has enjoyed a safe, stable supply of the best quality peanuts in the world for many decades. It is imperative we preserve our farmers' ability to compete while providing top quality peanuts.

As it now stands, the Agricultural Marketing Transition Act does this while making significant reforms in the program: cutting the support price dramatically, shifting more production to family farmers, and ensuring the peanut program operates as a no-cost program to the Federal Government.

I urge my colleagues to oppose the Shays-Lowey amendment which is both unnecessary and highly damaging to all Americans.

Mr. Chairman, I also rise in strong opposition to the Kennedy amendment to eliminate cotton's marketing loan program.

Elimination of the marketing loan program as proposed by Representatives CHABOT and KENNEDY would seriously threaten the stability of our cotton farmers and our textile industry. This amendment would give subsidized foreign countries a competitive advantage impossible to overcome, result in minimal budget savings and deny U.S. trade negotiators leverage to convince other countries to discontinue subsidies.

U.S. cotton competes in a world market replete with subsidies. Prior to implementation of the marketing loan, our cotton industry experienced dramatic declines in exports as well as loan forfeitures to the Government.

In addition, the strength of the U.S. textile industry is extremely important to my district in north Alabama. This industry must have access to market priced raw-materials if it is to remain a force in an incredibly competitive international textile trading environment.

Mr. Chairman, the U.S. cotton marketing loan program is a market-oriented, competitive agricultural program. It has achieved tremendous policy success. The program assures an adequate supply of cotton at a globally competitive price, advances domestic mill use and increases both raw cotton and cotton textile exports.

Other commodities are provided marketing loans. To discriminate against cotton is both unsound and unjustifiable policy.

I urge my colleagues to support America's competitiveness by opposing the Chabot-Kennedy amendment.

Mr. WILLIAMS. Mr. Chairman, the farm bill before the House today represents an abandonment of the economic security that has assisted farmers in Montana and the Nation in times of low prices for farm commodities.

The bill undermines long-standing, traditional income-protection measures such as target prices and deficiency payments. It also torpedoes recent farm-policy reforms made in the 103d Congress, taking the easy way out and avoiding the difficult and necessary work such as the long-overdue revamping of the Federal Crop Insurance program now in its infancy.

And it dismisses the need for improvements in the Federal Conservation Reserve Program, limiting CRP to existing contracts at a time when many Montanans realize that CRP needs to be more precisely targeted to the most highly erodible lands, with an eye toward enhancing wildlife habitat, water quality, and other environmental benefits.

Frankly, in an effort to sell CRP in the first year or so of bidding, many highly productive, less erodible lands were accepted in an effort to get the program on its feet. Other lands that would benefit more, and are more suitable to permanent vegetation than to annual crops, have been excluded.

If H.R. 2854 becomes the law of the land, farmers who have participated in farm programs in the past would be fools not to sign up in the new program, which guarantees them a Government check whether they farm or not. Landowners may even elect to evict tenants so that they need not share those Government checks with those actually farming the land.

Freedom to farm in the 1996 Entitlement Program.

At least in other entitlement programs, benefits are based upon need. When a recipient's income rises, benefits are reduced or canceled altogether.

This farm bill does just the opposite, and it destroys individual initiative, incentive, and innovation.

If a farmer chose to think independently, be an entrepreneur and operate outside the farm program, the Government has no check for that farmer if things go bad.

A farmer or agribusiness with a habit of burrowing the snout deeply into the Government trough by growing program crops, maximizing crop bases, and otherwise farming the Government program is the very operator we now will reward. This is cynical repudiation of every argument we've used to gather support for farm programs in my 17 years in the House.

It is disturbing that many freedom to farm advocates who advocate this windfall for the largest, most government-entangled mega-farms of this Nation are arguing for decreases in aid for America's most vulnerable—whose need for Federal assistance is based on their current economic condition, not their past successes in obtaining Government aid.

Mr. POMEROY. Mr. Chairman, I am very disappointed at the rule under consideration for the farm bill debate. The rule has allowed 16 amendments but none of them address the central flaw in this bill: the elimination of the safety-net for family farms.

The choice we are left with is either accept freedom to farm and the phaseout of farm program as is, or eliminate individual components of the farm program. Amendments to phase out the program entirely and eliminate the sugar and peanut and dairy support programs individually were allowed, but we cannot offer amendments to the basic freedom-to-farm concept. How can we adequately debate the merits of this bill when we are not allowed to amend the central policy problem?

Farmers in North Dakota need a farm bill. Now that market prices are high enough to make a decent living, they want to know what the new rules will be so they can take maximum advantage of the favorable market conditions in making their planting decisions. This Congress has delayed action on the farm bill longer than any in history. The continual delays are irresponsible and incomprehensible to farmers across the country.

North Dakota producers have also suffered through several years of disastrous crops and low prices. The generous checks that freedom

to farm promises over the next few years will help farmers in the short term, but in the long run, the safety net for producers is eliminated. Marketing loans are capped at 1995 levels and permanent authority for farm programs is repealed. If prices were to collapse in the future as they have in the past, family farmers would be left with no support and will likely go out of business. The loss of those farmers would send a devastating ripple effect through the small towns and communities across North Dakota and the Nation.

In the Rules Committee, I spoke on behalf of an amendment that would have guaranteed payments to farmers for 2 years to help them with the difficulties of the last few years. After those initial 2 years the contract payments are reduced to half and a 90-percent marketing loan is in place to protect family farms from price collapse. This amendment would have addressed the fundamental flaw of this bill while providing producers financial relief.

Unfortunately this reasonable alternative to freedom to farm will not be allowed for consideration before the full House. It is an amendment that would have preserved the best aspects of the chairman's bill and still protected producers into the future. The people of this Nation, both urban and rural, deserve to have the best agricultural policy possible, and we cannot give it to them without a free and open debate.

Mr. FAWELL. Mr. Chairman, I rise in support of the amendment offered by my colleague from Connecticut, CHRIS SHAYS, which would phase out the peanut program over 7 years.

I have long been an opponent of unnecessary agriculture subsidies such as the peanut, sugar, and honey programs. Pure and simple, these subsidy programs are agriculture welfare. The current system, which favors the children of farmers who farmed in the 1940's, keeps domestic peanut prices artificially high.

Who really pays the unnecessarily high costs of the peanut subsidy program? It is the taxpayers, Mr. Chairman. According to the General Accounting Office [GAO], consumers pay as much as $513 million annually as a result of the peanut program. The peanut program cost taxpayers at least $119 million in fiscal year 1995 and is projected to cost another $91 million in fiscal year 1996. It is estimated that a jar of peanut butter costs at least an additional 40 cents due to the program.

Some defenders of the peanut subsidy have asserted that the program costs taxpayers nothing. I would like to point out that surely it takes money to make the program run. Someone pays for Government bureaucrats and agents to administer the program. In addition, the Government pays higher prices when purchasing peanut butter for the military and bears higher food stamp costs—all due to peanuts subsidies.

Mr. Chairman, I urge all of my colleagues to support passage of the Shays amendment which will phase out this antiquated and antimarket Government subsidy program.

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise in strong opposition to H.R. 2854, the Agricultural Market Transition Act, formerly referred to as the freedom-to-farm legislation. My objections are both procedural and substantive.

First, Mr. Chairman, it is outrageous that 5 months after it was due, we are still on this floor debating a farm bill. There simply is no good excuse for this delay. The Republican leadership in this House insisted on discharging the House Agriculture Committee from its duty to formulate a 1995 farm bill and rolled the freedom-to-farm provisions into the massive budget reconciliation bill. To few observers' surprise, the key farm legislation for this last half decade of the 20th century languished while heated controversy over the future of Medicare, Medicaid, welfare, and other issues bogged down the reconciliation effort. When the majority leadership finally agreed to extricate the farm bill from the rest of its political agenda, it recessed for a 3-week vacation rather than complete the long-overdue debate.

Mr. Chairman, if this process had not been distorted enough, we now find that contrary to long tradition in this House, only a limited number of amendments approved by the Speaker will be permitted. This substantially closed rule is an afront to the democratic process and is especially wrong headed given the minimal committee hearings on the workings or the consequences of this legislation.

Second, Mr. Chairman, I am very concerned about the substance of this bill. An economist at South Dakota State University has already written that this bill is a recipe for lower grain prices in my State, and may lead to significant reductions in land values and local tax revenues. Only if you think that the solution to low farm income is low grain prices, should a legislator support this bill.

It is not necessary to travel down the freedom-to-farm road in order to lighten the Federal regulatory load or to allow farmers far greater flexibility and simplicity in their planting decisions. It is not necessary to enact this type of radical legislation in order to promote a far more market oriented agriculture. This bill ends the farmer owned reserve [FOR] and it leaves a marketing loan mechanism in place that is wholly inadequate to serve as a useful marketing tool. This legislation pays farmers a payment unrelated to anything they plant or price they receive, but after 7 years, terminates all sense of a safety net in family agriculture. In the meantime, 2 percent of American farmers will receive 22 percent of the transition payments.

This transition legislation is a transition to ruin for many family owned farming operations. While doing nothing to provide farmers with the long-term marketing tools they need, it expects our farmers to compete in a global economy that features heavily subsidized agriculture in many foreign lands. Our farmers are competitive and becoming more efficient every year—but it is unfair to ask any sector of our Nation's economy to compete against the national treasuries of foreign competitors.

Mr. Chairman, the United States is currently the best fed and most cheaply fed nation on Earth. We spend has than 1 percent of the Federal budget on supporting farm incomes. While we can no doubt find still more savings in the USDA budget, and while we can certainly impose more simplicity and common sense on our agricultural programs, it is absolutely a disastrous mistake to pass this farm bill. Our farmers and our consumers deserve better than legislation which hands out checks unrelated to labor or risk for a few years, and then turns the Federal Government's back on family agriculture forever after.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for purposes of amendment and is considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2854

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

*(a) SHORT TITLE.—This Act may be cited as the ''Agricultural Market Transition Act''.*

*(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:*

*Sec. 1. Short title; table of contents.*

***TITLE I—AGRICULTURAL MARKET TRANSITION PROGRAM***

*Sec. 101. Purpose.*
*Sec. 102. Definitions.*
*Sec. 103. Production flexibility contracts.*
*Sec. 104. Nonrecourse marketing assistance loans and loan deficiency payments.*
*Sec. 105. Payment limitations.*
*Sec. 106. Peanut program.*
*Sec. 107. Sugar program.*
*Sec. 108. Administration.*
*Sec. 109. Elimination of permanent price support authority.*
*Sec. 110. Effect of amendments.*

***TITLE II—DAIRY***

***Subtitle A—Milk Price Support and Other Activities***

*Sec. 201. Milk price support program.*
*Sec. 202. Recourse loans for commercial processors of dairy products.*
*Sec. 203. Dairy export incentive program.*
*Sec. 204. Dairy promotion program.*
*Sec. 205. Fluid milk standards under milk marketing orders.*
*Sec. 206. Manufacturing allowance.*
*Sec. 207. Establishment of temporary Class I price and temporary Class I equalization pools.*
*Sec. 208. Establishment of temporary Class IV price and temporary Class IV equalization pool.*
*Sec. 209. Authority for establishment of standby pools.*

***Subtitle B—Reform of Federal Milk Marketing Orders***

*Sec. 221. Issuance or amendment of Federal milk marketing orders to implement certain reforms.*
*Sec. 222. Reform process.*
*Sec. 223. Effect of failure to comply with reform process requirements.*

***TITLE III—CONSERVATION***

*Sec. 301. Conservation.*

***TITLE IV—AGRICULTURAL PROMOTION AND EXPORT PROGRAMS***

*Sec. 401. Market promotion program.*
*Sec. 402. Export enhancement program.*

***TITLE V—MISCELLANEOUS***

*Sec. 501. Crop insurance.*
*Sec. 502. Collection and use of agricultural quarantine and inspection fees.*
*Sec. 503. Commodity Credit Corporation interest rate.*
*Sec. 504. Establishment of Office of Risk Management.*
*Sec. 505. Business Interruption Insurance Program.*
*Sec. 506. Continuation of options pilot program.*

***TITLE VI—COMMISSION ON 21ST CENTURY PRODUCTION AGRICULTURE***

*Sec. 601. Establishment.*
*Sec. 602. Composition.*
*Sec. 603. Comprehensive review of past and future of production agriculture.*
*Sec. 604. Reports.*

Sec. 605. Powers.
Sec. 606. Commission procedures.
Sec. 607. Personnel matters.
Sec. 608. Termination of Commission.

TITLE VII—EXTENSION OF CERTAIN AUTHORITIES

Sec. 701. Extension of authority under Public Law 480.
Sec. 702. Extension of food for progress program.

TITLE I—AGRICULTURAL MARKET TRANSITION PROGRAM

**SEC. 101. PURPOSE.**

It is the purpose of this title—

(1) to authorize the use of binding production flexibility contracts between the United States and agricultural producers to support farming certainty and flexibility while ensuring continued compliance with farm conservation compliance plans and wetland protection requirements;

(2) to make nonrecourse marketing assistance loans and loan deficiency available for certain crops;

(3) to improve the operation of farm programs for peanuts and sugar; and

(4) to terminate price support authority under the Agricultural Act of 1949.

**SEC. 102. DEFINITIONS.**

In this title:

(1) CONSIDERED PLANTED.—The term ''considered planted'' means acreage that is considered planted under title V of the Agricultural Act of 1949 (7 U.S.C. 1461 et seq.) (as in effect prior to the amendment made by section 109(b)(2)).

(2) CONTRACT.—The term ''contract'' means a production flexibility contract entered into under section 103.

(3) CONTRACT ACREAGE.—The term ''contract acreage'' means 1 or more crop acreage bases established for contract commodities under title V of the Agricultural Act of 1949 (as in effect prior to the amendment made by section 109(b)(2)) that would have been in effect for the 1996 crop (but for the amendment made by section 109(b)(2)).

(4) CONTRACT COMMODITY.—The term ''contract commodity'' means wheat, corn, grain sorghum, barley, oats, upland cotton, and rice.

(5) CONTRACT PAYMENT.—The term ''contract payment'' means a payment made under section 103 pursuant to a contract.

(6) CORN.—The term ''corn'' means field corn.

(7) DEPARTMENT.—The term ''Department'' means the United States Department of Agriculture.

(8) FARM PROGRAM PAYMENT YIELD.—The term ''farm program payment yield'' means the farm program payment yield established for the 1995 crop of a contract commodity under title V of the Agricultural Act of 1949 (as in effect prior to the amendment made by section 109(b)(2)).

(9) LOAN COMMODITY.—The term ''loan commodity'' means each contract commodity, extra long staple cotton, and oilseeds.

(10) OILSEED.—The term ''oilseed'' means a crop of soybeans, sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, or, if designated by the Secretary, other oilseeds.

(11) PERSON.—The term ''person'' means an individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or State agency.

(12) PRODUCER.—

(A) IN GENERAL.—The term ''producer'' means a person who, as owner, landlord, tenant, or sharecropper, shares in the risk of producing a crop, and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(B) HYBRID SEED.—The term ''producer'' includes a person growing hybrid seed under contract. In determining the interest of a grower of hybrid seed in a crop, the Secretary shall not take into consideration the existence of a hybrid seed contract.

(13) PROGRAM.—The term ''program'' means the agricultural market transition program established under this title.

(14) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(15) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

(16) UNITED STATES.—The term ''United States'', when used in a geographical sense, means all of the States.

**SEC. 103. PRODUCTION FLEXIBILITY CONTRACTS.**

(a) CONTRACTS AUTHORIZED.—

(1) OFFER AND TERMS.—Beginning as soon as practicable after the date of the enactment of this title, the Secretary shall offer to enter into a contract with an eligible owner or operator described in paragraph (2) on a farm containing eligible farmland. Under the terms of a contract, the owner or operator shall agree, in exchange for annual contract payments, to comply with—

(A) the conservation plan for the farm prepared in accordance with section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812);

(B) wetland protection requirements applicable to the farm under subtitle C of title XII of the Act (16 U.S.C. 3821 et seq.); and

(C) the planting flexibility requirements of subsection (j).

(2) ELIGIBLE OWNERS AND OPERATORS DESCRIBED.—The following persons shall be considered to be an owner or operator eligible to enter into a contract:

(A) An owner of eligible farmland who assumes all of the risk of producing a crop.

(B) An owner of eligible farmland who shares in the risk of producing a crop.

(C) An operator of eligible farmland with a share-rent lease of the eligible farmland, regardless of the length of the lease, if the owner enters into the same contract.

(D) An operator of eligible farmland who cash rents the eligible farmland under a lease expiring on or after September 30, 2002, in which case the consent of the owner is not required.

(E) An operator of eligible farmland who cash rents the eligible farmland under a lease expiring before September 30, 2002, if the owner consents to the contract.

(F) An owner of eligible farmland who cash rents the eligible farmland and the lease term expires before September 30, 2002, but only if the actual operator of the farm declines to enter into a contract. In the case of an owner covered by this subparagraph, contract payments shall not begin under a contract until the fiscal year following the fiscal year in which the lease held by the nonparticipating operator expires.

(G) An owner or operator described in any preceding subparagraph of this paragraph regardless of whether the owner or operator purchased catastrophic risk protection for a fall-planted 1996 crop under section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)).

(3) TENANTS AND SHARECROPPERS.—In carrying out this section, the Secretary shall provide adequate safeguards to protect the interests of operators who are tenants and sharecroppers.

(b) ELEMENTS.—

(1) TIME FOR CONTRACTING.—

(A) DEADLINE.—Except as provided in subparagraph (B), the Secretary may not enter into a contract after April 15, 1996.

(B) CONSERVATION RESERVE LANDS.—

(i) IN GENERAL.—At the beginning of each fiscal year, the Secretary shall allow an eligible owner or operator on a farm covered by a conservation reserve contract entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) that terminates after the date specified in subparagraph (A) to enter into or expand a production flexibility contract to cover the contract acreage of the farm that was subject to the former conservation reserve contract.

(ii) AMOUNT.—Contract payments made for contract acreage under this subparagraph shall be made at the rate and amount applicable to the annual contract payment level for the applicable crop.

(2) DURATION OF CONTRACT.—

(A) BEGINNING DATE.—A contract shall begin with—

(i) the 1996 crop of a contract commodity; or

(ii) in the case of acreage that was subject to a conservation reserve contract described in paragraph (1)(B), the date the production flexibility contract was entered into or expanded to cover the acreage.

(B) ENDING DATE.—A contract shall extend through the 2002 crop.

(3) ESTIMATION OF CONTRACT PAYMENTS.—At the time the Secretary enters into a contract, the Secretary shall provide an estimate of the minimum contract payments anticipated to be made during at least the first fiscal year for which contract payments will be made.

(c) ELIGIBLE FARMLAND DESCRIBED.—Land shall be considered to be farmland eligible for coverage under a contract only if the land has contract acreage attributable to the land and—

(1) for at least 1 of the 1991 through 1995 crops, at least a portion of the land was enrolled in the acreage reduction program authorized for a crop of a contract commodity under section 101B, 103B, 105B, or 107B of the Agricultural Act of 1949 (as in effect prior to the amendment made by section 109(b)(2)) or was considered planted;

(2) was subject to a conservation reserve contract under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) whose term expired, or was voluntarily terminated, on or after January 1, 1995; or

(3) is released from coverage under a conservation reserve contract by the Secretary during the period beginning on January 1, 1995, and ending on the date specified in subsection (b)(1)(A).

(d) TIME FOR PAYMENT.—

(1) IN GENERAL.—An annual contract payment shall be made not later than September 30 of each of fiscal years 1996 through 2002.

(2) ADVANCE PAYMENTS.—

(A) FISCAL YEAR 1996.—At the option of the owner or operator, 50 percent of the contract payment for fiscal year 1996 shall be made not later than June 15, 1996.

(B) SUBSEQUENT FISCAL YEARS.—At the option of the owner or operator for fiscal year 1997 and each subsequent fiscal year, 50 percent of the annual contract payment shall be made on December 15.

(e) AMOUNTS AVAILABLE FOR CONTRACT PAYMENTS FOR EACH FISCAL YEAR.—

(1) IN GENERAL.—The Secretary shall, to the maximum extent practicable, expend on a fiscal year basis the following amounts to satisfy the obligations of the Secretary under all contracts:

(A) For fiscal year 1996, $5,570,000,000.
(B) For fiscal year 1997, $5,385,000,000.
(C) For fiscal year 1998, $5,800,000,000.
(D) For fiscal year 1999, $5,603,000,000.
(E) For fiscal year 2000, $5,130,000,000.
(F) For fiscal year 2001, $4,130,000,000.
(G) For fiscal year 2002, $4,008,000,000.

(2) ALLOCATION.—The amount made available for a fiscal year under paragraph (1) shall be allocated as follows:

(A) For wheat, 26.26 percent.
(B) For corn, 46.22 percent.
(C) For grain sorghum, 5.11 percent.
(D) For barley, 2.16 percent.
(E) For oats, 0.15 percent.
(F) For upland cotton, 11.63 percent.
(G) For rice, 8.47 percent.

(3) ADJUSTMENT.—The Secretary shall adjust the amounts allocated for each contract commodity under paragraph (2) for a particular fiscal year by—

(A) adding an amount equal to the sum of all repayments of deficiency payments received under section 114(a)(2) of the Agricultural Act of 1949 (as in effect prior to the amendment made by section 109(b)(2)) for the commodity;

*(B) to the maximum extent practicable, adding an amount equal to the sum of all contract payments withheld by the Secretary, at the request of an owner or operator subject to a contract, as an offset against repayments of deficiency payments otherwise required under section 114(a)(2) of the Act (as so in effect) for the commodity;*

*(C) adding an amount equal to the sum of all refunds of contract payments received during the preceding fiscal year under subsection (h) of this section for the commodity; and*

*(D) subtracting an amount equal to the amount, if any, necessary during that fiscal year to satisfy payment requirements for the commodity under sections 103B, 105B, or 107B of the Agricultural Act of 1949 (as in effect prior to the amendment made by section 109(b)(2)) for the 1994 and 1995 crop years.*

*(4) SPECIAL ADJUSTMENT TO COVER EXISTING RICE PAYMENT REQUIREMENTS.—As soon as possible after the date of the enactment of this Act, the Secretary shall determine the amount, if any, necessary to satisfy remaining payment requirements under section 101B of the Agricultural Act of 1949 (as in effect prior to the amendment made by section 109(b)(2)) for the 1994 and 1995 crops of rice. The total amount determined under this paragraph shall be deducted, in equal amounts each fiscal year, from the amount allocated for rice under paragraph (2)(G) for fiscal years after the fiscal year in which the final remaining payments are made for rice.*

*(f) DETERMINATION OF CONTRACT PAYMENTS.—*

*(1) INDIVIDUAL PAYMENT QUANTITY OF CONTRACT COMMODITIES.—For each contract, the payment quantity of a contract commodity for each fiscal year shall be equal to the product of—*

*(A) 85 percent of the contract acreage; and*

*(B) the farm program payment yield.*

*(2) ANNUAL PAYMENT QUANTITY OF CONTRACT COMMODITIES.—The payment quantity of each contract commodity covered by all contracts for each fiscal year shall equal the sum of the amounts calculated under paragraph (1) for each individual contract.*

*(3) ANNUAL PAYMENT RATE.—The payment rate for a contract commodity for each fiscal year shall be equal to—*

*(A) the amount made available under subsection (e) for the contract commodity for the fiscal year; divided by*

*(B) the amount determined under paragraph (2) for the fiscal year.*

*(4) ANNUAL PAYMENT AMOUNT.—The amount to be paid under a contract in effect for each fiscal year with respect to a contract commodity shall be equal to the product of—*

*(A) the payment quantity determined under paragraph (1) with respect to the contract; and*

*(B) the payment rate in effect under paragraph (3).*

*(5) ASSIGNMENT OF CONTRACT PAYMENTS.—The provisions of section 8(g) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(g)) (relating to assignment of payments) shall apply to contract payments under this subsection. The owner or operator making the assignment, or the assignee, shall provide the Secretary with notice, in such manner as the Secretary may require in the contract, of any assignment made under this paragraph.*

*(6) SHARING OF CONTRACT PAYMENTS.—The Secretary shall provide for the sharing of contract payments among the owners and operators subject to the contract on a fair and equitable basis.*

*(g) PAYMENT LIMITATION.—The total amount of contract payments made to a person under a contract during any fiscal year may not exceed the payment limitations established under sections 1001 through 1001C of the Food Security Act of 1985 (7 U.S.C. 1308 through 1308–3).*

*(h) EFFECT OF VIOLATION.—*

*(1) TERMINATION OF CONTRACT.—Except as provided in paragraph (2), if an owner or operator subject to a contract violates the conservation plan for the farm containing eligible farmland under the contract, wetland protection requirements applicable to the farm, or the planting flexibility requirements of subsection (j), the Secretary shall terminate the contract with respect to the owner or operator on each farm in which the owner or operator has an interest. On the termination, the owner or operator shall forfeit all rights to receive future contract payments on each farm in which the owner or operator has an interest and shall refund to the Secretary all contract payments received by the owner or operator during the period of the violation, together with interest on the contract payments as determined by the Secretary.*

*(2) REFUND OR ADJUSTMENT.—If the Secretary determines that a violation does not warrant termination of the contract under paragraph (1), the Secretary may require the owner or operator subject to the contract—*

*(A) to refund to the Secretary that part of the contract payments received by the owner or operator during the period of the violation, together with interest on the contract payments as determined by the Secretary; or*

*(B) to accept a reduction in the amount of future contract payments that is proportionate to the severity of the violation, as determined by the Secretary.*

*(3) FORECLOSURE.—An owner or operator subject to a contract may not be required to make repayments to the Secretary of amounts received under the contract if the contract acreage has been foreclosed on and the Secretary determines that forgiving the repayments is appropriate in order to provide fair and equitable treatment. This paragraph shall not void the responsibilities of such an owner or operator under the contract if the owner or operator continues or resumes operation, or control, of the contract acreage. On the resumption of operation or control over the contract acreage by the owner or operator, the provisions of the contract in effect on the date of the foreclosure shall apply.*

*(4) REVIEW.—A determination of the Secretary under this subsection shall be considered to be an adverse decision for purposes of the availability of administrative review of the determination.*

*(i) TRANSFER OF INTEREST IN LANDS SUBJECT TO CONTRACT.—*

*(1) EFFECT OF TRANSFER.—Except as provided in paragraph (2), the transfer by an owner or operator subject to a contract of the right and interest of the owner or operator in the contract acreage shall result in the termination of the contract with respect to the acreage, effective on the date of the transfer, unless the transferee of the acreage agrees with the Secretary to assume all obligations of the contract. At the request of the transferee, the Secretary may modify the contract if the modifications are consistent with the objectives of this section as determined by the Secretary.*

*(2) EXCEPTION.—If an owner or operator who is entitled to a contract payment dies, becomes incompetent, or is otherwise unable to receive the contract payment, the Secretary shall make the payment, in accordance with regulations prescribed by the Secretary.*

*(j) PLANTING FLEXIBILITY.—*

*(1) PERMITTED CROPS.—Subject to paragraph (2), any commodity or crop may be planted on contract acreage on a farm.*

*(2) LIMITATIONS.—*

*(A) HAYING AND GRAZING.—*

*(i) TIME LIMITATIONS.—Haying and grazing on land exceeding 15 percent of the contract acreage on a farm as provided in clause (iii) shall be permitted, except during any consecutive 5-month period between April 1 and October 31 that is determined by the State committee established under section 8(b) of the Soil Conservation and Domestic Allotment Act (6 U.S.C. 590h(b)) for a State. In the case of a natural disaster, the Secretary may permit unlimited haying and grazing on the contract acreage of a farm.*

*(ii) CONTRACT COMMODITIES.—Contract acreage planted to a contract commodity for harvest may be hayed or grazed at any time without limitation.*

*(iii) HAYING AND GRAZING LIMITATION ON PORTION OR CONTRACT ACREAGE.—Unlimited haying and grazing shall be permitted on not more than 15 percent of the contract acreage on a farm.*

*(B) ALFALFA.—Alfalfa may be grown on contract acreage in excess of the acreage limitation in subparagraph (A)(iii) and without regard to the time limitation in subparagraph (A)(i), except that each contract acre on a farm that is planted for harvest to alfalfa in excess of 15 percent of the total contract acreage on the farm shall be ineligible for contract payments.*

*(C) FRUITS AND VEGETABLES.—*

*(i) IN GENERAL.—The planting for harvest of fruits and vegetables shall be prohibited on contract acreage, except in any region in which there is a history of double-cropping, as determined by the Secretary.*

*(ii) UNRESTRICTED VEGETABLES.—Notwithstanding clause (i), lentils, mung beans, and dry peas may be planted for harvest without limitation on contract acreage.*

***SEC. 104. NONRECOURSE MARKETING ASSISTANCE LOANS AND LOAN DEFICIENCY PAYMENTS.***

*(a) AVAILABILITY OF MARKETING ASSISTANCE LOANS.—*

*(1) NONRECOURSE LOANS AVAILABLE.—For each of the 1996 through 2002 crops of each loan commodity, the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for loan commodities produced on the farm. The loans shall be made under terms and conditions that are prescribed by the Secretary and at the loan rate established under subsection (b) for the loan commodity.*

*(2) ELIGIBLE PRODUCTION.—The following production shall be eligible for a marketing assistance loan under paragraph (1):*

*(A) In the case of a marketing assistance loan for a contract commodity, any production by a producer who has entered into a production flexibility contract.*

*(B) In the case of a marketing assistance loan for extra long staple cotton and oilseeds, any production.*

*(3) RECOURSE LOANS FOR HIGH MOISTURE FEED GRAINS.—*

*(A) RECOURSE LOANS AVAILABLE.—For each of the 1996 through 2002 crops of corn and grain sorghum, the Secretary shall make available recourse loans, as determined by the Secretary, to producers on a farm who—*

*(i) normally harvest all or a portion of their crop of corn or grain sorghum in a high moisture state;*

*(ii) present—*

*(I) certified scale tickets from an inspected, certified commercial scale, including licensed warehouses, feedlots, feed mills, distilleries, or other similar entities approved by the Secretary, pursuant to regulations issued by the Secretary; or*

*(II) present field or other physical measurements of the standing or stored crop in regions of the country, as determined by the Secretary, that do not have certified commercial scales from which certified scale tickets may be obtained within reasonable proximity of harvest operation;*

*(iii) certify that they were the owners of the feed grain at the time of delivery to, and that the quantity to be placed under loan under this paragraph was in fact harvested on the farm and delivered to, a feedlot, feed mill, or commercial or on-farm high-moisture storage facility, or to such facilities maintained by the users of corn and grain sorghum in a high moisture state; and*

*(iv) comply with deadlines established by the Secretary for harvesting the corn or grain sorghum and submit applications for loans under this paragraph within deadlines established by the Secretary.*

(B) ELIGIBILITY OF ACQUIRED FEED GRAINS.—Loans under this paragraph shall be made on a quantity of corn or grain sorghum of the same crop acquired by the producer equivalent to a quantity determined by multiplying—

(i) the acreage of the corn or grain sorghum in a high moisture state harvested on the producer's farm; by

(ii) the lower of the farm program payment yield or the actual yield on a field, as determined by the Secretary, that is similar to the field from which the corn or grain sorghum was obtained.

(C) HIGH MOISTURE STATE DEFINED.—In this paragraph, the term ''high moisture state'' means corn or grain sorghum having a moisture content in excess of Commodity Credit Corporation standards for marketing assistance loans made by the Secretary under paragraph (1).

(b) LOAN RATES.—

(1) WHEAT.—

(A) LOAN RATE.—Subject to subparagraph (B), the loan rate for a marketing assistance loan under subsection (a)(1) for wheat shall be—

(i) not less than 85 percent of the simple average price received by producers of wheat, as determined by the Secretary, during the marketing years for the immediately preceding 5 crops of wheat, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; but

(ii) not more than $2.58 per bushel.

(B) STOCKS TO USE RATIO ADJUSTMENT.—If the Secretary estimates for any marketing year that the ratio of ending stocks of wheat to total use for the marketing year will be—

(i) equal to or greater than 30 percent, the Secretary may reduce the loan rate for wheat for the corresponding crop by an amount not to exceed 10 percent in any year;

(ii) less than 30 percent but not less than 15 percent, the Secretary may reduce the loan rate for wheat for the corresponding crop by an amount not to exceed 5 percent in any year; or

(iii) less than 15 percent, the Secretary may not reduce the loan rate for wheat for the corresponding crop.

(C) NO EFFECT ON FUTURE YEARS.—Any reduction in the loan rate for wheat under subparagraph (B) shall not be considered in determining the loan rate for wheat for subsequent years.

(2) FEED GRAINS.—

(A) LOAN RATE FOR CORN.—Subject to subparagraph (B), the loan rate for a marketing assistance loan under subsection (a)(1) for corn shall be—

(i) not less than 85 percent of the simple average price received by producers of corn, as determined by the Secretary, during the marketing years for the immediately preceding 5 crops of corn, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; but

(ii) not more than $1.89 per bushel.

(B) STOCKS TO USE RATIO ADJUSTMENT.—If the Secretary estimates for any marketing year that the ratio of ending stocks of corn to total use for the marketing year will be—

(i) equal to or greater than 25 percent, the Secretary may reduce the loan rate for corn for the corresponding crop by an amount not to exceed 10 percent in any year;

(ii) less than 25 percent but not less than 12.5 percent, the Secretary may reduce the loan rate for corn for the corresponding crop by an amount not to exceed 5 percent in any year; or

(iii) less than 12.5 percent the Secretary may not reduce the loan rate for corn for the corresponding crop.

(C) NO EFFECT ON FUTURE YEARS.—Any reduction in the loan rate for corn under subparagraph (B) shall not be considered in determining the loan rate for corn for subsequent years.

(D) OTHER FEED GRAINS.—The loan rate for a marketing assistance loan under subsection (a)(1) for grain sorghum, barley, and oats, respectively, shall be established at such level as the Secretary determines is fair and reasonable in relation to the rate that loans are made available for corn, taking into consideration the feeding value of the commodity in relation to corn.

(3) UPLAND COTTON.—

(A) LOAN RATE.—Subject to subparagraph (B), the loan rate for a marketing assistance loan under subsection (a)(1) for upland cotton shall be established by the Secretary at such loan rate, per pound, as will reflect for the base quality of upland cotton, as determined by the Secretary, at average locations in the United States a rate that is not less than the smaller of—

(i) 85 percent of the average price (weighted by market and month) of the base quality of cotton as quoted in the designated United States spot markets during 3 years of the 5-year period ending July 31 in the year in which the loan rate is announced, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; or

(ii) 90 percent of the average, for the 15-week period beginning July 1 of the year in which the loan rate is announced, of the 5 lowest-priced growths of the growths quoted for Middling 1 3/32-inch cotton C.I.F. Northern Europe (adjusted downward by the average difference during the period April 15 through October 15 of the year in which the loan is announced between the average Northern European price quotation of such quality of cotton and the market quotations in the designated United States spot markets for the base quality of upland cotton), as determined by the Secretary.

(B) LIMITATIONS.—The loan rate for a marketing assistance loan for upland cotton shall not be less than $0.50 per pound or more than $0.5192 per pound.

(4) EXTRA LONG STAPLE COTTON.—The loan rate for a marketing assistance loan under subsection (a)(1) for extra long staple cotton shall be—

(A) not less than 85 percent of the simple average price received by producers of extra long staple cotton, as determined by the Secretary, during 3 years of the 5 previous marketing years, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; but

(B) not more than $0.7965 per pound.

(5) RICE.—The loan rate for a marketing assistance loan under subsection (a)(1) for rice shall be $6.50 per hundredweight.

(6) OILSEEDS.—

(A) SOYBEANS.—The loan rate for a marketing assistance loan under subsection (a)(1) for soybeans shall be $4.92 per bushel.

(B) SUNFLOWER SEED, CANOLA, RAPESEED, SAFFLOWER, MUSTARD SEED, AND FLAXSEED.—The loan rates for a marketing assistance loan under subsection (a)(1) for sunflower seed, canola, rapeseed, safflower, mustard seed, and flaxseed, individually, shall be $0.087 per pound.

(C) OTHER OILSEEDS.—The loan rates for a marketing assistance loan under subsection (a)(1) for other oilseeds shall be established at such level as the Secretary determines is fair and reasonable in relation to the loan rate available for soybeans, except in no event shall the rate for the oilseeds (other than cottonseed) be less than the rate established for soybeans on a per-pound basis for the same crop.

(c) TERM OF LOAN.—In the case of each loan commodity (other than upland cotton or extra long staple cotton), a marketing assistance loan under subsection (a)(1) shall have a term of 9 months beginning on the first day of the first month after the month in which the loan is made. A marketing assistance loan for upland cotton or extra long staple cotton shall have a term of 10 months beginning on the first day of the first month after the month in which the loan is made. The Secretary may not extend the term of a marketing assistance loan for any loan commodity.

(d) REPAYMENT.—

(1) REPAYMENT RATES GENERALLY.—The Secretary shall permit producers to repay a marketing assistance loan under subsection (a)(1) for a loan commodity (other than extra long staple cotton) at a level that is the lesser of—

(A) the loan rate established for the commodity under subsection (b); or

(B) the prevailing world market price for the commodity (adjusted to United States quality and location), as determined by the Secretary.

(2) ADDITIONAL REPAYMENT RATES FOR WHEAT, FEED GRAINS, AND OILSEEDS.—In the case of a marketing assistance loan under subsection (a)(1) for wheat, corn, grain sorghum, barley, oats, or oilseeds, the Secretary shall also permit a producer to repay the loan at such level as the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of the commodity by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing the commodity; and

(D) allow the commodity produced in the United States to be marketed freely and competitively, both domestically and internationally.

(3) REPAYMENT RATES FOR EXTRA LONG STAPLE COTTON.—Repayment of a marketing assistance loan for extra long staple cotton shall be at the loan rate established for the commodity under subsection (b), plus interest (as determined by the Secretary).

(4) PREVAILING WORLD MARKET PRICE.—For purposes of paragraph (1) and subsection (f), the Secretary shall prescribe by regulation—

(A) a formula to determine the prevailing world market price for each loan commodity, adjusted to United States quality and location; and

(B) a mechanism by which the Secretary shall announce periodically the prevailing world market price for each loan commodity.

(5) ADJUSTMENT OF PREVAILING WORLD MARKET PRICE FOR UPLAND COTTON.—

(A) IN GENERAL.—During the period ending July 31, 2003, the prevailing world market price for upland cotton (adjusted to United States quality and location) established under paragraph (4) shall be further adjusted if—

(i) the adjusted prevailing world market price is less than 115 percent of the loan rate for upland cotton established under subsection (b), as determined by the Secretary; and

(ii) the Friday through Thursday average price quotation for the lowest-priced United States growth as quoted for Middling (M) 1 3/32-inch cotton delivered C.I.F. Northern Europe is greater than the Friday through Thursday average price of the 5 lowest-priced growths of upland cotton, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe (referred to in this subsection as the ''Northern Europe price'').

(B) FURTHER ADJUSTMENT.—Except as provided in subparagraph (C), the adjusted prevailing world market price for upland cotton shall be further adjusted on the basis of some or all of the following data, as available:

(i) The United States share of world exports.

(ii) The current level of cotton export sales and cotton export shipments.

(iii) Other data determined by the Secretary to be relevant in establishing an accurate prevailing world market price for upland cotton (adjusted to United States quality and location).

(C) LIMITATION ON FURTHER ADJUSTMENT.—The adjustment under subparagraph (B) may not exceed the difference between—

(i) the Friday through Thursday average price for the lowest-priced United States growth as quoted for Middling 1 3/32-inch cotton delivered C.I.F. Northern Europe; and

(ii) the Northern Europe price.

(e) LOAN DEFICIENCY PAYMENTS.—

(1) AVAILABILITY.—Except as provided in paragraph (4), the Secretary may make loan deficiency payments available to producers who, although eligible to obtain a marketing assistance loan under subsection (a)(1) with respect to a loan commodity, agree to forgo obtaining the loan for the commodity in return for payments under this subsection.

*(2) COMPUTATION.—A loan deficiency payment under this subsection shall be computed by multiplying—*

*(A) the loan payment rate determined under paragraph (3) for the loan commodity; by*

*(B) the quantity of the loan commodity that the producers on a farm are eligible to place under loan but for which the producers forgo obtaining the loan in return for payments under this subsection.*

*(3) LOAN PAYMENT RATE.—For purposes of this subsection, the loan payment rate shall be the amount by which—*

*(A) the loan rate established under subsection (b) for the loan commodity; exceeds*

*(B) the rate at which a loan for the commodity may be repaid under subsection (d).*

*(4) EXCEPTION FOR EXTRA LONG STAPLE COTTON.—This subsection shall not apply with respect to extra long staple cotton.*

*(f) SPECIAL MARKETING LOAN PROVISIONS FOR UPLAND COTTON.—*

*(1) COTTON USER MARKETING CERTIFICATES.—*

*(A) ISSUANCE.—Subject to subparagraph (D), during the period ending July 31, 2003, the Secretary shall issue marketing certificates or cash payments to domestic users and exporters for documented purchases by domestic users and sales for export by exporters made in the week following a consecutive 4-week period in which—*

*(i) the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe exceeds the Northern Europe price by more than 1.25 cents per pound; and*

*(ii) the prevailing world market price for upland cotton (adjusted to United States quality and location) does not exceed 130 percent of the loan rate for upland cotton established under subsection (b).*

*(B) VALUE OF CERTIFICATES OR PAYMENTS.—The value of the marketing certificates or cash payments shall be based on the amount of the difference (reduced by 1.25 cents per pound) in the prices during the 4th week of the consecutive 4-week period multiplied by the quantity of upland cotton included in the documented sales.*

*(C) REDEMPTION, MARKETING, OR EXCHANGE.—The Secretary shall establish procedures to assist persons receiving marketing certificates under this paragraph in the redemption of certificates for cash, or in the marketing or exchange of certificates for agricultural commodities owned by the Commodity Credit Corporation, in such manner and at such price levels as the Secretary determines will best effectuate the purposes of the marketing certificates. Any price restrictions that may otherwise apply to the disposition of agricultural commodities by the Commodity Credit Corporation shall not apply to the redemption of certificates under this paragraph.*

*(D) EXCEPTION.—The Secretary shall not issue marketing certificates or cash payments under subparagraph (A) if, for the immediately preceding consecutive 10-week period, the Friday through Thursday average price quotation for the lowest priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificate issued under this paragraph, exceeds the Northern Europe price by more than 1.25 cents per pound.*

*(E) LIMITATION ON EXPENDITURES.—Total expenditures under this paragraph shall not exceed $701,000,000 during fiscal years 1996 through 2002.*

*(2) SPECIAL IMPORT QUOTA.—*

*(A) ESTABLISHMENT.—The President shall carry out an import quota program that provides that, during the period ending July 31, 2003, whenever the Secretary determines and announces that for any consecutive 10-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificates issued under paragraph (1), exceeds the Northern Europe price by more than 1.25 cents per pound, there shall immediately be in effect a special import quota.*

*(B) QUANTITY.—The quota shall be equal to 1 week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the most recent 3 months for which data are available.*

*(C) APPLICATION.—The quota shall apply to upland cotton purchased not later than 90 days after the date of the Secretary's announcement under subparagraph (A) and entered into the United States not later than 180 days after the date.*

*(D) OVERLAP.—A special quota period may be established that overlaps any existing quota period if required by subparagraph (A), except that a special quota period may not be established under this paragraph if a quota period has been established under subsection (g).*

*(E) PREFERENTIAL TARIFF TREATMENT.—The quantity under a special import quota shall be considered to be an in-quota quantity for purposes of—*

*(i) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));*

*(ii) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);*

*(iii) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and*

*(iv) General Note 3(a)(iv) to the Harmonized Tariff Schedule.*

*(F) DEFINITION.—In this paragraph, the term ''special import quota'' means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.*

*(g) LIMITED GLOBAL IMPORT QUOTA FOR UPLAND COTTON.—*

*(1) IN GENERAL.—The President shall carry out an import quota program that provides that whenever the Secretary determines and announces that the average price of the base quality of upland cotton, as determined by the Secretary, in the designated spot markets for a month exceeded 130 percent of the average price of such quality of cotton in the markets for the preceding 36 months, notwithstanding any other provision of law, there shall immediately be in effect a limited global import quota subject to the following conditions:*

*(A) QUANTITY.—The quantity of the quota shall be equal to 21 days of domestic mill consumption of upland cotton at the seasonally adjusted average rate of the most recent 3 months for which data are available.*

*(B) QUANTITY IF PRIOR QUOTA.—If a quota has been established under this subsection during the preceding 12 months, the quantity of the quota next established under this subsection shall be the smaller of 21 days of domestic mill consumption calculated under subparagraph (A) or the quantity required to increase the supply to 130 percent of the demand.*

*(C) PREFERENTIAL TARIFF TREATMENT.—The quantity under a limited global import quota shall be considered to be an in-quota quantity for purposes of—*

*(i) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));*

*(ii) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);*

*(iii) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and*

*(iv) General Note 3(a)(iv) to the Harmonized Tariff Schedule.*

*(D) DEFINITIONS.—In this subsection:*

*(i) SUPPLY.—The term ''supply'' means, using the latest official data of the Bureau of the Census, the Department of Agriculture, and the Department of the Treasury—*

*(I) the carry-over of upland cotton at the beginning of the marketing year (adjusted to 480-pound bales) in which the quota is established;*

*(II) production of the current crop; and*

*(III) imports to the latest date available during the marketing year.*

*(ii) DEMAND.—The term ''demand'' means—*

*(I) the average seasonally adjusted annual rate of domestic mill consumption in the most recent 3 months for which data are available; and*

*(II) the larger of—*

*(aa) average exports of upland cotton during the preceding 6 marketing years; or*

*(bb) cumulative exports of upland cotton plus outstanding export sales for the marketing year in which the quota is established.*

*(iii) LIMITED GLOBAL IMPORT QUOTA.—The term ''limited global import quota'' means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.*

*(E) QUOTA ENTRY PERIOD.—When a quota is established under this subsection, cotton may be entered under the quota during the 90-day period beginning on the date the quota is established by the Secretary.*

*(2) NO OVERLAP.—Notwithstanding paragraph (1), a quota period may not be established that overlaps an existing quota period or a special quota period established under subsection (f)(2).*

*(h) SOURCE OF LOANS.—*

*(1) IN GENERAL.—The Secretary shall provide the loans authorized by this section and the Agricultural Adjustment Act of 1938 (7 U.S.C. 1281 et seq.) through the Commodity Credit Corporation and other means available to the Secretary.*

*(2) PROCESSORS.—Whenever any loan or surplus removal operation for any agricultural commodity is carried out through purchases from or loans or payments to processors, the Secretary shall, to the extent practicable, obtain from the processors such assurances as the Secretary considers adequate that the producers of the commodity have received or will receive maximum benefits from the loan or surplus removal operation.*

*(i) ADJUSTMENTS OF LOANS.—*

*(1) IN GENERAL.—The Secretary may make appropriate adjustments in the loan levels for any commodity for differences in grade, type, quality, location, and other factors.*

*(2) LOAN LEVEL.—The adjustments shall, to the maximum extent practicable, be made in such manner that the average loan level for the commodity will, on the basis of the anticipated incidence of the factors, be equal to the level of support determined as provided in this section or the Agricultural Adjustment Act of 1938 (7 U.S.C. 1281 et seq.).*

*(j) PERSONAL LIABILITY OF PRODUCERS FOR DEFICIENCIES.—*

*(1) IN GENERAL.—Except as provided in paragraph (2), no producer shall be personally liable for any deficiency arising from the sale of the collateral securing any nonrecourse loan made under this section or the Agricultural Adjustment Act of 1938 (7 U.S.C. 1281 et seq.) unless the loan was obtained through a fraudulent representation by the producer.*

*(2) LIMITATIONS.—Paragraph (1) shall not prevent the Commodity Credit Corporation or the Secretary from requiring a producer to assume liability for—*

*(A) a deficiency in the grade, quality, or quantity of a commodity stored on a farm or delivered by the producer;*

*(B) a failure to properly care for and preserve a commodity; or*

*(C) a failure or refusal to deliver a commodity in accordance with a program established under this section or the Agricultural Adjustment Act of 1938.*

*(3) ACQUISITION OF COLLATERAL.—The Secretary may include in a contract for a nonrecourse loan made under this section or the Agricultural Adjustment Act of 1938 a provision that permits the Commodity Credit Corporation, on and after the maturity of the loan, to acquire title to the unredeemed collateral without obligation to pay for any market value that the collateral may have in excess of the loan indebtedness.*

*(4) SUGARCANE AND SUGAR BEETS.—A security interest obtained by the Commodity Credit Corporation as a result of the execution of a security agreement by the processor of sugarcane or*

sugar beets shall be superior to all statutory and common law liens on raw cane sugar and refined beet sugar in favor of the producers of sugarcane and sugar beets and all prior recorded and unrecorded liens on the crops of sugarcane and sugar beets from which the sugar was derived.

(k) COMMODITY CREDIT CORPORATION SALES PRICE RESTRICTIONS.—

(1) IN GENERAL.—The Commodity Credit Corporation may sell any commodity owned or controlled by the Corporation at any price that the Secretary determines will maximize returns to the Corporation.

(2) NONAPPLICATION OF SALES PRICE RESTRICTIONS.—Paragraph (1) shall not apply to—

(A) a sale for a new or byproduct use;

(B) a sale of peanuts or oilseeds for the extraction of oil;

(C) a sale for seed or feed if the sale will not substantially impair any loan program;

(D) a sale of a commodity that has substantially deteriorated in quality or as to which there is a danger of loss or waste through deterioration or spoilage;

(E) a sale for the purpose of establishing a claim arising out of a contract or against a person who has committed fraud, misrepresentation, or other wrongful act with respect to the commodity;

(F) a sale for export, as determined by the Corporation; and

(G) a sale for other than a primary use.

(3) PRESIDENTIAL DISASTER AREAS.—

(A) IN GENERAL.—Notwithstanding paragraph (1), on such terms and conditions as the Secretary may consider in the public interest, the Corporation may make available any commodity or product owned or controlled by the Corporation for use in relieving distress—

(i) in any area in the United States (including the Virgin Islands) declared by the President to be an acute distress area because of unemployment or other economic cause, if the President finds that the use will not displace or interfere with normal marketing of agricultural commodities; and

(ii) in connection with any major disaster determined by the President to warrant assistance by the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(B) COSTS.—Except on a reimbursable basis, the Corporation shall not bear any costs in connection with making a commodity available under subparagraph (A) beyond the cost of the commodity to the Corporation incurred in—

(i) the storage of the commodity; and

(ii) the handling and transportation costs in making delivery of the commodity to designated agencies at 1 or more central locations in each State or other area.

(4) EFFICIENT OPERATIONS.—Paragraph (1) shall not apply to the sale of a commodity the disposition of which is desirable in the interest of the effective and efficient conduct of the operations of the Corporation because of the small quantity of the commodity involved, or because of the age, location, or questionable continued storability of the commodity.

**SEC. 105. PAYMENT LIMITATIONS.**

(a) IN GENERAL.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by striking paragraphs (1) through (4) and inserting the following:

''(1) LIMITATION ON PAYMENTS UNDER PRODUCTION FLEXIBILITY CONTRACTS.—The total amount of contract payments made under section 103 of the Agricultural Market Transition Act to a person under 1 or more production flexibility contracts entered into under the section during any fiscal year may not exceed $40,000.

''(2) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS.—For each of the 1996 through 2002 crops of loan commodities, the total amount of payments specified in paragraph (3) that a person shall be entitled to receive under section 104 of the Agricultural Market Transition Act for one or more loan commodities may not exceed $75,000.

''(3) DESCRIPTION OF PAYMENTS SUBJECT TO LIMITATION.—The payments referred to in paragraph (2) are the following:

''(A) Any gain realized by a producer from repaying a marketing assistance loan for a crop of any loan commodity at a lower level than the original loan rate established for the loan commodity under section 104(b) of the Agricultural Market Transition Act.

''(B) Any loan deficiency payment received for a loan commodity under section 104(e) of the Act.

''(4) DEFINITIONS.—In this title, the terms 'contract payment' and 'loan commodity' have the meaning given those terms in section 102 of the Agricultural Market Transition Act.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308–1) is amended—

(A) in subsection (a)(1), by striking ''under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.)''; and

(B) in subsection (b)(1), by striking ''under the Agricultural Act of 1949''.

(2) Section 1001C(a) of the Act (7 U.S.C. 1308–3(a)) is amended—

(A) by striking ''For each of the 1991 through 1997 crops, any'' and inserting ''Any'';

(B) by striking ''production adjustment payments, price support program loans, payments, or benefits made available under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.),'' and inserting ''loans or payments made available under title I of the Agricultural Market Transition Act,''; and

(C) by striking ''during the 1989 through 1997 crop years''.

**SEC. 106. PEANUT PROGRAM.**

(a) QUOTA PEANUTS.—

(1) AVAILABILITY OF LOANS.—The Secretary shall make nonrecourse loans available to producers of quota peanuts.

(2) LOAN RATE.—The national average quota loan rate for quota peanuts shall be $610 per ton.

(3) INSPECTION, HANDLING, OR STORAGE.—The loan amount may not be reduced by the Secretary by any deductions for inspection, handling, or storage.

(4) LOCATION AND OTHER FACTORS.—The Secretary may make adjustments in the loan rate for quota peanuts for location of peanuts and such other factors as are authorized by section 411 of the Agricultural Adjustment Act of 1938.

(5) OFFERS FROM HANDLERS.—In the case of any producer who had an offer available from a handler to purchase quota peanuts, for delivery within the same county or a contiguous county, at a price equal to or greater than the applicable quota support rate, the Secretary shall reduce the support rate by 5 percent for the peanuts that were subject to the offer.

(b) ADDITIONAL PEANUTS.—

(1) IN GENERAL.—The Secretary shall make nonrecourse loans available to producers of additional peanuts at such rates as the Secretary finds appropriate, taking into consideration the demand for peanut oil and peanut meal, expected prices of other vegetable oils and protein meals, and the demand for peanuts in foreign markets.

(2) ANNOUNCEMENT.—The Secretary shall announce the loan rate for additional peanuts of each crop not later than February 15 preceding the marketing year for the crop for which the loan rate is being determined.

(c) AREA MARKETING ASSOCIATIONS.—

(1) WAREHOUSE STORAGE LOANS.—

(A) IN GENERAL.—In carrying out subsections (a) and (b), the Secretary shall make warehouse storage loans available in each of the producing areas (described in section 1446.95 of title 7 of the Code of Federal Regulations (January 1, 1989)) to a designated area marketing association of peanut producers that is selected and approved by the Secretary and that is operated primarily for the purpose of conducting the loan activities. The Secretary may not make warehouse storage loans available to any cooperative that is engaged in operations or activities concerning peanuts other than those operations and activities specified in this section and section 358e of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359a).

(B) ADMINISTRATIVE AND SUPERVISORY ACTIVITIES.—An area marketing association shall be used in administrative and supervisory activities relating to loans and marketing activities under this section and section 358e of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359a).

(C) ASSOCIATION COSTS.—Loans made to the association under this paragraph shall include such costs as the area marketing association reasonably may incur in carrying out the responsibilities, operations, and activities of the association under this section and section 358e of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359a).

(2) POOLS FOR QUOTA AND ADDITIONAL PEANUTS.—

(A) IN GENERAL.—The Secretary shall require that each area marketing association establish pools and maintain complete and accurate records by area and segregation for quota peanuts handled under loan and for additional peanuts placed under loan, except that separate pools shall be established for Valencia peanuts produced in New Mexico. Bright hull and dark hull Valencia peanuts shall be considered as separate types for the purpose of establishing the pools.

(B) NET GAINS.—Net gains on peanuts in each pool, unless otherwise approved by the Secretary, shall be distributed only to producers who placed peanuts in the pool and shall be distributed in proportion to the value of the peanuts placed in the pool by each producer. Net gains for peanuts in each pool shall consist of the following:

(i) QUOTA PEANUTS.—For quota peanuts, the net gains over and above the loan indebtedness and other costs or losses incurred on peanuts placed in the pool.

(ii) ADDITIONAL PEANUTS.—For additional peanuts, the net gains over and above the loan indebtedness and other costs or losses incurred on peanuts placed in the pool for additional peanuts.

(d) LOSSES.—Losses in quota area pools shall be covered using the following sources in the following order of priority:

(1) TRANSFERS FROM ADDITIONAL LOAN POOLS.—The proceeds due any producer from any pool shall be reduced by the amount of any loss that is incurred with respect to peanuts transferred from an additional loan pool to a quota loan pool by the producer under section 358–1(b)(8) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1358–1(b)(8)).

(2) OTHER PRODUCERS IN SAME POOL.—Further losses in an area quota pool shall be offset by reducing the gain of any producer in the pool by the amount of pool gains attributed to the same producer from the sale of additional peanuts for domestic and export edible use.

(3) BUY-BACK GAINS WITHIN AREA.—Further losses in an area quota pool shall be offset by gains or profits attributable to sales of additional peanuts in that area pursuant to the provisions of section 358e(g)(1)(A) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359a(g)(1)(A)).

(4) USE OF MARKETING ASSESSMENTS.—The Secretary shall use funds collected under subsection (g) (except funds attributable to handlers) to offset further losses in area quota pools. The Secretary shall transfer to the Treasury those funds collected under subsection (g) and available for use under this subsection that the Secretary determines are not required to cover losses in area quota pools.

(5) CROSS COMPLIANCE.—Further losses in area quota pools, other than losses incurred as a result of transfers from additional loan pools to quota loan pools under section 358–1(b)(8) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1358–1(b)(8)), shall be offset by any gains or profits from quota pools in other production areas (other than separate type pools established under subsection (c)(2)(A) for Valencia peanuts produced in New Mexico) in such manner as the Secretary shall by regulation prescribe. If losses in area quota pools have not been entirely offset through use of the preceding sentence, then further losses shall be offset by gains or profits attributable to sales of additional peanuts in other areas pursuant to section 358e(g)(1)(A) of such Act (7 U.S.C. 1359a(g)(1)(A)).

(6) INCREASED ASSESSMENTS.—If use of the authorities provided in the preceding paragraphs is not sufficient to cover losses in an area quota pool, the Secretary shall increase the marketing assessment established under subsection (g) by such an amount as the Secretary considers necessary to cover the losses. The increased assessment shall apply only to quota peanuts covered by that pool. Amounts collected under subsection (g) as a result of the increased assessment shall be retained by the Secretary to cover losses in that pool.

(e) DISAPPROVAL OF QUOTAS.—Notwithstanding any other provision of law, no loan for quota peanuts may be made available by the Secretary for any crop of peanuts with respect to which poundage quotas have been disapproved by producers, as provided for in section 358–1(d) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1358–1(d)).

(f) QUALITY IMPROVEMENT.—

(1) IN GENERAL.—With respect to peanuts under loan, the Secretary shall—

(A) promote the crushing of peanuts at a greater risk of deterioration before peanuts of a lesser risk of deterioration;

(B) ensure that all Commodity Credit Corporation inventories of peanuts sold for domestic edible use must be shown to have been officially inspected by licensed Department inspectors both as farmer stock and shelled or cleaned in-shell peanuts;

(C) continue to endeavor to operate the peanut program so as to improve the quality of domestic peanuts and ensure the coordination of activities under the Peanut Administrative Committee established under Marketing Agreement No. 146, regulating the quality of domestically produced peanuts (under the Agricultural Adjustment Act (7 U.S.C. 601 et seq.), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937); and

(D) ensure that any changes made in the peanut program as a result of this subsection requiring additional production or handling at the farm level shall be reflected as an upward adjustment in the Department loan schedule.

(2) EXPORTS AND OTHER PEANUTS.—The Secretary shall require that all peanuts in the domestic and export markets fully comply with all quality standards under Marketing Agreement No. 146.

(g) MARKETING ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall provide for a nonrefundable marketing assessment. The assessment shall be made on a per pound basis in an amount equal to 1.1 percent for each of the 1994 and 1995 crops, 1.15 percent for the 1996 crop, and 1.2 percent for each of the 1997 through 2002 crops, of the national average quota or additional peanut loan rate for the applicable crop.

(2) FIRST PURCHASERS.—

(A) IN GENERAL.—Except as provided under paragraphs (3) and (4), the first purchaser of peanuts shall—

(i) collect from the producer a marketing assessment equal to the quantity of peanuts acquired multiplied by—

(I) in the case of each of the 1994 and 1995 crops, .55 percent of the applicable national average loan rate;

(II) in the case of the 1996 crop, .6 percent of the applicable national average loan rate; and

(III) in the case of each of the 1997 through 2002 crops, .65 percent of the applicable national average loan rate;

(ii) pay, in addition to the amount collected under clause (i), a marketing assessment in an amount equal to the quantity of peanuts acquired multiplied by .55 percent of the applicable national average loan rate; and

(iii) remit the amounts required under clauses (i) and (ii) to the Commodity Credit Corporation in a manner specified by the Secretary.

(B) DEFINITION OF FIRST PURCHASER.—In this subsection, the term ''first purchaser'' means a person acquiring peanuts from a producer except that in the case of peanuts forfeited by a producer to the Commodity Credit Corporation, the term means the person acquiring the peanuts from the Commodity Credit Corporation.

(3) OTHER PRIVATE MARKETINGS.—In the case of a private marketing by a producer directly to a consumer through a retail or wholesale outlet or in the case of a marketing by the producer outside of the continental United States, the producer shall be responsible for the full amount of the assessment and shall remit the assessment by such time as is specified by the Secretary.

(4) LOAN PEANUTS.—In the case of peanuts that are pledged as collateral for a loan made under this section, ½ of the assessment shall be deducted from the proceeds of the loan. The remainder of the assessment shall be paid by the first purchaser of the peanuts. For purposes of computing net gains on peanuts under this section, the reduction in loan proceeds shall be treated as having been paid to the producer.

(5) PENALTIES.—If any person fails to collect or remit the reduction required by this subsection or fails to comply with the requirements for recordkeeping or otherwise as are required by the Secretary to carry out this subsection, the person shall be liable to the Secretary for a civil penalty up to an amount determined by multiplying—

(A) the quantity of peanuts involved in the violation; by

(B) the national average quota peanut rate for the applicable crop year.

(6) ENFORCEMENT.—The Secretary may enforce this subsection in the courts of the United States.

(h) CROPS.—Subsections (a) through (f) shall be effective only for the 1996 through 2002 crops of peanuts.

(i) MARKETING QUOTAS.—

(1) IN GENERAL.—Part VI of subtitle B of title III of the Agricultural Adjustment Act of 1938 is amended—

(A) in section 358–1 (7 U.S.C. 1358–1)—

(i) in the section heading, by striking ''**1991 THROUGH 1997 CROPS OF**'';

(ii) in subsections (a)(1), (b)(1)(B), (b)(2)(A), (b)(2)(C), and (b)(3)(A), by striking ''of the 1991 through 1997 marketing years'' each place it appears and inserting ''marketing year'';

(iii) in subsection (a)(3), by striking ''1990'' and inserting ''1990, for the 1991 through 1995 marketing years, and 1995, for the 1996 through 2002 marketing years'';

(iv) in subsection (b)(1)(A)—

(I) by striking ''each of the 1991 through 1997 marketing years'' and inserting ''each marketing year''; and

(II) in clause (i), by inserting before the semicolon the following: '', in the case of the 1991 through 1995 marketing years, and the 1995 marketing year, in the case of the 1996 through 2002 marketing years''; and

(v) in subsection (f), by striking ''1997'' and inserting ''2002'';

(B) in section 358b (7 U.S.C. 1358b)—

(i) in the section heading, by striking ''**1991 THROUGH 1995 CROPS OF**''; and

(ii) in subsection (c), by striking ''1995'' and inserting ''2002'';

(C) in section 358c(d) (7 U.S.C. 1358c(d)), by striking ''1995'' and inserting ''2002''; and

(D) in section 358e (7 U.S.C. 1359a)—

(i) in the section heading, by striking ''**FOR 1991 THROUGH 1997 CROPS OF PEANUTS**''; and

(ii) in subsection (i), by striking ''1997'' and inserting ''2002''.

(2) ELIGIBILITY FOR FARM POUNDAGE QUOTA.—

(A) CERTAIN FARMS INELIGIBLE.—Section 358–1(b)(1) of the Act (7 U.S.C. 1358–1(b)(1)) is amended by adding at the end the following:

''(D) CERTAIN FARMS INELIGIBLE TO HOLD QUOTA.—Effective beginning with the 1997 marketing year, the Secretary shall no longer establish farm poundage quotas under subparagraph (A) for farms—

''(i) owned or controlled by municipalities, airport authorities, schools, colleges, refuges, and other public entities (not including universities for research purposes); or

''(ii) owned or controlled by a person who is not a producer and resides in another State.''.

(B) ALLOCATION OF QUOTA TO OTHER FARMS.—Section 358–1(b)(2) of the Act (7 U.S.C. 1358–1(b)(2)) is amended by adding at the end the following:

''(E) TRANSFER OF QUOTA FROM INELIGIBLE FARMS.—Any farm poundage quota held at the end of the 1996 marketing year by a farm described in paragraph (1)(D) shall be allocated to other farms in the same State on such basis as the Secretary may by regulation prescribe.''.

(3) ELIMINATION OF QUOTA FLOOR.—Section 358–1(a)(1) of the Act (7 U.S.C. 1358–1(a)(1)) is amended by striking the second sentence.

(4) TEMPORARY QUOTA ALLOCATION.—Section 358–1 of the Act (7 U.S.C. 1358–1) is amended—

(A) in subsection (a)(1), by striking ''domestic edible, seed,'' and inserting ''domestic edible use'';

(B) in subsection (b)(2)—

(i) in subparagraph (A), by striking ''subparagraph (B) and subject to''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) TEMPORARY QUOTA ALLOCATION.—

''(i) ALLOCATION RELATED TO SEED PEANUTS.—Temporary allocation of quota pounds for the marketing year only in which the crop is planted shall be made to producers for each of the 1996 through 2002 marketing years as provided in this subparagraph.

''(ii) QUANTITY.—The temporary quota allocation shall be equal to the pounds of seed peanuts planted on the farm, as may be adjusted under regulations prescribed by the Secretary.

''(iii) ADDITIONAL QUOTA.—The temporary allocation of quota pounds under this paragraph shall be in addition to the farm poundage quota otherwise established under this subsection and shall be credited, for the applicable marketing year only, in total to the producer of the peanuts on the farm in a manner prescribed by the Secretary.

''(iv) EFFECT OF OTHER REQUIREMENTS.—Nothing in this section alters or changes the requirements regarding the use of quota and additional peanuts established by section 358e(b).''; and

(C) in subsection (e)(3), strike ''and seed and use on a farm''.

(5) SPRING AND FALL TRANSFERS WITHIN A STATE.—Section 358b(a)(1) of the Act (7 U.S.C. 1358b(a)(1)) is amended—

(A) by striking '', conditions, or limitations'' in the matter preceding the subparagraphs and inserting ''and conditions'';

(B) by striking ''any such lease'' in the matter preceding the subparagraphs and inserting ''any such sale or lease''; and

(C) by striking ''in the fall or after the normal planting season—'' and subparagraphs (A) and (B) and inserting the following: ''in the spring (or before the normal planting season) or in the fall (or after the normal planting season) with the owner or operator of a farm located within any county in the same State. In the case of a fall transfer or a transfer after the normal

planting season, the transfer may be made only if not less than 90 percent of the basic quota (the farm quota exclusive of temporary quota transfers), plus any poundage quota transferred to the farm under this subsection, has been planted or considered planted on the farm from which the quota is to be leased.''.

(6) UNDERMARKETINGS.—Part VI of subtitle B of title III of the Act is amended—

(A) in section 358–1(b) (7 U.S.C. 1358–1(b))—

(i) in paragraph (1)(B), by striking ''including—'' and clauses (i) and (ii) and inserting ''including any increases resulting from the allocation of quotas voluntarily released for 1 year under paragraph (7).'';

(ii) in paragraph (3)(B), by striking ''include—'' and clauses (i) and (ii) and inserting ''include any increase resulting from the allocation of quotas voluntarily released for 1 year under paragraph (7).''; and

(iii) by striking paragraphs (8) and (9); and

(B) in section 358b(a) (7 U.S.C. 1358b(a))—

(i) in paragraph (1), by striking ''(including any applicable under marketings)'' both places it appears;

(ii) in paragraph (2), by striking ''(including any applicable under marketings)''; and

(iii) in paragraph (3), by striking ''(including any applicable undermarketings)''.

(7) DISASTER TRANSFERS.—Section 358–1(b) of the Act (7 U.S.C. 1358–1(b)), as amended by paragraph (6)(A)(iii), is further amended by adding at the end the following:

''(8) DISASTER TRANSFERS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), additional peanuts produced on a farm from which the quota poundage was not harvested and marketed because of drought, flood, or any other natural disaster, or any other condition beyond the control of the producer, may be transferred to the quota loan pool for pricing purposes on such basis as the Secretary shall by regulation provide.

''(B) LIMITATION.—The poundage of peanuts transferred under subparagraph (A) shall not exceed the difference between—

''(i) the total quantity of peanuts meeting quality requirements for domestic edible use, as determined by the Secretary, marketed from the farm; and

''(ii) the total farm poundage quota, excluding quota pounds transferred to the farm in the fall.

''(C) SUPPORT RATE.—Peanuts transferred under this paragraph shall be supported at 70 percent of the quota support rate for the marketing years in which the transfers occur. The transfers for a farm shall not exceed 25 percent of the total farm quota pounds, excluding pounds transferred in the fall.''.

***SEC. 107. SUGAR PROGRAM.***

(a) SUGARCANE.—The Secretary shall make loans available to processors of domestically grown sugarcane at a rate equal to 18 cents per pound for raw cane sugar.

(b) SUGAR BEETS.—The Secretary shall make loans available to processors of domestically grown sugar beets at a rate equal to 22.9 cents per pound for refined beet sugar.

(c) REDUCTION IN LOAN RATES.—

(1) REDUCTION REQUIRED.—The Secretary shall reduce the loan rate specified in subsection (a) for domestically grown sugarcane and subsection (b) for domestically grown sugar beets if the Secretary determines that negotiated reductions in export subsidies and domestic subsidies provided for sugar of the European Union and other major sugar growing, producing, and exporting countries in the aggregate exceed the commitments made as part of the Agreement on Agriculture.

(2) EXTENT OF REDUCTION.—The Secretary shall not reduce the loan rate under subsection (a) or (b) below a rate that provides an equal measure of support to that provided by the European Union and other major sugar growing, producing, and exporting countries, based on an examination of both domestic and export subsidies subject to reduction in the Agreement on Agriculture.

(3) ANNOUNCEMENT OF REDUCTION.—The Secretary shall announce any loan rate reduction to be made under this subsection as far in advance as is practicable.

(4) MAJOR SUGAR COUNTRIES DEFINED.—For purposes of this subsection, the term ''major sugar growing, producing, and exporting countries'' means—

(A) the countries of the European Union; and

(B) the ten foreign countries not covered by subparagraph (A) that the Secretary determines produce the greatest amount of sugar.

(5) AGREEMENT ON AGRICULTURE DEFINED.—For purposes of this subsection, the term ''Agreement on Agriculture'' means the Agreement on Agriculture referred to in section 101(d)(2) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(2)).

(d) TERM OF LOANS.—

(1) IN GENERAL.—Loans under this section during any fiscal year shall be made available not earlier than the beginning of the fiscal year and shall mature at the earlier of—

(A) the end of 9 months; or

(B) the end of the fiscal year.

(2) SUPPLEMENTAL LOANS.—In the case of loans made under this section in the last 3 months of a fiscal year, the processor may repledge the sugar as collateral for a second loan in the subsequent fiscal year, except that the second loan shall—

(A) be made at the loan rate in effect at the time the second loan is made; and

(B) mature in 9 months less the quantity of time that the first loan was in effect.

(e) LOAN TYPE; PROCESSOR ASSURANCES.—

(1) RECOURSE LOANS.—Subject to paragraph (2), the Secretary shall carry out this section through the use of recourse loans.

(2) NONRECOURSE LOANS.—During any fiscal year in which the tariff rate quota for imports of sugar into the United States is established at, or is increased to, a level in excess of 1,500,000 short tons raw value, the Secretary shall carry out this section by making available nonrecourse loans. Any recourse loan previously made available by the Secretary under this section during the fiscal year shall be changed by the Secretary into a nonrecourse loan.

(3) PROCESSOR ASSURANCES.—If the Secretary is required under paragraph (2) to make nonrecourse loans available during a fiscal year or to change recourse loans into nonrecourse loans, the Secretary shall obtain from each processor that receives a loan under this section such assurances as the Secretary considers adequate to ensure that the processor will provide payments to producers that are proportional to the value of the loan received by the processor for sugar beets and sugarcane delivered by producers served by the processor. The Secretary may establish appropriate minimum payments for purposes of this paragraph.

(f) MARKETING ASSESSMENT.—

(1) SUGARCANE.—Effective for marketings of raw cane sugar during the 1996 through 2003 fiscal years, the first processor of sugarcane shall remit to the Commodity Credit Corporation a nonrefundable marketing assessment in an amount equal to—

(A) in the case of marketings during fiscal year 1996, 1.1 percent of the loan rate established under subsection (a) per pound of raw cane sugar, processed by the processor from domestically produced sugarcane or sugarcane molasses, that has been marketed (including the transfer or delivery of the sugar to a refinery for further processing or marketing); and

(B) in the case of marketings during each of fiscal years 1997 through 2003, 1.375 percent of the loan rate established under subsection (a) per pound of raw cane sugar, processed by the processor from domestically produced sugarcane or sugarcane molasses, that has been marketed (including the transfer or delivery of the sugar to a refinery for further processing or marketing).

(2) SUGAR BEETS.—Effective for marketings of beet sugar during the 1996 through 2003 fiscal years, the first processor of sugar beets shall remit to the Commodity Credit Corporation a nonrefundable marketing assessment in an amount equal to—

(A) in the case of marketings during fiscal year 1996, 1.1794 percent of the loan rate established under subsection (a) per pound of beet sugar, processed by the processor from domestically produced sugar beets or sugar beet molasses, that has been marketed; and

(B) in the case of marketings during each of fiscal years 1997 through 2003, 1.47425 percent of the loan rate established under subsection (a) per pound of beet sugar, processed by the processor from domestically produced sugar beets or sugar beet molasses, that has been marketed.

(3) COLLECTION.—

(A) TIMING.—A marketing assessment required under this subsection shall be collected on a monthly basis and shall be remitted to the Commodity Credit Corporation not later than 30 days after the end of each month. Any cane sugar or beet sugar processed during a fiscal year that has not been marketed by September 30 of the year shall be subject to assessment on that date. The sugar shall not be subject to a second assessment at the time that it is marketed.

(B) MANNER.—Subject to subparagraph (A), marketing assessments shall be collected under this subsection in the manner prescribed by the Secretary and shall be nonrefundable.

(4) PENALTIES.—If any person fails to remit the assessment required by this subsection or fails to comply with such requirements for recordkeeping or otherwise as are required by the Secretary to carry out this subsection, the person shall be liable to the Secretary for a civil penalty up to an amount determined by multiplying—

(A) the quantity of cane sugar or beet sugar involved in the violation; by

(B) the loan rate for the applicable crop of sugarcane or sugar beets.

(5) ENFORCEMENT.—The Secretary may enforce this subsection in a court of the United States.

(g) FORFEITURE PENALTY.—

(1) IN GENERAL.—A penalty shall be assessed on the forfeiture of any sugar pledged as collateral for a nonrecourse loan under this section.

(2) CANE SUGAR.—The penalty for cane sugar shall be 1 cent per pound.

(3) BEET SUGAR.—The penalty for beet sugar shall bear the same relation to the penalty for cane sugar as the marketing assessment for sugar beets bears to the marketing assessment for sugarcane.

(4) EFFECT OF FORFEITURE.—Any payments owed producers by a processor that forfeits of any sugar pledged as collateral for a nonrecourse loan shall be reduced in proportion to the loan forfeiture penalty incurred by the processor.

(h) INFORMATION REPORTING.—

(1) DUTY OF PROCESSORS AND REFINERS TO REPORT.—A sugarcane processor, cane sugar refiner, and sugar beet processor shall furnish the Secretary, on a monthly basis, such information as the Secretary may require to administer sugar programs, including the quantity of purchases of sugarcane, sugar beets, and sugar, and production, importation, distribution, and stock levels of sugar.

(2) PENALTY.—Any person willfully failing or refusing to furnish the information, or furnishing willfully any false information, shall be subject to a civil penalty of not more than $10,000 for each such violation.

(3) MONTHLY REPORTS.—Taking into consideration the information received under paragraph (1), the Secretary shall publish on a monthly basis composite data on production, imports, distribution, and stock levels of sugar.

(i) MARKETING ALLOTMENTS.—Part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa et seq.) is repealed.

*(j) CROPS.—This section (other than subsection (i)) shall be effective only for the 1996 through 2002 crops of sugar beets and sugarcane.*

***SEC. 108. ADMINISTRATION.***

*(a) COMMODITY CREDIT CORPORATION.—*

*(1) USE OF CORPORATION.—The Secretary shall carry out this title through the Commodity Credit Corporation.*

*(2) PROHIBITION ON SALARIES AND EXPENSES.—Notwithstanding any other provision of law, no funds of the Corporation shall be used for any salary or expense of any officer or employee of the Department of Agriculture.*

*(b) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this title or the Agricultural Adjustment Act of 1938 (7 U.S.C. 1281 et seq.) shall be final and conclusive.*

*(c) REGULATIONS.—The Secretary may issue such regulations as the Secretary determines necessary to carry out this title.*

***SEC. 109. ELIMINATION OF PERMANENT PRICE SUPPORT AUTHORITY.***

*(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—The Agricultural Adjustment Act of 1938 is amended—*

*(1) in title III—*

*(A) in subtitle B—*

*(i) by striking parts II through V (7 U.S.C. 1326–1351); and*

*(ii) in part VI—*

*(I) by moving subsection (c) of section 358d (7 U.S.C. 1358d(c)) to appear after section 301(b)(17) (7 U.S.C. 1301(b)(17)), redesignating the subsection as paragraph (18), and moving the margin of the paragraph 2 ems to the right; and*

*(II) by striking sections 358, 358a, and 358d (7 U.S.C. 1358, 1358a, and 1359); and*

*(B) by striking subtitle D (7 U.S.C. 1379a–1379j); and*

*(2) by striking title IV (7 U.S.C. 1401–1407).*

*(b) AGRICULTURAL ACT OF 1949.—*

*(1) TRANSFER OF CERTAIN SECTIONS.—The Agricultural Act of 1949 is amended—*

*(A) by transferring sections 106, 106A, and 106B (7 U.S.C. 1445, 1445–1, 1445–2) to appear after section 314A of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314–1) and redesignating the transferred sections as sections 315, 315A, and 315B, respectively;*

*(B) by transferring section 111 (7 U.S.C. 1445f) to appear after section 304 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1304) and redesignating the transferred section as section 305; and*

*(C) by transferring sections 404 and 416 (7 U.S.C. 1424 and 1431) to appear after section 390 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1390) and redesignating the transferred sections as sections 390A and 390B, respectively.*

*(2) REPEAL.—The Agricultural Act of 1949 (7 U.S.C. 1421 et seq.) (as amended by paragraph (1)) is repealed.*

*(c) CONFORMING AMENDMENTS.—*

*(1) Section 361 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1361) is amended by striking '', corn, wheat, cotton, peanuts, and rice, established''.*

*(2) Section 371 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1371) is amended—*

*(A) in the first sentence of subsection (a), by striking ''cotton, rice, peanuts, or''; and*

*(B) in the first sentence of subsection (b), by striking ''cotton, rice, peanuts or''.*

***SEC. 110. EFFECT OF AMENDMENTS.***

*(a) EFFECT ON PRIOR CROPS.—Except as otherwise specifically provided and notwithstanding any other provision of law, this title and the amendments made by this title shall not affect the authority of the Secretary to carry out a price support or production adjustment program for any of the 1991 through 1995 crops of an agricultural commodity established under a provision of law in effect immediately before the date of the enactment of this Act.*

*(b) LIABILITY.—A provision of this title or an amendment made by this title shall not affect the liability of any person under any provision of law as in effect before the date of the enactment of this Act.*

## *TITLE II—DAIRY*

### *Subtitle A—Milk Price Support and Other Activities*

***SEC. 201. MILK PRICE SUPPORT PROGRAM.***

*(a) SUPPORT ACTIVITIES.—To replace the milk price support program established under section 204 of the Agricultural Act of 1949 (7 U.S.C. 1446e), which is repealed by section 109(b)(2)), the Secretary of Agriculture shall use the authority provided in this section to support the price of milk produced in the 48 contiguous States through the purchase of cheddar cheese produced from such milk. Until the first day of the first month beginning not less than 30 days after the date of the enactment of this Act, the Secretary also may support the price of milk under this section through the purchase of butter and nonfat dry milk produced from milk produced in the 48 contiguous States.*

*(b) RATE.—The price of milk shall be supported at the following rates per hundredweight for milk containing 3.67 percent butterfat:*

*(1) During calendar year 1996, not less than $10.35.*

*(2) During calendar year 1997, not less than $10.25.*

*(3) During calendar year 1998, not less than $10.15.*

*(4) During calendar year 1999, not less than $10.05.*

*(5) During calendar year 2000, not less than $9.95.*

*(6) During calendar years 2001 and 2002, not less than $9.85.*

*(c) BID PRICES.—The Commodity Credit Corporation support purchase prices under this section for cheddar cheese (and for butter and nonfat dry milk subject to subsection (a)) announced by the Corporation shall be the same for all of that milk product sold by persons offering to sell the product to the Corporation. The purchase prices shall be sufficient to enable plants of average efficiency to pay producers, on average, a price not less than the rate of price support for milk in effect during a 12-month period under this section.*

*(d) USE OF COMMODITY CREDIT CORPORATION.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this section.*

*(e) RESIDUAL AUTHORITY FOR REFUND OF BUDGET DEFICIT ASSESSMENTS.—*

*(1) APPLICATION OF SUBSECTION.—This subsection shall apply with respect to the reductions made under subsection (h)(2) of section 204 of the Agricultural Act of 1949, as in effect on the day before the date of the enactment of this Act, in the price of milk received by producers during calendar years 1995 and 1996.*

*(2) REFUND REQUIRED.—The Secretary shall provide a refund of the entire reduction made under such subsection (h)(2) in the price of milk received by a producer during a calendar year referred to in paragraph (1) if the producer provides evidence that the producer did not increase marketings in that calendar year when compared to the preceding calendar year.*

*(3) TREATMENT OF REFUNDS.—A refund under this subsection shall not be considered as any type of price support or payment for purposes of sections 1211 and 1221 of the Food Security Act of 1985 (16 U.S.C. 3811, 3821).*

*(g) TRANSFER OF MILK PRODUCTS TO MILITARY AND VETERANS HOSPITALS.—*

*(1) TRANSFER AUTHORIZED.—As a means of increasing the utilization of milk and milk products, upon the certification by the Secretary of Veterans Affairs or by the Secretary of the Army, acting for the military departments under the Single Service Purchase Assignment for Subsistence of the Department of Defense, that the usual quantities of milk products have been purchased in the normal channels of trade, the Commodity Credit Corporation shall make available—*

*(A) to the Secretary of Veterans Affairs at warehouses where milk products are stored, such milk products acquired under this section as the Secretary of Veterans Affairs certifies are required in order to provide milk products as a part of the ration in hospitals under the jurisdiction of the Secretary of Veterans Affairs; and*

*(B) to the Secretary of the Army, at warehouses where milk products are stored, such milk products acquired under this section as the Secretary of the Army certifies can be utilized in order to provide additional milk products as a part of the ration—*

*(i) of the Army, Navy, Air Force, or Coast Guard;*

*(ii) in hospitals under the jurisdiction of the Department of Defense; and*

*(iii) of cadets and midshipmen at, and other personnel assigned to, the United States Merchant Marine Academy.*

*(2) REPORTS.—The Secretary of Veterans Affairs and the Secretary of the Army shall report every six months to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives and the Secretary of Agriculture the amount of milk products used under this subsection.*

*(3) PROCESS.—The Secretary of Veterans Affairs and the Secretary of the Army shall reimburse the Commodity Credit Corporation for all costs associated in making milk products available under this subsection.*

*(4) LIMITATION.—The obligation of the Commodity Credit Corporation to make milk products available pursuant to this subsection shall be limited to milk products acquired by the Corporation under this section and not disposed of under provisions (1) and (2) of section 390B(a) of the Agricultural Adjustment Act of 1938.*

*(h) PERIOD OF EFFECTIVENESS.—Notwithstanding any other provision of law, this section shall be effective only during the period—*

*(1) beginning on the date of the enactment of this Act; and*

*(2) ending on December 31, 2002.*

***SEC. 202. RECOURSE LOANS FOR COMMERCIAL PROCESSORS OF DAIRY PRODUCTS.***

*(a) RECOURSE LOANS AVAILABLE.—The Secretary of Agriculture shall make recourse loans available to commercial processors of eligible dairy products to assist such processors to manage inventories of eligible dairy products to assure a greater degree of price stability for the dairy industry during the year. Recourse loans may be made available under such reasonable terms and conditions as the Secretary may prescribe. The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this section.*

*(b) AMOUNT OF LOAN.—The Secretary shall establish the amount of a loan for eligible dairy products, which shall reflect 90 percent of the reference price for that product. The rate of interest charged participants in this program shall not be less than the rate of interest charged the Commodity Credit Corporation by the United States Treasury.*

*(c) PERIOD OF LOANS.—A recourse loan made under this section may not extend beyond the end of the fiscal year during which the loan is made, except that the Secretary may extend the loan for an additional period not to exceed the end of the next fiscal year.*

*(d) DEFINITIONS.—In this section:*

*(1) The term ''eligible dairy products'' means cheddar cheese, butter, and nonfat dry milk.*

*(2) The term ''reference price'' means—*

*(A) for cheddar cheese, the average National (Green Bay) Cheese Exchange price for 40 pound blocks of cheddar cheese for the previous three months;*

*(B) for butter, the average Chicago Mercantile Exchange price for Grade AA butter for the previous three months; and*

(C) for nonfat dry milk, the average Western States Extra Grade and Grade A price for nonfat dry milk for the previous three months.

**SEC. 203. DAIRY EXPORT INCENTIVE PROGRAM.**

(a) DURATION.—Subsection (a) of section 153 of the Food Security Act of 1985 (15 U.S.C. 713a–14) is amended by striking ''2001'' and inserting ''2002''.

(b) ELEMENTS OF PROGRAM.—Subsection (c) of such section is amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; and''; and

(3) by adding at the end the following new paragraphs:

''(3) the maximum volume of dairy product exports allowable consistent with the obligations of the United States as a member of the World Trade Organization are exported under the program each year (minus the volume sold under section 1163 of this Act (7 U.S.C. 1731 note) during that year), except to the extent that the export of such a volume under the program would, in the judgment of the Secretary, exceed the limitations on the value set forth in subsection (f); and

''(4) payments may be made under the program for exports to any destination in the world for the purpose of market development, except a destination in a country with respect to which shipments from the United States are otherwise restricted by law.''.

(c) SOLE DISCRETION.—Subsection (b) of such section is amended by inserting ''sole'' before ''discretion''.

(d) MARKET DEVELOPMENT.—Subsection (e)(1) of such section is amended—

(1) by striking ''and'' and inserting ''the''; and

(2) by inserting before the period the following: '', and any additional amount that may be required to assist in the development of world markets for United States dairy products''.

(e) MAXIMUM ALLOWABLE AMOUNTS.—Such section is further amended by adding at the end the following:

''(f) REQUIRED FUNDING.—The Commodity Credit Corporation shall in each year use money and commodities for the program under this section in the maximum amount consistent with the obligations of the United States as a member of the World Trade Organization, minus the amount expended under section 1163 of this Act (7 U.S.C. 1731 note) during that year. However, the Commodity Credit Corporation may not exceed the limitations specified in subsection (c)(3) on the volume of allowable dairy product exports.''.

**SEC. 204. DAIRY PROMOTION PROGRAM.**

(a) EXPANSION TO COVER DAIRY PRODUCTS IMPORTED INTO THE UNITED STATES.—Section 110(b) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501(b)) is amended by inserting after ''commercial use'' the following: ''and dairy products imported into the United States''.

(b) DEFINITIONS.—

(1) MILK.—Subsection (d) of section 111 of such Act (7 U.S.C. 4502) is amended by inserting before the semicolon the following: ''or cow's milk imported into the United States in the form of dairy products intended for consumption in the United States''.

(2) DAIRY PRODUCTS.—Subsection (e) of such section is amended by inserting before the semicolon the following: ''and casein (except casein imported under sections 3501.90.20 (casein glue) and 3501.90.50 (other) of the Harmonized Tariff Schedule)''.

(3) RESEARCH.—Subsection (j) of such section is amended by inserting before the semicolon the following: ''or to reduce the costs associated with processing or marketing those products''.

(4) UNITED STATES.—Subsection (l) of such section is amended to read as follows:

''(l) the term 'United States' means the several States and the District of Columbia;''.

(5) IMPORTERS AND EXPORTERS.—Such section is further amended—

(A) in subsection (k), by striking ''and'' at the end of such subsection; and

(B) by adding at the end the following new subsections:

''(m) the term 'importer' means the first person to take title to dairy products imported into the United States for domestic consumption; and

''(n) the term 'exporter' means any person who exports dairy products from the United States.''.

(c) MEMBERSHIP OF BOARD.—Section 113(b) of such Act (7 U.S.C. 4504(b)) is amended—

(1) in the first sentence, by striking ''thirty-six members'' and inserting ''38 members, including one representative of importers and one representative of exporters to be appointed by the Secretary'';

(2) in the second sentence, by striking ''Members'' and inserting ''The remaining members''; and

(3) in the third sentence, by striking ''United States'' and inserting ''United States, including Alaska and Hawaii''.

(d) ASSESSMENT.—Section 113(g) of such Act (7 U.S.C. 4504(g)) is amended—

(1) by inserting ''(1)'' after ''(g)''; and

(2) by adding at the end the following new paragraph:

''(2) The order shall provide that each importer of dairy products intended for consumption in the United States shall remit to the Board, in the manner prescribed by the order, an assessment equal to 1.2 cents per pound of total milk solids contained in the imported dairy products, or 15 cents per hundredweight of milk contained in the imported dairy products, whichever is less. If an importer can establish that it is participating in active, ongoing qualified State or regional dairy product promotion or nutrition programs intended to increase the consumption of milk and dairy products, the importer shall receive credit in determining the assessment due from that importer for contributions to such programs of up to .8 cents per pound of total milk solids contained in the imported dairy products, or 10 cents per hundredweight of milk contained in the imported dairy products, whichever is less. The assessment collected under this paragraph shall be used for the purpose specified in paragraph (1).''.

(e) RECORDS.—Section 113(k) of such Act (7 U.S.C. 4504(k)) is amended in the first sentence by inserting after ''commercial use,'' the following: ''each importer of dairy products,''.

(f) TERMINATION OR SUSPENSION OF ORDER.—Section 116(b) of such Act (7 U.S.C. 4507(b)) is amended—

(1) by inserting ''and importers'' after ''producers'' each place it appears;

(2) by striking ''who, during a representative period (as determined by the Secretary), have been engaged in the production of milk for commercial use''; and

(3) by adding at the end the following new sentences: ''A producer shall be eligible to vote in the referendum if the producer, during a representative period (as determined by the Secretary), has been engaged in the production of milk for commercial use. An importer shall be eligible to vote in the referendum if the importer, during a representative period (as determined by the Secretary), has been engaged in the importation of dairy products into the United States intended for consumption in the United States.''.

(g) PROMOTION IN INTERNATIONAL MARKETS.—Section 113(e) of such Act (7 U.S.C. 4504(e)) is amended by adding at the end the following new sentence: ''For each of the fiscal years 1996 through 2000, the Board's budget shall provide for the expenditure of not less than 10 percent of the anticipated revenues available to the Board to develop international markets for, and to promote within such markets, the consumption of dairy products produced in the United States from milk produced in the United States.''.

(h) IMPLEMENTATION OF AMENDMENTS.—

(1) IMPLEMENTATION PROCESS.—To implement the amendments made by this section, the Secretary of Agriculture shall issue an amended dairy products promotion and research order under section 112 of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4503) reflecting such amendments, and no other changes, in the order in existence on the date of the enactment of this Act.

(2) PROPOSAL OF AMENDED ORDER.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall publish a proposed dairy products promotion and research order reflecting the amendments made by this section. The Secretary shall provide notice and an opportunity for public comment on the proposed order.

(3) ISSUANCE OF AMENDED ORDER.—After notice and opportunity for public comment are provided in accordance with paragraph (2), the Secretary shall issue a final dairy products promotion and research order, taking into consideration the comments received and including in the order such provisions as are necessary to ensure that the order is in conformity with the amendments made by this section.

(4) EFFECTIVE DATE.—The final dairy products promotion and research order shall be issued and become effective not later than 120 days after publication of the proposed order.

(i) REFERENDUM ON AMENDMENTS.—Not later than 36 months after the issuance of the dairy products promotion and research order reflecting the amendments made by this section, the Secretary of Agriculture shall conduct a referendum under section 115 of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4506) for the sole purpose of determining whether the requirements of such amendments shall be continued. The Secretary shall conduct the referendum among persons who have been producers or importers (as defined in section 111 of such Act (7 U.S.C. 4502)) during a representative period as determined by the Secretary. The requirements of such amendments shall be continued only if the Secretary determines that such requirements have been approved by not less than a majority of the persons voting in the referendum. If continuation of the amendments is not approved, the Secretary shall issue a new order, within six months after the announcement of the results of the referendum, that is identical to the order in effect on the date of the enactment of this Act. The new order shall become effective upon issuance and shall not be subject to referendum for approval.

**SEC. 205. FLUID MILK STANDARDS UNDER MILK MARKETING ORDERS.**

(a) NATURE OF STANDARDS.—Each marketing order issued with respect to milk and its products under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, shall contain terms and conditions to provide that all dispositions of fluid milk products containing milk of the highest use classification covered by such orders shall comply with the following requirements:

(1) In the case of milk marketed as whole milk, not less than 12.05 percent total milk solids consisting of not less than 8.8 percent milk solids not fat and not less than 3.25 percent milk fat.

(2) In the case of milk marketed as 2 percent (or lowfat) milk, not less than 12 percent total milk solids consisting of not less than 10 percent milk solids not fat and not less than 2 percent milk fat.

(3) In the case of milk marketed as 1 percent (or light) milk, not less than 12 percent total milk solids consisting of not less than 11 percent milk solids not fat and not less than 1 percent milk fat.

(4) In the case of milk marketed as skim (or nonfat) milk, not less than 9 percent total milk solids consisting of not less than 9 percent milk solids not fat and not more than .25 percent milk fat.

*(b) VIOLATIONS.—A violation of the requirements specified in subsection (a) shall be subject to the penalties provided in section 8c(14) of the Agricultural Adjustment Act (7 U.S.C. 608c(14)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937.*

*(c) EFFECTIVE DATE.—The requirements imposed by this section shall apply to fluid milk marketed on and after the first day of the first month beginning not less than 30 days after the date of the enactment of this Act.*

***SEC. 206. MANUFACTURING ALLOWANCE.***

*(a) MAXIMUM ALLOWANCES ESTABLISHED.—No State shall provide for a manufacturing allowance for the processing of milk in excess of—*

*(1) in the case of milk manufactured into butter, butter oil, nonfat dry milk, or whole dry milk—*

*(A) $1.65 per hundredweight of milk, for milk marketed during the 2-year period beginning on the effective date of this section; and*

*(B) such allowance per hundredweight of milk as the Secretary of Agriculture may establish under section 221(b)(3), for milk marketed after the end of such period; and*

*(2) in the case of milk manufactured into cheese and whey—*

*(A) $1.80 per hundredweight of milk, for milk marketed during the 2-year period beginning on the effective date of this section; and*

*(B) such allowance per hundredweight of milk as the Secretary may establish under section 221(b)(3), for milk marketed after the end of such period.*

*(b) YIELDS.—In converting the weight of milk to dairy products during the two-year period beginning on the effective date of this section, the Secretary shall use the following yields with respect to a hundred pounds of milk:*

*(1) Butter: 4.2 pounds.*

*(2) Nonfat dry milk: 8.613 pounds.*

*(3) 40 pound block cheddar cheese: 10.169 pounds.*

*(4) Whey cream butter: .27 pounds.*

*(c) SOURCES OF PRODUCT PRICE VALUES.—In determining the manufacturing allowance applicable in a State during the 2-year period beginning on the effective date of this section, the Secretary shall use the following sources for product price values:*

*(1) For butter, Chicago Mercantile Exchange Grade AA butter.*

*(2) For nonfat dry milk, California Manufacturing Plants Extra Grade and Grade A nonfat dry milk.*

*(3) For cheese, National (Green Bay) Cheese Exchange 40 pound block cheddar cheese.*

*(4) For whey cream butter, Chicago Mercantile Exchange Grade B butter.*

*(d) MANUFACTURING ALLOWANCE DEFINED.—In this section, the term ''manufacturing allowance'' means—*

*(1) the amount by which the product price value of butter and nonfat dry milk manufactured from a hundred pounds of milk containing 3.5 pounds of milk fat and 8.7 pounds of milk solids not fat exceeds the class price for the milk used to produce those products; or*

*(2) an amount by which the product price value of cheese and whey manufactured from a hundred pounds of milk containing 3.6 pounds of milk fat and 8.7 pounds of milk solids not fat exceeds the class price for the milk used to produce those products.*

*(e) EFFECT OF VIOLATION.—If the Secretary determines that a State has in effect a manufacturing allowance that exceeds the manufacturing allowance authorized in subsection (a), the Secretary shall suspend, until such time as the State complies with such subsection—*

*(1) purchases under section 201 of cheddar cheese produced in that State; and*

*(2) disbursements from the Class IV equalization pool under section 208 to milk marketing orders operating in that State with respect to milk produced in that State.*

*(f) CONFORMING SUSPENSION AND REPEAL.—*

*(1) SUSPENSION AND REPEAL.—During the 2-year period beginning on the effective date of this section, the requirements of section 102 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1446e–1) shall not apply. Effective on the first day after the end of such period, such section is repealed.*

*(2) EXCEPTION.—Notwithstanding paragraph (1), in the event that an injunction or other order of a court prohibits or impairs the implementation of this section or the activities of the Secretary under this section, the Secretary shall use the authorities provided by section 102 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1446e–1) until such time as the injunction or other court order is lifted.*

*(g) EFFECTIVE DATE; IMPLEMENTATION.—This section shall take effect on the first day of the first month beginning not less than 30 days after the date of the enactment of this Act. After such effective date, the Secretary may exercise the authority provided to the Secretary under this section without regard to the issuance of regulations intended to carry out this section.*

***SEC. 207. ESTABLISHMENT OF TEMPORARY CLASS I PRICE AND TEMPORARY CLASS I EQUALIZATION POOLS.***

*(a) TEMPORARY PRICING FOR MILK OF THE HIGHEST USE CLASSIFICATION (CLASS I MILK).—*

*(1) ESTABLISHMENT OF MINIMUM PRICE.—During the 2-year period beginning on the effective date of this section, the minimum price for milk of the highest use classification marketed under a marketing order issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, shall not be less than the sum of—*

*(A) $12.87 per hundredweight; and*

*(B) the aggregate adjustment in effect under clauses (1) and (2) of the second sentence of paragraph (5)(A) of such section on December 31, 1995, for milk of the highest use classification in that order.*

*(2) ADDITION TO MINIMUM PRICE.—If the basic formula price for milk exceeds $12.87 per hundredweight in any month during the 2-year period beginning on the effective date of this section, the positive difference between the basic formula price and $12.87 shall be added to the price for milk of the highest use classification marketed under a marketing order issued under such section 8c in the second month following the month in which the difference occurred.*

*(3) EFFECT ON OTHER USE CLASSIFICATIONS.—This subsection shall not affect the calculation of the basic formula price used to determine the price for milk of use classifications other than the highest use classification.*

*(b) CLASS I EQUALIZATION POOLS.—*

*(1) COLLECTIONS.—During the 2-year period beginning on the effective date of this section, the Secretary of Agriculture shall collect, on a monthly basis, from each marketing order issued with respect to milk and its products under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, and from the comparable milk marketing order issued by the State of California, an amount equal to the product of—*

*(A) $0.80 per hundredweight; and*

*(B) the total hundredweights of all milk of the highest use classification marketed under the order for the month.*

*(2) DISBURSEMENTS.—The Secretary shall pay, on a monthly basis, to each marketing order referred to in paragraph (1) an amount equal to the product of—*

*(A) the total collection under paragraph (1) for the month; and*

*(B) the ratio of the total hundredweights of all milk marketed for the month under that order to all milk marketed for the month under all such orders.*

*(3) EFFECT ON BLEND PRICES.—Producer blend prices under a milk marketing order shall be adjusted to account for collections made under paragraph (1) and disbursements made under paragraph (2).*

*(c) ENFORCEMENT.—*

*(1) IN GENERAL.—Amounts for which a milk marketing order are responsible under subsection (b) shall be determined on a monthly basis and shall be collected and remitted to the Secretary in the manner prescribed by the Secretary.*

*(2) PENALTIES.—If any person fails to remit the amount required in subsection (b) or fails to comply with such requirements for recordkeeping or otherwise as are required by the Secretary to carry out this section, the person shall be liable to the Secretary for a civil penalty up to an amount determined by multiplying—*

*(A) the quantity of milk involved in the violation; by*

*(B) the support rate for milk in effect at the time of the violation under section 201.*

*(3) ENFORCEMENT.—The Secretary may enforce this section in the courts of the United States.*

*(d) CONFORMING REPEAL.—Section 8c(5)(A) of the Agricultural Adjustment Act (7 U.S.C. 608c(5)(A)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by striking out the sentence beginning ''Throughout the 2-year period'' and all that follows through the end of the subparagraph.*

*(e) EFFECTIVE DATE.—Except as provided in subsection (f), this section shall take effect on the first day of the first month beginning not less than 30 days after the date of the enactment of this Act.*

*(f) IMPLEMENTATION.—Not later than the effective date of this section, the Secretary shall amend Federal milk marketing orders issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, to effectuate the requirements of this section. The amendments shall not be—*

*(1) subject to a referendum under subsection (17) or (19) of such section among milk producers to determine whether issuance of such order is approved or favored by milk producers;*

*(2) preconditioned on the existence of a marketing agreement among handlers under subsection (8) of such section and section 8b of such Act (7 U.S.C. 608b);*

*(3) subject to rulemaking under title 5, United States Code; or*

*(4) subject to review or approval by other executive agencies.*

***SEC. 208. ESTABLISHMENT OF TEMPORARY CLASS IV PRICE AND TEMPORARY CLASS IV EQUALIZATION POOL.***

*(a) TEMPORARY CLASSIFICATION OF CLASS IV MILK.—*

*(1) CLASSIFICATION.—For purposes of classifying milk in accordance with the form in which or the purpose for which it is used, the Secretary of Agriculture shall designate all milk marketed in the 48 contiguous States of the United States and used to produce butter, butter oil, nonfat dry milk, or dry whole milk as Class IV milk. The Secretary may include other products of milk, except cheese, within the Class IV classification if the Secretary determines that inclusion of the product would be fair and equitable.*

*(2) USE OF CLASSIFICATION.—Each marketing order issued with respect to milk and its products under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, and each comparable State milk marketing order, shall use the classification required by paragraph (1) in lieu of any other classification, such as Class III–A milk, to properly classify milk used to produce butter, butter oil, nonfat dry milk, or dry whole milk.*

*(b) ESTABLISHMENT OF CLASS IV POOL.—The Secretary shall establish a Class IV pool for the purpose of making collections and disbursements related to milk classified as Class IV milk under*

subsection (a). The Class IV pool shall apply to milk covered by a milk marketing order referred to in subsection (a) and unregulated milk.

(c) ESTABLISHMENT OF MONTHLY CLASS IV PRICE.—For the purpose of determining whether the Secretary will make collections and disbursements under the Class IV equalization pool, the Secretary shall establish, on a monthly basis, a price for dairy products manufactured from Class IV milk on a 3.5 percent butterfat basis. In determining that price, the Secretary shall calculate the amount equal to—

(1) the sum of—

(A) the product of the Western States Extra Grade and Grade A price per pound for nonfat dry milk and 8.613; and

(B) the product of the Chicago Mercantile Exchange Grade AA price per pound for butter and 4.2; less

(2) a manufacturing allowance equal to $1.65 per hundredweight of milk.

(d) OPERATION OF CLASS IV EQUALIZATION POOL.—

(1) APPLICATION OF SUBSECTION.—This subsection shall apply in any month in which the support price for milk under section 201, adjusted to 3.5 percent butterfat, exceeds the Class IV price established under subsection (c).

(2) COLLECTION.—In any month in which the Class IV equalization pool is in operation under paragraph (1), each milk marketing order referred to in subsection (a) and each handler of unregulated milk shall pay into the Class IV equalization pool an amount equal to the product of—

(A) the total hundredweights of Class IV milk used to manufacture dairy products during that month under all such orders and by all such handlers;

(B) 50 percent of the amount by which the support price for milk under section 201, adjusted to 3.5 percent butterfat, exceeded the Class IV price determined under subsection (c) for that month; and

(C) the ratio of the total hundredweights of all milk marketed during that month under that order or by that handler to the total hundredweights of all milk marketed for that month under all such orders and by all such handlers.

(3) DISBURSEMENTS.—In any month in which the Class IV equalization pool is in operation under paragraph (1), each milk marketing order referred to in subsection (a) in which products were manufactured from Class IV milk during that month and each handler of unregulated milk that manufactured products from Class IV milk during that month shall receive from the Class IV equalization pool an amount equal to the product of—

(A) the total collection under paragraph (2) for the month; and

(B) the ratio of the total hundredweights of Class IV milk manufactured into dairy products during that month under that order or by that handler to the total hundredweights of Class IV milk manufactured into dairy products during that month under all such orders and by all such handlers.

(4) EFFECT ON BLEND PRICES.—Producer blend prices under a milk marketing order referred to in subsection (a) shall be adjusted to account for collections under paragraph (2) and disbursements under paragraph (3).

(e) ENFORCEMENT.—

(1) IN GENERAL.—Amounts for which a milk marketing order or handler are responsible under subsection (b) shall be determined on a monthly basis and shall be collected and remitted to the Secretary in the manner prescribed by the Secretary.

(2) PENALTIES.—If any person fails to remit the amount required in subsection (c) or fails to comply with such requirements for recordkeeping or otherwise as are required by the Secretary to carry out this section, the person shall be liable to the Secretary for a civil penalty up to an amount determined by multiplying—

(A) the quantity of milk involved in the violation; by

(B) the support rate for milk in effect at the time of the violation under section 201.

(3) ENFORCEMENT.—The Secretary may enforce this section in the courts of the United States.

(f) EFFECTIVE DATE.—Except as provided in subsection (g), this section shall—

(1) take effect on the first day of the first month beginning not less than 30 days after the date of the enactment of this Act; and

(2) apply during the 2-year period beginning on such effective date.

(g) IMPLEMENTATION.—Not later than the start of the effective date of this section, the Secretary shall amend Federal milk marketing orders issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, to effectuate the requirements of this section. The amendments shall not be—

(1) subject to referendum under subsection (17) or (19) of such section among milk producers to determine whether issuance of such order is approved or favored by milk producers;

(2) preconditioned on the existence of a marketing agreement among handlers under subsection (8) of such section and section 8b of such Act (7 U.S.C. 608b);

(3) subject to rulemaking under title 5, United States Code; or

(4) subject to review or approval by other executive agencies.

**SEC. 209. AUTHORITY FOR ESTABLISHMENT OF STANDBY POOLS.**

(a) AUTHORITY TO ESTABLISH.—As soon as possible after the effective date of this section, the Secretary of Agriculture shall publish in the Federal Register an invitation for interested persons to submit proposals for the establishment within Federal milk marketing orders issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, of standby pools to facilitate the movement of milk over long distances during periods of shortage through the sharing of proceeds from sales of milk of the highest use classification due to producers under the order with producers shipping to plants regulated by another order to provide a reserve supply of milk in the other market.

(b) APPROVAL OR TERMINATION OF PARTICIPATION IN STANDBY POOL.—Order provisions under this section shall not become effective in any marketing order unless such provisions are approved by producers in the manner provided for the approval of marketing orders under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, but separately from other order provisions. Standby pool provisions approved under this section in an order may be disapproved separately by producers or terminated separately by the Secretary under section 8c(16)(B) of such Act. Such disapproval or termination shall not be considered to be a disapproval or termination of the other terms of that order.

(c) EFFECTIVE DATE.—This section shall take effect on the first day of the first month beginning not less than 30 days after the date of the enactment of this Act.

**Subtitle B—Reform of Federal Milk Marketing Orders**

**SEC. 221. ISSUANCE OR AMENDMENT OF FEDERAL MILK MARKETING ORDERS TO IMPLEMENT CERTAIN REFORMS.**

(a) ISSUANCE OF AMENDED ORDERS.—Subject to the time limits specified in section 222, the Secretary of Agriculture shall issue new or amended marketing orders with respect to milk and its products under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, to effectuate the requirements of subsection (b). The orders shall take effect on the date the orders are issued and shall supersede all other marketing orders and any other statutes, rules, and regulations that are applicable to the pricing and marketing of milk and its products in effect immediately before that date, whether under the authority of section 8c of such Act or a State or local law.

(b) REFORM REQUIREMENTS.—The Secretary shall reform the Federal milk marketing order system under subsection (a) to accomplish the following purposes:

(1) Consolidation of Federal milk marketing orders into not less than 8 nor more than 13 orders, which shall also include those areas of the 48 contiguous States not covered by a Federal milk marketing order on the date of the enactment of this Act. One of the new Federal milk marketing orders shall only cover the State of California. A new or amended order shall have the right to blend order receipts to address unique issues to that order such as a preexisting State quota system.

(2) Implementation of uniform multiple component pricing for milk used in manufactured dairy products.

(3) Establishment of class prices for milk used to produce cheese, nonfat dry milk, and butter based on national product prices, less a manufacturing allowance. The resulting prices shall not vary regionally, except to reflect variances in transportation and reasonable operating costs, if any, of efficient processing plants in different geographical areas.

(c) STATUS OF PRODUCER HANDLERS.—In amending Federal milk marketing orders under this section, the Secretary shall ensure that the legal status of producer handlers of milk under the Agricultural Adjustment Act (7 U.S.C. 601 et seq.), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, shall be the same after the amendments made by this section take effect as it was before the effective date of the amendments.

**SEC. 222. REFORM PROCESS.**

(a) PROCESS.—In preparation for the issuance of the new or amended Federal milk marketing orders required under section 221, the Secretary of Agriculture shall comply with the following expedited procedural requirements:

(1) Not later than 165 days after the date of the enactment of this Act, the Secretary shall issue proposed amendments or new milk marketing orders to effectuate the reform requirements specified in such section.

(2) The Secretary shall provide for a 75-day comment period on the proposed amendments or orders issued under paragraph (1).

(3) Not later than 120 days after the end of the comment period provided under paragraph (2), the Secretary shall publish in the Federal Register a final administrative decision regarding the issuance or amendment of Federal milk marketing orders to effectuate the reform requirements specified in such section.

(b) REFERENDUM AND MARKETING AGREEMENT.—After the issuance of the new or amended Federal milk marketing orders under section 221, the Secretary may conduct a referendum in the manner provided in section 8c(16)(B) of the Agricultural Adjustment Act (7 U.S.C. 608c(16)(B)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, with respect to each order to determine whether milk producers subject to the order favor the termination of the order.

(c) APPLICATION OF ADMINISTRATIVE PROCEDURES ACT.—The issuance of the new or amended Federal milk marketing orders required under section 221 shall not be subject to rulemaking under title 5, United States Code.

(d) REVIEW AND APPROVAL.—The action of the Secretary under section 221 shall not be subject to review or approval by any other executive agency.

***SEC. 223. EFFECT OF FAILURE TO COMPLY WITH REFORM PROCESS REQUIREMENTS.***

*(a) FAILURE TO TIMELY ISSUE OR AMEND ORDERS.—If, before the end of the 1-year period beginning on the date of the enactment of this Act, the Secretary of Agriculture does not issue new or amended Federal milk marketing orders under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, to effectuate the requirements of section 221(b), then the Secretary may not assess or collect assessments from milk producers or handlers under such section 8c for marketing order administration and services provided under such section after the end of that period. The Secretary may not reduce the level of services provided under such section on account of the prohibition against assessments, but shall rather cover the cost of marketing order administration and services through funds available for the Agricultural Marketing Service of the Department of Agriculture.*

*(b) FAILURE TO TIMELY IMPLEMENT ORDERS.—Unless the Secretary certifies to Congress before the end of the 2-year period beginning on the date of the enactment of this Act that all of the Federal marketing order reforms required by section 221(b) have been fully implemented, then, effective at the end of that period—*

*(1) the Secretary shall immediately cease all price support activities under section 201;*

*(2) the Secretary shall immediately terminate all Federal milk marketing orders under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, and may not issue any further order under such Act with respect to milk;*

*(3) the Commodity Credit Corporation shall immediately cease to operate the dairy export incentive program under section 153 of the Food Security Act of 1985 (15 U.S.C. 713a–14);*

*(4) the Secretary and the National Processor Advertising and Promotion Board shall immediately cease all activities under the Fluid Milk Promotion Act of 1990 (7 U.S.C. 6401 et seq.); and*

*(5) the Secretary and the National Dairy Promotion and Research Board shall immediately cease all activities under the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501 et seq.).*

*(c) EFFECT OF COURT ORDER.—The actions authorized by this section are intended to ensure the timely publication and implementation of new and amended Federal milk marketing orders under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937. In the event that the Secretary is enjoined or otherwise restrained by a court order from publishing or implementing the reform requirements specified by section 221, the length of time for which that injunction or other restraining order is effective shall be added to the time limitations specified in subsections (a) and (b) thereby extending those time limitations by a period of time equal to the period of time for which the injunction or other restraining order is effective.*

***TITLE III—CONSERVATION***

***SEC. 301. CONSERVATION.***

*(a) FUNDING.—Subtitle E of title XII of the Food Security Act of 1985 (16 U.S.C. 3841 et seq.) is amended to read as follows:*

***"Subtitle E—Funding***

***"SEC. 1241. FUNDING.***

*"(a) MANDATORY EXPENSES.—For each of fiscal years 1996 through 2002, the Secretary shall use the funds of the Commodity Credit Corporation to carry out the programs authorized by—*

*"(1) subchapter B of chapter 1 of subtitle D (including contracts extended by the Secretary pursuant to section 1437 of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 16 U.S.C. 3831 note));*

*"(2) subchapter C of chapter 1 of subtitle D; and*

*"(3) chapter 4 of subtitle D.*

*"(b) LIVESTOCK ENVIRONMENTAL ASSISTANCE PROGRAM.—For each of fiscal years 1996 through 2002, $100,000,000 of the funds of the Commodity Credit Corporation shall be available for providing technical assistance, cost-sharing payments, and incentive payments for practices relating to livestock production under the livestock environmental assistance program under chapter 4 of subtitle D.".*

*(b) LIVESTOCK ENVIRONMENTAL ASSISTANCE PROGRAM.—Subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.) is amended by adding at the end the following:*

***"CHAPTER 4—LIVESTOCK ENVIRONMENTAL ASSISTANCE PROGRAM***

***"SEC. 1240. DEFINITIONS.***

*"In this chapter:*

*"(1) LAND MANAGEMENT PRACTICE.—The term 'land management practice' means a site-specific nutrient or manure management, irrigation management, tillage or residue management, grazing management, or other land management practice that the Secretary determines is needed to protect, in the most cost effective manner, water, soil, or related resources from degradation due to livestock production.*

*"(2) LARGE CONFINED LIVESTOCK OPERATION.—The term 'large confined livestock operation' means an operation that—*

*"(A) is a confined animal feeding operation; and*

*"(B) has more than—*

*"(i) 55 mature dairy cattle;*

*"(ii) 10,000 beef cattle;*

*"(iii) 30,000 laying hens or broilers (if the facility has continuous overflow watering);*

*"(iv) 100,000 laying hens or broilers (if the facility has a liquid manure system);*

*"(v) 55,000 turkeys;*

*"(vi) 15,000 swine; or*

*"(vii) 10,000 sheep or lambs.*

*"(3) LIVESTOCK.—The term 'livestock' means dairy cows, beef cattle, laying hens, broilers, turkeys, swine, sheep, lambs, and such other animals as determined by the Secretary.*

*"(4) OPERATOR.—The term 'operator' means a person who is engaged in livestock production (as defined by the Secretary).*

*"(5) STRUCTURAL PRACTICE.—The term 'structural practice' means the establishment of an animal waste management facility, terrace, grassed waterway, contour grass strip, filterstrip, or other structural practice that the Secretary determines is needed to protect, in the most cost effective manner, water, soil, or related resources from degradation due to livestock production.*

***"SEC. 1240A. ESTABLISHMENT AND ADMINISTRATION OF LIVESTOCK ENVIRONMENTAL ASSISTANCE PROGRAM.***

*"(a) ESTABLISHMENT.—*

*"(1) IN GENERAL.—During the 1996 through 2002 fiscal years, the Secretary shall provide technical assistance, cost-sharing payments, and incentive payments to operators who enter into contracts with the Secretary, through a livestock environmental assistance program.*

*"(2) ELIGIBLE PRACTICES.—*

*"(A) STRUCTURAL PRACTICES.—An operator who implements a structural practice shall be eligible for technical assistance or cost-sharing payments, or both.*

*"(B) LAND MANAGEMENT PRACTICES.—An operator who performs a land management practice shall be eligible for technical assistance or incentive payments, or both.*

*"(3) ELIGIBLE LAND.—Assistance under this chapter may be provided with respect to land that is used for livestock production and on which a serious threat to water, soil, or related resources exists, as determined by the Secretary, by reason of the soil types, terrain, climatic, soil, topographic, flood, or saline characteristics, or other factors or natural hazards.*

*"(4) SELECTION CRITERIA.—In providing technical assistance, cost-sharing payments, and incentive payments to operators in a region, watershed, or conservation priority area in which an agricultural operation is located, the Secretary shall consider—*

*"(A) the significance of the water, soil, and related natural resource problems; and*

*"(B) the maximization of environmental benefits per dollar expended.*

*"(b) APPLICATION AND TERM.—*

*"(1) IN GENERAL.—A contract between an operator and the Secretary under this chapter may—*

*"(A) apply to 1 or more structural practices or 1 or more land management practices, or both; and*

*"(B) have a term of not less than 5, nor more than 10, years, as determined appropriate by the Secretary, depending on the practice or practices that are the basis of the contract.*

*"(2) DUTIES OF OPERATORS AND SECRETARY.—To receive cost-sharing or incentive payments, or technical assistance, participating operators shall comply with all terms and conditions of the contract and a plan, as established by the Secretary.*

*"(c) STRUCTURAL PRACTICES.—*

*"(1) COMPETITIVE OFFER.—The Secretary shall administer a competitive offer system for operators proposing to receive cost-sharing payments in exchange for the implementation of 1 or more structural practices by the operator. The competitive offer system shall consist of—*

*"(A) the submission of a competitive offer by the operator in such manner as the Secretary may prescribe; and*

*"(B) evaluation of the offer in light of the selection criteria established under subsection (a)(4) and the projected cost of the proposal, as determined by the Secretary.*

*"(2) CONCURRENCE OF OWNER.—If the operator making an offer to implement a structural practice is a tenant of the land involved in agricultural production, for the offer to be acceptable, the operator shall obtain the concurrence of the owner of the land with respect to the offer.*

*"(d) LAND MANAGEMENT PRACTICES.—The Secretary shall establish an application and evaluation process for awarding technical assistance or incentive payments, or both, to an operator in exchange for the performance of 1 or more land management practices by the operator.*

*"(e) COST-SHARING, INCENTIVE PAYMENTS, AND TECHNICAL ASSISTANCE.—*

*"(1) COST-SHARING PAYMENTS.—*

*"(A) IN GENERAL.—The Federal share of cost-sharing payments to an operator proposing to implement 1 or more structural practices shall not be greater than 75 percent of the projected cost of each practice, as determined by the Secretary, taking into consideration any payment received by the operator from a State or local government.*

*"(B) LIMITATION.—An operator of a large confined livestock operation shall not be eligible for cost-sharing payments to construct an animal waste management facility.*

*"(C) OTHER PAYMENTS.—An operator shall not be eligible for cost-sharing payments for structural practices on eligible land under this chapter if the operator receives cost-sharing payments or other benefits for the same land under chapter 1, 2, or 3.*

*"(2) INCENTIVE PAYMENTS.—The Secretary shall make incentive payments in an amount and at a rate determined by the Secretary to be necessary to encourage an operator to perform 1 or more land management practices.*

*"(3) TECHNICAL ASSISTANCE.—*

*"(A) FUNDING.—The Secretary shall allocate funding under this chapter for the provision of technical assistance according to the purpose and projected cost for which the technical assistance is provided for a fiscal year. The allocated amount may vary according to the type of expertise required, quantity of time involved, and other factors as determined appropriate by the Secretary. Funding shall not exceed the projected cost to the Secretary of the technical assistance provided for a fiscal year.*

''(B) OTHER AUTHORITIES.—The receipt of technical assistance under this chapter shall not affect the eligibility of the operator to receive technical assistance under other authorities of law available to the Secretary.

''(f) LIMITATION ON PAYMENTS.—

''(1) IN GENERAL.—The total amount of cost-sharing and incentive payments paid to a person under this chapter may not exceed—

''(A) $10,000 for any fiscal year; or

''(B) $50,000 for any multiyear contract.

''(2) REGULATIONS.—The Secretary shall issue regulations that are consistent with section 1001 for the purpose of—

''(A) defining the term 'person' as used in paragraph (1); and

''(B) prescribing such rules as the Secretary determines necessary to ensure a fair and reasonable application of the limitations established under this subsection.

''(g) REGULATIONS.—Not later than 180 days after the effective date of this subsection, the Secretary shall issue regulations to implement the livestock environmental assistance program established under this chapter.''.

(c) CONFORMING PROGRAM CHANGES.—

(1) WETLANDS RESERVE PROGRAM.—

(A) IN GENERAL.—Section 1237 of the Food Security Act of 1985 (16 U.S.C. 3837) is amended—

(i) in subsection (b)(2)—

(I) by striking ''not less'' and inserting ''not more''; and

(II) by striking ''2000'' and inserting ''2002''; and

(ii) in subsection (c), by striking ''2000'' and inserting ''2002''.

(B) LENGTH OF EASEMENT.—Section 1237A(e) of the Food Security Act of 1985 (16 U.S.C. 3837a(e)) is amended by striking paragraph (2) and inserting the following:

''(2) shall be for 15 years, but in no case shall be a permanent easement.''.

(2) CONSERVATION RESERVE PROGRAM.—Section 1231(d) of the Food Security Act of 1985 (16 U.S.C. 3831(d)) is amended by striking ''total of'' and all that follows through the period at the end of the subsection and inserting ''total of 36,400,000 acres.''. Section 725 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 (Public Law 104–37; 109 Stat. 332), is amended by striking the proviso relating to enrollment of new acres in 1997.

## TITLE IV—AGRICULTURAL PROMOTION AND EXPORT PROGRAMS

### SEC. 401. MARKET PROMOTION PROGRAM.

Effective as of October 1, 1995, section 211(c)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)(1)) is amended—

(1) by striking ''and'' after ''1991 through 1993,''; and

(2) by striking ''through 1997,'' and inserting ''through 1995, and not more than $100,000,000 for each of fiscal years 1996 through 2002,''.

### SEC. 402. EXPORT ENHANCEMENT PROGRAM.

Effective as of October 1, 1995, section 301(e)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5651(e)(1)) is amended to read as follows:

''(1) IN GENERAL.—The Commodity Credit Corporation shall make available to carry out the program established under this section not more than—

''(A) $350,000,000 for fiscal year 1996;

''(B) $350,000,000 for fiscal year 1997;

''(C) $500,000,000 for fiscal year 1998;

''(D) $550,000,000 for fiscal year 1999;

''(E) $579,000,000 for fiscal year 2000;

''(F) $478,000,000 for fiscal year 2001; and

''(G) $478,000,000 for fiscal year 2002.''.

## TITLE V—MISCELLANEOUS

### SEC. 501. CROP INSURANCE.

(a) CATASTROPHIC RISK PROTECTION.—Section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)) is amended—

(1) in paragraph (4), by adding at the end the following:

''(C) DELIVERY OF COVERAGE.—

''(i) IN GENERAL.—In full consultation with approved insurance providers, the Secretary may continue to offer catastrophic risk protection in a State (or a portion of a State) through local offices of the Department if the Secretary determines that there is an insufficient number of approved insurance providers operating in the State or portion to adequately provide catastrophic risk protection coverage to producers.

''(ii) COVERAGE BY APPROVED INSURANCE PROVIDERS.—To the extent that catastrophic risk protection coverage by approved insurance providers is sufficiently available in a State as determined by the Secretary, only approved insurance providers may provide the coverage in the State.

''(iii) CURRENT POLICIES.—Subject to clause (ii), all catastrophic risk protection policies written by local offices of the Department shall be transferred (including all fees collected for the crop year in which the approved insurance provider will assume the policies) to the approved insurance provider for performance of all sales, service, and loss adjustment functions.''; and

(2) in paragraph (7), by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—Effective for the spring-planted 1996 and subsequent crops, to be eligible for any payment or loan under title I of the Agricultural Market Transition Act or the Agricultural Adjustment Act of 1938 (7 U.S.C. 1281 et seq.), for the conservation reserve program, or for any benefit described in section 371 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008f), a person shall—

''(i) obtain at least the catastrophic level of insurance for each crop of economic significance in which the person has an interest; or

''(ii) provide a written waiver to the Secretary that waives any eligibility for emergency crop loss assistance in connection with the crop.''.

(b) COVERAGE OF SEED CROPS.—Section 519(a)(2)(B) of the Act (7 U.S.C. 1519(a)(2)(B)) is amended by inserting ''seed crops,'' after ''turfgrass sod,''.

### SEC. 502. COLLECTION AND USE OF AGRICULTURAL QUARANTINE AND INSPECTION FEES.

Subsection (a) of section 2509 of the Food, Agriculture, Conservation, and Trade Act of 1990 (21 U.S.C. 136a) is amended to read as follows:

''(a) QUARANTINE AND INSPECTION FEES.—

''(1) FEES AUTHORIZED.—The Secretary of Agriculture may prescribe and collect fees sufficient—

''(A) to cover the cost of providing agricultural quarantine and inspection services in connection with the arrival at a port in the customs territory of the United States, or the preclearance or preinspection at a site outside the customs territory of the United States, of an international passenger, commercial vessel, commercial aircraft, commercial truck, or railroad car;

''(B) to cover the cost of administering this subsection; and

''(C) through fiscal year 2002, to maintain a reasonable balance in the Agricultural Quarantine Inspection User Fee Account established under paragraph (5).

''(2) LIMITATION.—In setting the fees under paragraph (1), the Secretary shall ensure that the amount of the fees are commensurate with the costs of agricultural quarantine and inspection services with respect to the class of persons or entities paying the fees. The costs of the services with respect to passengers as a class includes the costs of related inspections of the aircraft or other vehicle.

''(3) STATUS OF FEES.—Fees collected under this subsection by any person on behalf of the Secretary are held in trust for the United States and shall be remitted to the Secretary in such manner and at such times as the Secretary may prescribe.

''(4) LATE PAYMENT PENALTIES.—If a person subject to a fee under this subsection fails to pay the fee when due, the Secretary shall assess a late payment penalty, and the overdue fees shall accrue interest, as required by section 3717 of title 31, United States Code.

''(5) AGRICULTURAL QUARANTINE INSPECTION USER FEE ACCOUNT.—

''(A) ESTABLISHMENT.—There is established in the Treasury of the United States a no-year fund, to be known as the 'Agricultural Quarantine Inspection User Fee Account', which shall contain all of the fees collected under this subsection and late payment penalties and interest charges collected under paragraph (4) through fiscal year 2002.

''(B) USE OF ACCOUNT.—For each of the fiscal years 1996 through 2002, funds in the Agricultural Quarantine Inspection User Fee Account shall be available, in such amounts as are provided in advance in appropriations Acts, to cover the costs associated with the provision of agricultural quarantine and inspection services and the administration of this subsection. Amounts made available under this subparagraph shall be available until expended.

''(C) EXCESS FEES.—Fees and other amounts collected under this subsection in any of the fiscal years 1996 through 2002 in excess of $100,000,000 shall be available for the purposes specified in subparagraph (B) until expended, without further appropriation.

''(6) USE OF AMOUNTS COLLECTED AFTER FISCAL YEAR 2002.—After September 30, 2002, the unobligated balance in the Agricultural Quarantine Inspection User Fee Account and fees and other amounts collected under this subsection shall be credited to the Department of Agriculture accounts that incur the costs associated with the provision of agricultural quarantine and inspection services and the administration of this subsection. The fees and other amounts shall remain available to the Secretary until expended without fiscal year limitation.

''(7) STAFF YEARS.—The number of full-time equivalent positions in the Department of Agriculture attributable to the provision of agricultural quarantine and inspection services and the administration of this subsection shall not be counted toward the limitation on the total number of full-time equivalent positions in all agencies specified in section 5(b) of the Federal Workforce Restructuring Act of 1994 (Public Law 103–226; 5 U.S.C. 3101 note) or other limitation on the total number of full-time equivalent positions.''.

### SEC. 503. COMMODITY CREDIT CORPORATION INTEREST RATE.

Notwithstanding any other provision of law, the monthly Commodity Credit Corporation interest rate applicable to loans provided for agricultural commodities by the Corporation shall be 100 basis points greater than the rate determined under the applicable interest rate formula in effect on October 1, 1995.

### SEC. 504. ESTABLISHMENT OF OFFICE OF RISK MANAGEMENT.

(a) ESTABLISHMENT.—The Department of Agriculture Reorganization Act of 1994 is amended by inserting after section 226 (7 U.S.C. 6932) the following new section:

**''SEC. 226A. OFFICE OF RISK MANAGEMENT.**

''(a) ESTABLISHMENT.—Subject to subsection (e), the Secretary shall establish and maintain in the Department an independent Office of Risk Management.

''(b) FUNCTIONS OF THE OFFICE OF RISK MANAGEMENT.—The Office of Risk Management shall have jurisdiction over the following functions:

''(1) Supervision of the Federal Crop Insurance Corporation.

''(2) Administration and oversight of all aspects, including delivery through local offices of the Department, of all programs authorized under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

''(3) Any pilot or other programs involving revenue insurance, risk management savings accounts, or the use of the futures market to manage risk and support farm income that may be

established under the Federal Crop Insurance Act or other law.

''(4) Such other functions as the Secretary considers appropriate.

''(c) ADMINISTRATOR.—

''(1) The Office of Risk Management shall be headed by an Administrator who shall be appointed by the Secretary.

''(2) The Administrator of the Office of Risk Management shall also serve as Manager of the Federal Crop Insurance Corporation.

''(d) RESOURCES.—

''(1) FUNCTIONAL COORDINATION.—Certain functions of the Office of Risk Management, such as human resources, public affairs, and legislative affairs, may be provided by a consolidation of such functions under the Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

''(2) MINIMUM PROVISIONS.—Notwithstanding paragraph (1) or any other provision of law or order of the Secretary, the Secretary shall provide the Office of Risk Management with human and capital resources sufficient for the Office to carry out its functions in a timely and efficient manner.''.

(b) FISCAL YEAR 1996 FUNDING.—Not less than $88,500,000 of the appropriation provided for the salaries and expenses of the Consolidated Farm Services Agency in the Agricultural, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 shall be available for the salaries and expenses of the Office of Risk Management established under subsection (a).

(c) CONFORMING AMENDMENT.—Section 226(b) of the Act (7 U.S.C. 6932(b)) is amended by striking paragraph (2).

**SEC. 505. BUSINESS INTERRUPTION INSURANCE PROGRAM.**

(a) ESTABLISHMENT OF PROGRAM.—Not later than December 31, 1996, the Secretary of Agriculture shall implement a program (to be known as the ''Business Interruption Insurance Program''), under which the producer of a contract commodity could elect to obtain revenue insurance coverage to ensure that the producer receives an indemnity payment if the producer suffers a loss of revenue. The nature and extent of the program and the manner of determining the amount of an indemnity payment shall be established by the Secretary.

(b) REPORT ON PROGRESS AND PROPOSED EXPANSION.—Not later than January 1, 1998, the Secretary shall submit to the Commission on 21st Century Production Agriculture the data and results of the program through October 1, 1997. In addition, the Secretary shall submit information and recommendations to the Commission with respect to the program that will serve as the basis for the Secretary to offer revenue insurance to agricultural producers, at one or more levels of coverage, that—

(1) is in addition to, or in lieu of, catastrophic and higher levels of crop insurance;

(2) is offered through reinsurance arrangements with private insurance companies;

(3) is actuarially sound; and

(4) requires the payment of premiums and administrative fees by participating producers.

(c) CONTRACT COMMODITY DEFINED.—In this section, the term ''contract commodity'' means a crop of wheat, corn, grain sorghum, oats, barley, upland cotton, or rice.

**SEC. 506. CONTINUATION OF OPTIONS PILOT PROGRAM.**

During the 1996 through 2002 crop years, the Secretary of Agriculture may continue to conduct the options pilot program authorized by the Options Pilot Program Act of 1990 (subtitle E of title XI of Public Law 101–624; 104 Stat. 3518; 7 U.S.C. 1421 note). To the extent that the Secretary decides to continue the options pilot program, the Secretary shall modify the terms and conditions of the pilot program to reflect the changes to law made by this Act.

## TITLE VI—COMMISSION ON 21ST CENTURY PRODUCTION AGRICULTURE

**SEC. 601. ESTABLISHMENT.**

There is hereby established a commission to be known as the ''Commission on 21st Century Production Agriculture'' (in this title referred to as the ''Commission'').

**SEC. 602. COMPOSITION.**

(a) MEMBERSHIP AND APPOINTMENT.—The Commission shall be composed of 11 members, appointed as follows:

(1) Three members shall be appointed by the President.

(2) Four members shall be appointed by the Chairman of the Committee on Agriculture of the House of Representatives in consultation with the ranking minority member of the Committee.

(3) Four members shall be appointed by the Chairman of the Committee on Agriculture, Nutrition, and Forestry of the Senate in consultation with the ranking minority member of the Committee.

(b) QUALIFICATIONS.—At least one of the members appointed under each of the paragraphs (1), (2), and (3) of subsection (a) shall be an individual who is primarily involved in production agriculture. All other members of the Commission shall be appointed from among individuals having knowledge and experience in agricultural production, marketing, finance, or trade.

(c) TERM OF MEMBERS; VACANCIES.—Members of the Commission shall be appointed for the life of the Commission. A vacancy on the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment was made.

(d) TIME FOR APPOINTMENT; FIRST MEETING.—The members of the Commission shall be appointed not later than October 1, 1997. The Commission shall convene its first meeting to carry out its duties under this Act 30 days after six members of the Commission have been appointed.

(e) CHAIRMAN.—The chairman of the Commission shall be designated jointly by the Chairman of the Committee on Agriculture of the House of Representatives and the Chairman of the Committee on Agriculture, Nutrition, and Forestry of the Senate from among the members of the Commission.

**SEC. 603. COMPREHENSIVE REVIEW OF PAST AND FUTURE OF PRODUCTION AGRICULTURE.**

(a) INITIAL REVIEW.—The Commission shall conduct a comprehensive review of changes in the condition of production agriculture in the United States since the date of the enactment of this Act and the extent to which such changes are the result of the amendments made by this Act. The review shall include the following:

(1) An assessment of the initial success of production flexibility contracts under section 103 in supporting the economic viability of farming in the United States.

(2) An assessment of the food security situation in the United States in the areas of trade, consumer prices, international competitiveness of United States production agriculture, food supplies, and humanitarian relief.

(3) An assessment of the changes in farmland values and agricultural producer incomes since the date of the enactment of this Act.

(4) An assessment of the extent to which regulatory relief for agricultural producers has been enacted and implemented, including the application of cost/benefit principles in the issuance of agricultural regulations.

(5) An assessment of the extent to which tax relief for agricultural producers has been enacted in the form of capital gains tax reductions, estate tax exemptions, and mechanisms to average tax loads over high and low income years.

(6) An assessment of the effect of any Government interference in agricultural export markets, such as the imposition of trade embargoes, and the degree of implementation and success of international trade agreements.

(7) An assessment of the likely affect of the sale, lease, or transfer of farm poundage quota for peanuts across State lines.

(b) SUBSEQUENT REVIEW.—The Commission shall conduct a comprehensive review of the future of production agriculture in the United States and the appropriate role of the Federal Government in support of production agriculture. The review shall include the following:

(1) An assessment of changes in the condition of production agriculture in the United States since the initial review conducted under subsection (a).

(2) Identification of the appropriate future relationship of the Federal Government with production agriculture after 2002.

(3) An assessment of the personnel and infrastructure requirements of the Department of Agriculture necessary to support the future relationship of the Federal Government with production agriculture.

(c) RECOMMENDATIONS.—In carrying out the subsequent review under subsection (b), the Commission shall develop specific recommendations for legislation to achieve the appropriate future relationship of the Federal Government with production agriculture identified under subsection (a)(2).

**SEC. 604. REPORTS.**

(a) REPORT ON INITIAL REVIEW.—Not later than June 1, 1998, the Commission shall submit to the President, the Committee on Agriculture of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing the results of the initial review conducted under section 603(a).

(b) REPORT ON SUBSEQUENT REVIEW.—Not later than January 1, 2001, the Commission shall submit to the President and the congressional committees specified in subsection (a) a report containing the results of the subsequent review conducted under section 603(b).

**SEC. 605. POWERS.**

(a) HEARINGS.—The Commission may, for the purpose of carrying out this Act, conduct such hearings, sit and act at such times, take such testimony, and receive such evidence, as the Commission considers appropriate.

(b) ASSISTANCE FROM OTHER AGENCIES.—The Commission may secure directly from any department or agency of the Federal Government such information as may be necessary for the Commission to carry out its duties under this Act. Upon request of the chairman of the Commission, the head of the department or agency shall, to the extent permitted by law, furnish such information to the Commission.

(c) MAIL.—The Commission may use the United States mails in the same manner and under the same conditions as the departments and agencies of the Federal Government.

(d) ASSISTANCE FROM SECRETARY.—The Secretary of Agriculture shall provide to the Commission appropriate office space and such reasonable administrative and support services as the Commission may request.

**SEC. 606. COMMISSION PROCEDURES.**

(a) MEETINGS.—The Commission shall meet on a regular basis (as determined by the chairman) and at the call of the chairman or a majority of its members.

(b) QUORUM.—A majority of the members of the Commission shall constitute a quorum for the transaction of business.

**SEC. 607. PERSONNEL MATTERS.**

(a) COMPENSATION.—Each member of the Commission shall serve without compensation, but shall be allowed travel expenses including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, when engaged in the performance of Commission duties.

(b) STAFF.—The Commission shall appoint a staff director, who shall be paid at a rate not to exceed the maximum rate of basic pay under section 5376 of title 5, United States Code, and such

*professional and clerical personnel as may be reasonable and necessary to enable the Commission to carry out its duties under this Act without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, or any other provision of law, relating to the number, classification, and General Schedule rates. No employee appointed under this subsection (other than the staff director) may be compensated at a rate to exceed the maximum rate applicable to level GS–15 of the General Schedule.*

*(c) DETAILED PERSONNEL.—Upon request of the chairman of the Commission, the head of any department or agency of the Federal Government is authorized to detail, without reimbursement, any personnel of such department or agency to the Commission to assist the Commission in carrying out its duties under this section. The detail of any such personnel may not result in the interruption or loss of civil service status or privilege of such personnel.*

***SEC. 608. TERMINATION OF COMMISSION.***

*The Commission shall terminate upon submission of the final report required by section 604.*

***TITLE VII—EXTENSION OF CERTAIN AUTHORITIES***

***SEC. 701. EXTENSION OF AUTHORITY UNDER PUBLIC LAW 480.***

*Section 408 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736b) is amended by striking ''1995'' and inserting ''1996''.*

***SEC. 702. EXTENSION OF FOOD FOR PROGRESS PROGRAM.***

*Section 1110 of the Food Security Act of 1985 (7 U.S.C. 1736o), also known as the Food for Progress Act of 1985, is amended—*

*(1) in subsection (k), by striking ''1995'' and inserting ''1996''; and*

*(2) in subsection (l), by striking ''1995'' and inserting ''1996''.*

The CHAIRMAN. No amendment to the committee amendment in the nature of a substitute shall be in order except the amendments printed in House Report 104–463 and amendments en bloc described in section 2 of House Resolution 366. Each amendment may be offered only in the order printed in the report, may be offered only by a member designated in the report, shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Pursuant to the order of the House of today, the gentleman from Missouri [Mr. VOLKMER] may offer amendment No. 4 immediately after amendment No. 7 by the gentleman from New York [Mr. SOLOMON].

Debate time on each amendment will be equally divided and controlled by the proponent and an opponent of the amendment.

It shall be in order at any time for the chairman of the Committee on Agriculture or a designee to offer amendments en bloc consisting of amendments specified in the report not earlier disposed of or germane modifications of any such amendment. Amendments en bloc shall be considered read, except that modifications shall be reported, shall be debatable for 20 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, shall not be subject to amendment, and shall not be subject to a demand for a division of the question.

The original proponent of an amendment included in amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before disposition of the amendments en bloc.

AMENDMENTS EN BLOC, AS MODIFIED, OFFERED BY MR. ROBERTS

Mr. ROBERTS. Mr. Chairman, I offer amendments en bloc that incorporate amendment No. 9 made in order by House Resolution 366 with a germane modification deleting the language on pages 8 and 9 of the Roberts en bloc amendment No. 1 made in order by House Resolution 366 and printed in the report accompanying House Resolution 366. This amended en bloc amendment is offered pursuant to section 2 of the rule and contains a Roberts germane amendment deleting the last amendment in my original en bloc amendment No. 1.

The CHAIRMAN. The Clerk will designate the amendments en bloc and report any modifications.

The text of the amendments en bloc, as modified, is as follows:

Amendments en bloc, as modified, offered by Mr. ROBERTS: Page 4, line 15, insert before the period the following: ''and such other acreage as the Secretary considers fair and equitable''.

Page 5, strike line 7.

Page 5, line 13, strike ''title V'' and insert ''section 505''.

Page 5, line 15, add at the end the following: ''The Secretary shall adjust the farm program payment yield for the 1995 crop of a contract commodity to account for any additional yield payments made with respect to that crop under subsection (b)(2) of the section.''

Page 5, strike line 23 and all that follows through line 16 on page 6, and insert the following:

(12) PRODUCER.—The term ''producer'' means an owner, landlord, tenant, or sharecropper who shares in the risk of producing a crop and who is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced. In determining whether a grower of hybrid seed is a producer, the Secretary shall not take into consideration the existence of a hybrid seed contract.

Page 7, strike lines 9 through 18, and insert the following:

shall agree, in exchange for annual contract payments, to—

(A) comply with the conservation plan for the farm prepared in accordance with section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812);

(B) comply with wetland protection requirements applicable to the farm under subtitle C of title XII of the Act (16 U.S.C. 3821 et seq.); and

(C) comply with the planting flexibility requirements of subsection (j); and

(D) to use the land subject to the contract for agricultural or related activities, but not for nonagricultural commercial or industrial uses.

Page 7, beginning line 20, strike ''following persons shall be considered to be an owner or operator'' and insert ''producers and owners described in this paragraph shall be''.

Page 9, beginning line 5, strike ''operators who are''.

Page 6, strike lines 12 through 16 and insert the following:

(g) PAYMENT LIMITATION.—Sections 1001 through 1001C of the Food Security Act of 1985 (7 U.S.C. 1308 through 1308–3), as amended by section 105, establish payment limitations on the total amount of contract payments that may be made under contracts during any fiscal year.

Page 16, beginning line 20, strike ''the conservation plan'' and all that follows through ''subsection (j)'' and insert the following: ''a requirement of the contract specified in subparagraph (A), (B), (C), or (D) of subsection (a)(1)''.

Page 19, line 5, insert at the end the following: ''The Secretary shall carry out this paragraph in such a manner as to ensure that the reconstitution of a farm as part of the transfer of contract acreage results in no additional outlays under this section.''.

Page 20, beginning line 19, strike ''on a farm that is planted for harvest to alfalfa'' and insert ''of alfalfa on a farm that is harvested''.

Page 51, beginning line 12, strike ''section 411 of Agricultural Adjustment Act of 1938'' and insert ''section 104(i)(1)''.

Page 60, line 22, strike ''½'' and insert ''the grower portion''.

Page 61, line 18, strike ''MARKETING'' and insert ''POUNDAGE''.

Page 64, line 10, strike ''at the end of the 1996 marketing year'' and insert ''on or after January 1, 1997,''.

Page 64, line 21, insert ''(except seed)'' after ''use''.

Page 67, line 1, strike ''basic''.

Page 76, line 11, strike ''of''.

Page 77, line 23, strike ''or employee'' and insert '', employee, or agency''.

Page 98, line 18, insert ''minus five cents'' after ''butter''.

Page 102, line 11, insert ''is authorized to and'' after ''Agriculture''.

Page 102, line 17, insert ''which amount the marketing order issued by California is hereby directed to make,'' after ''California,''.

Page 113, line 5, insert ''the first day of the first month beginning after'' after ''take effect on''.

Page 113, strike lines 14 through 23, and insert the following new paragraph:

(1) Consolidation of Federal milk marketing orders into not less than 8 nor more than 13 orders, which shall also include those areas of the 48 contiguous States not covered by a Federal milk marketing order on the date of the enactment of this Act. The consolidation shall comply with the following:

(A) One of the new Federal milk marketing orders shall cover only the State of California.

(B) A new or amended order shall have the right to blend order receipts to address unique issues in that order, such as a State quota system in effect on the date of the enactment of this Act.

(C) When milk of the highest use classification subject to a State quota system in operation on the date of the enactment of this Act is marketed under a new or amended Federal milk marketing order that also includes milk not subject to that State quota system, the Secretary shall provide a segregated account within the pool operated by the Federal milk marketing order for the collection and disbursement of receipts from the marketing of any milk subject to that State quota system.

(D) In accomplishing the consolidation of areas not covered by a Federal milk marketing order on the date of the enactment of this Act, the Secretary may utilize a milk pooling system or other regulatory system in operation in any State on such date in lieu of Federal authorities to blend pool proceeds or manage any quota plan in operation in a State on such date.

Page 114, after line 18, insert the following new subsection:

(d) CONTINUATION OF STATE ORDERS.—Nothing in this section shall preclude a State from maintaining a separate State marketing order for milk and the products of milk so long as the provisions of that State order are consistent with and complement any Federal order or orders applicable to milk marketed in that State.

Page 120, beginning line 13, strike paragraph (2) relating to the definition of large confined livestock operation.

Page 125, strike lines 7 through 10.

Page 130, strike lines 14 through 22 and insert the following new clause:

''(iii) CURRENT POLICIES.—Subject to clause (ii), all catastrophic risk protection policies written by local offices of the Department shall be transferred to the approved insurance provider for performance of all sales, service, and loss adjustment functions. Any fees in connection with such policies that are not yet collected at the time of the transfer shall be payable to the approved insurance providers assuming the policies.''; and

Page 137, strike lines 17 through 23 and insert the following new subsection:

(b) FISCAL YEAR 1996 FUNDING.—From funds appropriated for the salaries and expenses of the Consolidated Farm Service Agency in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 (Public Law 104–37), the Secretary of Agriculture may use such sums as necessary for the salaries and expenses of the Office of Risk Management established under subsection (a).

Amend section 402—

(1) by inserting ''(a) GENERALLY.—'' before ''Effective''; and

(2) by adding at the end the following:

(b) PRIORITY FUNDING FOR WHEAT FLOUR.—Section 301 of the Agricultural Trade Act of 1978 (7 U.S.C. 5651) is amended by adding at the end the following:

''(h) PRIORITY FUNDING FOR WHEAT FLOUR.—Consistent, as determined by the Secretary, with the obligations and reduction commitments undertaken by the United States set forth in the Uruguay Round Agreements, the Secretary shall announce awards under this section on an annual basis for the sale of wheat flour in sufficient amount to maintain the percentage of market share of world commercial flour markets achieved by the United States wheat flour industry during the Uruguay Round base period years of 1986 through 1990.''

The Clerk read as follows:

Amendments en bloc consisting of amendment No. 1 (modified by striking the final instruction) and amendment No. 9 (unmodified).

The CHAIRMAN. Pursuant to the rule, the gentleman from Kansas [Mr. ROBERTS] will be recognized for 10 minutes, and the gentleman from Texas [Mr. DE LA GARZA] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Kansas [Mr. ROBERTS].

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

Mr. Chairman, I would inform Members that in putting together the current bill, the Agriculture Market Transition Act, provisions of H.R. 2854, in doing this, our committee has worked with the Consolidated Farm Service Agency at the Department of Agriculture to work out many operational and administrative details that will allow the CFSA to implement this very important legislation as quickly as possible, which is very important to farm country, more especially where spring planting will soon be starting. The changes made in the en bloc will aid the Department of Agriculture and more especially the CFSA in being able to move quickly with the implementation of the Agriculture Market Transition Act.

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

Mr. DE LA GARZA. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Chairman, I thank the ranking minority member for yielding me this time.

I would like to inquire of the gentleman from Kansas so that I make clear to the House what we have in this technical amendment. I have been informed, and I see here for the original amendment that was reported had language in it to grant rights-of-way basically for people who are obtaining water and water rights on national forest lands. Is that correct?

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

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

Mr. ROBERTS. Mr. Chairman, the gentleman has described——

Mr. VOLKMER. The old Brown amendment from the Senate?

Mr. ROBERTS. I think the commonsense Brown amendment from the Senate would be the more appropriate title. That has been taken out, sir.

Mr. VOLKMER. Now, that is no longer in this new amendment, is that correct?

Mr. ROBERTS. If the gentleman would continue to yield, that is the case.

Mr. VOLKMER. And the new amendment basically has to do with farm program payment limitations or yields and based on yields, or what all do we have in this amendment?

Mr. ROBERTS. The amendment deals with two Livingston amendments. I would say to the gentleman it incorporates two of the amendments by the gentleman from Louisiana [Mr. LIVINGSTON], with regard to the transfer of catastrophic insurance fees collected by the Department of Agriculture to private insurance companies and a change in the funding for the establishment of the Office of Risk Management.

Finally, the en bloc incorporates the amendment No. 9 offered by my colleague, the gentleman from Kansas [Mr. TIAHRT], to the Ag Trade Act of 1978 that directs the Secretary in a manner consistent with our obligations under GATT to maintain our historic share of exports with regards to the sale of wheat flour.

I know of no opposition to this amendment, and in regards to the Livingston amendments and the described intent of the amendments that I have described to the House previously to the gentleman's question, it was to certainly enable the Department of Agriculture to implement what we pass here in a quick and timely manner.

Mr. VOLKMER. Mr. Chairman, reclaiming my time, the second provision, matter that I would like to ask the gentleman about, we have consolidation language in here about Federal milk marketing orders.

Mr. ROBERTS. Mr. Chairman, if the gentleman will continue to yield, I am informed by staff that some of that was intended to clarify what was in the original bill and the second provision of the Agriculture Market Transition Act.

Mr. VOLKMER. All right. Now, junder the language that we have in this amendment, as the bill will be amended, is the gentleman telling me then that Federal crop insurance, catastrophic, will still be able to be sold or not be able to be sold in our FSA offices?

Mr. ROBERTS. Yes, that is correct, sir.

Mr. VOLKMER. I asked whether or not it will be able to be sold.

Mr. ROBERTS. It will be.

Mr. VOLKMER. It will be. Fine.

Mr. ROBERTS. I beg your pardon, it will not do that.

Mr. VOLKMER. It will not be able to be sold.

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

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

Mr. ROBERTS. Mr. Chairman, the Chair, this chairman, this gentleman was in error that the bill does that. This amendment does not do that.

Mr. VOLKMER. But does the amendment do anything to the provision in the bill? That is all I am asking.

Mr. ROBERTS. No, sir.

Mr. VOLKMER. No change on that.

Mr. ROBERTS. No, sir.

Mr. VOLKMER. All right. That is what I am asking about. I thank the gentleman very much.

Mr. ROBERTS. Mr. Chairman, I yield 3 minutes to my distinguished friend and colleague, the gentleman from Kansas [Mr. TIAHRT].

Mr. TIAHRT. Mr. Chairman, I thank the chairman for his leadership in the ag industry and for America.

I want to say I rise, Mr. Chairman, today to help farmers, union workers, and American jobs and the U.S. economy. We must attempt to level the playing field with the European Union by using the export enhancement program funds to move value-added products into the export markets.

The European Union has been twisting their agricultural and trade policies in GATT to unfairly crush the value-added exports like wheat flour. The European Union is lowering domestic input prices to give themselves a tremendous cost advantage over U.S. exports. Incredibly, the United States has had at its disposal millions of dollars to support U.S. agricultural export industries. These funds have been authorized and funded by the people through their elected Representatives

under the export enhancement program to the tune of $350 million for this fiscal year alone. However, less than 2 percent has been spent by the administration, leaving our farmers and union workers and American jobs hanging out there vulnerable to the world markets.

In talks between the administration, the wheat flour industry, the USDA has admitted the European actions are unfair and it is measurable. Since the beginning of the 1995 crop year, more than 2 million metric tons of European flour export licenses have been awarded, compared to less than 15,000 metric tons of EEP awards.

Mr. Chairman, this country has been taking it on the chin under GATT and NAFTA. We have lost the last three decisions on these arguments. Now it is time for us to use GATT to our advantage. Now is the time for us to use this onerous agreement to help American farmers, to help American workers and help the American economy.

Mr. Chairman, this amendment moves toward fixing these problems. It simply tells the President and the Department of Agriculture to announce awards under the export enhancement program on an annual basis, to maintain the percentage of market share the world commercial flour market has achieved by U.S. wheat flour industries during the base year 1986 through 1990.

Mr. Chairman, this amendment will have no budget impact. It is within the scope of GATT, and it will keep hundreds if not thousands of jobs.

Mr. Chairman, the U.S. has had its nose bloodied time and time again by NAFTA, by GATT, and by the World Trade Organization, and it is time we use the tools inside these agreements to protect our jobs, to protect our farmers, to get those value-added products out on the open market.

In conclusion, Mr. Chairman, we believe that it is time for the administration to start protecting American farmers and union workers and American jobs by regaining our market share through the export enhancement program for the benefit of all Americans.

Mr. ROBERTS. Mr. Chairman, for the purpose of a colloquy, I am most delighted to yield 4 minutes to the distinguished gentleman from Texas [Mr. LAUGHLIN].

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

Mr. Chairman, you and I have discussed the issue of the tenant farmer who leases farmland for receiving a fair and equitable payment under this bill many times in the last several months, and I thank the gentleman for his interest in assuring me that there is no problem for the tenant farmer.

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In my own district in Texas, the majority of the farmers do not own the land they farm. This differs from many parts of our Nation, and in the past 4 weeks, while I was traveling in my district, the primary concern was whether this legislation provides a strong enough safeguard for the tenant farmer in receiving his or her share of the payment. Repeatedly I was asked what prevents the nonfarming landowner from not leasing the land for farming purposes and having the landowner receive the payments under this bill even though no farming takes place on the land. And, second, what assures the farmer that he will obtain his share of the payment?

Mr. Chairman, in representing a district that is one of the highest agriculture producing districts in the State of Texas and one that produces over 70 percent of the rice in the State, I must ensure that the statutory intent of the chairman will not jeopardize tenant-landlord relationships, an operator with a share-rent lease, an operator who cash rents, an operator and tenant who is a sharecropper, from being kicked off the land and from receiving a fair and equitable payment.

Could the gentleman clarify his legislative intent in these four areas?

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

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

Mr. ROBERTS. I am more than happy to respond to the gentleman. We have discussed this at length. I thank the gentleman from Texas for his question.

One of our technical amendments, I think, certainly clarifies this situation. Under our bill, anyone who has been eligible for payments under current law will be eligible for transition contract payments. The traditional protection afforded both the landlord and the tenant based on the amount of risk taken between the landowner and the tenant in distributing the payments will remain in the same manner in H.R. 2854, or freedom to farm, as current law.

I can assure the gentleman we have heard his constituents. We have heard you, and we addressed it. I thank the gentleman for his concerns.

Mr. LAUGHLIN. I thank the chairman for his assurance.

Mr. DE LA GARZA. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Chairman, the gentleman from Texas brought up an interesting point, and I listened to the gentleman from Kansas for an answer. I did not exactly hear that exact answer; that is, if an owner of farmland who in the past has leased it out or sharecropped it or cash rented, can he terminate those contracts and receive the money? I believe that was one of the questions.

Now, as I read it, if there is no existing contract on that land, if it has not been renewed, now, most of them in my area have already been renewed, those that are going to be, they are done, so they are stuck with it. If it has not and the owner wants to go in and go for the payments themselves, then I understand he has a right to do that and to get the payment, and he does not have to cash rent it or rent it out.

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

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

Mr. ROBERTS. I would inform the gentleman from Missouri that the situation is just the way it is in the law today. Nothing has changed.

Mr. VOLKMER. That is true. He does not have to rent it if is not rented.

Mr. ROBERTS. That is true.

Mr. VOLKMER. That is true. He can get the payment. He does not have to crop the land at all even if he has rented it in the past. He does not have to rent it this year if he has not already done so.

Mr. ROBERTS. I would inform the gentleman, he could barely pay the taxes in regard to the payments coming down the pike. We also have conservation compliance. I know where the gentleman is headed in regards to his repeated criticism of the bill. I think we have been through that. What is in H.R. 2854 is the same situation as it is today in the current farm program.

Mr. VOLKMER. Except in the current farm program, you have to crop the land in order to participate in the program.

Mr. ROBERTS. There is zero 1992, there is zero 1985. We do not have any set-aside for wheat. We have not had set-asides for major crops. The same situation continues, but I think we have had that debate, Mr. Chairman.

Mr. DE LA GARZA. Mr. Chairman, if the distinguished chairman has only to close, I yield back the balance of my time.

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

The CHAIRMAN. The question is on the amendments en bloc, as modified, offered by the gentleman from Kansas [Mr. ROBERTS].

The amendments en bloc, as modified, were agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 104–463.

AMENDMENT OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. FRANK of Massachusetts: Strike sections 101 through 105 and insert the following:

**SEC. 101. CONTINUATION OF PRICE SUPPORT PROGRAMS UNDER AGRICULTURAL ACT OF 1949 FOR WHEAT, FEED GRAINS, COTTON, RICE, AND OILSEEDS.**

Subject to the program modifications required by this title, for the 1996 through 2000 crops of each loan commodity, the Secretary of Agriculture shall offer producers the option to participate in price support, production adjustment, and payment programs based on the terms and conditions provided

in sections 101B, 103(h), 103B, 105B, 107B, 114, and 205 of the Agricultural Act of 1949 (as in effect on the day before the date of the enactment of this Act), and such other provisions of such Act (as so in effect) as determined by the Secretary to be necessary.

**SEC. 102. REDUCTION IN TARGET PRICES AND TERMINATION OF DEFICIENCY PAYMENTS AND MARKETING LOANS FOR WHEAT, FEED GRAINS, RICE, AND COTTON.**

(a) WHEAT.—

(1) REDUCTION IN TARGET PRICES.—In the case of any price support program for wheat administered by the Secretary of Agriculture, the established price for wheat for a crop year shall not exceed—

(A) for the 1996 crop of wheat, $3.84 per bushel; and

(B) for the 1997 through 2002 crops of wheat, an amount that is four percent less than the established price for wheat for the preceding crop year.

(2) TERMINATION OF DEFICIENCY PAYMENT AND MARKETING LOANS.—Notwithstanding any other provision of law, for the 2003 and subsequent crops of wheat, the Secretary of Agriculture shall not make deficiency payments available to producers of wheat or permit producers to repay a price support loan at a rate below the original loan rate.

(b) CORN.—

(1) REDUCTION IN TARGET PRICES.—In the case of any price support program for corn administered by the Secretary of Agriculture, the established price for corn for a crop year shall not exceed—

(A) for the 1996 crop of corn, $2.64 per bushel; and

(B) for the 1997 through 2002 crops of corn, an amount that is four percent less than the established price for corn for the preceding crop year.

(2) TERMINATION OF DEFICIENCY PAYMENT AND MARKETING LOANS.—Notwithstanding any other provision of law, for the 2003 and subsequent crops of corn, the Secretary of Agriculture shall not make deficiency payments available to producers of corn or permit producers to repay a price support loan at a rate below the original loan rate.

(c) OATS.—

(1) REDUCTION IN TARGET PRICES.—In the case of any price support program for oats administered by the Secretary of Agriculture, the established price for oats for a crop year shall not exceed—

(A) for the 1996 crop of oats, $1.39 per bushel; and

(B) for the 1997 through 2002 crops of oats, an amount that is four percent less than the established price for oats for the preceding crop year.

(2) TERMINATION OF DEFICIENCY PAYMENT AND MARKETING LOANS.—Notwithstanding any other provision of law, for the 2003 and subsequent crops of oats, the Secretary of Agriculture shall not make deficiency payments available to producers of oats or permit producers to repay a price support loan at a rate below the original loan rate.

(d) GRAIN SORGHUMS.—

(1) REDUCTION IN TARGET PRICES.—In the case of any price support program for grain sorghums administered by the Secretary of Agriculture, the established price for grain sorghums for a crop year shall not exceed—

(A) for the 1996 crop of grain sorghums, $2.51 per bushel; and

(B) for the 1997 through 2002 crops of grain sorghums, an amount that is four percent less than the established price for grain sorghums for the preceding crop year.

(2) TERMINATION OF DEFICIENCY PAYMENT AND MARKETING LOANS.—Notwithstanding any other provision of law, for the 2003 and subsequent crops of grain sorghums, the Secretary of Agriculture shall not make deficiency payments available to producers of grain sorghums or permit producers to repay a price support loan at a rate below the original loan rate.

(e) BARLEY.—

(1) REDUCTION IN TARGET PRICES.—In the case of any price support program for barley administered by the Secretary of Agriculture, the established price for barley for a crop year shall not exceed—

(A) for the 1996 crop of barley, $2.27 per bushel; and

(B) for the 1997 through 2002 crops of barley, an amount that is four percent less than the established price for barley for the preceding crop year.

(2) TERMINATION OF DEFICIENCY PAYMENT AND MARKETING LOANS.—Notwithstanding any other provision of law, for the 2003 and subsequent crops of barley, the Secretary of Agriculture shall not make deficiency payments available to producers of barley or permit producers to repay a price support loan at a rate below the original loan rate.

(f) RICE.—

(1) REDUCTION IN TARGET PRICES.—In the case of any price support program for rice administered by the Secretary of Agriculture, the established price for rice for a crop year shall not exceed—

(A) for the 1996 crop of rice, $10.28 per hundredweight; and

(B) for the 1997 through 2002 crops of rice, an amount that is four percent less than the established price for rice for the preceding crop year.

(2) TERMINATION OF DEFICIENCY PAYMENT AND MARKETING LOANS.—Notwithstanding any other provision of law, for the 2003 and subsequent crops of rice, the Secretary of Agriculture shall not make deficiency payments available to producers of rice or permit producers to repay a price support loan at a rate below the original loan rate.

(g) UPLAND COTTON.—

(1) REDUCTION IN TARGET PRICES.—In the case of any price support program for upland cotton administered by the Secretary of Agriculture, the established price for upland cotton for a crop year shall not exceed—

(A) for the 1996 crop of upland cotton, $0.70 per hundredweight; and

(B) for the 1997 through 2002 crops of upland cotton, an amount that is four percent less than the established price for upland cotton for the preceding crop year.

(2) TERMINATION OF DEFICIENCY PAYMENT AND MARKETING LOANS.—Notwithstanding any other provision of law, for the 2003 and subsequent crops of upland cotton, the Secretary of Agriculture shall not make deficiency payments available to producers of upland cotton or permit producers to repay a price support loan at a rate below the original loan rate.

(h) EXTRA LONG STAPLE COTTON.—

(1) REDUCTION IN TARGET PRICES.—In the case of any price support program for extra long staple cotton administered by the Secretary of Agriculture, the established price for extra long staple cotton for a crop year shall not exceed—

(A) for the 1996 crop of extra long staple cotton, $0.918 per hundredweight; and

(B) for the 1997 through 2002 crops of extra long staple cotton, an amount that is four percent less than the established price for extra long staple cotton for the preceding crop year.

(2) TERMINATION OF DEFICIENCY PAYMENT AND MARKETING LOANS.—Notwithstanding any other provision of law, for the 2003 and subsequent crops of extra long staple cotton, the Secretary of Agriculture shall not make deficiency payments available to producers of extra long staple cotton or permit producers to repay a price support loan at a rate below the original rate.

(i) FUTURE REPEAL OF CURRENT PROVISIONS REGARDING PRICE SUPPORT.—Effective October 1, 2000, the following provisions of the Agricultural Act of 1949, if still in effect on such date, are repealed:

(1) Section 101 (7 U.S.C. 1441) regarding price support levels generally.

(2) Section 101B (7 U.S.C. 1441–2) regarding loans deficiency payments, and acreage reduction programs for rice.

(3) Section 103(h) (7 U.S.C. 1444(h)) regarding loans, deficiency payments, and acreage reduction programs for extra long staple cotton.

(4) Section 103B (7 U.S.C. 1444–2) regarding loans, deficiency payments, and acreage reduction programs for upland cotton.

(5) Section 105B (7 U.S.C. 144f) regarding loans, deficiency payments, and acreage reduction programs for feed grains.

(6) Section 107B (7 U.S.C. 1445–3a) regarding loans, deficiency payments, and acreage reduction programs for wheat.

(7) Any similar provisions of law, enacted after the date of the enactment of this Act, relating to loans, deficiency payments, and acreage reduction programs for the crops referred to in the preceding paragraphs.

**SEC. 104 BUDGETARY LIMITATIONS ON OUTLAYS FOR DEFICIENCY PAYMENTS FOR WHEAT, FEED, GRAINS, RICE AND COTTON.**

(a) LIMITATION.—The total Commodity Credit Corporation outlays for deficiency payments for wheat, feed, grains, rice and cotton for the crop year 1996 through 2002 may not exceed—

(1) for fiscal year 1996, 88 percent of the projected Congressional Budget Office baseline of $6,556,000,000.

(2) for fiscal year 1997, 70 percent of the projected Congressional Budget Office baseline of $6,525,000;

(3) for fiscal year 1998, 53 percent of the projected Congressional Budget Office baseline of $6,556,000,000;

(4) for fiscal year 1999, 40 percent of the projected Congressional Budget Office baseline of $6,921,000,000;

(5) for fiscal year 2000, 23 percent of the projected Congressional Budget Office baseline of $6,671,000,000;

(b) PROBATION OF PAYMENTS.—In any crop year, if the total Commodity Credit Corporation obligations for deficiency payments are projected to exceed the applicable spending limit specified in subsection (a), the Secretary of Agriculture shall prorate deficiency payments to recipients to meet such spending limit.

The CHAIRMAN. Pursuant to the rule, the gentleman from Massachusetts [Mr. FRANK] and a Member opposed each will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. FRANK].

Mr. ROBERTS. Mr. Chairman, I ask unanimous consent that I be permitted to share the time allocated to me with respect to managing the debate on the amendment with the ranking minority member, the chairman emeritus of the Committee on Agriculture, the gentleman from Texas [Mr. DE LA GARZA], and that each of us be responsible for controlling our respective time limitations.

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

There was no objection.

MODIFICATION OF AMENDMENT OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Chairman, I ask unanimous consent,

because of a typographical error, that the page 9 that I have submitted and shown to the chairman be submitted in lieu of the page 9 of the amendment.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification of amendment offered by Mr. FRANK of Massachusetts: Strike proposed section 104 and insert new section 104, as follows:

**SEC. 104 BUDGETARY LIMITATIONS ON OUTLAYS FOR DEFICIENCY PAYMENTS FOR WHEAT, FEED, GRAINS, RICE AND COTTON**

(a) LIMITATION.—The total Commodity Credit Corporation outlays for deficiency payments for wheat, feed, grains, rice and cotton for the crop year 1996 through 2000 may not exceed—

(1) for fiscal year 1996, 88 percent of the projected Congressional Budget Office baseline of $6,556,000,000;

(2) for fiscal year 1997, 70 percent of the projected Congressional Budget Office baseline of $6,525,000,000;

(3) for fiscal year 1998, 53 percent of the projected Congressional Budget Office baseline of $6,936,000,000;

(4) for fiscal year 1999, 40 percent of the projected Congressional Budget Office baseline of $6,921,000,000;

(5) for fiscal year 2000, 23 percent of the projected Congressional Budget Office baseline of $6,671,000,000;

(b) PROBATION OF PAYMENTS.—In any crop year, if the total Commodity Credit Corporation obligations for deficiency payments are projected to exceed the applicable spending limit specified in subsection (a), the Secretary of Agriculture shall prorate deficiency payments to recipients to meet such spending limit.

Mr. FRANK of Massachusetts (during the reading). Mr. Chairman, I ask unanimous consent that the modification be considered as read and printed in the RECORD.

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

There was no objection.

Mr. FRANK of Massachusetts. Mr. Chairman, this simply adds three zeros to the figure for fiscal 1997, putting billions where millions now exist.

The CHAIRMAN. Is there objection to the modification offered by the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN. The amendment is modified.

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

Mr. Chairman, I would not want to embarrass the House by talking about millions in an agricultural bill. Obviously, billions are the appropriate figure.

What my amendment would do is to replace what seems to me to be one of the most misnamed provisions I have seen here since I have come here, the freedom to farm provision. As I understand it, it ought to be called freedom from farming. What it does is to say that if you are now a farmer and receiving money under various Federal subsidy programs, you will get a declining but still quite significant amount of money over the next 7 years no matter what you do. You do not have to be, as the gentleman from Missouri has pointed out, a farmer anymore. So this is a freedom to farm, which includes within it the freedom not to farm and receive significant funds from the Federal Government.

It seems to me to bring home one of the most fundamental inconsistencies in American public policy. It has been an inconsistency, and it is getting worse. We have in this Congress cracked down on AFDC recipients. We have cut back on the Medicare Program. Not all of these things have become law, but these are the legislative vehicles that have passed the House. We have decided that lower-income people are getting too much money. We have decided that free enterprise and standing on your own two feet should be the order of the day, but not for the agricultural segment.

It is striking to me how Members can come here, espouse free-enterprise doctrines, many of which I agree with, but then where agriculture is concerned suddenly in their own mind call up the invisible footnote, the footnote written in invisible ink in all of these conservation texts, and exempt agriculture from those rules.

Now, there will be specific amendments that will deal with some of the exemptions, apparently the free market works very well for automobiles, and it works very well for the construction industry, and it works very well for the production of sophisticated medical devices or computers. But the free-market system is not quite up to peanuts. Peanuts somehow is too complicated for the free market and sugar and dairy.

We can make the most sophisticated biotechnological devices. We can make software. We can make almost anything in America under the principles of the free market, but you cannot grow peanuts that way. You cannot grow tobacco that way. You cannot grow dairy that way. It is the most fundamental intellectual inconsistency in the United States today when people who are the most dedicated advocates of the free-enterprise system and talk about its virtues everywhere else, suddenly decide you cannot do that when talking about peanuts.

We compound this because what we have also talked about is the problem of entitlements, and we have heard about the problem of entitlements that are not means tested. That is, people have said, you know, it is one thing when you have an entitlement for the poor. What about entitlements that go to people regardless of income?

Agriculture carries that one step further. In agriculture, we have, and had had, anti-means-tested entitlements. In agriculture, that is an entitlement. Whatever you do, you automatically get the money. There is no appropriation that has discretion involved. But the bigger your enterprise, the more money you are making on your own, the more you get. Now they have decided, well, we cannot keep this up so they are going to get rid of it.

How are they getting rid of it? By a 7-year transition. Having gotten a lot of Federal money in the past means we have to make sure you do not get cut off too quickly. So, over 7 years, recipients of these billions of dollars of Federal funds will continue to get, according to the numbers I have, a total over the 7 years of $35 billion, over $5 billion a year, and it will go to people whose ability to get this money will be based on the fact that they once got Federal money. This is a very nice program. It says if you once got money, we owe you. Apparently the theory is, we have obligated ourselves to people by paying them and, therefore, as the years go forward, we will give them money and they will get money solely because they used to get money. There will be no obligations on this money. This is not the freedom to farm, but instead the freedom from farming.

Those recipients of this money over the next 7 years will get the money, as I understand it, no matter what they do. They do not have to farm. They do not have to live in their area. They do not have to live in this country. All they have to do is to live, and I guess if they do not live, they can pass it on. I did not check the testamentary part. I assume this is something you could pass on; you could inherit, I assume, under this bill the right to get these. You could be somebody who lived in Chicago, and the only grass you saw you had to hide when the cops came. But under this bill, if you were the heir of someone who farmed, I assume you could inherit that.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Missouri.

Mr. VOLKMER Mr. Chairman, the gentleman is more right than wrong. The payments go with the land, and as a result, when the son or daughter inherits the land, they will continue to receive the payments no matter where they live.

But the other thing that is necessary to point out under this bill, you know, a lot of this land is investor-owned. They do not live anywhere near the land. They live thousands of miles away from it, and as a result, those people are going to get these big payments, and whether or not that farm is farmed.

Mr. FRANK of Massachusetts. As I understand it, if you happened to be the heir of someone who owns a farm and has been getting Federal funds and that person dies, you then inherit the land. You do not have to go to that land. You do not have to grow anything. You do not have to touch a farm implement. You simply get the money.

This is the greatest deal going, and this from the believers in free enterprise, stand on you own two feet, get your nose to the grindstone, your

shoulder to the wheel, get the government's hand out of your pockets. Well, the government's hands will not be in your pockets, because there will be too much money in those hands to fit in your pockets.

We are talking about $35 billion a year over 7 years that go to citizens of this country, or the owners, wherever they are. I do not know why I said citizens. That go to owners of this land no matter what. I am sure many of these people, most of them, may continue to farm, but that is not here.

By the way, it is 7 years. My amendment would say that you continue the current agricultural program, phase them down. I want to get rid of them. I do not like the current programs either, but I would rather get something for the money we are giving these people, and I also decided we should phase it out in 5 years rather then 7, for this reason.

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I think if we are going to say that 5 years is the outer limit for you to receive Aid to Families with Dependent Children, that that probably ought to serve for the farmers as well. At least in the case of people who get Aid for Families with Dependent Children, as I understand it, there will be a work requirement. There is no work requirement for the farmers.

Understand this provision: No work requirement whatsoever. Here is $35 billion the Federal Government will set aside as an entitlement to people, whose requirement will simply be that they have been the owners of the land at a certain period and in the program.

I think this makes a mockery of all of what we have heard about sacrifice, of all of what we have heard about free enterprise, of all we have heard about who is going to do what. Many of the recipients of this, and, as I said, this, anti-means tested, many, many very wealthy people will be getting part of this $35 billion.

I understand we have gotten ourselves into a hole and we cannot easily get out of it. At the very least, it is right to face this down. But also we should make this clear: We are now passing a law which will guarantee people the $35 billion for the next 7 years. If in fact 3 or 4 years from now we change our minds, they will have gotten the money and we can go back into it. There is no guarantee. One legislature cannot bind future one.

So we have got here the welfare program of all welfare programs. It says to some people, many of whom are wealthy, for the next 7 years, your government has a demand to make of you: You must let us give you collectively $35 billion, and in return we will impose upon you the burden of cashing the checks, and that is all. By the way, those of you who are in the wealthiest sector will get more than those who are not.

This is the new revolution; and if this is the new revolution, then I would hate to see what reaction would look like.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Chairman, the gentleman just made another statement that I think bears drawing out a little bit. He said the very wealthy are going to get this. It may interest the gentleman to know a study has been made of the gentleman from Kansas' bill, and that the upper 2 percent of big farmowners, OK, 2 percent will get 22 percent of the money. It sounds a lot like their tax bill, where 2 percent got 50 percent of the money. This one, 2 percent get 22 percent of the money.

Mr. FRANK of Massachusetts. Mr. Chairman, reclaiming my time, this is the anti-means tested entitlement. It is an entitlement, and the more money you make, the more you get. I thank the gentleman from Missouri for pointing out I understated things. The gentleman from Missouri may be one of the few Members of the House who finds me guilty of understatement.

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

Mr. ROBERTS. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma [Mr. LUCAS].

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

Mr. LUCAS. Mr. Chairman, simply put, the amendment offered by my colleague from Massachusetts represents the worst possible option for our Nation's agricultural policy that we will discuss today. It had been my understanding that this bill's goal was to reform the Nation's agricultural programs.

The author of this amendment must have a different idea. This amendment contains no reform. It only breathes life into the failed policies that have shackled the Nation's producers to the heavy hand of Uncle Sam. Continuing these policies will be the death knell to many producers throughout the Nation.

Most Members of Congress, most producers, most national agricultural groups, and yes, most agricultural economists agree that farm policy must be changed. The amendment of the gentleman from Massachusetts [Mr. FRANK], ignores this fact. It does nothing to ensure a viable agricultural sector in our Nation. It does nothing to aid producers in a post-NAFTA and GATT world trade environment. It does nothing to move toward a more market driven agricultural sector.

My friends, agriculture is truly at a crossroads. It is time we break the bonds of the old and ring in a market-oriented program that will guide us into the next century.

I cannot say it any clearer: The current program does not work. With its draconian reductions in target price and lack of any true reform, the Frank amendment only makes a bleak outlook in farm country worse.

I urge my colleagues, join me as I vote to defeat this amendment.

Mr. DE LA GARZA. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. VOLKMER] in order to give us some history on this amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. VOLKMER].

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

Mr. VOLKMER. Mr. Chairman, as one who has been here for 19 years and been through different farm bills, I can remember when we had another President by the name of Reagan and a Secretary of Agriculture by the name of John Block. I wanted to let the gentleman from Oklahoma know, he may have been in grade school or high school at the time, but the gentleman from Kansas would remember, because he was here.

What you have is a Reagan proposal for agriculture from back in the eighties. You take the target price and, over 5 years, you phase it down with existing programs, to where at the end of the 5 years you only had the loan rate. That is what you have.

I just heard the gentleman from Oklahoma tell me how crazy it was. I am glad to hear that. I said so at the time and we did not do it. Now I am caught between. I cannot agree with the gentleman from Oklahoma, but I sure as heck cannot agree with the gentleman from Kansas with what he has. His is strictly welfare.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. VOLKMER. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I acknowledge this is what Ronald Reagan did. I would point out by the standards of the current group, Ronald Reagan was a model of lucidity, reasonableness and logic. That is why I prefer the Reagan program. I look nostalgically back on Ronald Reagan as I contemplate the current policies.

Mr. VOLKMER. So much for the history lesson.

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

Mr. Chairman, well, there he goes again. I think every farmer and rancher in America would prefer and agree with the goal of the gentleman from Massachusetts. It is just that the road he is taking will certainly put the farmer and rancher in the ditch, as well as a majority in the House and Senate. It is time to change our farm program policy. I know that. Everyone knows that.

We have to move away from what we call the command and control policies. We have to meet our budget responsibilities. It is time to give farmers the ability to respond to market signals. That is what we are trying to do to environmental signals—let me get back to the environment in just a minute—and the diversification to get us out of

mono-agriculture to free up the farmer to get him into diversified agriculture without having first to get permission from Washington.

But the gentleman's amendment retains the current target price deficiency payment. It is a restricted system. Anybody that has closely inspected the current farm program knows in wheat country, for instance, we have not had a setaside requirement for 5 years. So the supply management rationale that has served us well in the past certainly does not apply here.

The gentleman reduces target prices 4 percent per year through the year 2002. I do not know about President Reagan. I remember when President Reagan was President and Mrs. Stockman's very brilliant son, David, was the OMB Director. I remember a joint effort on the part of both Democrats and Republicans to try to not only meet our budget responsibilities but to do so in a bipartisan and salutary manner. I do not think it can all be applied in regard to President Reagan.

The gentleman's amendment terminates the target price and the marketing loan mechanism for all commodities in 2003. It does not provide any incentive in terms of flexibility, which is the other side of the coin. If you reduce the farm program payments or the market transition payments, you give the farmer the freedom to plant.

I want to quarrel with the gentleman's description that there is no work requirement. In the first place, these payments are roughly half what has been provided in the past 5 years. In the second place, there is a conservation compliance requirement. When the farmer and his banker, his lender, sit down and say in the next 7 years I know precisely what I am going to get in regard to assistance from the Federal Government to enable us to make this market transition, there is a requirement there. There is a responsibility. You have to have the responsibility of really putting forth or participating in your conservation compliance plan. That is costly. It costs money. It costs a lot of money. But we are the stewards of the soil. We know that in terms of our responsibilities in reference to the farm program.

No farmer is going to comply with conservation compliance and go through all those costs in the strongest environmental bill we have had in the history of farm programs and then walk away from it. No farmer going through the terrible difficulty we are going through in the high plains with wind blowing and prairie fires and high prices and no crops is going to put the seed in the ground simply because of this payment. He is going to farm. Farmers farm.

Talk to the gentleman from Texas [Mr. STENHOLM] in regard to the weather stress and the infestation and what we are going through in terms of farm country. And in terms of when the payment is made, for goodness sake, 15 bushel of wheat at $5, and we are in a world of trouble in Kansas, 45 bushel of wheat at $3; and then we pay them a deficiency payment? We are better off under the old system.

We want to talk about saying oh, people do not live there on their farms? It is true that some of our more senior farmers somewhere moved to the county seat, and it is true they have rented out their ground. It is true that perhaps their son and daughter are farming. Big woop. I mean, that landlord has to share part of the risk of farming. If you take that away in terms of these payments, look at what will happen with the capitalized land values, look at what will happen in terms of investment in farm ground. We would be in a recession immediately.

So I guess in summing up, I would simply say to the gentleman from Massachusetts, who I have admired for many years for his eloquency, his sense of humor and pertinence, and maybe impertinence on some issues, and his friendship, that what he has basically done is just taken the current farm program and reduced it with no flexibility, and we have not reformed anything.

I do quarrel with his description in terms of the work requirement and in terms of the landlord-tenant relationship which would be completely discombobulated under his plan. I recognize his intention, and I share his view in regard to the entitlement programs in reference to AFDC, welfare reform, food stamps, et cetera, et cetera. We need to do better and we should.

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

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 4 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Chairman, I thank the gentleman from Massachusetts for yielding me time.

Mr. Chairman, I must say I will confess that I know very little about farming, that I was born and raised in the city, and as I listen to this debate I am reminded of P.J. O'Rourke's book about the farm program. I almost wanted to bring P.J. O'Rourke's book down here and read it, because he was saying this is probably one of the most difficult things for Americans to track as you listen to all these different programs being thrown around.

But I must say, as a consumer, I used to knock the farm programs. But I must say I have really appreciated them because as we went through those terrible floods in the Midwest a couple of years ago and we have eaten up an awful lot of our surpluses and all sorts of things, I never felt terrific price increases in the grocery store. In almost every other country, if you had the kind of floods we had in the Midwest, that literally knocked out everything, or you had some of the disasters we had—remember, or you had some of the disasters we had—remember, there were about 2 years where you thought there was a fast breeder disaster reactor. And yet our farm programs kept prices level for people like me who go to buy milk and bread and everything.

As I listened to this debate going on on the floor, the thing that troubles me so much is what I understand from this freedom to farm thing is you also have the choice of the freedom not to farm; to farm or not to farm, that is the question. It does not make any difference, you get paid either way.

That, as a consumer, really troubles me. As a taxpayer, if I am going to be asked to sustain this program, OK, now I understand why it applies to me. It kept food prices even in great disasters, and I think that has been the genius of many of my colleagues who sit on the Committee on Agriculture, even though I do not understand it. They have figured out a way to do all of this, to keep things fairly level when we go through all of the things we cannot control, such as the weather and everything else.

So I get that. But why would we have a program come up that would say to people you can all be like Sam Donaldson and his sheep. You know, Sam Donaldson, you cannot see him as the little shepherd out there, but he gets paid. Now, why are we taking the Sam Donaldson sheep program and applying it to all of these other programs so you, too, will get paid whether or not you put your crop in? That really bothers me about this. I think we are going to have a lot of trouble, if we were to pass, this explaining that to the American consumer.

Yes, an insurance policy. But this begins to look more and more like welfare, except it is welfare that is not even means tested. I mean, my other understanding, if the gentleman from Massachusetts is correct, I believe I heard the gentleman from Missouri saying that there was no means test on this. Is that correct?

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Mr. FRANK of Massachusetts. Mr. Chairman, will the gentlewoman yield?

Mrs. SCHROEDER. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, if the gentlewoman will allow me, not only is there no means test, there is an antimeans test. The more money you are making under the program generally, the more you will get. So it is the reverse. The wealthier you are, the more prosperous, the bigger your crop certainly, the more money you get. It is an antimeans test.

Mrs. SCHROEDER. Mr. Chairman, I thank the gentleman for that.

What I am really trying to say is, while the farm programs may need some adjustment and they may need to be changed, everything always kind of needs to be changed and tinkered with to fit the modern day.

I think if we go this entirely opposite way so we suddenly start paying people not to farm and not having the means test instead of doing the absolute reverse of it, when consumers figure this

our, they are going to think we are absolutely nuts. So certainly if we are going to have a farm program, let us have one that encourages farming, that rewards hard work, that fits with the American concept of what we are supposed to be doing, rather than one that looks more like a welfare program for the biggest landowners such as the Sam Donaldsons, who can decide what they want to do.

It makes no difference. They get paid anyway. That makes no sense to me and I do not think it is going to make sense to anybody else who is out doing their grocery shopping and paying their taxes.

The CHAIRMAN. The gentleman from Massachusetts [Mr. FRANK] has 5 minutes remaining; the gentleman from Texas [Mr. DE LA GARZA] has 9 minutes remaining; and the gentleman from Kansas [Mr. ROBERTS] has 3 minutes remaining.

Mr. DE LA GARZA. Mr. Chairman, I yield 2 minutes to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Chairman, I thank the ranking member for yielding time to me.

I rise in opposition to the amendment before us. The amendment squarely attacks a safety net for family farming agriculture.

Why is there a compelling need to have a safety net for family farming agriculture? It gets down to the fundamental economics of agriculture production. At the beginning of a crop year, a family farmer will have literally hundreds of thousands of dollars exposed, seed, feed, fertilizer, equipment, land costs. There are two risks threatening this massive investment, which for many family farmers is literally everything they own: the risk of lost production or the risk of market price collapse.

The only farmers that can sustain the risk of market price collapse over the long haul are farmers with huge capital reserves. Those are not family farmers like family farmers where I come from. Those are huge corporate farms dramatically changing the face of agriculture production in this country and ultimately eliminating family farming as we have known it.

May we say family farming, it is an idea whose time has come and gone. We have got to move forward. Wait a minute. Food production in this country has given our consumers the highest quality, the greatest abundance and the lowest price of any country in the western world. Our approach at farm policy works and it has worked very, very well.

I oppose the approach of the amendment, which would eliminate the safety net and eliminate family farms. I have the very same reservations about the bill, which ultimately eliminates the safety net and will eliminate family farms, but just because I have serious reservations about the bill does not mean the amendment is any better. In fact, the amendment is even worse. I urge its opposition today.

Mr. ROBERTS. Mr. Chairman, I yield myself such time as I may consume. I do not intend to take long so we can move to a vote on the gentleman's amendment.

I would just point out, in response to the gentlewoman from Colorado, who might want to visit with the assistant secretary of trade for agriculture, Secretary Schroeder, that we are spending 50 percent less under this bill than the previous bills, that we do provide conservation compliance for 7 years. The farmer is not going to leave the farm when he has to maintain the conservation compliance. I think we will have more crop land in production. As a result, our consumers will probably spend less than a dime of their disposable income dollar for the very valuable market basket of food. And we have reduced the payment that is being made available to farmers from 50,000 down to 40,000. That is a 20-percent drop. We currently have something called zero 85 and zero 92 in current farm program law. I know that is very difficult to understand from the nonagriculture sector, but it allows the farmer to let the ground lay fallow for environmental purposes. Out in my country, we do not get much rain so there are some years that the farmer would like to have the ground lay fallow. It is called summer fallow.

That is why we have the program that if you say, OK, if you let the ground lay fallow and you improve your conservation practice, you get 85 percent or 92 percent in regards to your payment. Some program, it is an environmental program. Farmers are not simply going to walk off the farm and not farm in regards to these payments.

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

Mr. DE LA GARZA. Mr. Chairman, for the reasons already delineated, I oppose the amendment, and I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Chairman, I would just like to take a couple of minutes to point out something, I think, for Members who have not served on the Committee on Agriculture and do not know that much about farm legislation. The old adage has been said here that this bill is basically a freedom to farm. Under the present law, under the law that we have had ever since I have been here for 19 years, every farmer has had a right to farm or not to farm. Every farmer has a right to not follow the provisions that we have put in this bill. He just does not get the payments.

I have a lot of farmers that do not participate in the program. They do not have to participate. No farmer has ever had to participate. There is no requirement that any farmer participate in the current program. If he does participate, the Government just says you have to do certain things. And if you do those things, then you may be entitled to a payment, depending on what the prices are in the marketplace. That is all it has been. That is all it ever was. So every farmer has had that right to freedom to farm.

The only thing, the difference between that program and this program basically is what the gentleman from Kansas wants to do is basically you do not have to farm and you still get your payment. That is what bothers me. It is not a little payment. We are not talking about $500 a month. We are not talking about $3,000. We are talking about up to $80,000. If you have a marketing loan for cotton, you are talking about $230,000 in 1 year. You are talking about farmers out here in certain parts of this country that are going to get up to $1 million over 7 years, and they do not even have to farm. That does not make sense to me, folks. It really does not, especially when we are cutting back on school lunch programs. We are cutting back on AFDC. We are cutting back on food stamps for needy kids to eat, and we are going to tell wealthy farmers, wealthy investors, some of which are in New York, that you do not have to farm and we will give you $80,000, $90,000, $100,000 a year for the next 7 years. I just do not think that is the way you do agriculture policy.

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

My friend from Kansas said this is not freedom from work. Of course, farmers are among the hardest working people in this society. And the majority of people in this program will continue to work hard. But it is uncontestable that this bill will not require them to.

If there are people who have decided they have had enough, if there are people who have decided they want to do something differently, they can, and they do not have to do any farming. The owner of the land will get these payments no matter what happens on the land. That is uncontestable.

As a matter of fact, let me give you the analogy. Members have said, you have to have a transition. We need to change the existing status quo. It would mean instead of doing term limits, you would do a program called freedom to legislate. And under freedom to legislate, any sitting Member of Congress right now would be entitled to the congressional salary on a slightly declining base for the next 7 years whether you ran or not. You could run for Congress and get your salary, or you could not run for Congress and get your salary. Most Members of Congress would probably want to run, as most farmers would like to farm. But those Members of Congress who would like to use their freedom to legislate to not legislate, sit home and collect the money would be able to do so. The freedom to legislate bill would make exactly as much sense as the freedom to farm bill. It would be a way to transition down, move some Members out and pay them to do absolutely nothing.

For those who might be so unkind as to suggest that we are now paying some existing Members to do absolutely nothing, I have nothing to say. But in fact for most Members who work very hard, the prospect of freedom to legislate might be very comfortable. So, yes, many farmers under this bill would be, if they got the money, able to continue, would continue farming.

On the other hand, the rationale for the agriculture programs, and this is the heart of this, is pay the farmers to do whatever they would otherwise do. This bill takes $35 billion in Federal money and says to farmers, some of whom are quite wealthy, some of whom are not, Here, do whatever you were going to do anyway. Grow whatever you want to grow; quit, if you want to quit. Whatever it is you with to do, you can do and you get the Federal money in addition. That makes it a welfare program.

The original notion in the farm programs, and they became, I think, distorted and should have been done away with, but they were, the Federal Government will pay you in return, in part for your doing certain things. It would supply management. I do not think it worked very well, but at least it was an effort to make it a quid pro quo.

What this says it, yes, we made a mistake, the Federal Government. We should not have been telling you what to do. Therefore, we will pay you anyway. This is a mistake. I hope the amendment is passed and, if not, the bill is defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. FRANK], as modified.

The amendment, as modified was rejected.

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 104–463.

AMENDMENT OFFERED BY MR. CHABOT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CHABOT: PAGE 48, AFTER LINE 17, INSERT THE FOLLOWING NEW SUBSECTION:

(l) EARLY TERMINATION FOR COTTON.—Notwithstanding subsection (a)(1), marketing assistance loans and loan deficiency payments under this section for upland cotton and extra long staple cotton shall be available only for the 1996, 1997, and 1998 crops of upland cotton and extra long staple cotton.

(m) EFFECT ON CONTRACT PAYMENTS OF MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS FOR UPLAND COTTON.—If a producer obtains a loan deficiency payment under subsection (e) with respect to upland cotton or receives a marketing loan gain under subsection (d) by reason of repaying a marketing assistance loan for upland cotton at a rate that is less than the loan rate established for upland cotton under subsection (b) and the producer is entitled to payments under a production flexibility contract, then the Secretary shall deduct the total amount of the loan deficiency payment or marketing loan gain from subsequent contract payments to be made to the producer. The Secretary shall make the deduction in equal installments over the remaining term of the contract.

The CHAIRMAN. Pursuant to the rule, the gentleman from Ohio [Mr. CHABOT] and a Member opposed each will be recognized for 15 minutes.

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

Mr. ROBERTS. Mr. Chairman, I ask unanimous consent that I be permitted to share the time allocated to me with respect to managing the debate on the amendment with the ranking minority member, the gentleman from Texas [Mr. DE LA GARZA], and that the gentleman from Texas [Mr. COMBEST] be designated as the majority Member responsible for controlling our respective time.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. CHABOT].

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

Mr. Chairman, this amendment, which I am pleased to offer along with my friend from Massachusetts, Mr. KENNEDY, will significantly reform taxpayer subsidies to cotton growers. As you know, the Cotton Program is the epitome of corporate welfare. Everyone involved with the Cotton Program gets a subsidy—except the taxpayers who foot the bill. The Cotton Program is an affront to hard-working American citizens who are forced to finance these corporate hand outs.

Since 1986, taxpayers have forked over an average of $1.5 billion each year to inflate the profits of producers. For every dollar that the cotton conglomerates made by selling their cotton, the taxpayers were forced to spend another 33 cents to support the Cotton Program.

Now, many believe that farm programs such as the Cotton Program benefit small farmers. That's simply not true: The Cotton Program benefits a few powerful special interests. The top 20 percent of cotton producers reap some 80 percent of the Cotton Program's benefits. And in 1993 alone, four of the largest cotton growers received more than $1 million in Government payments, while one cotton magnate received a staggering $4.4 million.

In fact, as the Environmental Working Groups points out, and I quote, ''the top 2 percent of cotton program recipients—just 2,776 very large farming operations—will each be eligible to earn nearly $419,999 over the next 7 years under the House bill. That amounts to an average of more than $59,800 per recipient per year for 7 years.'' So much for the argument that the Cotton Program helps ''small farmers.''

Moreover, many of those lucky few who get this Government hand out don't even live on a farm: Between 1985 and 1994, cotton producers who happened to live in Los Angeles reaped some $1.9 million in cotton payments, while cotton producers who lived in that small rural community on the Potomac—Washington, DC—took in some $138,169.

Now, if the Cotton Program isn't a glaring example of corporate welfare, then I don't know what is.

Here's how the Cotton Program works: Huge cotton agribusinesses are able to take taxpayer-financed loans which are set at a Government-established rate. If cotton prices are lower than this rate, then cotton growers pay back the loan at the lower market value, and not at the Government-established rate. In other words, cotton producers pocket the difference between the market value and the Government-established rate. In agribusiness circles, this is know as a marketing loan gain.

While this so-called gain is a boon to cotton producers, it is a significant loss to the taxpayer: Since 1992, these gains have cost taxpayers over $1.1 billion alone.

The Chabot-Kennedy amendment would eliminate this loss to the taxpayer, just as Chairman ROBERTS' original Freedom to Farm Act would have done.

Our amendment would do two things: First, we would stop allowing huge agribusinesses from taking these loans after 1998. Second, if these agribusinesses were to realize a gain in the remaining 3 years that they are eligible for these loans, the amount of the gain would be deducted from the cotton producers transition contract.

Efforts to reform the Cotton Program are supported by a broad coalition of groups including the National Taxpayers Union, Citizens Against Government Waste, Taxpayers for Common Sense, The Heritage Foundation, Friends of the Earth, Public Voice for Food and Health Policy, the Environmental Working Group, and the Competitive Enterprise Institute.

Mr. Chairman, I urge my colleagues' support for the Chabot-Kennedy amendment.

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

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

Mr. Chairman, I would point out that the subject is always usually discussed in terms of the boondoggle to huge corporate farms. The Marketing Loan Program has been one of the truly successful programs of the Cotton Program. It is ironic that it is available to every cotton producer. It is ironic that at a time that the previous amendment was defeated, which would have killed all farm programs, this amendment attempts to single out and effectively kill the farm program. It is also ironic that this amendment is being proposed to eliminate the market loan for cotton while the legislation that is before

us authorizes the same Marketing Loan Program for all other commodities, leaving, if this amendment were successful, only the Cotton Program that did not have it.

It was where the program began, and it has worked extremely well. Marketing loan moves cotton in the marketplace. It has been primarily responsible for the fact that today cotton for the last 2 years has set all-time highs, therefore having no Government payments at all, and the option to that would be having the Government buy and store that cotton. This is not a phaseout, it is an immediate kill, but it would leave all of the other programs still subject to marketing loan, and marketing loans, I might add, are still subject to payment limitations as they have been.

It has been a very successful program, Mr. Chairman. It is unfortunate that a number of people who have absolutely no concept of how the program works want to be the ones that want to try to kill it.

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

Mr. CHABOT. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. Chairman, I would like to compliment the gentleman for his great work in this area. I know that he wants to get rid of some of these corporate boondoggles.

Mr. KENNEDY of Massachusetts. Mr. Chairman, first of all, let me thank my friend, the gentleman from Ohio [Mr. CHABOT], who is I think doing a tremendous job at trying to identify ways that we can cut back on some of the excess Government spending. As we both support a balanced budget, it is important that we go through all of the programs that we are spending billions of dollars on and try to find where there is potential waste and abuse, and I appreciate the efforts that he has made in making certain that this particular issue of the additional largess which we are providing to cotton farmers, that goes well beyond any of the other farming communities in this country, is brought to light and given a vote, and I appreciate the gentleman's efforts.

Cotton may be the fabric of our lives in all those TV commercials, but this program is turning the lining of the pockets of pleated pants-wearing plantation magnates into gold. Whereas we once had over a million cotton producing farmers, we now have roughly 147,000. That small family farmer that grows cotton by and large does not even participate in the Federal Government farm program that we are targeting. Instead, the Cotton Program has become a Government guaranteed entitlement program for large and wealthy cotton farmers.

I know that reforms in the Marketing Loan Program were attempted originally by the chairman of the Committee on Agriculture, the gentleman from Kansas [Mr. ROBERTS] and he is quite sincere in his interests to reduce Government involvement in the Agriculture Department and to move to a freer market. But regardless of one's position on the bill, we almost recognize the hard and sincere efforts that the gentleman from Kansas, Chairman ROBERTS, is making in trying to make our farms come through to the 21st century.

Nonetheless, this bill has a special goodie planted in the small lines in the wording of the legislation, which has grown into a rather large ''we.'' The Cotton Program with this goodie represents the fleecing of the American taxpayer. The Marketing Loan Program for cotton extends taxpayer-financed marketing loans to cotton farmers and creates a situation where the U.S. taxpayer may be left exposed to unlimited liability and likely to total into the billions of dollars.

Why should we create a program where right now the Cotton Program does not even cost the taxpayer money this year, but what we are going to do is provide $700 million next year, another $700 million the year after that? But that is not good enough. That is what all the programs are going to get under the buyout that Chairman ROBERTS has provided. One thing we are going to do is we are going to reach back in and provide a special Marketing Loan Program like no other in the country.

Now, it could be argued, and I am sure it will, that the Marketing Loan Program is an important aspect assisting cotton farmers in this country. And maybe what we ought to do is do what the gentleman from California [Mr. DOOLITTLE] says, which is go strictly to a Marketing Loan Program. But to try to get both the Marketing Loan Program and the 650 or 700 million dollars at the same time is tantamount to just reaching into the back pocket of the taxpayers of this country without having any regard for the reasonableness with which $700 million is currently being appropriated.

I think that it is time that we stand up and say that we are interested in helping small farmers. But if we look at where the money goes in this program, it does not go to small farmers. The vast majority of the funds in this program go to the wealthiest farmers in this country, and we ought to wean ourselves off of dependence of the wealthiest farmers.

Corporate America can take care of itself, but let us not go after poor welfare mothers and then not go after corporate welfare, and that is what this bill does not if we do not reform the cotton program.

I appreciate the gentleman's efforts, and I look forward to continuing to work him on this and other issues.

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

Mr. DE LA GARZA. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Chairman, sometimes it is difficult to sit here on the floor and to truly understand what it is that who is amending and for what purpose.

This is not a newly created program. In 1985, we had seen the cotton industry in the United States deteriorate to an alarmingly low level, and it was recognized that unless we found a way to be competitive in the international marketplace, that it was going to continue to deteriorate, and therefore the market loan was put into place. And it has been very, very successful, so successful that the gentleman from Massachusetts was correct a moment ago when he said it was going to cost zero this year.

That has been one of the things that has puzzled me about why we are changing such a successful cotton program to the degree that we are.

But the bottom line here is if we have something in place that is working, why would we want to change it?

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. STENHOLM. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, is it not true that right now the program, as was said, is not costing the taxpayer any money? Is it not true that under the compromise that the gentleman from Kansas, [Mr. ROBERTS] worked out that there will be a payment of about $650 to $700 million made to cotton farmers this year?

Mr. STENHOLM. No, sir; if I can reclaim my time, only if the market drops and it is required to maintain a competitive position in the international marketplace, which no one foresees for this year and, in fact, into next year.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman further yield?

Mr. STENHOLM. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Did that, in fact, occur in years 1992, 1993, and 1994?

Mr. STENHOLM. I am happy to respond to the gentleman. The gentleman from Ohio made some of the most outlandish statements regarding the costs and the aspects of this that I could possibly hear. If we are concerned about fiscal responsibility of the cotton program, let us look at the record from the 1990 farm bill. From 1991 to 1995, we have expended a total of $5.9 billion, an average of $1.2 billion per year. Under the proposal that we are now looking at for the next 7 years, it is proposed to cap that spending. It was not capped in 1992 to 1995, but we will cap that spending at $4.1 billion, or an average of $600 million per year.

Now, that is a 50-percent cut.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. STENHOLM. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. I appreciate the gentleman yielding, and

I do not pretend to be an expert on farming, but it does seem to me that we are now talking about a program that used to work on some kind of market-related issue that was mandated by Federal law that is now being converted to a guaranteed payment of $650 to $700 million a year.

Mr. STENHOLM. If I could reclaim my time, the gentleman admitted a moment ago he did not know much about agriculture and farming, and I respect that because I do not pretend to know a lot about other areas of programs that come before this body. But I do know something about the cotton industry, and the purpose of this program was to see that our cotton industry can compete in the international marketplace. If I were to stand here today and say I have a bill before the House that will enable a $122 billion industry in the United States to set records for production, consumption, export, price, investment, and job creation over the next 5 years, we both would be supporting it. I do not understand why you are opposing it.

We have the most successful program for cotton in the history of the cotton program because it allowed us to do the one thing that we need to do, and that is, compete with subsidies from other countries.

Mr. KENNEDY of Massachusetts. Will the gentleman yield to me?

Mr. STENHOLM. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. The gentleman is getting it both ways. The fact of the matter is, we are going to get the guaranteed payment like no other crop except rice in this bill, going to get the guaranteed payment of $650 and $700 million out of the Government, then we are going to come back through the back door and we are going to get another marketing loan program grant. What is the problem?

Mr. STENHOLM. If I can reclaim my time, the only way there will be an expenditure for any other amount of money is if the world market price collapses and we need again to maintain the industry in a competitive position in the world marketplace.

Mr. COMBEST. Mr. Chairman, I yield 1 additional minute to the gentleman from Texas [Mr. STENHOLM], and I ask him to yield to me as well.

Mr. STENHOLM. I am happy to yield to the gentleman from Texas.

Mr. COMBEST. Mr. Chairman, I would like to have the gentleman concur in this comment. One of the concerns we have heard throughout a lot of the discussion is the fact that there are payments being made for doing nothing. There are no marketing loan payments being made for doing nothing. A farmer has to produce. The cotton has to be produced, the cotton has got to move into the marketplace, and as the gentleman from Massachusetts said in his statement, there has been no cost for the program. The program is working.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. STENHOLM. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. As I understand it, we are going to take 12 percent of the freedom to farm funding as, you just mentioned, $5 billion. That roughly equates to about $650 million. That $650 million goes to these farmers whether they grow or not, first.

Second, the truth of the matter is that that is not good enough. That is what everybody else gets. Where the gentleman is going to go is, he is going to reach in and get the marketing loan program as well, going to double it.

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Mr. COMBEST. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. THOMAS].

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

I would tell Members that most of the amendments we are going to be looking at over the next hour or so are really ill-advised. It is ironic that at a time we have a bill on the floor in which we are finally phasing out Agriculture subsidies, that people want to jump in, and for whatever reason they are offering these amendments, to score points somewhere for somebody.

The only factual statement I have heard since I have been on the floor was the gentleman from Massachusetts [Mr. KENNEDY] admitting that he did not understand farming. That I will agree with. Everything else I have heard is absolutely ridiculous. This is a program tied to the world price of cotton. It is a 5-year loan structure. Drop the high year, drop the low year, and average the rest. It was revolutionary when it was presented. What it does is guarantee that we can compete in the world marketplace.

We had no bale carryover last year because we were successful against the other subsidized countries in a product that is fought over in the world. This program is going to be phased out. Just sit back and watch it, something that the Members on the other side of the aisle never ever delivered when they were in the majority.

Mr. Chairman, what this is, is an attempt to go after one particular commodity when all the other commodities have loans as well in a phase-down period, and what we ought to do is let the gentleman from Kansas [Mr. ROBERTS] the chairman of the Committee on Agriculture's program work.

This is an ill-advised amendment. It is an opportunity to utilize a lot of loaded words to characterize a program which, frankly, has been very beneficial to the United States in the world market.

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

Mr. Chairman, the cotton program, as well as many of the other commodity programs, were originally devised during the Depression. These things were supposed to be temporary, as many of the things which came into law during the Depression years were supposed to be temporary.

We have a program which is supposed to benefit relatively small cotton farmers. The fact of the matter is, as I stated before, 80 percent of the benefits go to the top 20 high-income agribusinesses, cotton farmers in this country. The money is corporate welfare. That is where it is going. I want to be very up front here. What I would have preferred to do and what I also offered with the gentleman from New York [Mr. OWENS] is to eliminate all farm subsidies, all price supports, altogether, 1 year after that bill passed.

We are not going to get there right away. This is one step. This is an improvement in this particular farm bill, and I hope this amendment passes.

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

Mr. Chairman, unfortunately, we are not going to have enough time to correct all of the misstatements. This cotton program was not started in the Depression. It began in 1985 and has been one of the most successful programs we have.

Mr. Chairman, I yield 15 seconds 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 gentleman for yielding time to me.

Mr. Chairman, I rise today in the strongest possible opposition to the Kennedy-Chabot amendment, which eliminates one of the greatest success stories in American agriculture. As a matter of fact, it is hard to understand why two so well-motivated legislators as the gentleman from Massachusetts [Mr. KENNEDY] and the gentleman from Ohio [Mr. CHABOT] would offer such a thing.

Mr. Chairman, I rise today in strong opposition to the Kennedy-Chabot amendment which eliminates one of the greatest success stories in American agriculture. The cotton marketing loan is the single most market-orientated, competitive agricultural program to ever be written in any measure.

I need only share a few examples to highlight the frivolous nature of this amendment. Since implementation of this program, domestic mill consumption has increased, world market share has increased, world exports have increased, and related U.S. economic activity has increased.

This all adds up to Jobs. The Cotton Marketing Loan Program has proven successful even in the face of the unprecedented disruption in the global cotton market caused by the break-up of the former Soviet Union. How can one argue with this success and the jobs this program has created?

Domestic cotton production does not drive the world cotton market, but the cotton marketing loan has allowed our Nation's family cotton farmers to compete toe-to-toe against heavily subsidized competition in the global marketing arena. The jobs created by this program are a great example of the link between domestic farm production and our domestic manufacturing production base.

In these tepid economic times, this body must be doing everything reasonable to create

jobs—not leave farmers, textile mill workers, and various agribusinesses to name only a select few—out in the cold.

Matter of fact, this program has done so well in creating jobs and making a domestic industry competitive against foreign competition that other farm industries are seeking to copy it. How can one argue with this success?

I urge my colleagues to stand behind American jobs, stand with American workers, and farmers and reject this amendment.

Mr. CHABOT. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, the cotton program was started back in the Depression. This particular marketing loan program was started back in 1985. This is just one among many programs that started back in the Depression that we are still living under, we are still getting ripped off.

Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Chairman, I appreciate the gentleman yielding time to me.

Mr. Chairman, the gentleman from California [Mr. THOMAS] just made a statement on the floor of the House suggesting that this program was like every other program. I admit that I am not an expert on farm programs, but I wonder why we cannot enter into a legitimate debate about the fact that no other commodity has this particular benefit of the marketing loan program, except rice. Every other commodity has to flow to the free market price, and if the market goes down, the farmer makes up the difference and gets some help from the government.

But in the marketing loan program, unlike all the other programs, there is an additional benefit. That benefit has not cost the taxpayer money this year because the price of cotton has skyrocketed, but the truth of the matter is over the course of the last several years, the price of cotton has been so far below what it is today that it has cost the American taxpayer over $1.5 billion.

What we are trying to do here is prevent that kind of fleecing of America, that kind of situation where people get an additional benefit that is in the fine print. OK, maybe everybody in America is not such an expert on this, but maybe it requires somebody who is not such an expert to go through this bill and to make certain that somebody is not getting something for nothing, which is what the marketing loan program is about.

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

Mr. KENNEDY of Massachusetts. I yield to the gentleman from California.

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

I go back to the discussion of this loan versus the other loans. When it was created in the 1980's, not in the 1930's, it was tied to the actual price of the product. All of the other loan programs were tied to artificial cost-of-production models, which do not have any relation to the real world. It is ironic that the gentleman chose the loan program that is tied to the real-world price of the commodity, and all the other loan programs are tied to fictitious numbers.

Mr. KENNEDY of Massachusetts. Reclaiming my time, Mr. Chairman, I talked to a cotton farmer in this institution, the gentleman from California [CAL DOOLEY] and he said maybe we should go to the marketing loan program, but then you get rid of your other $650 million. What you want is both. You want the $650 million and you want the marketing loan program, and that is a ripoff, I would say to the gentleman from California [Mr. THOMAS]. That is a ripoff.

Why do we not do it? If you want to go back to marketing loans and do it truly based on the real price of the world market, I am happy to do it, but do not come in here pretending like you are an expert and suggesting that because you are an expert, you get to fleece the American taxpayer, which what is going on here.

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

Mr. DE LA GARZA. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DOOLEY].

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

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

Mr. Chairman, I rise in strong opposition to this amendment, because I think in fact we should be moving toward the marketing loan. The marketing loan is a market-based mechanism that provides a safety net to farmers. It has worked in the past when commodity prices have dropped. It has provided a level of income protection to farmers that have ensured that we have not have widespread bankruptcies in the cotton sector.

What I think the gentlemen who are offering this amendment should be opposed to, which really is a fleecing of America, is the $700 million in freedom to farm payments that are going to be made to cotton farmers next year, when we have the opportunity today to lock in a cotton price in the December futures that is ahead of the target price. That is what is the fleecing of America, a program that is being offered under the freedom to farm that is going to ensure taxpayers are going to be on the hood for $700 million in direct payments.

The marketing loan is where we should be, because the marketing loan does provide that level of safety net, the level of protection that is market-based. That is the direction we ought to be going in.

Just last year, for an example, the cotton program only cost the taxpayers of this country $29 billion. Next year when we are going to have almost identical cotton prices in this country under the freedom to farm, we are going to be making payments from taxpayers of $700 million to cotton farmers. That is wrong. But the marketing assistance loan is an important tool that ought to be maintained.

The fact, in the freedom to farm proposal, there is a marketing loan that is provided for all commodities. Under this amendment, what you would be doing is that you would be eliminating cotton as being the only commodity that did not have a marketing loan. That would be a bad policy.

Mr. CHABOT. Mr. Chairman, I yield 1½ minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Chairman, I would very much like to suggest that the program which the gentleman from California [CAL DOOLEY] just suggested is in fact probably the direction that we ought to be going with in regard to cotton policy in this Congress. That policy is not going to come to be.

What is going to come to be is a $700 million giveaway to cotton farmers next year for producing the exact same amount of cotton they produced this year without a subsidy, and they are going to get a marketing loan program to boot. What we ought to be doing is we ought to be looking at transitioning to a free-market economy. That is what the suggestion of the gentleman from California [Mr. DOOLEY] would do.

Because we cannot get that accomplished, the gentleman from Ohio [Mr. CHABOT] and I have an amendment that would knock out some of the guaranteed payments that are going to be paid to the cotton farmers, 80 percent of which are going to the richest cotton farmers in the century, send a message to the cotton farmers, send a message to the so-called experts who are fleecing this country that it has to come to an end; that $700 million this year for cotton that was produced last year without a penny worth of subsidy is enough. We do not need a marketing loan program on top of the $700 million.

Mr. COMBEST. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. LUCAS].

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

Mr. LUCAS. Mr. Chairman, this amendment to rip the heart out of the current cotton program represents probably the greatest step backwards in American industrial policy that any Member of Congress has proposed in many years. This amendment would pull out the cornerstone of the most successful Federal agricultural program any Congress has ever designed. In a sea of failed agriculture policy, the current cotton program is a program that truly works. Both the American taxpayer and the cotton industry can point to its success.

Following the lean years in the 1980's cotton's marketing loan has revitalized our country's most important industries. We have gone from an ''also ran'' in the world cotton market to a market leader. As world demand increases,

the cotton industry's positive influence on the U.S. economy will only grow. We should not take any congressional action that will inhibit this growth. This amendment most assuredly would. I would urge its defeat.

Mr. COMBEST. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. CHAMBLISS].

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

Mr. CHAMBLISS. Mr. Chairman, today I rise in support of cotton farmers throughout the country and urge my colleagues to oppose the Chabot-Kennedy amendment. I agree with the gentleman from Massachusetts [Mr. KENNEDY] that we ought to be moving towards market-oriented farm programs, and that is what we absolutely have with the current marketing loan program in the cotton industry.

Quite simply, farmers took the risk during the 1980's to set up the marketing loan program, despite comments from critics that it would not work. But it has worked, and every other commodity is now seeking to emulate the marketing loan program of the cotton industry, because when prices are high, there is no marketing loan program. There is no need for it. But in times when cotton industry prices are low, there is a need for this loan program, and that is when it is activated.

I really do not understand why we are picking on cotton today. Cotton has created some 350,000 clean, good jobs in the United States. The retail value of the end products exceed $122 billion annually. It is the cornerstone of one of the great industries in this country, the textile industry. We contribute generously to the export of this country. I urge the defeat of this amendment.

The CHAIRMAN. The Chair advises that the gentleman from Texas [Mr. DE LA GARZA] has 1½ minutes remaining, the gentleman from Ohio [Mr. CHABOT] has one-half minute remaining; and the gentleman from Texas [Mr. COMBEST] has 1 minute remaining, and has the right to close.

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

Mr. Chairman, this program continues at really great expense to the consumers and the taxpayers. Our amendment is pro-taxpayer, it is pro-free market, and I want to emphasize again, the groups that support this are Friends of the Earth, the Public voice for Food and Health Policy, the Environmental Working Group, the National Taxpayers Union, the Heritage Foundation, the Competitive Enterprise Institute, the Council for Citizens Against Government Waste, and the Taxpayers for Common Sense.

Mr. Chairman, I think this is a very good amendment. It would be a good addition to the farm bill. I would urge its passage.

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

Mr. STENHOLM. Mr. Chairman, again, the gentleman from California [Mr. DOOLEY] made the most relevant argument. This amendment goes at exactly the wrong target. The market loan has worked very, very well. It is not a guaranteed payment. To hear that this is a guaranteed payment, there are no projected costs for the market loan program this year, because the price of world cotton is way above the loan. Therefore, there are no projected costs.

□ 1700

But it is the purpose of having the program in place, like a few years ago with the collapse of the former Soviet Union; when that collapsed, there was a tremendous increased volume of cotton on the market. At that point in time, had it not been for the market loan, we would have seen depression prices in the cotton market in the United States. But because the market loan was there, yes, it cost some money. It cost some money, but it worked for the purposes of an industry that is providing tens, if not hundreds of thousands, of jobs in the United States.

This amendment is targeted, the rhetoric at least that I have heard today, is targeted at the wrong area. If you are concerned about the National Taxpayer Union and spending, this bill that we are talking about today cuts 50 percent from what was spent over the last 5 years. That is a pretty good record for any program I know.

Mr. DE LA GARZA. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, when I came here, we had a 16 million bale carryover. The world was in complete disarray. Mexico was afraid we were going to dump. We had tremendous problems. Then we came up with this type of program.

I was in Korea about that time when they told me with very much pride, ''Look, this is Texas cotton, Texas cotton.'' We started losing that market, then this program came along. It has doing what it was intended to do.

Unfortunately, many of our colleagues only aim at areas outside their area for market cuts. But this has been a good program. It has helped, and I can attest to that fact.

Mr. COMBEST. Mr. Chairman, I yield the balance of my time to the gentleman from Texas [Mr. THORNBERRY], who represents the largest per-acre cotton produced in this country in any congressional district.

Mr. THORNBERRY. Mr. Chairman, when we look at all the different approaches that have been tried in agriculture since the 1930's, I think the marketing loan has got to be one of the most successful and it seems to me silly to throw out one of the things that has worked the best. If we looked at the estimates, better than 90 percent of the cotton that trades on the world market has some sort of price support or subsidy of one kind or another.

When we look at the amount of agriculture that we produce in this country, about one-third is generally exports, but about half the cotton is exported.

Our key competitors in cotton are the centrally planned economies, like the Soviet Union, former Soviet Union, and China. In that environment, our cotton exports have gone up from about 2 million bales to about 7 million bales under the marketing loan program when we are competing against countries like that.

The marketing loan has allowed us to compete with these other countries without big government costs, without costing the taxpayers a lot of money. If we have a program like that that moves the commodity, does not incur storage costs and yet allows us to compete in the world market, why would we not want to do more of it? As a matter of fact, that is exactly what his underlying bill does. It expands it to other commodities.

The amendment should be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. CHABOT).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 167, noes 253, not voting 11, as follows:

[Roll No. 33]

AYES—167

| | | |
|---|---|---|
| Ackerman | Ford | Menendez |
| Allard | Fox | Metcalf |
| Andrews | Frank (MA) | Meyers |
| Archer | Franks (CT) | Mica |
| Armey | Franks (NJ) | Miller (FL) |
| Baker (CA) | Frelinghuysen | Minge |
| Barr | Frisa | Moakley |
| Barrett (WI) | Gejdenson | Molinari |
| Bass | Goodling | Moran |
| Becerra | Goss | Morella |
| Bereuter | Greenwood | Nadler |
| Berman | Gutierrez | Neumann |
| Bilbray | Hall (OH) | Ney |
| Bilirakis | Hancock | Obey |
| Blute | Harman | Olver |
| Borski | Hinchey | Owens |
| Brown (OH) | Hobson | Packard |
| Brownback | Hoekstra | Pallone |
| Bunn | Hoke | Paxon |
| Buyer | Hostettler | Payne (NJ) |
| Campbell | Jackson (IL) | Petri |
| Cardin | Jacobs | Porter |
| Chabot | Johnson, Sam | Portman |
| Christensen | Kasich | Pryce |
| Clay | Kelly | Quinn |
| Collins (MI) | Kennedy (MA) | Ramstad |
| Conyers | Kennedy (RI) | Reed |
| Cox | King | Rohrabacher |
| Coyne | Klink | Ros-Lehtinen |
| Crane | Klug | Roukema |
| Cremeans | LaFalce | Royce |
| Cunningham | Lantos | Rush |
| Davis | Largent | Salmon |
| DeFazio | Lazio | Sanford |
| DeLauro | LoBiondo | Saxton |
| DeLay | Lofgren | Scarborough |
| Deutsch | Longley | Schaefer |
| Doyle | Lowey | Schumer |
| Duncan | Luther | Seastrand |
| Ehrlich | Maloney | Sensenbrenner |
| Engel | Manzullo | Serrano |
| English | Martini | Shaw |
| Ensign | Mascara | Shays |
| Eshoo | McHale | Smith (NJ) |
| Fawell | McInnis | Smith (WA) |
| Flanagan | McIntosh | Souder |
| Foglietta | McNulty | Stark |
| Forbes | Meehan | Stearns |

| | | |
|---|---|---|
| Stockman | Upton | Weldon (PA) |
| Studds | Velazquez | White |
| Stupak | Vento | Wolf |
| Talent | Visclosky | Yates |
| Tate | Waldholtz | Young (FL) |
| Tiahrt | Wamp | Zeliff |
| Torkildsen | Waters | Zimmer |
| Torres | Waxman | |

NOES—253

| | | |
|---|---|---|
| Abercrombie | Funderburk | Murtha |
| Bachus | Gallegly | Myrick |
| Baesler | Ganske | Nethercutt |
| Baker (LA) | Gekas | Norwood |
| Baldacci | Gephardt | Nussle |
| Ballenger | Geren | Oberstar |
| Barcia | Gibbons | Ortiz |
| Barrett (NE) | Gilchrest | Orton |
| Bartlett | Gillmor | Oxley |
| Barton | Gilman | Parker |
| Bateman | Gonzalez | Pastor |
| Beilenson | Goodlatte | Payne (VA) |
| Bentsen | Gordon | Pelosi |
| Bevill | Graham | Peterson (FL) |
| Bishop | Green | Peterson (MN) |
| Bliley | Gunderson | Pickett |
| Boehlert | Gutknecht | Pombo |
| Boehner | Hall (TX) | Pomeroy |
| Bonilla | Hamilton | Poshard |
| Bonior | Hansen | Quillen |
| Bono | Hastert | Radanovich |
| Boucher | Hastings (FL) | Rahall |
| Brewster | Hastings (WA) | Rangel |
| Browder | Hayes | Regula |
| Brown (CA) | Hayworth | Richardson |
| Brown (FL) | Hefley | Riggs |
| Bryant (TN) | Hefner | Rivers |
| Bunning | Heineman | Roberts |
| Burr | Herger | Roemer |
| Callahan | Hilleary | Rogers |
| Calvert | Hilliard | Rose |
| Camp | Holden | Roth |
| Canady | Horn | Roybal-Allard |
| Castle | Houghton | Sabo |
| Chambliss | Hoyer | Sanders |
| Chapman | Hunter | Sawyer |
| Chenoweth | Hutchinson | Schiff |
| Chrysler | Hyde | Schroeder |
| Clayton | Inglis | Scott |
| Clement | Istook | Shadegg |
| Clinger | Jefferson | Shuster |
| Clyburn | Johnson (CT) | Sisisky |
| Coble | Johnson (SD) | Skaggs |
| Coburn | Johnson, E. B. | Skeen |
| Coleman | Johnston | Skelton |
| Collins (GA) | Jones | Slaughter |
| Combest | Kanjorski | Smith (MI) |
| Condit | Kaptur | Smith (TX) |
| Cooley | Kennelly | Solomon |
| Costello | Kildee | Spence |
| Cramer | Kim | Spratt |
| Crapo | Kingston | Stenholm |
| Cubin | Kleczka | Stump |
| Danner | Knollenberg | Tanner |
| de la Garza | Kolbe | Tauzin |
| Deal | LaHood | Taylor (MS) |
| Dellums | Latham | Taylor (NC) |
| Diaz-Balart | LaTourette | Tejeda |
| Dickey | Laughlin | Thomas |
| Dicks | Leach | Thompson |
| Dingell | Levin | Thornberry |
| Dixon | Lewis (CA) | Thornton |
| Doggett | Lewis (GA) | Thurman |
| Dooley | Lewis (KY) | Torricelli |
| Doolittle | Lightfoot | Towns |
| Dornan | Lincoln | Traficant |
| Dreier | Linder | Volkmer |
| Dunn | Lipinski | Vucanovich |
| Durbin | Lucas | Walker |
| Edwards | Manton | Walsh |
| Ehlers | Martinez | Ward |
| Emerson | Matsui | Watt (NC) |
| Evans | McCarthy | Watts (OK) |
| Everett | McCollum | Weldon (FL) |
| Ewing | McCrery | Weller |
| Farr | McDade | Whitfield |
| Fattah | McDermott | Wicker |
| Fazio | McHugh | Williams |
| Fields (LA) | McKeon | Wilson |
| Fields (TX) | Meek | Wise |
| Filner | Miller (CA) | Woolsey |
| Flake | Mink | Wynn |
| Foley | Mollohan | Young (AK) |
| Fowler | Montgomery | |
| Frost | Moorhead | |

NOT VOTING—11

| | | |
|---|---|---|
| Bryant (TX) | Collins (IL) | Jackson-Lee (TX) |
| Burton | Furse | McKinney |
| | | Myers |
| | | Neal |
| | | Stokes |

□ 1724

The Clerk announced the following pairs:

On this vote:

Mrs. Collins of Illinois for, with Mr. Myers of Indiana against.

Ms. Furse for, with Ms. McKinney against.

Mr. LATHAM and Ms. RIVERS changed their vote from ''aye'' to ''no.''

Messrs. CONYERS, ALLARD, WHITE, HOBSON, MINGE, YOUNG of Florida, PAXON, SCARBOROUGH, CREMEANS, LUTHER, and QUINN, and Mrs. WALDHOLTZ, Mrs. SMITH of Washington, and Mrs. SEASTRAND changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Chairman, during rollcall vote Nos. 31, 32, and 33 on H.R. 2854, I was unavoidably detained at a funeral in the District. Had I been present, I would have voted on rollcall vote No. 31, ''no''; rollcall vote No. 32, ''no''; and rollcall vote No. 33, ''no.''

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 104–463.

AMENDMENT OFFERED BY MR. SHAYS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SHAYS: Page 51, strike lines 4 and 5, relating to the loan rate for quota peanuts, and insert the following:

(2) LOAN RATE.—The national average quota loan rate for quota peanuts shall be as follows:

(A) $610 per ton for the 1996 crop.

(B) $550 per ton for the 1997 crop.

(C) $490 per ton for the 1998 crop.

(D) $430 per ton for the 1999 crop.

(E) $370 per ton for the 2000 crop.

(F) $310 per ton for the 2001 crop.

Page 59, line 2, add at the end the following new sentence: ''Notwithstanding the loan rate actually in effect under subsection (a)(2) or (b)(1), for purposes of this subsection, the Secretary shall use a national average quota loan rate of $610 per ton and the loan rate for additional peanuts that corresponds to such national average quota loan rate.''.

Page 61, strike lines 16 and 17, relating to the effective period of the peanut program, and insert the following:

(h) CROPS.—Subsections (a) through (f) shall be effective only for the 1996 through 2001 crops of peanuts. For the 2002 and subsequent crops of peanuts, the Secretary may not make price support available, whether in the form of loans, purchases, or other operations, to peanut producers by using funds of the Commodity Credit Corporation or under the authority of any law.

Page 61, beginning line 18 through line 10 on page 63, strike ''2002'' all six places it appears and insert ''2001''.

The CHAIRMAN. Pursuant to the rule, the gentleman from Connecticut [Mr. SHAYS] and a Member opposed will each be recognized for 20 minutes.

Mr. ROBERTS. Mr. Chairman, I ask unanimous consent that I be permitted to share the time allocated to me with respect to managing the debate on this amendment with the ranking minority Member, the gentleman from Texas [Mr. DE LA GARZA], and that the gentleman from Illinois [Mr. EWING], the chairman of the Subcommittee on Risk Management and Specialty Crops, be responsible for controlling our respective time limitations.

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

There was no objection.

Mr. SHAYS. Mr. Chairman, I ask unanimous consent that I be allowed to yield 10 minutes to the gentlewoman from New York [Mrs. LOWEY], and that she be allowed to manage that time.

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

There was no objection.

□ 1730

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

I would first like to thank the chairman of the Committee on Agriculture for honoring his word and allowing these amendments to this very important agricultural bill, particularly allowing this amendment.

I do not know what its fate will be. I may have an idea. I do not know, but the gentleman has kept his word. He has been a gentleman throughout the process, as have all the members of the Committee on Agriculture. I thank them for that. I also thank the Committee on Rules for making this amendment in order.

Quite simply, Mr. Chairman, this amendment eliminates a Depression era program started in the 1930's, the quota program for peanuts, a program that basically establishes a price in the United States that is double the world price, a program that basically says that if you own a quota, you are allowed to farm peanuts and only if you own the quota.

Approximately two-thirds of those who own quotas do not farm peanuts anymore. It is farmed by people who pay rent to have these quotas. We are looking to eliminate this program. I cannot think of a program that needs to be eliminated more than this. I cannot think of a program more compatible with elimination to a Republican frame of mind than that which eliminates a quota program for farmers.

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

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

Mr. Chairman, we are offering the Shay-Lowey-Castle-Jacobs-Neumann-Torres amendment to phase out a program that epitomizes wasteful inefficient government spending. The peanut program supports peanut quota holders at the expense of 250 million American consumers and taxpayers. This outdated program is based on a system reminiscent of feudal society.

Quotas to sell peanuts are handed down from generation to generation, and two-thirds of the quota owners do not even grow peanuts themselves. In fact, it is amazing to me that in the United States of America, because of this antiquated system, farmers are actually told and it is made clear to them that they cannot grow and sell their peanuts domestically. They can grow the peanuts if they do not have a quota, but then they have to sell them abroad.

The GAO has estimated that this program passes on $500 million per year in higher peanut prices to consumers, and the program costs the Federal Government $120 million every year in administrative costs. What does that mean to the average American family?

As a mother who made peanut butter and jelly sandwiches for her three children for many, many years, I find it unacceptable that it forces American families to pay an average of 33 cents more for this jar of peanut butter. In other words, when you go into a store and you are making a lot of peanut butter and jelly sandwiches, you are paying 33 cents more. And that is not peanuts.

Eliminating this program will lower the price of peanuts and put dollars and cents back in the pockets of American families. A Public Voice study which tracked the price of peanuts set by the Government and the retail price of peanuts showed that, as the Government price goes up, so does the retail price. And as the Government price goes down, the retail price follows suit. Lowering the price of peanuts is also good for American jobs. I want to made it clear to my colleagues that lowering the price of peanuts is good for American jobs because the price of peanuts in the United States is so high, peanut butter and candy bar manufacturers are leaving the United States to open up plants in Canada and Mexico. The peanuts can be purchased there at the world market price, half the U.S. price, and the finished product could then be brought into the United States and sold here.

We must, in my judgment, lower the artificially high price of domestic peanuts to save these manufacturing jobs. If you have ever had a Snicker, look at the back of that Snicker. It says made in Canada.

That is why the list of groups supporting elimination of the program is long and diverse: from the Heritage Foundation to Public Voice, from the National Taxpayers Union, Citizens for a Sound Economy to the Consumer Federation of America.

My colleagues who support the status quo in the peanut program will say that the bill we are debating today already contains real reform of the peanut program. In my judgment, that is just simply not true. The cosmetic reforms that were included in this bill do not address our concerns with this program and could very well result in even higher consumer prices by forcing the Secretary of Agriculture to further restrict domestic production of peanuts.

Our amendment addresses the real problems with the peanut program. Clearly, when the Congress is cutting mass transit subsidies, the Corporation for Public Broadcasting, school lunches, Medicare, we cannot ignore programs that really do not work.

I urge my colleagues to stand up for American consumers, support this amendment. It is good policy and it is true reform.

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

Mr. ROSE. Mr. Chairman, I yield such time as she may consume to the gentlewoman from North Carolina, [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, I think we just need to say no to the Shays-Lowey amendment, not because we do not need reform or not that we do not need change to make our program far more competitive in the global economy, but this amendment does not do that.

Let me tell my colleagues, small farmers and minority farmers in my State are going out of business. Why? Because of the high cost of production, for the technology that is required, the large amendment of land that is required. In the peanut factory, production of peanuts, growing, you can have small amounts of land. You do not need a large investment.

If we wanted to ratchet down and make sure that we have just a few peanut producers, then support the Shays-Lowey amendment. If we want to protect small farmers, protect minority farmers, then we want to give an opportunity of a safety net. Only when they need it will we provide that opportunity.

I urge my colleagues to vote against the Shays-Lowey amendment.

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

Let me say first that the subcommittee dealing with specialty crops, we went out into the country and we held hearings on our efforts to reform peanuts and sugar and other specialty crops. We visited with producers, people like all of us visualize on the farms of America, good people, hard-working people, honest people who depend on the peanut production of this Nation to make a living. What we do here today with the peanut program does not affect big business, corporate America. It affects real people in America who farm and grow peanuts for all of us to consume.

What did we come up with? Well, what we came up with is a program that eliminates a lot of Government. The old program had gotten out of whack. There was an escalator that went up that never came down. That is gone. We eliminated restrictions on quota, sale, and lease and transfer. And we eliminated undermarketings. We went ahead and we said, we have to address costs. We eliminated the quota minimums. We increased marketing assessment so that this program will be no cost to the taxpayer.

So when we talk about other social programs, I do not know how that affects peanuts, because we are not going to cost this Government anything. What we are going to try and do is keep the small farmer, the farmers of America across the South in the peanut business, whether it is from Texas to Georgia, wherever it is. We are trying to make our peanut program more market oriented and yet preserve, as the gentlewoman said, a safety net, protect the American peanut program from programs that are subsidized around the world and would like to have access to our markets to destroy our peanut program.

We are going to live with the GATT, and we are going to let more peanuts into America's market. It will be good for the Americans.

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

Mr. SHAYS. Mr. Chairman, I yield myself 20 seconds.

First off, the minorities only hold 13 percent of all the quotas but only 3 percent of the production. And two-thirds of the people who own the quotas do not even farm the land. They live in New York, London. They just get a payment called a quota.

Mr. Chairman, I yield 1½ minutes to the gentlemen from New Hampshire [Mr. BASS].

Mr. BASS. Mr. Chairman, I regret the fact that the gentleman from Connecticut [Mr. SHAYS] and I and other folks that are from the North are supporting this amendment. Global warming is really going to have to take off before we see too much peanuts in Delaware or Connecticut or New Hampshire or New York. But I also find it difficult, as a newcomer here, to believe that in this day and age we have quotas in effect in this country that are so strict that we set the price at more than double in the United States than it is anywhere else in the world.

I would say that, although this 1930's system was intended to help American farmers, the peanut program in fact is having the opposite effect on small peanut farmers. As my colleagues may know, the current quota system forces, as the gentleman from Connecticut, Mr. SHAYS said, 68 percent of these farmers to expend a tremendous amount of their operating capital to rent these quotas. In addition, the cost of the seeds which are also set, bought artificially, that inflates the quota price as well.

These farmers tend to be small operators who are unable to purchase the land as a result of the economic constraints on the system. Essentially, the Federal Government has mandated a sharecropping system that insulates the quota owners from any market fluctuations. This is not what the 104th Congress is all about. This is a bill that—or an amendment that everybody should support if they believe in anything anywhere close to the free-market system.

In closing, I hope that Members will support this amendment which will end the quota system benefiting the small farmer. His costs will be reduced and, most of all, American consumers will benefit from reduced cost of product.

□ 1745

Mr. ROSE. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida [Mrs. THURMAN], a most eloquent speaker for rural programs in agriculture.

Mrs. THURMAN. Mr. Chairman, the Shays amendment does not save consumers any money. Who then benefits from this amendment? Not consumers. Do not expect the cost of that jar of peanut butter or that candy bar to decrease any time soon. Retail peanut butter prices have increased three times faster than the farm price of peanuts over the past 15 years. Yet U.S. retail prices of peanut products are lower or competitive with other developed countries. One can see that from this chart.

Let us take a simple question, and I ask this question: If the price paid to farmers is reduced, would the savings be passed on to the consumers? I never got an answer to that question. They certainly did not tell me that they would be.

Take a look at these charts. Does anybody really expect that the price of a candy bar will go down if we end this program? Peanuts comprise a small portion of the cost of this candy bar. Eliminating the program will not affect the price paid by consumers; only the manufacturers will benefit.

Mrs. LOWEY. Mr. Chairman, before I yield to my colleague, I yield myself such time as I may consume.

I would like to respond to my colleague from Florida. In addition to candy bars, we are talking about peanut butter, we are talking about salted peanuts, we are talking about the kind of peanuts that are distributed on airplanes. And, in fact, there was a study. The Public Voice for Food and Health Policy study of peanut processors between 1989 and 1993 showed clearly that as the Government set the price, peanuts went up, the retail price went up. As the Government set it, the price went down, the retail price went down.

So I think it is important to note that if the peanut industry is very competitive and, in fact, if their costs go down, it does affect, according to these studies, the price of the actual jar of peanut butter and the Snicker bar.

Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. JACOBS].

Mr. JACOBS. Mr. Chairman, we heard a moment ago one of our colleagues say that the purpose of the bill is to keep small farmers in the peanut business. Let us be more accurate. It is to keep some small farmers in the peanut business.

If Fidel Castro issued an edict that certain Cubans could not grow peanuts for human consumption, then that would be that much more grist on the mill of my good friend and colleague from Indiana [Mr. BURTON] for his legislation. He would call that a dictatorship. But that is exactly what the U.S. Government does. I can grow the best peanuts on earth, I can invent an entirely new approach to peanuts. That would not make any difference. I could not sell them on the market unless I had permission from my large sibling in Washington.

That is what this really comes down to. When it comes to peanuts in this country, it is a government of the peanut cartel, by the peanut cartel and against the people, and it ought not be tolerated in a free society.

I urge support of this amendment.

Mr. EWING. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama [Mr. EVERETT].

Mr. EVERETT. Mr. Chairman, much has been said about this program by its opponents and the national media. Very little, almost nothing, I might add, has been based on facts. Program opponents motivated primarily by big candy manufacturers and peanut butter manufacturers would lead us to believe that a candy bar or a jar of peanut butter would cost less if the peanut program was eliminated.

What they do not tell us is that American consumers pay less for peanut products than they do in Canada, 14-percent less for peanuts, 10-percent less for peanut butter and 16-percent less for peanut candy.

In fact, not one of these liberal consumer groups, but the GAO, the Government Accounting Office, testified before Congress that consumers were unlikely to benefit from any reduction made to the peanut program. And, in fact, the gentlewoman's claim that the program adds 33 cents of cost to the consumer is factually inaccurate; it is untrue. Reforms, the reforms and modifications made in the peanut program, should satisfy even the peanut manufacturers except for their need to add to their bottom line. This is corporate greed, pure and simple.

The program has been reformed. Some of those reforms: Loan rates have been reduced by 10 percent from 678 to 610 a ton. We have program reforms such as operating at no cost to the Government. The price escalator has been eliminated. The quota floor has been eliminated. Undermarketings has been eliminated. And if any colleague, the gentleman from Connecticut [Mr. SHAYS] and these others had read the bill, quota eligibility standards have been tightened to include only true producers, not the folks living in other countries and so forth. Only true producers would be eligible for quotas. It also has $434 million in deficit reduction over 7 years.

I urge a no vote on this mean-spirited amendment.

Mr. ROSE. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. BISHOP], another friend of the Peanut Program.

Mr. BISHOP. Mr. Chairman, I rise to oppose this phaseout amendment and support the reformed Peanut Program contained in the bill, which is known as cost- and market-oriented, for the rest of the world grows an inedible, poor-quality peanut that is primarily crushed for oil.

The American farmer, who only grows 10 percent of the world's supply of peanuts, is the leading exporter of edible peanuts in the world. The United States grows a premium edible peanut known for its flavor, safety, and its quality. To reduce the peanut loan rate to a world market price is to ask United States farmers to match heavily subsidized Chinese peanut prices that have no relationship to the actual cost of production of peanuts in China.

Consumers should also be warned that 50 percent of all imported Argentine peanuts examined by FDA fail United States health standards and 100 percent of recent Chinese peanuts examined by FDA have failed United States health standards.

It is clear this amendment is not going to help anyone. It is going to hurt the peanut farmer in America, and it is going to hurt the American consumer.

I urge my colleagues to reject this amendment.

Mr. SHAYS. Mr. Chairman, I yield 2 minutes to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, I appreciate all the hard work of Chairman PAT ROBERTS and my colleagues in this area. We all agree on the need to reform Federal farming programs, and this bill does make significant improvements in many farm programs. Unfortunately, while some changes are made in the Peanut Program, it will continue to cost the consumer by pricing that commodity at artificially high levels.

I strongly support this amendment because the Peanut Program is a 1930's program that benefits a small group of growers while penalizing the American consumer of the 1990's.

At a time when we are moving toward market solutions, as this farm bill rightly attempts to do, why on earth are we continuing the antiquated status quo for growing peanuts?

Mr. Chairman, you'd have to believe in Peter Pan to believe that this program works well and helps consumers and small farmers.

As a result of this peanut subsidy, the hard-working American consumer pays up to $500 million more per year in higher food prices for peanuts and peanut butter.

And the Peanut Program is not just unfair to the American consumer. It is unfair to many farmers. Believe it or not, two-thirds of those who own peanut growing licenses are not even farmers. If any farmer wants to grow peanuts for domestic sale—he can not because there are a limited number of

quotas that are owned in many cases by wealthy nonfarmers. We need to ask ourselves why we are allowing a Government program to protect this special group from fair competition? The peanut subsidy is a bonanza to a select few, who certainly are not America's hardworking family farmer.

Mr. Chairman, the facts are clear: This subsidy is completely outdated and has outlived its purpose. If you want to help working families, American consumers, and small farmers, vote for the Shays-Lowey-Castle-Jacobs-Neumann-Torres amendment.

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

Mr. STENHOLM. Mr. Chairman, again this is a no-net-cost program. The arguments that are being made on behalf of the consumer cannot be justified by any arithmetic that anybody can put forward. This one pound of peanut butter, the farmers' price is 48 cents, the manufacturer price is $1.87. I do not see how anyone can get 33 additional cents in this little bottle of peanut butter at the farmers' expense.

The bottom line is this, and the survey done in my district—and I happen to represent both quota and nonquota growers; I have got both sides. All of them agree that the program as reformed under the committee bill is definitely a step in the right direction that we need to go. They object to the 610 price support cut, cutting 10 percent of the gross income. Ask anyone watching or listening or in this audience right now if his pay was cut 10 percent, how would he feel?

That is the argument before us today, an additional 10 percent on top of another 10 percent will be very disruptive to a very important industry to this country.

Mr. EWING. Mr. Chairman, I yield 1½ minutes to the gentleman from North Carolina [Mr. JONES].

Mr. JONES. Mr. Chairman, I rise today to urge my fellow Members to support the House Committee on Agriculture peanut program.

The reforms within this bill are extensive. The peanut program will become a no net cost to the taxpayer, a $434 million saving. Specifically, the support price has been cut 10 percent, reducing the farmers' income by 20 percent, or $200 million annually. Even after these and other reforms, urban lawmakers want to further reduce the price or completely do away with the program.

My fellow Members, further reductions to the price support level or elimination of the program altogether will cause the economic ruin of America's 15,000 peanut farm families and the thousands of rural communities they support. Furthermore, American consumers will not benefit from lower prices if the program is eliminated. In fact, American consumers already enjoy the lowest peanut prices in the world.

Vote for reform. Vote ''no'' on the Shays-Lowey amendment.

Mr. ROSE. Mr. Chairman, I yield such time as he may consume to the gentleman from New Mexico [Mr. RICHARDSON].

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

Mr. RICHARDSON. Mr. Chairman, I urge a no vote on the reform programs in the bill.

The peanut program contained in this bill reforms the program as we now know it so that it keeps generating thousands of jobs in America and providing a quality, steady supply of peanuts at no cost to the American taxpayer.

I am all for rooting programs out of Government that are ineffective and costly.

However, the peanut program proposed in this bill will not cost the American taxpayer $1 and will continue to put 15,000 Americans to work. That does not sound like an inefficient or expensive program to me.

Let me tell you about the peanut farmers I represent in New Mexico. They work hard everyday to produce a high-quality, nutritious crop. Their hard work produces one-third of the total revenue in their county.

Last year, these peanut farmers were asked to make some changes in the program because we are all concerned about deficit reduction. The peanut growers made those changes because they are concerned about the future of this country too.

As an advocate of free trade let me tell you what this amendment means. This amendment means we are putting our own farmers at a disadvantage.

By voting for this amendment you are saying that peanut farmers in Argentina and China are more important to you than our American farmers.

Mr. Chairman, this amendment would kill a program that is cost-neutral to our country's economy. Vote ''no'' on this amendment.

AMENDMENT TO PEANUT PROGRAM WILL COST THOUSANDS OF JOBS

An amendment proposing even deeper cuts in the peanut program than already contained in the Freedom to Farm bill (H.R. 2854) could cost tens of thousands of Americans their jobs and put most peanut farmers out of business.

PRICE CUT AND PRODUCTION REFORMS ALREADY WILL COST 5,656 JOBS

The 10-percent price cut and elimination of a legislated minimum production floor in the Freedom to Farm bill already may cause 5,656 working Americans to lose their jobs, according to an Auburn University study. Most of these will be non-farm jobs. Total economic impact of just these two provisions alone will be $492 million.

AMENDMENT PROPOSES FURTHER PRICE CUTS

An amendment will cut the American farmer's domestic price even more—by 54 percent! This proposed price reduction will not reduce Government spending since the peanut program already is guaranteed to be a no-cost program under the Freedom to Farm bill.

FURTHER CUTS WOULD PUT MOST PEANUT FARMERS OUT OF BUSINESS

Farm credit studies show that 66 percent of American peanut farmers will be denied financing if the support price is even cut 20 percent.

PEANUT FARMERS ARE SMALL, FAMILY FARMERS

The 16,194 American farms which grow peanuts are small, family farms averaging only 98 acres of peanut production, according to the U.S. Census of Agriculture.

MOST PEANUT PRODUCING AREAS ALREADY HAVE A 20-PERCENT POVERTY LEVEL

Seventy-seven percent of the counties in the heart of the peanut-producing region of America already have a 20-percent poverty rate or higher.

ELIMINATING PEANUT PROGRAM COULD INCREASE GOVERNMENT SPENDING

Eliminating the peanut program could actually increase Government spending by eliminating the $83 million in budgetary reduction assessments contained in the Freedom to Farm bill. Eliminating the program also could cause a $190 million forfeiture and crushing of all peanut inventories in area marketing pools.

Mr. ROSE. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. TEJEDA].

Mr. TEJEDA. Mr. Chairman, Mr. Speaker, this amendment would gut the peanut program in 7 years, sacrificing along with it the livelihoods of the hardworking farmers in my district and the businesses that serve them. Whole communities and an American way of life are at stake.

Across this country, more than 15,000 farmers participate in this program. Who are they? These farms are family-run, covering an average 98 acres.

Some attack this program for having absentee landlords, but more peanut farms are owner-operated than wheat, soybeans, or cotton.

Critics also attack the peanut program for being closed. As this chart shows, however, the number of new farms in the program is increasing.

In any event, the bill itself takes steps to expand program participation, so this is no reason to destroy a successful farm program.

I urge my colleagues to vote against this amendment for the sake of the family farmer and for sustained quality production.

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Mrs. LOWEY. Mr. Chairman I yield 1½ minutes to my colleague, the gentleman from Wisconsin [Mr. NEUMANN].

Mr. NEUMANN. Mr. Chairman, America is a country of extremely good people whose compassion leads them to do good and effective things. They know something is wrong in America right now. The Government is doing what no American family can do, spending more money than it has in its checkbook every month. Today we are considering the farm bill, and I congratulate the gentleman from Kansas [Mr. ROBERTS] and the committee, on getting the farm bill to the floor today.

This amendment to end peanut subsidies gives us the opportunity to put one more piece in making America great again into place. The peanut subsidies are little more than corporate

welfare. They cost taxpayers $120 million a year, and then they cost the consumer $500 million a year in higher prices at the store. In this amendment, we have the opportunity today to end one more form of corporate welfare. I urge support of this amendment. Together, we will make America great again.

Mr. ROSE. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama [Mr. BROWDER].

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

Mr. BROWDER. Mr. Chairman, a century ago Sherman marched through and destroyed the South. I express my opposition to the Shays-Sherman amendment, and urge defeat of this.

Mr. ROSE. Mr. Chairman, I yield 1 minute to the gentleman from Virginia, whom we call ''Peanut'' SISISKY.

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

Mr. Chairman, I rise in strong opposition to the Shays amendment. I represent a rural district in southern Virginia that depends very heavily on the peanut business. This amendment is a big loser for districts like mine, so it is no surprise that I am against it. But how about the rest of you? It is hard to see what good this amendment would actually do for anybody. It simply does not live up to its billing. After all, what is the point of this? Is it to reduce the deficit? No. The committee reforms already make it a no-cost program.

Is it to lower consumer prices? No. The money saved from paying farmers less for their peanuts will not be passed on to the consumers, according to economists at many universities. I could give you that criteria.

Critics of the peanut program have proposed some changes over the years, and many of them are included in the committee bill. The bill already cuts the support price by 10 percent, with no increases allowed to keep up with costs.

The quota system is reformed and the entire program is simplified.

This is not exactly the peanut farmers' wish list. But eliminating the program altogether would be so much worse. Farmers would lose their credit. Most small peanut farmers would be put out of business. Thousands more Americans would lose their jobs.

There's no reason why any of this has to happen. I really don't see what this amendment would accomplish, other than running a lot of small family farmers out of business. I think the small farmers in my district—and across this country—deserve better than that.

I urge Members to reject the Shays amendment.

Mr. Chairman, let us do what is right. I do not know about these corporate fellows, but I have small farmers that come to see me. Those are the ones we need to protect.

Mr. SHAYS. Mr. Chairman, I yield 1 minute to my distinguished colleague, the gentleman from Pennsylvania, Mr. JON FOX.

(Mr. FOX of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. FOX of Pennsylvania. Mr. Chairman, I rise in support of the Shays-Lowey amendment. Under this amendment consumers would pay $500 per year in higher food prices because of the peanut program, according to GAO. We can change all that with the Shays amendment. Peanut growers are now being hurt because higher prices for peanuts are a leading cause in the recent turndown in demand for peanut products.

The environment, as well, is being hurt because the land on which peanuts are being grown is overworked.

There is broad support for repealing the quota and price support for peanuts. Small farmers, consumer groups, free trade organizations, labor unions, and businesses all support ending this kind of program, which has been termed corporate welfare. I support the Citizens Against Government Waste, who have come out against this program.

I believe the Shays-Lowey amendment is a step in the right direction for the country, for consumers, and for business.

Mr. EWING. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oklahoma, Mr. FRANK LUCAS.

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

Mr. LUCAS. Mr. Chairman, the amendment that is the pending business before the House should be entitled, ''the how many rural economies can we wreck amendment of 1996.'' Simply put, the Shays, Lowey amendment will devastate rural economies throughout the South.

The opponents of the peanut program wanted a no-cost program. The peanut provisions of H.R. 2854 create a no-cost program that represents a $434 million savings to the Government.

The opponents of the program wanted a significant cut in the support price. This bill has a significant cut in the support price and will reduce farmer income by more than 20 percent or roughly $200 million.

The opponents wanted reform of the quota system. This bill reforms the quota system.

Further reductions in the price support level or elimination of the program altogether will cause the economic ruin of thousands of farm families, rural banking systems, and the country towns they support.

We have truly reformed the program. But for some people, I guess that's not good enough. It seems the sponsors of this amendment want to exact as much pain out of rural America as possible. I would urge my colleagues to join me in voting against the amendment.

Mr. ROSE. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. SCOTT] a supporter of the peanut program.

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

Mr. SCOTT. Mr. Chairman, I rise in opposition to the amendment, because the program in the bill is revenue neutral, and the amendment will hurt farmers and not benefit consumers.

Mr. ROSE. Mr. Chairman, I yield 1 minute to the gentleman from Florida, Mr. PETE PETERSON.

Mr. PETERSON of Florida. Mr. Chairman, I strongly oppose this amendment. This morning I brought this little bag of peanuts in the carryout here in the Congress. It cost 50 cents. My farmers will receive 4 cents, four pennies, out of that 50 cents. That farmer took all the risk. That farmer took every bit of the risk: from pesticides, whether or not he had the rainfall, whether or not the land was up and running; the whole risk. The manufacturer got all of the money.

That is what we are doing here. We are not taking care of the farmers, Mr. Chairman. The small farmers of America are suffering because of the actions we are taking on this farm bill. The peanut program is not hurting American consumers. In fact, if Members will look through here, they will see quality peanuts. If we pass this, we will see Chinese and Argentine peanuts, which are not going to be nearly the quality of what we are talking about.

Mr. Chairman, I urge Members to vote ''no'' on this very, very bad amendment.

Mr. SHAYS. Mr. Chairman, I yield 1½ minutes to my distinguished colleague, the gentleman from New Jersey [Mr. ZIMMER].

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

Mr. Chairman, I have heard a number of times on the floor this afternoon that the peanut program is conducted at no net cost to the taxpayer. That is true only if you use the term ''tax'' in its narrowest sense. This is not a tax that we pay on April 15 with our form 1040, but it is a tax, nonetheless. It is a tax of hundreds of millions of dollars a year on American consumers, and they pay it every time they buy a jar of peanut butter. It is a tax of 40 cents on each jar of peanut butter. It is a regressive tax, because the people who are poor, who are scraping by to make ends meet, need a nutritious food like peanut butter, and they pay a disproportionate share of their income.

Mr. Chairman, who benefits from this tax? A very small number of farmers. Less than 22 percent of the peanut farmers get more than 80 percent of the benefits of this tax. It is costing us jobs in this country, because it is forcing the producers of peanut products out of this country. It is a bad deal for America and it is a bad tax for America. I urge the adoption of the amendment.

Mr. EWING. Mr. Chairman, I yield ¼ minute to the distinguished gentleman from Missouri, Mr. BILL EMERSON.

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

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

Mr. Chairman, I rise today in opposition to the Shays-Lowey amendment and in support of the peanut program as reported from the Agriculture Committee. The plan passed by Agriculture

Committee represents reform while maintaining the marketing structure that has been one of the most effective and cost-efficient components of American agriculture.

Contrary to what some would like us to believe about this program, peanuts are not closed to new production and do not hinder free trade. In many peanut producing areas, this program is what separates farmers now putting groceries on the table from financial ruin. I urge my colleagues not to abandon the rural towns and communities whose livelihood is dependent upon peanut production and vote against this amendment.

Mr. ROSE. Mr. Chairman, I yield myself my remaining time.

The CHAIRMAN. The gentleman from North Carolina [Mr. ROSE] is recognized for 4 minutes.

Mr. ROSE. Mr. Chairman, I have been in this body for 24 years. I have heard a lot of stories, but the story today that if you do away with the peanut program you are going to save the American consumer some money is just about as big a pile of bunk as I have ever heard. I want to ask my friend, the gentleman from Connecticut [Mr. SHAYS], if he will engage me in a colloquy. I would appreciate it.

We held the GAO hearings on the GAO report that the gentleman from New York [Mr. SCHUMER] asked for, sugar and peanuts. The General Accounting Office corrected some of the things they said in that document that the gentleman is thumbing through right now. They said that the consumer that they spoke of in that report was the first purchaser of the peanut, not the people who eat them. I said, did you ask the big peanut manufacturers, ''Are you going to pass these savings on to the housewife if you get a cut in support price?'' They said yes, we asked them; and they said no, we would not do that.

I have made offer after offer to the peanut manufacturers: ''If you will pass on to the housewife the savings, we will cut the price support.'' They have never agreed to it. What are you all smoking, telling your colleagues in this House that these savings are going to be passed on to the housewife? It is not going to happen.

Mr. SHAYS. If the gentleman will yield, Mr. Chairman, in response to his question, I am not smoking anything. But to respond to your question, the GAO report makes it very clear that the farmers are being paid double the world price. They are being paid over $600 per ton, whereas the world price is closer to $350.

Mr. ROSE. I thank the gentleman for his answer. Reclaiming my time, Mr. Chairman, the gentleman, who is chairman of the subcommittee, is correct. We have reformed this program. Great strides have been made. Why would the gentleman continue an assessment on the peanut grower at $610 a ton, while you phase the price support down to $310 a ton, except for a punitive streak in your legislation? Why would you do that?

Mr. SHAYS. If the gentleman will yield, we do it for a number of reasons. First off, the peanut farmers make a killing in this program at the expense of the consumer. If they do not want to be part of the program and make that payment, there is nothing that requires them to do it.

Mr. ROSE. Mr. Chairman, I thank the gentleman for his answer. This is candy day, boys and girls. This is about nothing but Hershey's. The reports from the stock market say that if these amendments pass, get out there and buy yourself some Hershey's stock. Sugar and peanuts spell candy. This amendment is for the candy manufacturers of America. It guts the little peanut farmer.

The program is not broke, it does not need fixing, it does not cost anything. Stick with the subcommittee. Vote ''no'' on this amendment.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would remind the gallery that they are here as guests of the House, and any manifestation of approval or disapproval of the proceedings is in violation of the rules of the House.

Mr. SHAYS. Mr. Chairman, I yield 1½ minutes to our distinguished colleague, the gentlewoman from Maryland, Mrs. CONNIE MORELLA.

Mrs. MORELLA. Mr. Chairman, I rise in support of the Shays-Lowey amendment to phase out the Peanut Program in 7 years.

Peanuts cannot be sold for fresh use in this country unless they are grown on land that has a quota for peanut production. The system prevents new farmers from growing peanuts. Only so many U.S. producers are permitted to produce peanuts for the U.S. market. Their production is limited to estimated domestic demand, or just below, to guarantee them a congressionally set support price.

Like most Americans, I knew little about the Peanut Program before I came to Congress. In 1990, two of my constituents came to me asking for changes in the Peanut Program. Ed and Ann Zinke operate a small business in my district called Ann's House of Nuts. When Ed decided that he wanted to grow peanuts, he was told that he could not. When Ed looked into the Peanut Program, he could not believe that the United States operated such an antiquated system and that he could be arrested for attempting to grow peanuts in Maryland.

The vast majority of production occurs in the southeastern United States. When weather conditions are adverse in this region, a shortfall occurs in peanut production—1991 was a bad crop year for peanuts. There was a drought in the Southeast, and prices for shelled peanuts more than doubled on the wholesale level. Peanut butter, a staple of the American school lunch menu, all but disappeared when peanut prices rose.

Mr. Chairman, the existing quota and price support program for peanuts is anticonsumer, anticompetitive, and inefficient. It needs to be changed. I urge my colleagues to support the Shays-Lowey amendment.

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Mr. EWING. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. CHAMBLISS].

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

Mr. CHAMBLISS. Mr. Chairman, I rise today in opposition to the Shays-Lowey amendment. For over a year now, we have been working very hard and very closely with the different segments of the peanut industry. We have crafted reforms that transfer the peanut industry into the 21st century and prepare our farmers to compete in a global market, save American jobs, and do not destroy an industry.

That is the simple message that I bring to the well today. Do we want to reform the peanut industry in America or do we want to destroy it? That is where we are with this amendment. The reforms we made over the last year, the byproduct of tough negotiations and real compromise, in good faith we have tried to satisfy the critics.

I want to take a minute to satisfy some of those critics today. They have gotten up here and have complained about out-of-state quota holders owning peanuts. We have done away with that in our reform bill. You have complained about the cost of the Peanut Program to the taxpayer. We have done away with that in our program.

My colleagues have talked about artificial costs to the housewife. As the gentleman from North Carolina [Mr. ROSE] has just said, we had testimony under oath by Ben Smith, who is a vice president, a man that I respect, of Tom's Peanut Industry in Columbus, GA. In Albany, GA, on April 25, Mr. Smith under direct examination said, if you lower the cost of the peanuts to the farmer, it will not lower the cost of the product to the housewife.

That Snickers bar that the gentlewoman from New York [Mrs. LOWEY] held up a while ago has less than 2 cents [Mrs. LOWEY] held up a while ago has less than 2 cents' worth of peanuts in it, albeit Chinese peanuts, I might add. If you gave them the peanuts, would they lower the cost of that Snickers bar? Absolutely not. That jar of peanut butter that we have has less than 48 cents' worth of peanuts in it to the farmer. If we gave them the peanuts, would they lower the cost of that? I tell my colleagues, Mr. Smith says no, they would not.

Now, that is not GAO. That is not GEE. That is the guy that sells the peanut butter, the guy that sells the crackers in the store. If my colleagues want a reform program, this is it. If they want to destroy an industry, vote ''yes.'' I urge a ''no'' vote on this amendment.

The CHAIRMAN. The gentlewoman from New York [Mrs. LOWEY] has 3¼ minutes remaining, the gentleman from Connecticut [Mr. SHAYS] has 1¾ minutes remaining, the gentleman from Illinois [Mr. EWING] has ¾ minute remaining, and the right to close.

Mr. EWING. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. DE LA GARZA].

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

Mr. DE LA GARZA. Mr. Chairman, I thank the gentleman for yielding me the time, and I rise against the amendment.

I rise in strong opposition to the Shays amendment. This amendment wreaks havoc on rural communities across America that already will suffer substantial income and jobs losses because of the painful reforms in H.R. 2854, the Agricultural Market Transition Act.

The reforms already required by the Republican farm bill will result in 5,600 jobs being lost in peanut production regions and total economic losses of almost $500 million. With the reforms already required in the Republican farm bill almost half of all U.S. peanut farmers will face credit eligibility problems in their communities. Mr. Chairman, the reforms are already too painful to peanut farming communities.

The Shays amendment will double the pain and suffering that will already be reeling from the cuts in H.R. 2854. This is an unconscionable amendment when one considers that more than 75 percent of peanut farming communities have poverty rates that exceed 20 percent.

The meanness of the Shays amendment is further exacerbated by the fact that this farm bill fails to provide rural development funds to help rural communities, like these peanut farming communities, meet the painful transition being forced by the Agricultural Market Transition Act.

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

I just want to reiterate a few points on why I support this amendment. Not just because it is a feudal system that has been in place for years, not to help the small farmers but to help the wealthy farmers. It is documented today that two-thirds of the quota holders do not even farm. If we are really interested in protecting the small farmer, this is not it. Two-thirds of the quota holders do not even live on a farm.

This is a competitive industry. Mr. Chairman, this is a competitive industry, and in my judgment, if we are talking about saving jobs and keeping people on the farm, let us remember these Snickers bars that are produced in Canada. The world price is $350 a ton, and we have artificially kept this up to above $600 a ton. The industry is moving, moving to Canada and moving to Mexico.

So it seems to me, and I have confidence in our farmers, confidence in our country. If we really want to keep the farmers here, then we should allow them to be competitors. The non-quota holders should be given the opportunity to be competitive as well.

Mr. Chairman, I urge my colleagues to support this amendment, which gradually reduces the subsidy so we can continue to be competitive in the world economy.

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

Mr. Chairman, I say to my colleagues that this is not a complicated issue. It is pretty basic stuff. We have a quota system that is really a relic of the Depression era. It is a system in which if you want to grow peanuts and you do not have a quota, you cannot do it and sell it in the Connecticut market. It is a system that, if you actually had your own store and you wanted to grow peanuts and sell it in your own store, just like some illegal drug, you would not be allowed to do that. You would be arrested, you would be breaking the law.

This is a system that I believe most Republicans would find repugnant if it did not have the name farmer attached to it. This is a system where two-thirds of the people who have the quota do not even farm. This is a system that is costing the consumers of this country up to $500 million a year. This is a system that we should no longer have.

Japan would love to emulate a system like this. I think they kind of do it for rice and we think it is an outrage. We have a system where if you have a quota you can sell, if you do not have a quota, in this country, an American farmer cannot produce and sell. This system needs to be repealed, and we do it over 7 years.

The CHAIRMAN. The gentlewoman from New York [Mrs. LOWEY] has three-quarters of a minute remaining, and the gentleman from Illinois [Mr. EWING] has 1¼ minutes remaining and the right to close.

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

Mr. EWING. Mr. Chairman, I yield myself the balance of the time.

We have heard a lot of rhetoric today. We have heard some things that are confusing and some things that are not true, like the gentlewoman from Maryland who said they could not grow peanuts. But we change that in this bill. They can now get quota, they can now have the right to grow peanuts.

Mr. Chairman, this is real reform of the peanut program. But we did not decimate it, we did not rip it apart. We saved it for the peanut farmers of America, not for the big candy manufacturers who are not going to pass that on.

This program works, and the reforms in this program are real: Less government, no cost to the taxpayer, yet a safety net for the producers of America and, yes, much more market-oriented.

Mr. Chairman, we have tried to devise a program that will preserve an industry, will preserve jobs for American farmers and manufacturers, yes, but without destroying something that is good in our society. Vote no on this bad amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. SHAYS].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 209, noes 212, not voting 10, as follows:

[Roll No. 34]

AYES—209

| | | |
|---|---|---|
| Allard | Gillmor | Murtha |
| Andrews | Gilman | Nadler |
| Archer | Goodling | Neumann |
| Armey | Goss | Ney |
| Baker (CA) | Gutierrez | Obey |
| Baldacci | Hall (OH) | Olver |
| Barr | Hamilton | Orton |
| Barrett (WI) | Hancock | Packard |
| Bartlett | Hansen | Pallone |
| Barton | Harman | Payne (NJ) |
| Bass | Hayworth | Pelosi |
| Becerra | Hefley | Petri |
| Beilenson | Hinchey | Porter |
| Bereuter | Hobson | Portman |
| Berman | Hoekstra | Pryce |
| Bilbray | Hoke | Quinn |
| Blute | Holden | Ramstad |
| Boehlert | Horn | Reed |
| Bono | Hostettler | Regula |
| Borski | Hutchinson | Riggs |
| Brown (OH) | Hyde | Rivers |
| Brownback | Inglis | Roemer |
| Bunn | Jacobs | Rohrabacher |
| Campbell | Johnson (CT) | Ros-Lehtinen |
| Cardin | Johnson, Sam | Roth |
| Castle | Kanjorski | Roukema |
| Chabot | Kasich | Roybal-Allard |
| Christensen | Kelly | Royce |
| Chrysler | Kennedy (MA) | Rush |
| Clay | Kennedy (RI) | Salmon |
| Clement | Kennelly | Sanford |
| Conyers | Kim | Sawyer |
| Cox | King | Saxton |
| Coyne | Klink | Scarborough |
| Crane | Klug | Schaefer |
| Cremeans | Knollenberg | Schumer |
| Cunningham | Kolbe | Seastrand |
| Danner | LaFalce | Sensenbrenner |
| Davis | Lantos | Shadegg |
| DeFazio | LaTourette | Shaw |
| DeLauro | Lazio | Shays |
| Dellums | Levin | Skaggs |
| Deutsch | Lewis (CA) | Slaughter |
| Doggett | Lipinski | Smith (NJ) |
| Dooley | LoBiondo | Smith (WA) |
| Doyle | Lofgren | Souder |
| Dreier | Longley | Stark |
| Duncan | Lowey | Stockman |
| Dunn | Luther | Studds |
| Ehrlich | Maloney | Talent |
| English | Manzullo | Tate |
| Ensign | Markey | Thornton |
| Eshoo | Martini | Tiahrt |
| Fattah | Mascara | Torkildsen |
| Fawell | McCarthy | Torres |
| Flanagan | McDade | Upton |
| Foglietta | McHale | Velazquez |
| Forbes | McHugh | Vento |
| Ford | McInnis | Visclosky |
| Fox | McIntosh | Waldholtz |
| Frank (MA) | McNulty | Wamp |
| Franks (CT) | Meehan | Waters |
| Franks (NJ) | Meyers | Waxman |
| Frelinghuysen | Miller (CA) | Weldon (PA) |
| Frisa | Miller (FL) | White |
| Gallegly | Minge | Wolf |
| Gejdenson | Moakley | Yates |
| Gekas | Molinari | Zeliff |
| Gibbons | Moorhead | Zimmer |
| Gilchrest | Morella | |

NOES—212

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|---|---|---|
| Abercrombie | Barrett (NE) | Boehner |
| Ackerman | Bateman | Bonilla |
| Bachus | Bentsen | Bonior |
| Baesler | Bevill | Boucher |
| Baker (LA) | Bilirakis | Brewster |
| Ballenger | Bishop | Browder |
| Barcia | Bliley | Brown (CA) |

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|---|---|---|
| Brown (FL) | Greenwood | Parker |
| Bryant (TN) | Gunderson | Pastor |
| Bunning | Gutknecht | Paxon |
| Burr | Hall (TX) | Payne (VA) |
| Burton | Hastert | Peterson (FL) |
| Buyer | Hastings (FL) | Peterson (MN) |
| Callahan | Hastings (WA) | Pickett |
| Calvert | Hayes | Pombo |
| Camp | Hefner | Pomeroy |
| Canady | Heineman | Poshard |
| Chambliss | Herger | Quillen |
| Chapman | Hilleary | Radanovich |
| Chenoweth | Hilliard | Rahall |
| Clayton | Houghton | Rangel |
| Clinger | Hoyer | Richardson |
| Clyburn | Hunter | Roberts |
| Coble | Istook | Rogers |
| Coburn | Jackson (IL) | Rose |
| Coleman | Jackson-Lee | Sabo |
| Collins (GA) | (TX) | Sanders |
| Collins (MI) | Jefferson | Schiff |
| Combest | Johnson (SD) | Schroeder |
| Condit | Johnson, E. B. | Scott |
| Cooley | Johnston | Serrano |
| Costello | Jones | Shuster |
| Cramer | Kaptur | Sisisky |
| Crapo | Kildee | Skeen |
| Cubin | Kingston | Skelton |
| de la Garza | Kleczka | Smith (MI) |
| Deal | LaHood | Smith (TX) |
| DeLay | Largent | Spence |
| Diaz-Balart | Latham | Spratt |
| Dickey | Laughlin | Stearns |
| Dicks | Leach | Stenholm |
| Dingell | Lewis (GA) | Stump |
| Dixon | Lewis (KY) | Stupak |
| Doolittle | Lightfoot | Tanner |
| Dornan | Lincoln | Tauzin |
| Durbin | Linder | Taylor (MS) |
| Edwards | Livingston | Taylor (NC) |
| Ehlers | Lucas | Tejeda |
| Emerson | Manton | Thomas |
| Engel | Martinez | Thompson |
| Evans | Matsui | Thornberry |
| Everett | McCollum | Thurman |
| Ewing | McCrery | Torricelli |
| Farr | McDermott | Towns |
| Fazio | McKeon | Traficant |
| Fields (LA) | Meek | Volkmer |
| Fields (TX) | Metcalf | Vucanovich |
| Filner | Mica | Walker |
| Flake | Mink | Walsh |
| Foley | Mollohan | Ward |
| Fowler | Montgomery | Watt (NC) |
| Frost | Moran | Watts (OK) |
| Funderburk | Myers | Weldon (FL) |
| Ganske | Myrick | Weller |
| Gephardt | Nethercutt | Whitfield |
| Geren | Norwood | Wicker |
| Gonzalez | Nussle | Williams |
| Goodlatte | Oberstar | Wise |
| Gordon | Ortiz | Woolsey |
| Graham | Owens | Wynn |
| Green | Oxley | Young (FL) |

NOT VOTING—10

| | | |
|---|---|---|
| Bryant (TX) | Menendez | Wilson |
| Collins (IL) | Neal | Young (AK) |
| Furse | Solomon | |
| McKinney | Stokes | |

□ 1843

The Clerk announced the following pair:

On this vote:

Ms. Furse for, with Ms. McKinney against.

Mr. ORTON, Mr. HYDE, Ms. RIVERS, Mr. BARTON of Texas, Mr. DAVIS, and Mr. MINGE changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MENENDEZ. Mr. Chairman, during rollcall vote No. 34 on H.R. 2854 I was unavoidably detained. Had I been present, I would have voted ''yes.''

□ 1845

The CHAIRMAN. It is now in order to consider Amendment No. 6 printed in House Report 104–463.

AMENDMENT OFFERED BY MR. MILLER OF FLORIDA

Mr. MILLER of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. MILLER of Florida:

Strike section 107 (page 69, line 18, through page 77, line 14), and insert the following new section:

**SEC. 107. RECOURSE LOANS FOR PROCESSORS OF SUGARCANE AND SUGAR BEETS.**

(a) SUGARCANE PROCESSOR LOANS.—

(1) IN GENERAL.—The Secretary shall make recourse loans available to processors of sugarcane on raw cane sugar processed from the 1996 through 1999 crops of domestically grown sugarcane.

(2) LOAN RATES.—Recourse loans under this subsection shall be made at the following rates:

(A) In the case of raw cane sugar processed from 1996 crops, $0.165.

(B) In the case of raw cane sugar processed from the 1997 crop, $0.15.

(C) In the case of raw cane sugar processed from the 1998 crop, $0.135.

(D) In the case of raw cane sugar processed from the 1999 crop, $0.12.

(b) SUGAR BEET PROCESSOR LOANS.—

(1) IN GENERAL.—The Secretary shall make recourse loans available to processors of sugar beets on refined sugar processed from the 1996 through 1999 crops of domestically grown sugar beets.

(2) LOAN RATES.—Recourse loans under this subsection for sugar refined from a crop of sugar beets shall be made at a rate, per pound of refined sugar, that reflects—

(A) an amount that bears the same relation to the loan rate I effect under subsection (a)(2) as the weighted average of producer returns for sugar beets bears to the weighted average of producer returns for sugarcane, expressed on a cents per pound basis for refined beet sugar and raw cane sugar, for the most recent five-year period for which data are available; plus

(B) an amount that covers sugar beet processor fixed marketing expenses.

(c) CONVERSION TO PRIVATE SECTOR FINANCING.—No processor of sugarcane or sugar beets of the 2000 and subsequent crops shall be eligible for recourse loans under this section, and the Secretary of Agriculture may not make price support available, whether in the form of loans, payments, purchases, or other operations, for the 2000 and subsequent crops of sugar beets and sugarcane by using the funds of the Commodity Credit Corporation or under the authority of any law.

(d) ADMINISTRATIVE RULES.—

(1) NATIONAL LOAN RATES.—Recourse loans under this section shall be made available at all locations nationally at the rates specified in this section, without adjustment to provide regional differentials.

(2) LENGTH OF LOANS.—Each recourse loan made under this section shall be for a term of three months, and may be extended for additional 3-month terms, except that—

(A) no loan may have a cumulative term in excess of nine months or a term that extends beyond September 30 of the fiscal year in which the loan is made; and

(B) a processor may terminate a loan and redeem the collateral for the loan at any time by payment in full of principal, interest, and fees then owing.

(e) USE OF COMMODITY CREDIT CORPORATION.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this section.

(f) MARKETING ASSESSMENT.—

(1) SUGARCANE.—Effective for marketings of raw cane sugar during the 1996 through 2003 fiscal years, the first processor of sugarcane shall remit to the Commodity Credit Corporation a nonrefundable marketing assessment in an amount equal to—

(A) in the case of marketings during fiscal year 1996, 1.1 percent of the loan rate established under subsection (a) per pound of raw cane sugar, processed by the processor from domestically produced sugarcane or sugarcane molasses, that has been marketed (including the transfer or delivery of the sugar to a refinery for further processing or marketing); and

(B) in the case of marketings during each of fiscal years 1997 through 2003, 1.375 percent of the loan rate established under subsection (a) per pound of raw cane sugar, processed by the processor from domestically produced sugarcane or sugarcane molasses, that has been marketed (including the transfer or delivery of the sugar to a refinery for further processing or marketing).

(2) SUGAR BEETS.—Effective for marketings of beet sugar during the 1996 through 2003 fiscal years, the first processor of sugar beets shall remit to the Commodity Credit Corporation a nonrefundable marketing assessment in an amount equal to—

(A) in the case of marketings during fiscal year 1996, 1.1794 percent of the loan rate established under subsection (a) per pound of beet sugar, processed by the processor from domestically produced sugar beets or sugar beet molasses, that has been marketed; and

(B) in the case of marketings during each of fiscal years 1997 through 2003, 1.47425 percent of the loan rate established under subsection (a) per pound of beet sugar, processed by the processor from domestically produced sugar beets or sugar beet molasses, that has been marketed.

(3) COLLECTION.—

(A) TIMING.—A marketing assessment required under this subsection shall be collected on a monthly basis and shall be remitted to the Commodity Credit Corporation not later than 30 days after the end of each month. Any cane sugar or beet sugar processed during a fiscal year that has not been marketed by September 30 of the year shall be subject to assessment on that date. The sugar shall not be subject to a second assessment at the time that it is marketed.

(B) MANNER.—Subject to subparagraph (A), marketing assessments shall be collected under this subsection in the manner prescribed by the Secretary and shall be nonrefundable.

(4) PENALITIES.—If any person fails to remit the assessment required by this subsection or fails to comply with such requirements for recordkeeping or otherwise as are required by the Secretary to carry out this subsection, the person shall be liable to the Secretary for a civil penalty up to an amount determined by multiplying—

(A) the quantity of cane sugar or beet sugar involved in the violation; by

(B) the loan rate for the applicable crop of sugarcane or sugar beets.

(5) ENFORCEMENT.—The Secretary may enforce this subsection in a court of the United States.

(6) SENSE OF CONGRESS.—It is the sense of Congress that, given the prohibition on the provision of price support for sugarcane and sugar beets for the 2000 and subsequent crops, the need for the application of assessments under this subsection with regard to such crops should be reexamined at that time.

(g) EFFECT ON EXISTING LOANS FOR SUGAR.—Section 206 of the Agricultural Act of 1949 (7 U.S.C. 1446g), as in effect on the day before the date of the enactment of this Act,

shall continue to apply with respect to nonrecourse loans made under such section before such date.

(h) CONFORMING AMENDMENTS.—

(1) POWER OF COMMODITY CREDIT CORPORATION.—Section 5(a) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c(a)) is amended by inserting ''(except for sugarcane and sugar beets of the 2000 and subsequent crops)'' after ''agricultural commodities''.

(2) SECTION 32 ACTIVITIES.—The second sentence of the first paragraph of section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), is amended by inserting ''(other than sugarcane and sugar beets)'' after ''commodity'' the last place it appears.

(i) CCC SALES PRICE RESTRICTIONS.—The Commodity Credit Corporation may sell for unrestricted use sugar surrendered to the Corporation under loan programs provided for in section 206 of the Agricultural Act of 1949 or this section at such price as the Corporation determines appropriate to maintain and expand export and domestic markets for sugar and to avoid undue disruption of commercial sales of sugar.

(j) ASSURANCE OF ADEQUATE SUPPLIES OF SUGAR.—Subsection (a) of section 902 of the Food Security Act of 1985 (Public Law 99–198; 7 U.S.C. 1446g note) is amended to read as follows:

''(a) Beginning with the quota year for sugar imports which begins after the 1995/1996 quota year, the President and the Secretary of Agriculture shall use all authorities available to the President and the Secretary, as the case may be, to ensure that adequate supplies of raw cane sugar are made available to the United States market at prices no greater than the higher of—

''(1) the word sugar price (adjusted to a delivered basis); or

''(2) the raw cane sugar loan rate in effect under section 107(a) of the Agricultural Market Transition Act (plus interest).''.

(k) TERMINATION OF MARKETING QUOTAS AND ALLOTMENTS.—

(1) TERMINATION.—Effective October 1, 1996, part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa–1359jj) is repealed.

(2) CONFORMING AMENDMENT.—Section 344(f)(2) of such Act (7 U.S.C. 1344(f)(2)) is amended by striking ''sugar cane for sugar; sugar beets for sugar;''.

(3) APPLICATION OF AMENDMENT.—The amendment made by paragraph (1) shall apply with respect to sugar marketed on or after such date.

The CHAIRMAN. Pursuant to the rule, the gentleman from Florida [Mr. MILLER] and a Member opposed will each be recognized for 30 minutes.

Mr. ROBERTS. Mr. Chairman, I ask unanimous consent that I be permitted to share the time allocated to me with respect to managing the debate on the amendment with the ranking minority member, the gentleman from Texas [Mr. DE LA GARZA], and that the gentleman from Illinois [Mr. EWING], the chairman of the Subcommittee on Risk Management and Specialty Crops, be responsible for controlling our respective time limitations.

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

There was no objection.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent that I be allowed to yield 10 minutes to the gentleman from New York [Mr. SCHUMER], and 10 minutes to the gentleman from Georgia [Mr. KINGSTON], and that they have the right to allocate that time.

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

There was no objection.

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

Mr. Chairman, the Miller-Schumer-Kingston amendment is a 5-year phaseout of the sugar program. This is a consensus amendment. It is a compromise from the original Miller-Schumer amendment. We have a broad coalition of support for this amendment.

We propose this amendment because what is provided in the farm bill is not real reform of the sugar program, and we are proposing to phase out the program in 5 years. This was widespread support, with Republicans and Democrats, liberals and conservatives. Some of the most liberal Members and some of the most conservative Members, are supporting this amendment. The environmental community is very solidly supporting this amendment, and there are going to be some rated environmental votes on this amendment.

For the free enterprise people, the Heritage Foundation, the CATO people, they support the concept of phasing out the sugar program, and there are going to be some rated votes along this line from the Citizens for a Sound Economy, the Citizens Against Government Waste, and others. So this is very important. If you are a believer in the free enterprise system and want a smaller Federal Government, this is a program you should vote for.

This is very solidly supported by the consumer, because the consumer is paying $1.4 billion a year more for sugar in this country because of this program. That is a General Accounting Office report. It is a jobs issue, because refineries are closing. The sugar refineries around this country are closing because there is not enough sugar, and the manufacturers using sugar are having to move their jobs overseas. So this is a job issue too.

There is a wide range of support from Members in this House and interest groups outside that support this bill.

As a conservative Member of this institution, I campaigned to reduce the size and scope of the Federal Government. This is a type of program that we need to reduce the size and scope. This is a big-government program, and it no longer needs to exist. So I hope my colleagues on both sides of the aisle will join with me to reduce the size and scope of the Federal Government and get rid of this big-government program.

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

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

Mr. Chairman, I have to rise to answer the proponent of this amendment, because truly we have indeed reformed the sugar program. We had a very highly structured sugar program. Under our proposal, which preserves the sugar industry of America from unfair competition by subsidized sugar producers around the world, we have freed up production. We have eliminated internal controls. What we have left is a 20-percent increase over what GATT required us to bring into this country, and we have freed up this industry to grow and develop.

This is real reform, that preserves the jobs for thousands of Americans.

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

Mr. DE LA GARZA. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. BONIOR], our distinguished whip.

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

Mr. Chairman, today I rise in strong, strong opposition to this amendment. It would literally devastate the economic security for sugar beet growers in my State of Michigan. In Michigan alone, the sugar beet industry provides the economic lifeline to about 3,000 farmers and their families.

The sugar section in the bill before us today represents a vary fragile compromise that was put together between processors and growers, and it reaches the lives of these farmers and their families in the balance.

Any amendment which takes away the economic safety net of our sugar beet growers will disrupt this very delicate compromise that we have in this bill this evening. I think there is general agreement around here that we need to cut wasteful government spending, and I applaud those efforts. But the sugar program is not, and I repeat, it is not a handout. In fact, the committee bill will generate about $50 million over 7 years, which would go toward budget deficit reduction; $50 million.

Since 1985, the sugar program has been mandated by law to operate at no cost to the Government, and the sugar producers have already paid $137 million in special marketing assessments to help reduce the Federal deficit.

This is a program that is self-sufficient, contributes to deficit reduction, provides economic security to our sugar farmers. It seems to me that this amendment is an answer in search of a problem. The program works, the committee bill represents a compromise, a delicate compromise that we can live with. Above all, it gives our sugar growers some economic security so they can plan for their futures and their families' futures as well.

I urge my colleagues to vote no on this amendment.

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

Mr. Chairman, the previous speaker spoke of a delicate compromise? There is no such thing. There has not been a compromise on this bill. The only changes in the program, and it would be misleading for me to use the word

reform, because it is not reform; it is changes. And the only changes that have occurred on this bill have been devised by the sugar beet lobbyists. All they have done is basically pushed the peas around on the plate to make mama think they are eating their vegetables.

They call fool Members of the Congress, perhaps. They can fool members of their own industry. But they are not fooling the American consumers who will continue to pay $1.4 billion more in the price of sugar than they should have to pay.

Sugar is run like a cartel. The producers, the cane and beet producers in this case, have a cozy deal with Congress to keep on overcharging the American consumers. The changes in this bill will not do anything to stop that.

Mr. Chairman, let me say this: I have been on the Committee on Agriculture. I serve on the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations. I am proud to be an aggie.

I have worked with many Representatives who have commodity programs in their areas, and I have seen many delicate compromises come out that are attached to this farm bill. But, Mr. Chairman, this is not one of them. This was a unilateral power play by the beet and cane producers. It is not reform. Let us not call it reform. At a later time I will go into those changes and why they are not reform.

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

Mr. SCHUMER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. MILLER] in favor of the Miller-Schumer-Kingston amendment.

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Chairman, it is critically important that the House vote in favor of the Dan Miller-Charles Schumer amendment to phase out the sugar program.

The sugar program as it is administered today rewards the growers of sugar at the expense of the environment, at the expense of those who process the sugar, and at the expense of the consumer.

Most importantly, the real price being paid for the sugar program is by the workers at American refineries that are facing serious layoffs.

This amendment is reasonable, giving sugar growers a chance to adapt to the new reality that is dawning in Washington and the Nation about the proper role of the Federal Government.

The sugar program keeps the price of sugar artificially high and this artificially high price has had a severe impact on my constituents and American consumers.

As a direct result of the sugar program, the C & H Sugar Co. in Crockett, CA—the only west coast sugar refinery and one of the largest refiners in the country—has reduced its hourly employees by 42 percent and salaried employees by 38 percent.

Total employment at the refinery has been reduced by 44 percent between 1989 and 1996—from over 1,000 employees to less than 600 today. On the first of this year, in fact, C & H laid off 200 employees—25 percent of its work force.

The jobs at C & H are good jobs, paying between $13.50 and $24 per hour plus benefits. These are mostly union jobs. These are scarce jobs.

The local labor unions at C & H, the ILWU Local 6 and the Sugar Workers Union, support the Miller/Schumer amendment. The management, including C & H's president who is here with us today, supports this amendment.

This amendment is about the future of the jobs of these workers and their families and we should not abandon the opportunity to help them.

I have heard from the beet growers and the cane sugar growers, all hard-working people to be sure. They complain that without the sugar program they will go out of business. We hear that a lot around here when legislation is going to the floor. But the fact is, refineries have already gone out of business—11 refineries have closed their gates over the past decade. I don't want to see C & H Sugar and its employees added to the list.

The vote on the Miller-Schumer amendment will also be one of the key environmental votes of the year. The artificially high price of sugar has enabled sugar companies to keep lands in production that otherwise would not be profitable. In Florida, this has meant that sugar is competing for scarce water that is needed to save and rehabilitate the Everglades—a national park and a national treasure.

On behalf of the environment and on behalf of my constituents who hope to retain their jobs, I urge the House to support this bipartisan and extremely important amendment.

□ 1900

Mr. MILLER of Florida. Mr. Chairman, I yield 1¾ minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Chairman, I want to thank Congressman MILLER for his efforts on this issue. I must say—this is deja vu all over again. I remember leading this fight 10 years ago, and I hope that today we may finally win.

Mr. Chairman, the era of big Government is alive and well and will be reinforced today if we fail to pass this important, pro-jobs, pro-consumer amendment.

Today we can finally begin to dismantle the monstrous machine that costs the American consumer more than $1.4 billion per year. While Big Sugar continues to preach its ''no-net-cost'' mantra, consumers go to the supermarket and pay more for soft drinks, for cereal and everything else that uses sugar.

Supporters of the sugar program would have us believe that this farm bill radically reforms U.S. sugar policy. Nothing could be further from the truth. The bill keeps in place the Government-sponsored loan rates, and continues to create an artificial shortage through rigid import quotas.

Mr. Chairman, let's get something straight right now. This is corporate welfare of the most direct kind and it is high time that this Republican Congress voted to stop it.

We Republicans have always prided ourselves on fiscal conservatism and free market enterprise. We waited 40 years for the opportunity to change the way things are done in this town. If we do not pass this amendment, we will be supporting a program that runs counter to the ideas that form the bedrock of our party.

Supporters of this corporate welfare would have us believe that termination will kill the small sugar farmer. Do not be deceived. This is about agribusinesses and their corporate welfare.

And the numbers tell this story. A recent GAO study found that 33 farms each received more than $1 million per year. In fact, 42 percent of the price subsidy went to only 1 percent of all sugar plantations.

This bill is titled the ''Agriculture Market Transition Act.'' Are we operating in the free market when we artificially support the price of sugar? How about when we tell farmers how much they can grow and subsequently, how much they can earn?

If we preserve the sugar program in this country, which, despite the rhetoric, the underlying bill does, thousands of men and women who work in sugar refineries will lose their jobs. Refiners are leaving in droves to countries where the price of sugar is half of what they pay here in their own country.

We are making progress in other areas of this bill. We are making the transition to the free market in many areas. However, those traditional peanut and sugar programs are preserved. Why? If it is such a good idea for wheat and corn, why not sugar?

It is time for us to move in a new direction, and adopt a truly free market for agriculture.

Adopt the Miller-Schumer-Kingston amendment and eliminate this example of corporate welfare in this country.

Mr. DE LA GARZA. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Hawaii [Mrs. MINK].

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, may I point out that the figure that has been touted around today and weeks before today that this sugar program is costing the consumers this outrageous sum of $1.4 billion is absolutely untrue. The U.S. Department of Agriculture has refuted this and said it

was not based upon any sound analysis whatsoever.

Second, there has been a suggestion that the sugar program is environmentally harmful. Let me say that in my area, which is almost the total production of sugar in my State, we follow every single environmental rule that has been established by this Congress. Yet you want to eliminate the sugar program, turn it over to the foreign countries who heavily subsidize this industry, just because our big megacorporations want to buy cheap sugar.

This vote today to eliminate the sugar program is going to eliminate 420,000 jobs, 6,000 of which are in my district. I thought we all stood for jobs, American jobs; this is what this amendment is all about.

Vote against it.

Mr. Chairman, Friends of the Earth and 18 other organizations released the Green Scissors Report on February 15 recommending cuts in ''wasteful and environmentally harmful spending and subsidies.'' I rise today to condemn this report's suggestion that the Sugar Program be eliminated.

The report targets the Sugar Program for elimination because of so-called ''economic and environmental grounds.'' However, the report was unable to list any savings, admitting that it found ''no reliable savings estimate.'' They couldn't find any because there is none. It does not cost the American taxpayer one dime.

The Green Scissors report adds, ''the sugar program is a subsidy from consumers, not taxpayers.'' This allegation that the Sugar Program is a consumer subsidy is totally irrelevant. The Sugar Program allows American consumers to pay 28 percent less for their sugar in the grocery store than consumers in all other developed countries—28 percent less!

Regarding environmental concerns, accusations that the American sugar industry contributes significantly to global pollution are highly irresponsible. Our sugar industry is proud to serve as a global example, maintaining the highest environmental standards compared to our world competitors. Anyone in favor of protecting our environment cannot be in favor of substituting foreign-produced sugar that does not hold to any environmental and health standards required to American business, and also relies heavily on child labor.

I maintain that the makers of the Green Scissors Report have been blinded, along with other Sugar Program opposition, by the big-name, large-corporation candy, cookie, cake, soft drink, and cereal producers such as Coca-Cola and Hershey. These mega-conglomerates stand to profit billions of dollars with the demise of the Sugar Program—savings that they most assuredly will not pass on to consumers through lower-priced candy bars or soda or cookies.

The Green Scissors Report calls for the elimination of the Sugar Program without any regard for the truth.

We need an American sugar industry. Don't vote to eliminate 420,000 jobs.

Mr. EWING. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. CAMP].

Mr. CAMP. Mr. Chairman, I rise to oppose the amendment. My State ranks fourth in the Nation in sugar beet acreage so you might think that I rise to support my State's 2,900 sugar farmers that run small family farms averaging 115 acres or in support of the 23,000 jobs in Michigan that rely on sugar. I do, but I also rise to support consumers in Michigan and America.

Every day millions of Americans take advantage of sugar so cheap, restaurants give it away for free. In Tokyo, consumers pay over $1 a pound for sugar. By contrast, we pay only 39 cents a pound. American consumers pay the second lowest price in the world for sugar as a percentage of disposable income.

The sugar reforms in this bill provide stable prices for consumers and freer markets. We lower the price support safety net and allow greater sugar imports than allowed by GATT. This means lower prices. We continue to operate the program at no cost to the taxpayer, and it contributes $288 million to deficit reduction.

Vote no on the amendment.

Mr. DE LA GARZA. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Jersey [Mr. TORRICELLI].

Mr. TORRICELLI. Mr. Chairman, there is no one in this Chamber who likes to have to maintain Government programs that restrict supply or prices. That is not how we would like the world to be. But it is time to recognize that the United States is not writing all the rules. We can do away with this program and we can also do away with the thousands of jobs that are maintained because of it. And we can open up the floodgates and instead of those jobs by Americans producing this sugar, it will come from around the world.

We have the most efficient sugar industry in the world, but we cannot legislate in this Chamber French subsidies or Dominican subsidies or Philippine subsidies. We simply have the right for unilateral surrender of our own industry.

Finally, my colleagues, while I represent no sugar industry, I do come to this House with the voice of American foreign policy and I tell my colleagues this: End this program and start the Unite States being the world's largest importer of sugar. We will drive up the world price, and it will got to a lot of other countries. We will lose the jobs and the money and Fidel Castro's Cuba will reap the benefits by rising in price.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Florida [Mr. GIBBONS], ranking member of the Committee on Ways and Means, in favor of the Miller-Schumer-Kingston amendment.

Mr. GIBBONS. Mr. Chairman, it is way past time we got rid of the sugar program. I am not going to make villains out of them. They are fine people. They are wonderful farmers, and they are very efficient farmers. But their complaints that they will be overridden by subsidized sugar flies in the face of the fact that we have very good laws against subsidies that they can invoke and can put countervailing duties on any subsidized sugar that comes into this market.

This distorted program has caused the distortion of the real estate market. It has displaced other farmers who perhaps could grow their crops on the same land. It has done all kinds of things to the farming industry. We ought to get rid of it. There is no excuses for it anymore. It is high time.

I support the amendment to get rid of it.

Mr. EWING. Mr. Chairman, I yield one-half minute to the gentleman from California [Mr. POMBO].

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

Mr. POMBO. Mr. Chairman, I thank the gentleman for yielding one-half minute to me.

I would just like to say to a few of the previous speakers that I have lost sugar producers in my district. I have lost processing plants in my district. The threat from foreign imports is very real in my district. But we have not talked enough about the reforms that the committee has made.

We talk about less government. It is less government. We have completely reformed the sugar program. It is a no-cost program to the American taxpayer. But it does maintain somewhat of a producer safety net and is more market oriented.

Please oppose this terrible amendment.

The CHAIRMAN. The Chair advises that the gentleman from Florida [Mr. MILLER] has 6½ minutes remaining, the gentleman from New York [Mr. SCHUMER] has 7 minutes remaining, the gentleman from Georgia [Mr. KINGSTON] has 8 minutes remaining, the gentleman from Texas [Mr. DE LA GARZA] has 11 minutes remaining, and the gentleman from Illinois [Mr. EWING] has 12½ minutes remaining and the right to close.

Mr. KINGSTON. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Florida [Mr. SHAW].

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

Mr. Chairman, I rise today to voice my support for the Miller-Schumer-Kingston amendment, which is a fair compromise between those who want to end the sugar program within 1 year and those who advocate a more gradual phaseout of this program. However, one thing is clear; the sugar program has outlived its usefulness, and now is the time to bring it to an end. I ask why is the Government in the business of micromanaging the sugar industry?

With the sugar program, the majority of the benefits go to the larger farmers. It penalizes consumers with an increased cost of $1.4 billion each and every year for sweetened products; and it damages the environment because when the Government fixes a

price, this works as an incentive for farmers to cultivate more and more environmentally sensitive lands in Florida.

In fact, during the 14 years that the sugar program has been in place, Florida's cane production has increased by 80 percent. This increased cane production is literally killing the Everglades.

I urge my colleagues to vote for this amendment, which is pro-consumer, pro-environment, and pro-free market.

Mr. DE LA GARZA. Mr. Chairman, I yield 1 minute to the distinguished gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Chairman, the fate of hundreds of sugar beet farmers that I represent and hundreds of millions of workers that I represent turn on this debate. But it is not their interests I want to talk to Members about. I want to talk to Members about our balance of trade problem as the United States of America.

We import more than we export to the tune of $32 billion in 1992, $73 billion in 1993, $110 billion in 1994, and $114 billion last year. Sugar is one ag commodity where domestic consumption is greater than our production. Why in the world would we want to blow up a domestic program, which this amendment would do, which would destroy domestic production and make us import more sugar than is presently the case?

The only thing favorable in our balance of trade is essentially agriculture and airplanes. Foreign countries must look at us like we are crazy. We look at something that contributes so positively to our balance of trade and we want to threaten it in the way this amendment does tonight.

I urge Members to vote no.

Mr. EWING. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Ohio [Mr. GILLMOR].

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

□ 1915

Mr. GILLMOR. Mr. Chairman, I rise in strong opposition to the Miller-Schumer amendment.

The sugar compromise contained in the Agriculture Committee bill was meticulously crafted and gives our sugar farmers the opportunity to continue to compete. This is no mean feat in an international marketplace saturated with highly subsidized products from other countries. Let's face it, if this were about protecting autoworkers or other factory jobs, I am sure we would have a whole contingent of Members that would rush to support that measure. Or, it people realized that this program was constructed in such a way that the taxpayer incurred no cost and actually had their budget deficit reduced by the money raised under this program, another whole segment of Members would be supporting this program.

However, I oppose this amendment which says to sugar beet farmers in Ohio and elsewhere, that its result will be to subject you to unfair, subsidized foreign competition. Its result will be to drive American producers out of business by flooding the country with subsidized foreign sugar at below the cost of production.

Let me draw an analogy with another industry—automobiles. If we had a situation where Germany and Japan subsidized, with tax dollars, the manufacture of cars to the tune of thousands of dollars per car; and then sold those cars in America at a cheaper price than they permitted them to be sold in their own country; and if they could sell cars in America below the cost of production to drive Ford, General Motors [GM], and Chrysler out of business—we would say that that is grossly unfair and ought to be stopped.

Yet, that is the same thing that this amendment would potentially do to the average American sugar beet farmer. This amendment favors Government subsidized foreign sugar at the expense of American jobs. I urge all my colleagues to oppose this ill-fated, anticompetitive amendment and support the committee bill.

Mr. Chairman, the unfortunate fact of the matter is that the sugar program's future is being sacrificed on the altar of those folks who want to play scorecard bingo. Should this program go down to defeat, we can thank corporate giants who, unlike our sugar cane and beet growers, don't till the land, take out loans from nominal resources, and pray that some unforeseen disaster does not destroy the livelihood your farm had given you.

I have seen the ads that the sugar opponents have been running. I believe they are as you would say, Mr. Chairman, ''factually challenged.'' Those advertisements amount to a solicitation for membership in the long dead Know Nothing Party. This amendment is not about opening new markets, it is about getting a handout and I regret that the battleground for this bill has become hardworking men and women, many in my own district, who pay real taxes and provide for real families.

If we are to, with sincerity, make good public policy, then it is mandatory that emotional pleas and uninformed charges not become the cornerstone of legislative language. No matter how you dress it up, the truth is the truth. First, the sugar program operates at no cost to the taxpayer. Second, if you oppose the sugar program, then you are supposing a price of 14 cents per pound on the world sugar market, as opposed to the 1994 price of 39 cents per pound. However, most sugar is consumed as part of other products, and there is no guarantee the savings will be passed along to the end user. History shows us that in 1974, when sugar prices skyrocketed without a sugar program, some processors raised their prices fourfold on the consumer. Yet, when sugar prices came down, these same processors did not institute a corresponding prices reduction. Fourteen cents is the price left for sugar that has not been purchased by contract, does not fit a particular need, and must be dumped. Third, the fact of the matter is that other countries heavily subsidize their sugar production. By eliminating this meager domestic support, we are asking our producers to fight a well-armed opponent with one hand tied behind their back. Our agricultural producers can compete and succeed, but they should not be forced to face financial suicide in a lopsided market. Fourth, we are killing U.S. jobs. A 1994 study has estimated that the sweetener industry creates 420,000 jobs, in 42 States, spawning $26.2 billion to the U.S. economy each year. This is not the drop in the bucket that some would have you believe, or ignore.

Mr. Chairman, I urge my colleagues to read this bill, get the facts, and understand on what you are voting. This should not be a novel concept, but in doing so, I believe you will see, as I do, that eliminating the sugar program, in light of the reforms this bill already makes to it, is born of thoughtlessness, nurtured by greed, and dressed in hypocrisy. I urge all my colleagues to oppose this amendment.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Maryland [Mr. CARDIN] in favor of the Miller-Schumer-Kingston amendment.

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

Mr. CARDIN. Mr. Chairman, the 104th Congress has made getting the Government off people's back and out of business' way a high priority. Given that goal, support for the Miller-Schumer amendment is the only possible decision for the House this evening.

I represent one of the largest remaining cane sugar refineries in the United States. The Domino refinery, a landmark in Baltimore's Inner Harbor, directly employs 650 workers at an average wage of $40,000. These are exactly the kinds of jobs we all want to preserve in this Nation.

Yet, since the current Government sugar program was put in place in 1981, 11 of 22 cane sugar refineries in this Nation have closed. And problems for the remaining refineries continue.

Domino's Baltimore plant has had to shut down nine times over the past year because of a shortage of raw sugar supply. Each of the other remaining U.S. refineries has suffered similar, costly shortages. These problems have been caused directly by the ongoing Federal interference in the sugar industry.

Over the past 15 years the sugar program has greatly aided the few wealthy corporations that raise sugar on huge farms and with foreign labor in this Nation. It has hurt the many Americans who work, or used to work, in domestic refineries, and it has indirectly hurt all American consumers.

There are many reasons to end the sugar price support program tonight;

saving the remaining U.S. refineries is only one. I urge my colleagues to support Miller-Schumer.

Mr. EWING. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana [Mr. BAKER].

Mr. BAKER of Louisiana. Mr. Chairman, I thank the gentleman from Illinois for yielding this time to me.

Mr. Chairman, this debate is really unbelievable. We are standing here tonight saying let us cut them loose, let us cut the money off, let us save taxpayers some good hard-earned tax dollars. We are going to save them 2 cents on that candy bar. Yes, we believe that. When the price of sugar drops, we know the price of those candy bars and cold drinks are going to come plummeting.

In the meantime we cannot figure out why Americans cannot compete. OSHA, IRS, EPA, name it, we have got them crawling across the farm. They tell you where you can plant, they tell you when you can plant, they tell you what you can plant. They tell you after you plant it and you grow it and you are successful in the hurricane or an insect does not eat it because you cannot get your insecticides approved by some EPA regulator, they tell you what you can sell it for, and then if that is not enough we tell you who you can sell it to.

OK, fellow, if you want to cut us loose, set us free. Let us farm. Let us grow our crop. Let us be like any other business in America, sell where we want to for what we can get. We will not have a problem. Get the Government off the farm and we will make a profit. Otherwise leave us alone.

Mr. KINGSTON. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Ohio [Mr. PORTMAN].

Mr. PORTMAN. Mr. Chairman, I do rise in support of the amendment tonight. I also want though to take a moment to correct some of the misstatements that were made earlier during this debate about the unfunded mandates bill and its application to the farm bill.

The unfunded mandates bill is working. In this farm bill there are no public sector mandates. If there were, there could be a point of order on the floor, we can have a vote on it, and I would be the first to raise that point of order.

There are private sector mandates in this bill. Private sector mandates under the unfunded mandate bill have to be costed out by CBO; the committees have to put it in the report. The Committee on Agriculture did that. The Committee on Agriculture therefore complied with the legislation. The unfunded mandates bill worked in the Telco bill to take out a mandate, and it is working here in the ag bill.

I do rise today to support this amendment. I think it is time for Congress to phase out the sugar program, past time. I think this is a fair 5-year phaseout. The current program just has not worked. It has reduced competition, it restricted imports, and it has inflated the U.S. sugar prices to more than double the world price. It is time to make a change.

To put it bluntly, I think the sugar program as it stands has cost jobs. Since 1981, when the Federal price support program for sugar was first enacted, half of our Nation's sugar cane refineries have been closed and others are shut down temporarily due to a lack of raw sugar supply.

Finally, deficit hawks beware. The Federal Government is paying a lot more for sugar, about $90 million more a year for various Government-assisted programs. Government interference in the sugar program in my view has done more harm than good. It is time to move the sugar industry toward the open market in an orderly manner. That is what this amendment does. I support it this evening.

Mr. DE LA GARZA. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Chairman, I rise in strong opposition to this radical amendment because it will represent the death knell to 12,000 family farmers, including 350 in the State of Ohio, if passed, and what is really interesting is why would we want to be doing this when our sugar prices are lower than all of the other developed nations in the world that we do business with?

What this is really about is, it is a fight between the farmers of this country who produce good quality sugar and the multinational corporations who want to set the price. That is what it is really about; it is about pitting our beef farmers in Ohio against the low-wage, undemocratic labor down in Cuba, in China, in Brazil, every place else that wants to ship into this country.

This industry is going to go the way of TV's, apparel, VCR's. It is all written out there. I saw the offeror of the amendment eating a Snickers bar, or one of those candy bars. I thought that was a bit ironic here as we go into this debate, because that is really what it is about, multinational corporations setting the price of sugar because they are the largest users.

If we look at the last time that the Government got out of the business of regulating this industry, prices shot up, and I say to every homemaker in America, remember when sugar cost $3 for a 5-pound bag? That was the last time this kind of amendment was approved.

Mr. KINGSTON. Mr. Chairman, I yield myself such time as I may consume to rebut what my friend from Ohio has just said.

Mr. Chairman, it is ridiculous. The GAO report has said that 42 percent of the benefits of this program go to 1 percent of the producers. One guy in Florida made $65 million from this program. Then one of the offers that we tried to offer as a compromise was globalization, which would have let American refiners buy sugar on the open market in the world market from whoever they want to, and the beef farmers did not want to have anything to do with it.

This is not a competition on an international basis. I just find all that actually the most slightly misinformed argument I have heard against the program.

Mr. EWING. Mr. Chairman, if the gentleman will yield, I would just point out that if the gentleman gets $65 million, it is not Government money.

Mr. KINGSTON. Mr. Chairman, I reserve the balance of my time, and I only want to say to my friend from Illinois, if he is speaking, it is on his time.

Mr. EWING. Mr. Chairman, I yield such time as he may consume 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 wish to rise in strong opposition to the Miller-Schumer amendment. If adopted, this amendment would damage the sugar industry more than if the sugar program were eliminated altogether. It would eliminate all sugar price supports, mandate a drop in domestic producer prices, and increase taxes on cane and beet sugar, which would force American sugarcane and sugarbeet producers out of business and leave countless numbers of American sugar workers jobless.

I urge my colleagues today to not be sweet talked into dismantling a program that has helped sugar producers compete in an international market for several years now. The present support level has also provided the opportunity for American corn growers to compete for a share in the sweetener industry, further benefiting the American consumer looking for an ample supply of sugar at a reasonable price.

Moreover, those who say the American consumer will benefit from a price support reduction are giving us the sweetest talk of all. Will sweetener users really cut the price of their retail goods if the support price for sugar were to drop? I think we all know that answer. I urge my colleagues to maintain the current reforms as amended in this bill and not cripple our Nation's corn and sugar growers ability to compete.

I take great pride in my voting record on small business issues. My rating is usually in the high-nineties, if not 100 percent. I am sad to see some elements of small business styling this issue a consumer issue. The record will show that the only time the price of sugar went through the roof in recent memory—that would be to the memory of anyone now sitting here—was twice in 1974 and 1980—when the sugar program lapsed. In 16 years in office I can recall no complaints about the price of sugar. If you want to see the price of sugar become a consumer issue, then destroy the sugar program, let all of those jobs go overseas, and see what the price of sugar will be when we are held hostage to overseas governments, say Cuba, and no longer have a domestic industry to keep the price of sugar in balance.

Mr. EWING. Mr. Chairman, I yield 1 minute to the gentlewoman from Wyoming [Mrs. CUBIN].

Mrs. CUBIN. Mr. Chairman, I have to go back to the remarks of the gentlewoman from Ohio when she said this is an argument between multinational corporations and small farmers, and she is exactly correct. This is like David versus Goliath. The only people that are worried about doing away with this program are those people who make the biggest profit off of sugar. The producers make the least profit of anyone along the line when it comes to sugar.

There is something that also has to be made very clear. We as Members of Congress have asked everyone in this country to do their part in balancing the Federal deficit, and these sugar beet farmers have given and given and given until it hurts. They are willing to do their part, but we cannot put them out of business by doing away with this program.

The sugar program operates at no net cost to the Federal Government. It is not a subsidy. It provides money to the Government Treasury actually, and under the reform program it provides even more money to the Federal program.

I urge you to vote against the amendment and for the bill.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Missouri [Ms. MCCARTHY], who has worked very hard on this amendment.

Ms. MCCARTHY. Mr. Chairman, I rise today in support of the Miller-Schumer-Kingston amendment to phase-out the Federal sugar program in 5 years.

The sugar price support program is a wasteful giveaway that benefits only select sugar producers and results in higher prices for consumers. The artificially high prices drive up costs for domestic food manufacturers and make U.S. food producers less competitive.

The sugar program has a direct cost to all Americans. Every time we go to the supermarket and buy sugar, and every time we buy products that are made with sugar, we pay for the sugar program. The General Accounting Office has estimated that the sugar program costs U.S. consumers at least $1.4 billion a year in increased food products.

This amendment brings a reasonable end to the sugar price support program. It phases-out supports over a 5-year period, and gives producers who currently benefit from the program time to adjust to a more competitive marketplace.

At a time when we are rethinking farm policy, it would be a mistake to maintain the status quo for sugar. I urge all my colleagues to support the Miller-Schumer-Kingston amendment.

Mr. EWING. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska [Mr. BARRETT], a member of the committee.

Mr. BARRETT of Nebraska. Mr. Chairman, I thank the gentleman for yielding this time to me.

We have heard that the sugar program is corporate welfare. In fact, it costs taxpayers nothing. We have heard it, it is the law, it is the law, it does not cost the taxpayers anything. There are no subsidies for sugar, none.

The program merely allows producers to be eligible for loans, and those loans must be repaid with interest. In fact, the sugar program brings in approximately $30 million a year.

Corporate welfare, all producers can qualify. They can participate. In my district over 550 farmers are involved in sugar beet production. In fact, it is probably the largest value-added crop in the State.

We have heard that the program costs U.S. consumers $1.4 billion in higher food prices each year. Food prices are not taxes. If the program is repealed, U.S. producers would be exposed to a highly subsidized world sugar market, costing the United States in the end. Our sugar program allows U.S. producers to compete against unfair trade practices and subsidies from other countries. It costs about 39 cents a pound. In subsidized countries it is 54 cents a pound. It truly costs consumers $1.4 billion, and that is about $5, $6 a year per person.

Mr. Chairman, I urge a ''no'' vote on this amendment.

□ 1930

Mr. MILLER of Florida. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. ZIMMER].

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

Mr. Chairman, these days it is advisable for any candidate for Federal office to know the price of eggs and bread and other staples at the supermarket. I would advise those Members who stop by their local supermarket to check up on those prices also to take a look at the ingredients in most of the products that they buy, or that any working family would buy. Look at catsup, cereal, bread, most processed foods. They all contain sugar. You are paying more for all those products because of this misbegotten sugar program. That is why we should phase it out.

We have heard over and over again that this program is at no net cost to American taxpayers. American consumers, who are in fact American taxpayers, are paying $1.4 billion a year more at the supermarket because of this program, and the Federal Government is paying at least $90 million more per year for the sugar that it must buy. This is not a good bargain for us as American taxpayers or as American consumers because the bulk of these benefits go to a small minority of well-placed, well-connected farmers.

I urge adoption of the amendment.

Mr. DE LA GARZA. Mr. Chairman, I yield 1 minute to our distinguished colleague, the gentleman from Michigan [Mr. BARCIA].

Mr. BARCIA. Mr. Chairman, I rise in opposition to the Miller-Schumer amendment. While this amendment is an effort to end the sugar price support program and claims to take 5 years to do it, the negative impact on my growers in our domestic industry will be immediate. We are reducing the other farm price support programs because of cost. Yet, as many have spoken on this floor tonight, there is no cost to the sugar program. Let me repeat that. There is no cost to the U.S. taxpayers of this sugar program. In fact, year after year, it has generated money for our Treasury.

By now we should all know the basics about the reasons for our domestic sugar program: It provides us with a stable supply at a reasonable price. No matter what you may hear about the so-called world market, our consumers pay less than most consumers throughout the world for sugar. Every other producing country has a sugar program. If they were all to be eliminated, study after study has shown that the price to the United States would be exactly where it is now. This amendment will force many of our constituents and many Americans across the country out of business. I strongly urge defeat of the Miller-Schumer amendment.

Mr. EWING. Mr. Chairman, I yield 30 seconds to the gentleman from Oregon, Mr. WES COOLEY, a member of the committee.

Mr. COOLEY. Mr. Chairman, I rise in opposition to the Miller-Schumer amendment, a bitter pill for American sugar producers to swallow. The European Union has announced it will continue price supports, without reduction, for their sugar producers.

If the United States were to unilaterally disarm, abandon its sugar program, over 400,000 people would be out of work. The individuals who make up the sugar work force will be put at serious risk.

Currently the European price supports are 40 percent higher than the United States support levels. They say they will not review this policy until the year 2001. Why should they? I ask my colleagues to stand up for free and fair trade by defeating the Miller-Schumer amendment.

Mr. Chairman, I rise in opposition to the Miller-Schumer amendment—a bitter pill for American sugar producers to swallow.

The European Union has announced it will continue price supports—without reduction—for their sugar producers.

If the United States were to unilaterally disarm by abandoning its sugar program, over 400,000 individuals which make up the U.S. sugar work force would be put at serious risk.

Currently, the European price supports are 40 percent higher than the United States support level—and they say they will not review this policy until the year 2001. Why should they?

They have already settled upon their sugar policy for the next 6 years—a policy that creates an over-production of sugar which is then dumped onto the world market at prices well below the cost of production.

Opponents of the sugar program will tell you that the price of sugar in the United States is far above the world price. However, the so-called world price is an illusion.

It is a figure which is distorted by the bloated payments foreign governments put in the pockets of their producers. It does not represent a free market.

I believe in free trade—but it does not exist in the world sugar market.

The sugar reform in the farm bill answers the critics by raising assessments on producers, and lowering the effective loan rate on sugar.

However, the Miller-Schumer amendment will slash the loan rate to nearly one-third the European support price, and leave American producers drowning in cheap foreign sugar.

I ask my colleagues to stand up for free and fair trade by defeating the Miller-Schumer amendment.

Mr. DE LA GARZA. Mr. Chairman, I yield 30 seconds to our colleague, the gentleman from North Carolina [Mr. ROSE].

Mr. ROSE. Mr. Chairman, Fidel Castro's dictatorship has just shot down American planes and killed American pilots. Sugar that is not grown under this program is going to be grown in Georgia and is going to find its way into the world market and into this country. How dare this House bring pleasure to Fidel Castro and sell Cuban sugar in the world market, if Americans tonight in this body kill our sugar program? Do not please Castro. Vote against this amendment.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MEEHAN] for this amendment which allows no Cuban sugar into America. That is sophistry and not true.

Mr. MEEHAN. Mr. Chairman, I rise in support of the Schumer amendment. I think it is clear that sugar subsidies are bad for most Americans. Think about it. When the Government indirectly raises sugar prices to help sugar farmers make a living, all other Americans must pay more for sugar products. Most families in my district have had to deal with a decline in real income over the last 10 to 15 years. At the same time, the Government is still in the business of artificially raising prices on basic foods.

The bottom line is that sugar subsidies help sugar growers, and they hurt everyone else that have to pay inflated prices for food. To top it all off, the sugar program costs money. This is a Congress that is going to do all kinds of things to balance the budget, and we have been cutting all kinds of things in this Congress. It is time to put an end to these subsidies. A vote for the Schumer amendment can put an end to one more special interest: agricultural subsidy.

Mr. EWING. Mr. Chairman, I yield 1½ minutes to the gentleman from Idaho [Mr. CRAPO], a member of the committee.

Mr. CRAPO. Mr. Chairman, I rise in strong opposition to this amendment. Let me state one more time, because speaker after speaker continues to say that this is a subsidy program for sugar, the sugar program operates at no cost to the American taxpayer. In fact, it generates somewhere in the neighborhood of $30 million a year in revenue to the Treasury.

The fact is that this program did have marketing allotments, but the bill we are debating tonight removes those marketing allotments. What the bill did is it retained the import quotas that the sugar program has in effect, and that is the issue we are debating tonight. The issue is not subsidies, the issue is trade. The issue is whether we are going to let subsidized foreign sugar into the United States and stop protecting our producers against anticompetitive conduct by foreign nations. That is the issue.

There are those who would like to bring subsidized sugar into our country because, in the short-term, it would benefit them and their particular operation. But the fact if that we all know how that works. If those foreign countries are allowed to subsidize their markets against our producers, push our producers out of business, then who can say that they are going to continue to keep the prices low?

The last time we removed the sugar program, and these kinds of trade protections, we saw what happened. Prices shot up. Study after study has shown that if we let the market operate, which this bill will do, the price of sugar will be low. One speaker said to look in all the products in the stores, and there is sugar in every product. Of course, sugar is a very inexpensive product. In restaurants it is given away for free. The fact is the price of sugar is not out of line, and we ought to maintain our protection for American producers.

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

Mr. Chairman, I would say to the previous speaker that the import quota now is 2 million metric tons. This bill lowers it to 1.5 million. He just proved the point why we need Miller-Schumer-Kingston.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from South Carolina [Mr. SANFORD].

Mr. SANFORD. Mr. Chairman, this vote is a gut check. Like few votes that I have seen recently, it asks us who are we and what do we really believe in. As Republicans, we talk about free enterprise, we talk about open markets. Yet, the sugar program has a guaranteed floor price of 23 cents. When I go to the produce store, I do not see a guaranteed floor price for tomatoes. When I go to the car shop, I do not see a guaranteed floor price for repairing the car. When I go to the hardware store, I do not see a guaranteed price for hammers. Yet, we are going to make an exception here?

I would say to my friends on the other side of the aisle, many folks say we are for the working folks, we are for the little folks. If that is so, how could we possibly ask folks to pay double the price for sugar? A lot of folks say, ''Forget it, Mark. We are talking about sweet tea and we are talking pecan pies.'' That is not a lot of money. That is just a little bit of money.

Yet, if you were to talk about sweet tea, especially down South, we are talking about a lot of sweet tea. In fact, what we are really talking about is principle. How can we allow big benefits to accrue to just a few small folks; in other words, special interests? In fact, you add up those sweet teas and pecan pies, you are looking at $1.4 billion of benefit. I think probably nothing better illustrates this problem than the way that this subsidy in essence flows down to one family in Palm Beach, $65 million a year of benefit. They are, I am sure, fine folks, and they are certainly good capitalists, but that is not fair. It does not pass the commonsense test, nor does this sugar program. I ask that we pass this amendment.

Mr. DE LA GARZA. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Florida [Mr. HASTINGS].

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Chairman, I rise today to express my opposition to the Miller-Schumer amendment. Let me immediately say that I take a back seat to absolutely no one in this House in the protection of the environment in this Nation, and especially in Florida. Neither does the sweetener industry in my district. They have already agreed to spend nearly one-half billion dollars to clean up the environment in the locale in which they do business.

One other thing I want to say to my colleague, the gentleman from South Carolina, MARK SANFORD. If there is some law against making $65 million, then many a corporate executive ought to be put in jail, because a whole lot of them make a whole lot of money, and therefore, I do not see any prohibition.

Large farmers mean large numbers of jobs, where I live. Forty thousand jobs in Florida are connected to this industry. If those jobs were to be lost in this era of downsizing, right-sizing, reengineering, temporarying, and outsourcing, somebody come tell me where they are going to work, because I do not know where they are going to work. That is a genuine concern that we all ought to have in this Nation.

Mr. Chairman, I ask defeat of this measure, and support of jobs in the State of Florida.

Mr. Chairman, I rise today to express my opposition to the Miller-Schumer-Kingston amendment.

The current sugar program has worked since its inception to ensure a steady supply of sugar at a stable price.

The program does not cost the taxpayers anything. In fact, the USDA has estimated that with the interest on support loans and fees and duties on imported sugar, the program has actually increased Federal revenues.

But aside from my belief that the current sugar program helps the American consumer,

I oppose this amendment because there are 40,000 people in and around my district who depend on the sugar industry for their jobs. I will not watch these 40,000 jobs disappear from Florida without a fight. The current program has worked well—it provides a stable, inexpensive supply of sugar while utilizing our agricultural labor force. I do not want to see these jobs go overseas. Oppose the Miller-Schumer amendment.

Mr. EWING. Mr. Chairman, I yield 2 minutes to the gentlewoman from Idaho, HELEN CHENOWETH.

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

Mr. Chairman, we have heard a lot of fine speeches today about the free market system, but I felt it was very interesting, the gentleman from New Jersey [Mr. TORRICELLI] mentioned that we cannot stand on this floor and dictate what kind of subsidies shall be charged out of the European countries. But let me tell the Members exactly how the European Community subsidizes this industry. America subsidizes it to the tune of zero dollars, Mr. Chairman. The European Community subsidizes it to the tune of $1.5 billion. I do not call that free enterprise. I call that a very uneven and tilted playing field.

We have also heard about the fact, how sugar runs up the cost of retail goods. Let us just talk about where the rubber meets the road. The fact is, over the last 4 years, the price of sugar has dropped 6.8 percent. Have Members heard housewives complaining about the price of sugar? No. I can tell you who is complaining about the price of sugar. It is those very same people that can afford to hire Michael Jackson as their poster boy.

Second, Mr. Chairman, while retail sugar dropped 6.84 percent, the price of ice cream went up 7.3 percent. While sugar dropped 6.8 percent, the price of cakes and cookies and candy went up 17 percent. While the price of retail sugar dropped 6.8 percent, the price of cereal went up 22.3 percent.

It is not because of the sugar, Mr. Chairman, that those retail prices have been going up. It is because of other costs. Many of them have been very good, but they have been built-in mechanisms. That is what has caused our people to be thrown out of work.

If you lived in Japan today, do you know what you would pay for a pound of sugar? You would pay $1.04 per pound. If you lived in Europe, you would pay 54 cents. If you lived in China, it would be 39 cents. It is 39 cents in America. It is not a bad deal, Mr. Chairman. Please oppose this amendment.

Mr. DE LA GARZA. Mr. Chairman, I yield 1 minute to our colleague, the gentleman from Minnesota [Mr. PETERSON].

(Mr. PETERSON of Minnesota asked and was given permission to revise and extend his remarks.)

Mr. PETERSON of Minnesota. Mr. Chairman, I thank the gentleman for yielding time to me.

We hear a lot of talk tonight about this program being a subsidy program. Let us just talk about what this is about. This is about trade. We in this body, in the dead of the night, in a lame duck session, passed a GATT Agreement that we should not have passed. I opposed it all the way. But why in the world did we go over and negotiate that agreement, and I had an opportunity to represent this Congress over there, along with the ranking member, where we gave up a lot to come to an agreement on how much sugar we are going to let in this country, and then we come with a bill that will completely undo what we have done in that agreement?

These European competitors are subsidizing their producers at twice the level that we are doing in this country. It is not a subsidy, it is just a floor we are putting underneath the products. That is what this is all about. What this amendment is going to do, if we continue this—and this was done, by the way, last night—it is not thought out. It is not workable. This was just drawn up at the last minute. What this is going to do is force the Secretary of Agriculture to reduce the loan rate, which is going to force us to take these 1.23 metric tons and force sugar into this country, and it is going to destroy this industry. I urge you to oppose this amendment.

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Mr. MILLER of Florida. Mr. Chairman, could we get a report on how much time each of us has?

The CHAIRMAN. The gentleman from Florida [Mr. MILLER] has 5½ minutes remaining, the gentleman from New York [Mr. SCHUMER] has 4 minutes remaining, the gentleman from Georgia [Mr. KINGSTON] has 2½ minutes remaining, the gentleman from Texas [Mr. DE LA GARZA] has 4½ minutes remaining, and the gentleman from Illinois [Mr. EWING] has 4½ minutes remaining.

Mr. MILLER of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. CHABOT].

Mr. CHABOT. Mr. Chairman, I rise in strong support of the amendment. Every time an American consumer purchases a bottle of Pepsi or a Coke or a candy bar, the big sugar producers in Florida crack a smile. And why should they not? The Federal sugar program inflates sugar prices to nearly twice the world average and cost American families $1.4 billion every year. This money lines the already deep pockets of huge sugar conglomerates at the expense of hard-working Americans.

Many of us, when we ran for Congress, promised to work to change the way Washington works. I cannot think of a better example of one of those Federal programs that needs to be reformed and reformed immediately than the sugar program. The sugar subsidy encourages the type of overproduction that is bringing great harm to our environment. This amendment represents real reform by phasing out the program over five years, and not a moment too soon. Sugar subsidies may be a sweet deal for sugar growers, but they are a raw deal for consumers and for taxpayers.

Mr. DE LA GARZA. Mr. Chairman, I yield myself 30 seconds only to say to the gentleman that just preceded me that the soft-drink industry uses corn syrup and not only uses sugar; also to our colleague from South Carolina who stood here and said, your side of the aisle, your side of the aisle, this is not the 1-minute Democrat bashing time. This is very serious business for jobs in the United States of America.

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

Mr. DE LA GARZA. If I have time, I yield to the gentleman from South Carolina.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MILLER of Florida. Mr. Chairman, I yield myself 15 seconds.

We keep hearing the issue of no net cost. The American consumer is the American taxpayer. The General Accounting Office, the independent agency of Government, says it is $1.4 billion. The American consumer pays that.

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

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

First of all, I drink my coffee black, so I am a perfect neutral party for this particular discussion. We have heard a great deal of debate on the House floor about whether this helps or hurts the American consumer, helps or hurts the American farmer, and also where trade fits in here, and if my colleagues will just pay attention to the issue of trade for one item, the Miller amendment ensures through existing laws that foreign subsidized sugar will not hurt American producers. We have existing laws to protect those tariffs.

No. 2, the government-subsidized loans, which is what we are talking about here, have been bad for consumers, bad for those jobs in the refining industry, and bad for family farmers.

Mr. Chairman, the Miller-Schumer-Kingston amendment offers the only real reform in this good bill called the Freedom to Farm Act so that we can let market forces in this country decide what is best for the consumers. I urge a vote for the Miller-Schumer-Kingston bill.

Mr. DE LA GARZA. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. FARR].

Mr. FARR of California. Mr. Chairman, I rise in opposition to this amendment. I think to a lot of people it is a very confusing time. It sounds like the Government subsidizes sugar. There is no taxpayer subsidy here. This is essentially a battle of economic interests. It is a battle that Americans ought to know about because it is either going

to say we are going to err on the side of making candy and soft drinks cheap, and I wonder what is the national congressional policy on why we ought to have cheap candy in this country. The other side is you are going to err on the side of what we have done historically, and that is to support farmers.

Now, there are different kinds of farmers in this country. It is not all sugar cane. We have beet growers all over this country who support our local economy. These people need this program. So if you are going to take a vote tonight, you are going to either err on the side of farmers and support America and support what we have been doing over the years, or you are going to err on the side of business that wants to make candy cheap. I think that you ought to err always on the side of the farmers. Oppose this amendment.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from New York [Mrs. MALONEY].

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Chairman, I rise in support of the Miller-Schumer-Kingston amendment. This amendment will protect thousands of jobs by eliminating the U.S. sugar program. Continuation of the program which artificially doubles the price of sugar and restricts its import could also close the Domino Sugar refinery in my district, and I have a letter from the company right here stating just that. It is an important business. It employs 450 people in Williamsburg-Green Point, Brooklyn, and 150 in Manhattan, and these jobs are at risk right now.

Domino Sugar has already had to close three plants, and a refinery closed four times in 1995 alone. Continuation of the sugar program could shut Domino Sugar Co. down permanently, putting more than 1,000 Domino employees out of work and destroying many small neighborhood businesses.

Mr. Chairman, the American people deserve better. They deserve cheaper sugar. They deserve to keep their jobs. I have here three editorials, national newspapers, that came out in support of this amendment.

Mr. DE LA GARZA. Mr. Chairman, I yield 1 minute to our colleague, the gentleman from Minnesota [Mr. MINGE].

Mr. MINGE. Mr. Chairman, there has been a great deal of discussion about competition this evening. I think one factor that needs to be emphasized over and over is the fact that this new farm program bill opens up competition in sugar production. The allotment process has ended. Anyone in the United States that thinks that he or she can produce sugar more cheaply than his neighbor or the company in the next State can do so. We are not talking about a program that says this farmer can do certain types of sugar production, this farmer cannot. Anyone can get into the business. The market is open. It is free. It is for all.

Mr. MILLER of Florida. Mr. Chairman, I just want a report of the time and see how many speakers.

The CHAIRMAN. The gentleman from Florida [Mr. MILLER] has 3 minutes and 15 seconds remaining, the gentleman from New York [Mr. SCHUMER] has 3 minutes remaining, the gentleman from Georgia [Mr. KINGSTON] has 2½ minutes remaining, the gentleman from Texas [Mr. DE LA GARZA] has 2 minutes remaining, and the gentleman from Illinois [Mr. EWING] has 4½ minutes remaining, and the gentleman from Illinois has the right to close.

Mr. DE LA GARZA. Mr. Chairman, I yield 90 seconds to our distinguished colleague, the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Chairman, we have heard a discussion tonight about jobs, and I would say from my observation of the Republican primaries that I expect that Mr. Buchanan and others that are concerned about jobs in this country are going to be watching the result of this debate, because when you talk about cheap sugar you are talking about slave labor. You are talking about exporting jobs of Americans overseas. Make no mistake about it, a yes vote on this is going to be interpreted as being against the American worker, because when you go overseas to get that cheap sugar you are where there are no labor standards. There are no health standards. There are no environmental standards. There are no safety standards.

We fought a war in this country to end slavery, and yet we are telling ourselves that in order to have cheaper sugar we are going to import slave labor sugar from people around the world who are being devoured by oligarchs, sugar oligarchs who have made it their business to destroy their people. They will destroy this country.

Do the Members think that refineries are going to exist in this country when cheap sugar that is harvested by slave labor can go into a refinery in that country? That is what is going to happen. This is about jobs in this country. Urban Members of both sides of the aisle say that they are going to find cheaper sugar products in this country. Not only is that not true, but it is undercutting the people who are the best producers of sugar in the world. This is a jobs program. Vote for American workers. Vote down this amendment.

Mr. Chairman, let me say first and foremost, if I had my way we would leave the no-cost sugar program alone. However, people asked for reform. The end product we have in the H.R. 2854, the Agricultural Market Transition Act, is reform. Domestic marketing allotments are eliminated. The loan rate will effectively be reduced. The marketing assessment paid by growers for deficit reduction purposes is increased 25 percent. The foreign sugar import level is raised by 20 percent. Yet, the no-cost provision which has been in effect since 1985 is still maintained. So if reform is what you want, reform is what you got.

Mr. Chairman, for over 150 years, sugar has been grown in the State of Hawaii. Sugar has played a major role in the historical, cultural, and economic development of Hawaii. However, the survival of sugar is now in question. Over the past decade, sugar production in Hawaii has dropped drastically. In 1986, over 1 million tons of sugar was produced. In 1995, the amount will be approximately 492,000 tons.

If Hawaii sugar producers were inefficient or unproductive I could not support the sugar program. Yet, the data proves that the Hawaii yields of sugar are among the highest in the world, about 10.5 tons an acre in 1993. In addition, Hawaii's sugar field workers have the highest standard of living of any agricultural workers in the world. The only way the world sugar market competes with our domestic sugar industry is to artificially subsidize their sugar industry and to utilize slave labor. Foreign competitors do not have to comply with Federal and State standards for worker safety, wage and healthcare benefits, and for environmental protection. The concept of free trade is splendid, but for sugar it is a fantasy. One on one on a level playing field Hawaii sugar producers can beat anyone.

In fact, according to a 1994 Landell Mills Commodities Studies the evidence reveals the United States to be the second lowest cost among the world's 31 major beet-producing countries, and 29th among 62 cane producing countries. Among the world's 13 producers of corn sweetener, the United States ranks as the absolute lowest cost.

This Nation's highly efficient sugar farmers are ready, willing, and able to compete against foreign farmers. Until a level playing field exists, however, it would be a mistake to dismantle a successful sugar policy while other nations continue their market-distorting habits at America's expense.

Mr. Chairman, during the debate someone may bring up the Sweetener Users' Association, which represents the big, multinational food, candy and soda corporations, poster child—Bob's Candy of Albany, GA. As they go on to say, if sugar weren't so costly in the United States, they could stay competitive and not be forced to move jobs overseas. It is the sugar, says Bob's Candy. It costs too much here in America. Bob's Candy is forced to move operations to Jamaica because sugar is cheaper there.

Well, my colleagues, let me tell you the rest of the story.

Could it be there are other factors that brought Bob's Candy to Jamaica? Like, maybe the fact that Bob doesn't have to pay his Jamaican employees anything near what he's paying his Georgia employees? Or perhaps, because there's no NLRB, no OSHA, no EPA, no Medicare payroll taxes to contend with in Jamaica? Could any of these factors have played a role in Bob's decision to locate in Jamaica—or was it just the price of sugar, as big sweetener users say.

Incidentally, according to Dunn & Bradstreet, Bob's Candy is in the top 25 percent in terms of profitability of all American candy makers.

Bob's Candy is simply a case of a profitable candy maker trying to use the sugar program as a convenient scapegoat for its decision to

move good-paying American jobs overseas. And, in turn, the big corporate sugar users are trying to hide behind little ol' Bob's Candy as a vivid example why Congress should scrap the sugar program.

Well, I don't buy it—and neither should the American public.

Mr. Chairman and my House colleagues, support good policy, support American jobs, support the American economy. Vote against the Miller-Schumer amendment: immediate disaster, disguised as transition.

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

You know what is interesting about all these folks who are supporting all the big lobbyists interests is that they keep saying there is over 400,000 jobs related to sugar, yet the USDA says it is only 46,000. So all this talk about jobs is losing me, Mr. Chairman.

But what is wrong with working without a refinery? Mr. Chairman, 10 years ago we had 22 refiners in America. Today we have 11. What is it about these people that one job is better than the other? There is room for compromise on this, Mr. Chairman. We need the Miller-Schumer-Kingston amendment.

Mr. EWING. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. FOLEY], a member of the committee.

Mr. FOLEY. Mr. Chairman, I will show the gentleman from Georgia [Mr. KINGSTON] this brochure. These are people that live in my district, white, black, Hispanic families that work and live in my district in the sugar industry, not poster children, not models, not phony baloney, real people.

Let me tell the gentleman I oppose his amendment. After a year of mass mailings, after a year of editorial writing, we are here on a day of reform. If this Miller-Schumer-Kingston is reform, then Dr. Kevorkian is the attending physician. This will kill the domestic sugar industry.

We talk about world price, folks. World price is based on 105,000 pounds of sugar. My mother does not go to Winn Dixie and buy 105,000 pounds of sugar. If it was true that you could buy it at that price, then we would all be buying our gas in the barrel, $17 a barrel for oil, would be much cheaper to fill our cars with oil by the barrel, but we do not do that.

Domestic sugar is now on the world market 13 cents, 3 cents up over the last month and a half. Prices to refiners are up.

Ladies and gentlemen, where was the testimony on this bill? We were first talking and guaranteeing the other side a vote on elimination February 26, dated on the Miller bill. Were there hearings? Did we go around the communities, as we did on the Committee on Agriculture? Did any Members come to Belle Glade, Clewiston, Pahokee, where I live? Did any Members come along with the gentleman from Florida [Mr. HASTINGS] and I to talk to the people that are going to be affected by this bill?

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Does this Congress care about jobs in America? Do they care about the families in our communities, or would they rather have every other foreign government giving us all our good advantages and when they are tired of giving us their wonderful sugar at a reasonable price, this wonderfully low-priced sugar being debated today, when they are tired of doing that, they are going to say, hey, we have got a captive audience like we do on oil. Remember when there were lines for oil? Remember when there were fights in gas stations over oil?

When the sugar cartels from the other nations you want to invite into this country say to you sugar is going to be a dollar a pound, $2 a pound, you are going to be stuck paying for it.

You, ladies and gentlemen, then face the consumer. You, ladies and gentlemen, face the housewives that have to bake with these goods.

Mr. DE LA GARZA. Mr. Chairman, I yield myself the remaining one-half minute.

Mr. Chairman, I am not looking for headlines. I am not looking for a picture on the front page of the New York Times. I am speaking about people, real people in my district who will be out of work, people I know, people I have felt the flesh, and it is no secret that, yes, I have sugar cane in my district.

But we are talking about jobs, jobs, jobs, U.S.A., American jobs. Otherwise, without this legislation, we partition it out throughout the world at lower prices, mind you, lower prices, but the world will benefit and American jobs will suffer. U.S.A., American jobs.

Mr. Chairman, the U.S. sugar program operates at no cost to the Federal Government. In fact, through the fee assessments on the domestic industry, sugar has contributed more than $130 million to the Federal Treasury since the last farm bill—and has contributed almost $500 million over the last 10 years through import duties, the fees, and interest on loans.

The U.S. sweetener industry has a positive impact on the economy—more than $26 billion—generating 420,000 American jobs.

My own district in the Rio Grande Valley of south Texas is a good example of the contributions of the sugar industry.

The value of the sugar cane harvest from the farms of the Lower Rio Grande Valley annually averages $40 million.

In addition, the sugar cane industry generates $16 million annually for the valley economy in the form of payroll, local taxes paid, and purchases from local merchants and services. A sugar mill and a nearby refinery process cane and raw sugar from hundreds of farmers and generate hundreds of job locally.

The average sugar cane farm in the Rio Grande Valley is just 311 acres. These are not large corporate farms. These are small farmers who in 1973 formed a cooperative and built a sugar mill in Harlingen to process their sugar cane.

U.S. consumers get a good deal on sugar at the supermarket. Our consumers currently buy refined sugar for about 39 cents a pound. By comparison, consumers in Tokyo pay almost 90 cents a pound while those in Europe pay from 50 to 70 cents. The average retail sugar price in developed countries last year was 54 cents—38 percent more than the U.S. price.

On these purchases alone, U.S. consumers save $1.4 billion compared with consumers in other developed countries. Clearly, U.S. consumers pay a fair price for sugar.

Sugar is an essential link in our food chain, and we need to maintain a viable domestic sugar producing industry, providing our consumers with access to a stable supply at a reasonable price.

The sugar provisions continue the no cost program, and actually increase by 25 percent the level of the fees, which will generate about $288 million for the Treasury through 2002.

In addition, the bill removes limits on production, removes a guaranteed minimum price, effectively reduces the loan rate by 1 cent, and ensures an increase in foreign imports.

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

The gentleman from Florida [Mr. FOLEY], in a very impassioned way, said did we come to his district? No; we did not come to his district. We were not invited.

This bill has not been given the courtesies of the beet lobbyists' bill, and, furthermore, Mr. Chairman, I would ask rhetorically, did he come to Savannah, GA, to talk to the refiner, the people who work in the refinery that I represent or to the district of the gentlewoman from New York [Mrs. MALONEY] to talk to the folks in New York, the 450 jobs there that will be eliminated with this status quo, special-interest bill?

Let us look at these amendments, Mr. Chairman. One by one, we have a loan rate. The USDA will have a no-net-cost program. They are going to choke domestic supply so that there are no loan defaults. It is going to keep the price of sugar up. That is the situation that we are in under the current bill.

This bill does not change the current law at all. We keep hearing about 400,000 jobs. The USDA only sends us 46,000 jobs in this beet industry. We keep hearing that this will eliminate jobs.

Well, refiners have gone from 22 plants to 11 plants in the last 10 years. It is not hypothetical about refiners losing jobs. They have already lost jobs.

We keep hearing about this is not subsidized. Maybe you could say it is not subsidized. You certainly cannot say it is not a cartel.

Mr. Chairman, this is a situation where these poor beet farmers, the wealthiest lobbyists on Capitol Hill, are in the beet, cane sugar industry. Every time I turn around, we see them walking the halls. We can hardly get by in the hall, they are walking in here with pockets full of money.

Mr. Chairman, the poor beet farmers that are back home are not going to be put out of business by this bill. Let me

tell you why and be very clear to the Members here about this: This bill only gets us to the conference committee so that we can work out a compromise. This is the only train leaving town.

If we want to reform sugar, if we want to have a compromise, we must vote on Miller-Schumer-Kingston in order to get it before the conference committee for a compromise.

Mr. SCHUMER. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, first I would like to say I think this has been an informed and thoughtful debate laying out two sides of the issue. My view is, under any reasonable and rational measure, the sugar program must be repealed. We all know it. The only question is whether we have the will to do it, the will to change. If this Congress is about change, then certainly this program is up for change, because it is truly government controls run amok.

If the issue is jobs, we must repeal. If the issue is the environment, then we must repeal. If the issue is consumer, then we must repeal. The Miller-Schumer-Kingston amendment phases out the sugar program over 5 years. Our amendment does not, does not expose American sugar growers to unfettered competition. It does not allow any more imports in under GATT than are allowed today. It does not remove the protective import quota but only gives the Secretary flexibility in increasing the quota to get adequate supplies, and it does not allow a single bag full of sugar in from Cuba.

Well, in 1981, if the issue was jobs, just look at this chart. Every refinery with a red line through it is gone. Thousands of jobs and good-paying jobs, $25,000, $30,000, $35,000, $40,000 a year employing people in our cities and our suburbs. They will all be gone if we do not change this bill.

How about the environment? I heard talk from the other side that their proposal is proenvironmental. Then why is our bill supported by the Everglades Trust, the National Audubon Society, the Wilderness Society, and the World Wildlife Fund? Why does the Audubon Society want to make this one of the key environmental votes of this session?

And finally, about the consumer, about the consumer, the sugar program is the poster child of corporate welfare. It is not like peanuts, where there are small family farmers. Most of the sugar grown is grown on huge plantations; 1 percent of the cane growers get 42 percent of the subsidies. That is trickle-down if I have ever heard it. One Florida family, $65 million a year, paid for by the nickels and dimes out of the pockets of your people and mine. That is wrong.

Ask yourself the question: Why should a family earning $30,000 a year subsidize a handful of sugar barons to the tune of $1.4 billion a year? That is wrong. We know it. We know the program should be repealed.

Let us finally do it. Support Miller-Schumer-Kingston.

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

Mr. Chairman, let us make clear what exactly the sugar program is. It is a Government-run cartel that sets the price of sugar at approximately twice the world price. It does it by controlling the amount of supply imported into this country and how much is allowed to be grown in this country.

The price of sugar is almost half the price of what it is here in the United States. Australia, the largest exporter of sugar in the world, does not subsidize sugar, and they sell it at a world price of about 12 to 13 cents a pound. But we here in the United States, we pay 23 cents a pound.

Now we talk about this as a no-net-cost program. Once again, the General Accounting Office, an independent agency of the Government, came up with a report that it cost $1.4 billion for the American consumer, and the American consumer is the American taxpayer. So it is a phony argument to say it is not a net cost to us.

The issue of trade, now, I hear, first of all, I hear all this argument about Fidel Castro. I do not know what he has to do with this issue. People must be really concerned if they have to talk about Dr. Kevorkian or talking about slave labor. I mean, this is kind of a sad type of debate when you have to bring up those type of issues.

Let us talk about trade. Trade is a Ways and Means issue. Trade is a Ways and Means issue. The trade laws are not impacted by this amendment. The Secretary of Agriculture has the same controls if this bill goes into effect as he does today.

Now, we talk about all of this imported sugar. First of all, subsidized sugar is not allowed in the country, to start with. Those laws are there under the countervailing duty law. They are going to be kept out like it is today. That is a phony argument because that law is not being impacted by this.

We have a crazy thing, Australia sells sugar to anybody in the world at 13 cents a pound. No, to the United States, we are going to pay 23 cents. That is a subsidy to foreign sugar companies. Why are we doing that? GAO says it is $200 million a year of a subsidy to foreign countries. Why are we subsidizing their sugar?

They are selling to everyone else in the world at half-price. That is how crazy this program is. Subsidized sugar is not going to be pouring into this country, and the Secretary of Agriculture has sent a letter to that effect.

This amendment is a consensus amendment. It is a consensus of a wide range of groups, and a compromise. It includes the refiners, the environmentalists, the free market people, the anti-big government people, and we have conservatives and liberals on this bill. It makes sense. We all agree on this. It is a compromise bill. It is a 5-year phase-out.

This is good for jobs. We keep hearing about jobs being lost in farming. That is not going to happen. We are losing jobs right now at sugar refineries, whether they are in New York City or Baltimore or Savannah, GA. Those are real jobs being lost. We are having jobs shipped out of this country.

Bob's Candy, in Albany, GA, for example, the largest manufacturer of candy canes, has been in existence for over 70 years. When he buys sugar in Albany, he pays the price in the United States, 23 cents. He has had to ship some of his business to Jamaica, and he gets sugar there for 13 cents from the same place in Savannah. That is a crazy program. Why are we allowing that? He is having to ship his jobs in order to compete for the candy cane business. That is not the way the American system should operate.

I urge every Member to support this amendment.

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

I wish I had about a half an hour to try and dispel so much misinformation that has been brought forth on this floor here today.

Let me tell you that when we tried in the speciality crop subcommittee to devise a reform method for the sugar program, we looked at it very closely, and, yes, we had a program that was rootbound like a plant, and we did make changes in that program.

What we devised was a protection from foreign subsidized sugar at our borders. But we went beyond what GATT required us to do, and we said we are going to make them bring in 20 percent more than the GATT minimum, and we are not going to say to the beet people you can only grow so much, or to the sugarcane people, you can only grow so much. We opened the production of the American sugar industry, and I will bet you a dollar to a donut you are going to see the price of sugar come down because the American sugar industry will produce more.

When you talk about corporate welfare, I mean, if there is any corporate welfare in the sugar industry, it is a piker to the rest of the economy, and certainly we hear opponents get up one after another talking about refiners. I guess that is not corporate welfare.

We talk about supply and import restrictions. We went 20 percent over the GATT minimum.

We hear about prices, and we have put the information out there. How many times? Even Australia, when one speaker says it is down to 12 cents, they have a 36-cent price in Australia.

There are a lot of different prices for sugar around the world. But American sugar is stable in price. The supply is stable.

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The quality is excellent. What we have done is reformed the internal part of our sugar program and protected ourselves within the GATT treaty, within the new World Treaty Organization, from unfair competition.

Vote no on this amendment. Save jobs for thousands of beet and sugar farmers around this country.

Mr. POMEROY. Mr. Chairman, I want to take this opportunity to speak against the Miller-Schumer amendment to eliminate the sugar program. This amendment will ensure the death of the sugar industry in the United States for no apparent gain. Consumers will not benefit, hard-working people will lose their jobs, and family farmers will go out of business.

In North Dakota and virtually all of the sugar industry is made up of hard-working family farmers. In my State these farmers have banded together to grow, process, refine, and market a product that can compete with any in the world. They cannot, however, compete with the governments of the European Union which spend over $2 billion annually subsidizing their sugar industry.

The sugar program has provided stability to domestic consumers. In fact, American consumers have seen sugar prices drop 7 percent in the last 5 years. American consumers currently pay 28 percent less on average than consumers in other developed countries. By comparison the United States retail price for sugar is 39 cents a pound compared to 68 cents in France.

The American sugar industry is also a huge employer. Over 420,000 people per year work in the sugar industry, resulting in $26.2 billion in economic activity. The fact of the matter is that the sugar program is good for consumers and good for jobs.

The sugar program contained in the House bill is the simplest, most market-oriented program in history. The new reforms contained in the bill open the United States market to 20 percent more foreign sugar than currently allowed. Marketing allotments are abolished, releasing the U.S. sugar market from Government control. Finally, the marketing assessments in this bill will actually generate revenues of at least $40 million per year for deficit reduction. This is responsible reform that still protects both the American consumer and the American farmer.

The sponsors of this amendment want to ignore the reforms that have already been made and instead seek to cripple the domestic sugar industry, throw hard-working, innovative farmers out of business and flood the U.S. market with foreign sugar, increasing our trade deficit. They suggest that consumers will benefit from this action. The fact is that the consumer will not benefit unless the price of candy, pop, and cereal decreases as a result of the elimination of this program. This is pure pie in the sky given the small cost of the sugar contained in those products. More likely, sugar users will continue to exploit instability in the sugar markets to raise prices on sweetened goods even higher.

If you care about American jobs. If you care about American sugar producers, processors, users, and consumers vote no on this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. MILLER].

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

RECORDED VOTE

Mr. MILLER of Florida. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 208, noes 217, answered ''present'' 1, not voting 5, as follows:

[Roll No. 35]

AYES—208

| | | |
|---|---|---|
| Andrews | Gordon | Myers |
| Archer | Goss | Nadler |
| Armey | Graham | Neal |
| Baker (CA) | Greenwood | Neumann |
| Barr | Gutierrez | Ney |
| Barrett (WI) | Hall (OH) | Olver |
| Bartlett | Hamilton | Owens |
| Bass | Hancock | Packard |
| Beilenson | Hansen | Pallone |
| Berman | Harman | Paxon |
| Bilbray | Hayworth | Payne (NJ) |
| Bilirakis | Hilleary | Petri |
| Blute | Hinchey | Porter |
| Boehlert | Hobson | Portman |
| Borski | Hoekstra | Pryce |
| Boucher | Hoke | Quinn |
| Brown (OH) | Horn | Radanovich |
| Brownback | Hostettler | Ramstad |
| Bunn | Hoyer | Rangel |
| Buyer | Hutchinson | Reed |
| Callahan | Hyde | Regula |
| Campbell | Inglis | Riggs |
| Cardin | Istook | Rohrabacher |
| Castle | Jackson (IL) | Ros-Lehtinen |
| Chabot | Jacobs | Roukema |
| Chrysler | Kanjorski | Roybal-Allard |
| Clay | Kasich | Royce |
| Clement | Kelly | Salmon |
| Coburn | Kennedy (MA) | Sanford |
| Collins (GA) | Kennedy (RI) | Sawyer |
| Cox | Kennelly | Saxton |
| Coyne | Kim | Scarborough |
| Crane | Kingston | Schumer |
| Cremeans | Klink | Seastrand |
| Danner | Klug | Sensenbrenner |
| Davis | Kolbe | Shadegg |
| Deal | LaFalce | Shaw |
| DeLauro | Largent | Shays |
| DeLay | LaTourette | Slaughter |
| Dickey | Lazio | Smith (NJ) |
| Doggett | Leach | Smith (WA) |
| Dornan | Lewis (GA) | Solomon |
| Doyle | Linder | Souder |
| Dreier | Lipinski | Spratt |
| Duncan | LoBiondo | Stark |
| Dunn | Longley | Studds |
| Ehrlich | Lowey | Talent |
| Engel | Luther | Tate |
| English | Maloney | Taylor (NC) |
| Ensign | Manzullo | Thornton |
| Eshoo | Markey | Torkildsen |
| Fawell | Martini | Towns |
| Fields (TX) | Mascara | Upton |
| Flake | McCarthy | Velazquez |
| Flanagan | McDade | Visclosky |
| Foglietta | McDermott | Waldholtz |
| Forbes | McHale | Walker |
| Fowler | McHugh | Wamp |
| Fox | McInnis | Waters |
| Frank (MA) | McIntosh | Waxman |
| Franks (CT) | McNulty | Weldon (PA) |
| Franks (NJ) | Meehan | White |
| Frelinghuysen | Meyers | Wilson |
| Gallegly | Miller (CA) | Wolf |
| Gejdenson | Miller (FL) | Yates |
| Gekas | Moakley | Young (FL) |
| Gibbons | Molinari | Zeliff |
| Gilchrest | Moorhead | Zimmer |
| Goodlatte | Moran | |
| Goodling | Morella | |

NOES—217

| | | |
|---|---|---|
| Abercrombie | Bono | Coleman |
| Ackerman | Brewster | Collins (MI) |
| Allard | Browder | Combest |
| Bachus | Brown (CA) | Condit |
| Baesler | Brown (FL) | Conyers |
| Baker (LA) | Bryant (TN) | Cooley |
| Baldacci | Bryant (TX) | Costello |
| Ballenger | Bunning | Cramer |
| Barcia | Burr | Crapo |
| Barrett (NE) | Burton | Cubin |
| Barton | Calvert | Cunningham |
| Bateman | Camp | de la Garza |
| Becerra | Canady | DeFazio |
| Bentsen | Chambliss | Dellums |
| Bereuter | Chapman | Deutsch |
| Bevill | Chenoweth | Diaz-Balart |
| Bishop | Christensen | Dicks |
| Bliley | Clayton | Dingell |
| Boehner | Clinger | Dixon |
| Bonilla | Clyburn | Dooley |
| Bonior | Coble | Doolittle |
| Durbin | Knollenberg | Rogers |
| Edwards | LaHood | Rose |
| Ehlers | Lantos | Roth |
| Emerson | Latham | Rush |
| Evans | Laughlin | Sabo |
| Everett | Levin | Sanders |
| Ewing | Lewis (CA) | Schaefer |
| Farr | Lewis (KY) | Schiff |
| Fattah | Lightfoot | Schroeder |
| Fazio | Lincoln | Scott |
| Fields (LA) | Livingston | Serrano |
| Filner | Lofgren | Shuster |
| Foley | Lucas | Skaggs |
| Ford | Manton | Skeen |
| Frisa | Martinez | Skelton |
| Frost | Matsui | Smith (MI) |
| Funderburk | McCollum | Smith (TX) |
| Ganske | McCrery | Spence |
| Gephardt | McKeon | Stearns |
| Geren | Meek | Stenholm |
| Gillmor | Menendez | Stockman |
| Gilman | Metcalf | Stump |
| Gonzalez | Mica | Stupak |
| Green | Minge | Tanner |
| Gunderson | Mink | Tauzin |
| Gutknecht | Montgomery | Taylor (MS) |
| Hall (TX) | Murtha | Tejeda |
| Hastert | Myrick | Thomas |
| Hastings (FL) | Nethercutt | Thompson |
| Hastings (WA) | Norwood | Thornberry |
| Hayes | Nussle | Thurman |
| Hefley | Oberstar | Tiahrt |
| Hefner | Obey | Torres |
| Heineman | Ortiz | Torricelli |
| Herger | Orton | Traficant |
| Hilliard | Oxley | Vento |
| Holden | Parker | Volkmer |
| Houghton | Pastor | Vucanovich |
| Hunter | Payne (VA) | Walsh |
| Jackson-Lee (TX) | Pelosi | Ward |
| | Peterson (FL) | Watt (NC) |
| Jefferson | Peterson (MN) | Watts (OK) |
| Johnson (CT) | Pickett | Weldon (FL) |
| Johnson (SD) | Pombo | Weller |
| Johnson, E. B. | Pomeroy | Whitfield |
| Johnson, Sam | Poshard | Wicker |
| Johnston | Quillen | Williams |
| Jones | Rahall | Wise |
| Kaptur | Richardson | Woolsey |
| Kildee | Rivers | Wynn |
| King | Roberts | Young (AK) |
| Kleczka | Roemer | |

ANSWERED ''PRESENT''—1

Sisisky

NOT VOTING—5

| | | |
|---|---|---|
| Collins (IL) | McKinney | Stokes |
| Furse | Mollohan | |

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The Clerk announced the following pair:

On this vote:

Mrs. Collins of Illinois for, with Ms. Furse against.

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 104–463.

AMENDMENT OFFERED BY MR. SOLOMON

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SOLOMON:

Strike title II (page 81, line 5, through page 118, line 17) and insert the following:

**TITLE II—DAIRY**

**SEC. 201. MILK PRICE SUPPORT PROGRAM.**

(a) SUPPORT ACTIVITIES.—During the period beginning on the date of the enactment of this Act and ending December 31, 2000, the Secretary of Agriculture shall support the price of milk produced in the 48 contiguous States through the purchase of cheese, butter, and nonfat dry milk produced from the milk.

(b) RATE.—The price of milk shall be supported at the following rates per hundredweight for milk containing 3.67 percent butterfat:

(1) During calendar year 1996, $10.15.

(2) During calendar year 1997, $10.05.

(3) During calendar year 1998, $9.95.

(4) During calendar year 1999, $9.85.

(5) During calendar year 2000, $9.75.

(c) BID PRICES.—The support purchase prices under this section for each of the products of milk (butter, cheese, and nonfat dry milk) announced by the Secretary shall be the same for all of that product sold by persons offering to sell the product to the Secretary. The purchase prices shall be sufficient to enable plants of average efficiency to pay producers, on average, a price that is not less than the rate of price support for milk in effect under subsection (b).

(d) SPECIAL RULE FOR BUTTER AND NONFAT DRY MILK.—

(1) ALLOCATION OF PURCHASE PRICES.—The Secretary may allocate the rate of price support between the purchase prices for nonfat dry milk and butter in a manner that will result in the lowest level of expenditures by the Commodity Credit Corporation or achieve such other objectives as the Secretary considers appropriate. The Secretary shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate of the allocation.

(2) TIMING OF PURCHASE PRICE ADJUSTMENTS.—The Secretary may make any such adjustments in the purchase prices for nonfat dry milk and butter the Secretary considers to be necessary not more than twice in each calendar year.

(e) REFUNDS OF 1995 AND 1996 ASSESSMENTS.—

(1) REFUND REQUIRED.—The Secretary shall provide for a refund of the entire reduction required under section 204(h)(2) of the Agricultural Act of 1949 (7 U.S.C. 1446e(h)(2)), as in effect on the day before the date of the enactment of this Act, in the price of milk received by a producer during calendar year 1995 or 1996, if the producer provides evidence that the producer did not increase marketings in calendar year 1995 or 1996 when compared to calendar year 1994 or 1995, respectively.

(2) EXCEPTION.—This subsection shall not apply with respect to a producer for a particular calendar year if the producer has already received a refund under section 204(h) of the Agricultural Act of 1949 for the same fiscal year before the date of the enactment of this Act.

(3) TREATMENT OF REFUND.—A refund under this subsection shall not be considered as any type of price support or payment for purposes of sections 1211 and 1221 of the Food Security Act of 1985 (16 U.S.C. 3811 and 3821).

(f) COMMODITY CREDIT CORPORATION.—The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.

(g) PERIOD OF EFFECTIVENESS.—This section shall be effective only during the period beginning on the date of the enactment of this Act and ending on December 31, 2000. The program authorized by this section shall terminate on December 31, 2000, and shall be considered to have expired notwithstanding section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907).

**SEC. 202. CONSOLIDATION AND REFORM OF FEDERAL MILK MARKETING ORDERS.**

(a) AMENDMENT OF ORDERS.—As soon as practicable after the date of the enactment of this Act, the Secretary shall amend Federal milk marketing orders issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, to—

(1) limit the number of Federal milk marketing orders to between 10 and 14 orders; and

(2) provide for multiple basing points for the pricing of milk.

(b) EXPEDITED PROCESS.—Using the rule making procedures provided in section 553 of title 5, United States Code, the Secretary shall—

(1) announce the amendments required under subsection (a) not later than December 31, 1998; and

(2) implement the amendments not later than December 31, 2000.

(c) FUNDING.—Effective beginning January 1, 2001, the Secretary shall not use any funds to administer more than 14 Federal milk marketing orders.

(d) STUDY REGARDING FURTHER REFORMS.—Not later than January 1, 1998, the Secretary of Agriculture shall submit to Congress a report—

(1) reviewing the Federal milk marketing order system established pursuant to section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, in light of the reforms required by subsection (a); and

(2) containing such recommendations as the Secretary considers appropriate for further improvements and reforms to the Federal milk marketing order system.

**SEC. 203. DAIRY EXPORT INCENTIVE PROGRAM.**

(a) DURATION.—Section 153(a) of the Food Security Act of 1985 (15 U.S.C. 713a–14) is amended by striking ''2001'' and inserting ''2002''.

(b) SOLE DISCRETION.—Section 153(b) of the Food Security Act of 1985 is amended by inserting ''sole'' before ''discretion''.

(c) ELEMENTS OF PROGRAM.—Section 153(c) of the Food Security Act of 1985 is amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; and''; and

(3) by adding at the end the following:

''(3) the maximum volume of dairy product exports allowable consistent with the obligations of the United States as a member of the World Trade Organization is exported under the program each year (minus the volume sold under section 1163 of the Food Security Act of 1985 (Public Law 99–198; 7 U.S.C. 1731 note) during that year), except to the extent that the export of such a volume under the program would, in the judgment of the Secretary, exceed the limitations on the value set forth in subsection (f); and

''(4) payments may be made under the program for exports to any destination in the world for the purpose of market development, except a destination in a country with respect to which shipments from the United States are otherwise restricted by law.''.

(d) MARKET DEVELOPMENT.—Section 153(e)(1) of the Food Security Act of 1985 is amended—

(1) by striking ''and'' and inserting ''the''; and

(2) by inserting before the period the following: '', and any additional amount that may be required to assist in the development of world markets for United States dairy products''.

(e) MAXIMUM ALLOWABLE AMOUNTS.—Section 153 of the Food Security Act of 1985 is amended by adding at the end the following:

''(f) REQUIRED FUNDING.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Commodity Credit Corporation shall in each year use money and commodities for the program under this section in the maximum amount consistent with the obligations of the United States as a member of the World Trade Organization, minus the amount expended under section 1163 of the Food Security Act of 1985 (Public Law 99–198; 7 U.S.C. 1731 note) during that year.

''(2) VOLUME LIMITATIONS.—The Commodity Credit Corporation may not exceed the limitations specified in subsection (c)(3) on the volume of allowable dairy product exports.''.

**SEC. 204. EFFECT ON FLUID MILK STANDARDS IN THE STATE OF CALIFORNIA.**

Nothing in this Act or any other provision of law shall be construed to preempt, prohibit or otherwise limit the authority of the State of California, directly or indirectly, to establish or continue in effect any law, regulation or requirement regarding—

(1) the percentage of milk solids or solids not fat in fluid milk products sold at retail or marketed in the State of California; or

(2) the labeling of such fluid milk products with regard to milk solids or solids not fat.

**SEC. 205. REPEAL OF MILK MANUFACTURING MARKETING ADJUSTMENT.**

Section 102 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1446e–1) is repealed.

**SEC. 206. PROMOTION.**

(a) CONGRESSIONAL PURPOSE.—Section 1999B(a) of the Fluid Milk Promotion Act of 1990 (7 U.S.C. 6401(a)) is amended—

(1) by redesignating paragraphs (6), (7) and (8) as paragraphs (7), (8) and (9), respectively; and

(2) by inserting after paragraph (5) the following new paragraph:

''(6) the congressional purpose underlying this subtitle is to maintain and expand markets for fluid milk products, not to maintain or expand any processor's share of those markets and that the subtitle does not prohibit or restrict individual advertising or promotion of fluid milk products since the programs created and funded by this subtitle are not intended to replace individual advertising and promotion efforts;''.

(b) CONGRESSIONAL POLICY.—Section 1999B(b) of the Fluid Milk Promotion Act of 1990 (7 U.S.C. 6401(b)) is amended to read as follows:

''(b) POLICY.—It is declared to be the policy of Congress that it is in the public interest to authorize the establishment, through the exercise of powers provided in this subtitle, of an orderly procedure for developing, financing, through adequate assessments on fluid milk products produced in the United States and carrying out an effective, continuous, and coordinated program of promotion, research, and consumer information designed to strengthen the position of the dairy industry in the marketplace and maintain and expand domestic and foreign markets and uses for fluid milk products, the purpose of which is not to compete with or replace individual advertising or promotion efforts designed to promote individual brand name or trade name fluid milk products, but rather to maintain and expand the markets for all fluid milk products, with the goal and purpose of this subtitle being a national governmental goal that authorizes and funds programs that result in government speech promoting government objectives.''.

(c) RESEARCH.—Section 1999C(6) of the Fluid Milk Promotion Act of 1990 (7 U.S.C. 6402(6)) is amended to read as follows:

''(6) RESEARCH.—The term 'research' means market research to support advertising and promotion efforts, including educational activities, research directed to product characteristics, product development, including new products or improved technology in production, manufacturing or processing of milk and the products of milk.''.

(d) VOTING.—(1) Section 1999N(b)(2) of the Fluid Milk Promotion Act of 1990 (7 U.S.C. 6413(b)(2)) is amended by striking ''all processors'' and inserting ''fluid milk processors voting in the referendum''.

(2) Section 1999O(c) of such Act (7 U.S.C. 6414(c)) is amended by striking ''all processors'' each place it appears and inserting ''fluid milk processors voting in the referendum''.

(e) DURATION.—Section 1999O(a) of the Fluid Milk Promotion Act of 1990 (7 U.S.C. 6414(a)) is amended by striking ''1996'' and inserting ''2002''.

The CHAIRMAN. Pursuant to the rule, the gentleman from New York [Mr. SOLOMON] and a Member opposed, each will be recognized for 20 minutes.

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

Mr. ROBERTS. Mr. Chairman, I ask unanimous consent to yield the time for managing the debate in opposition to the Solomon amendment and the responsibility for allocation of that time to the distinguished gentleman from Wisconsin [Mr. GUNDERSON], chairman of the Subcommittee on Livestock, Dairy, and Poultry.

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

There was no objection.

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

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

Mr. Chairman, today we are called upon to consider real reform of the Federal dairy program. We all need to know we have a farm bill, especially one that can pass and get to the President to get his signature. Solomon-Dooley represents the Lugar-Leahy compromise which is acceptable to the Senate and acceptable to the President of the United States.

Let us clear up one misconception right up front, the Gunderson plan in the dairy bill as it stands now is not deregulation, it is more regulation.

The Solomon-Dooley-Lugar-Leahy amendment will get the Federal Government out of the dairy price support business in 5 years. No more government subsidies of the dairy industry. Solomon-Dooley accomplishes this reform while preserving the Federal milk marketing order system which is so badly needed to give price stability to dairy farmers and consumers at no cost to the taxpayer.

Mr. Chairman, in our bill, in our substitute, we require the consolidation of milk marketing orders to no more than 14 orders over the next 5 years. But that gives the farmers of this Nation time to do what is so vitally necessary today.

Solomon-Dooley also does not add extra solids into milk. Think about that. You do not want extra solids in your milk. You do not want that mandated down your throat, unlike the Gunderson bill. We do allow California to keep its existing standards if they see fit to do so.

In my hand I have a letter from Senator LUGAR, the chief Senate conferee on agriculture, who says he and his Senate colleagues will not accept the flooring of milk prices or the higher milk solid standards in this bill. We need a bill the President will sign. If Senator LUGAR pulls the price floor or the California milk standards out of this bill as he intends to do, not only do our small dairy farmers not gain as much but they will also suffer terrible losses inflicted by other income redistribution schemes in this bill.

The only other alternative in conference would be to do nothing, which means there would be no bill language on dairy. And we all would have to revisit this dairy issue sometime later on. We do not want that. We need a bill now.

The Solomon-Dooley plan saves more taxpayer and consumer dollars than the Gunderson plan does. Even though the Congressional Budget Office scores the Gunderson language as saving $770 million versus the Solomon plan, CBO and the Department of Agriculture have analyzed, and you all should listen to this, especially on the other side of the aisle, the secondary effects of the Gunderson plan compared to Solomon-Dooley.

They compare the real spending impacts of both plans on Federal spending programs. According to the Department of Agriculture, the Gunderson plan would add $1 billion to the cost of nutrition programs, $1 billion. CBO estimates that the added cost to the food stamp program alone would add half a billion dollars in Federal spending paid for by the taxpayers. We have not got that money. The impact would also adversely affect the school lunch program and WIC, knocking off, listen to this, according to Secretary of Agriculture Glickman, knocking off as many as 200,000 families out of the WIC Program.

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In other words, when we look at the whole picture, and that is the honest way to this tonight, the Solomon-Dooley substitute ends up still saving $350 million, and that is not including the increased costs passed on to the consumers through higher milk prices, estimated to be as high as 20 to 40 cents a gallon in the grocery store. We better think about that when we vote on this amendment.

Solomon-Dooley has the support of a broad coalition of dairy farmers, consumers, all the taxpayer groups. Most of them are using this as a key vote.

Support dairy farmers, consumers, and taxpayers. Vote for the Solomon-Dooley amendment, and do it for the American small dairy farmer in this Nation and the consumer.

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

Mr. GUNDERSON. Mr. Chairman, I ask unanimous consent to yield 10 minutes of my time for purposes of control to the gentleman from Missouri [Mr. VOLKMER], the ranking member of the subcommittee.

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

There was no objection.

Mr. GUNDERSON. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, Members, tonight we bring forth a comprehensive, the most comprehensive, reform of the dairy program in 45 years. We bring it forth on a bipartisan basis, and we bring it forth as a national compromise.

I find it rather fascinating. The gentleman from New York was complaining about some of the elements of the compromise that were the exact elements of the compromise that he asked for earlier in these negotiations, but I guess accuracy does not have a lot to do with what we are dealing with tonight here anyway.

Let us look at facts, if we can, for just a second. We want to talk about who saves the taxpayers more. CBO says we save the taxpayers more, we save $770 million versus only $350 million to CCC under their program. That is over $400 million more that we save than they do.

Second, which one does more for dairy farmer income? Let us take a look. Again CBO, USDA numbers. What are they? We increased dairy farmers' income over 7 years by $3.4 billion. The Solomon amendment cuts those same New York dairy farmers he is trying to save, it cuts their income by $4 billion over that same 7-year period; not our numbers, USDA numbers.

We really want to know why we are here tonight. The gentleman from New York, [Mr. SOLOMON] has the interests of the dairy farmer at heart. There is no debate about that. The reason we are here tonight, my colleagues, is this chart. Take a look at what the retail price of milk is, and then take a look at what percentage of that the farmer gets.

Do we want to know why there is a multimillion-dollar campaign being run by the large corporate dairy lobbyists in this country trying to change exactly what we are dealing with here tonight? It is because they want the profits, and they want the profits for themselves.

Many of us have seen this little old graph, you have seen this advertisement in every newspaper across the country wherever they could find enough money to print it. Well, I want my colleagues to take a good look at this chart, take a real good look, because I want to tell how accurate it is. It is a bunch of lies, they know it is a bunch of lies that has been corrected by CBO, it has been corrected by USDA, it has been corrected by CRS. Does anyone want to know why?

Mr. Chairman, I want my colleagues to know about this rotten bunch of junk that is being circulated against us tonight. The fact is that instead of a 20 percent increase in milk, we are only looking at a 3.7 percent increase. Instead of a 12 percent increase in ice cream, we are looking at a 1 percent.

They say that butter is going to go up 21 percent. USDA says it is going to go nowhere, it is going to stay where it is, and cheese is actually going to go down.

So if we want real comprehensive pricing reform, if we want to prepare the dairy industry for the international export market, if we really want to make a consolidation of orders, if you want to protect the taxpayer and protect the consumer and protect the farmer at the same time, we will do what the American farm bureau asks us to do; that is, vote against the Solomon amendment and stick with the committee bill.

Mr. SOLOMON. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DOOLEY], the other half of this bipartisan cosponsorship of our amendment.

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

Mr. DOOLEY. Mr. Chairman, I think that all of the Members of this delegation, of this body, realize that the idea behind freedom to farm is to move to a more market-oriented system.

The proposal that Mr. SOLOMON and I are introducing today is a proposal that does, in fact, move the dairy industry to a more market-oriented system. If we look at it in contrast to the Gunderson proposal, we are setting up even more regulation under the Gunderson proposal. We set up a class 1 pool, we set up a class 4 pool, we set up a minimum price on fluid milk, we have set up national standards on solids. That is nothing that has anything to do with market orientation.

What Mr. SOLOMON and I are proposing is a transition away from the current government programs that has a methodical transition in reducing the support price on butter, powder, and cheese over the next 5 years. Under the Gunderson proposal, they take an approach which is going to cause distortions in the marketplace, because what do they do? They immediately eliminate the support price on butter and powder, but they maintain it on cheese. The private sector is going to respond, dairy producers are going to respond, processors are going to respond because they are going to move the product that is currently going into butter and powder into cheese. This creates a distortion in the marketplace that is going to be predicated on unsound principles that are part of the Gunderson proposal.

What the gentleman from New York [Mr. SOLOMON] and I are offering is a measure that will do more also for consumers. I do not think anyone here can argue that some of the figures that the gentleman from Wisconsin [Mr. GUNDERSON] was just bringing up that is going to increase dairy farm income is coming out of the pockets of consumers and taxpayers. If we are moving to a more market-oriented system, producers should be deriving their income not from the government, but from what the marketplace will offer them, and that is precisely what we are trying to provide.

This amendment also is one which has been identified by the U.S. Department of Agriculture to increase because it lowers a part, would increase the ability of U.S. dairy products to compete in world markets.

Mr. VOLKMER. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. PETERSON].

Mr. PETERSON of Minnesota. Mr. Chairman, as the gentleman from Wisconsin, Chairman GUNDERSON, said, we do have a bipartisan bill here that we have worked out on a long-time basis. STEVE GUNDERSON and I and others in the committee traveled this country for the last 2 years trying to put this thing together. We have huge regional fights within this industry, and we have an opportunity finally with this compromise to end those fights and put this industry on a more level playing field, to move us to a more market-oriented policy, and if there was any other easy solution, we would have come up with that solution during that 2-year period of time. We have been on every side of this issue, we have had the whole industry against us as we tried to do this, and this is a true compromise that will get us in the direction we need to go.

And the reason that we need this is that we have a lot of dairy producers in this country that are in big trouble. In our State we are losing three dairy farmers a day, and that is not because they are getting too much money for their milk. The fact of the matter is they are getting too little money for their milk, and this bill does increase their income, and it should increase their income, but it does it in a reasonable way that will be able to be dealt with in the marketplace.

We need to be clear about some of the people that are up arguing in favor of a more market-oriented plan. One of the gentlemen here from the State of California, they have a quota system. They have a system that is way away from the market, and then they stand up and have the gall to argue that we should move to a more market-oriented plan.

In our plan we tried to take the special concerns of California into account. I think we did that. I think we came up with a system where we can bring them in and put all of us on a level playing field. And now they come in around the back door.

Mr. Chairman, this compromise gets rid of a lot of these regional inequities that we have been dealing with over the last number of years. We are seeing the industry shift out of the Midwest into places like California because we had a system that is not fair, that has been the government skewing this and moving the industry because of an unlevel playing field, because of a system that was set up in 1985 as some people in this Congress and a backroom deal that got us into this mess, and this is the way out of it.

So please reject the Solomon amendment and support the committee compromise.

Mr. SOLOMON. Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the Committee on Appropriations and one of the most outstanding Members of this body.

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

Mr. LIVINGSTON. Mr. Chairman, on behalf of the approximately 450 farms in my district, with the approximate rate of 70 cows per farm, who are not worried about getting rich, they are just interested in staying alive, I rise in strong support of the Solomon-Dooley dairy substitute.

The initial savings that the gentleman from Wisconsin pointed to may have been the story as of maybe some time ago, but the rest of the story is that there are hidden costs.

By letter of February 27, 1996, just yesterday, CBO says that the dairy provisions of the committee bill increased food stamp outlays by $430 million. USDA, another letter of the same date, yesterday, says the dairy provisions of the committee bill increased the cost of food assistance programs like WIC by an estimated $1 billion for fiscal years 1997 through the year 2002. These costs were not subtracted when CBO initially scored the committee dairy proposal as achieving the $770 million in savings, and it means that once the hidden costs are appropriated that we will actually either have to cut appropriations for those programs or others, or else cut services, or possibly even appropriate $100 million more just to maintain current services for WIC in fiscal year 1997.

Now, to my southerners, I have to say the small dairy farmers are supporting the Solomon-Dooley amendment. They know the committee's proposal for a floor price for milk is just a narcotic. The small farmers know the floor price on milk is totally unacceptable to the Senate. Consumer groups, food dealer and manufacture organization, to taxpayers, and to conservative organizations like Heritage. State farm bureaus, the Small Dairy Farmers for the Southeast knew this when it was first proposed last December, they know it today. I have a long list of groups that support the Solomon-Dooley proposal, and I would incorporate that for the record and ask my friend from New York to circulate it around because there are lots and lots of organizations that know that unless this amendment passes the small dairy farmer is gone.

Mr. Chairman, I insert the following ''Dear Colleague'' correspondence:

DEAR COLLEAGUE:

Dairy producers, free market groups, consumer groups all agree, Solomon/Dooley is the only choice.

Solomon/Dooley: Does not raise consumer prices; phases out the price support in five

years; Eliminates the assessment dairy farmers pay; maintains the viability of our nation's dairy farmers; and promotes dairy farmer exports

Dairy producer/farm groups support Solomon/Dooley: Alabama Farmers Association; New York State Department of Agriculture and Markets; Louisiana Farm Bureau; New York State Farm Bureau; Tampa Independent Dairy Farmers Association; Carolina/Virginia Milk Producers Association; Florida Dairy Farmers Association; Georgia Milk Producers; California Milk Producers; The Alliance of Western Milk Producers; Dairyman's Cooperative Creamery; Danish Creamery; San Joaquin Dairymen; Niagara Milk Cooperative; and Upstate Milk Cooperative.

Free Market Groups Support Solomon/Dooley: Americans for Tax Reform; Small Business Survival Committee; John Frydenlund, Heritage Foundation; and Association of Concerned Taxpayers.

Consumer Groups Support Solomon/Dooley: Public Voice; Community Nutrition Institute; Consumers Union; Center for Science in the Public Interest; and Consumer Alert.

Gunderson equals more Government, higher consumer prices; Solomon equals pro-market reform that's pro-dairy farmer.

There is only one choice: Support the Solomon/Dooley amendment.

Mr. GUNDERSON. Mr. Chairman, I yield a minute and a half to the gentleman from California [Mr. POMBO].

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

Mr. POMBO. Mr. Chairman, I rise today in support of H.R. 2854 and especially the dairy title. I am the first person to say that this dairy provision is not perfect; however, the Committee on Agriculture language is better than any other proposal we have seen in recent years and is certainly better than anything we will be voting on here tonight.

It is unfortunate that there has been such a high level of confusion and misinformation over this subject. The bottom line, however, is easy. The Committee on Agriculture language saves the taxpayer $770 million, which is about $420 million more than it does the Solomon-Dooley amendment. At the same time the committee language, according to USDA, puts an additional $90 million in the pockets of California's dairy producers during the transition period, while the Solomon-Dooley amendment would cost the dairymen of my State $42.5 million. The Solomon-Dooley amendment would be a disaster for the American dairy farmer raising the average price for dairy farmers by 30 cents a hundredweight. While the dairy title would see a rise in 23 cents a hundredweight, the dairy title establishes a 2-year transition period during which the Department of Agriculture will develop and implement a reform dairy program. Should the dairymen of any order, including California, decide that they choose not to become a part of the Federal program as designed by USDA, then they have the right to vote themselves out. California could, if it chose, opt out of the Federal system and simply maintain the current system as they have now.

□ 2100

Mr. SOLOMON. Mr. Chairman, I yield such time as he may consume to the gentleman from New Mexico [Mr. SKEEN], another valuable member of the Committee on Appropriations.

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

Mr. SKEEN. Mr. Chairman, I rise in strong support of the Solomon amendment.

Mr. SOLOMON. Mr. Chairman, I yield 2 minutes to my good friend, the gentleman from western New York, Mr. BILL PAXON, another hardworking member of this committee.

Mr. PAXON. Mr. Chairman, I rise in strong support of the Solomon-Dooley amendment. Over the past year I have worked closely with Chairman SOLOMON on the dairy issue, and I want to thank him for his efforts on behalf of both consumers and dairy farmers, and for his leadership in crafting what is today a true compromise. The Solomon approach is a balanced plan that does not hurt dairy farmers and does not hurt consumers. That is why diary farmers, free-market groups, and consumer groups have all come together in support of the Solomon-Dooley approach, this amendment.

This amendment has the support of the following farm and dairy farm organizations; the Alabama Farmers Association, the Louisiana Farm Bureau, the New York State Farm Bureau, the Florida Dairy Farmers Association, the Carolina-Virginia Milk Producers, the Alliance of Western Milk Producers, and the California Milk Producers. These farm groups and others realize that the Gunderson proposal is in fact a house of cards that will ultimately hurt both dairy farmers and consumers despite its lofty promises.

Second, Mr. Chairman, the Gunderson proposal in the farm bill is not the deregulation proposal he made last November. This bill proposes to mandate the addition of solids in fluid milk nationwide and increase the class I support level. What does that mean? Consumer prices go up. This is more regulation and Government intervention, not less. Manufacturing groups, small business groups, free-market groups, consumer groups, all oppose these dairy provisions.

Again, this Gunderson proposal is not the deregulation proposal offered in November. It is the Solomon-Dooley amendment that has the support of free-market and consumer groups from all across the political spectrum. It has, for example, the support of Americans for Tax Reform, the Association of Concerned Taxpayers, Public Voice, Consumers Union, and Consumer Alert. Solomon-Dooley is a bipartisan, profarmer, promarket, proconsumer amendment. I urge Members to support the Solomon-Dooley amendment.

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

Mr. OBEY. Mr. Chairman, this farm bill is the worst agriculture bill in the last 30 years, and the Solomon amendment makes it worse, for two reasons. First of all, if you vote for the Solomon amendment, you are going to add $7 billion in financial burdens to farmers, and you are going to add a $400,000,000 cost to the taxpayers. The amendment is a wondrous gift to the biggest processors in this country at the expense of dirt farmers.

Second, since 1934, under the ridiculous milk-marketing order system this country now has, if you are a farmer living in Florida, you get $3 more for every 100 pounds of milk you produce than if you live in the upper Midwest. That whole milk-marketing order system ought to be scrapped. The committee bill tries to do that in 2 years. It does not get there, but it at least tries.

The Solomon amendment continues this ridiculous system for an additional 2 years. That alone is reason enough to vote against it. If you believe in the dignity of work, I dare you to look a Midwestern farmer in the eye and tell him that the dignity of his work is worth 30 percent less than the dignity of the work of another farmer simply because of where he lives. There is no reason in terms of fairness to vote for the Solomon amendment. Vote against the amendment, and then vote against the bill itself. They are both turkeys.

Mr. SOLOMON. Mr. Chairman, I yield 1 minute to my good friend, the gentleman from New York [Mr. TOWNS]. We just heard from a Democrat from Wisconsin. Let us hear from a Democrat from New York.

Mr. TOWNS. Mr. Chairman, I rise in support of the Solomon-Dooley substitute. This substitute will not, and I repeat, will not increase consumer costs or add unnecessary regulations on the dairy industry. During a time when entitlements such as food stamps and other child nutrition programs are being cut back and streamlined, it appears only logical that the Solomon-Dooley substitute would be adopted.

Unlike the committee's dairy provisions, the substitute will not increase dairy product costs. In fact, it will save $350 million, and will not require milk solids to be added to fresh milk. Parents and children who depend on WIC and school lunches should not have to be concerned about the freshness of milk or its increased cost. I urge my colleagues to support this sensible amendment. Do not listen to the numbers that they are just grabbing out of the air. This is a cost-saving amendment and is the right thing to do.

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

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

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

Mr. Chairman, I rise to oppose the amendment. One thing we cannot forget in the debate over dairy is that American dairy farmers are ready and willing to fight for a bigger share of

international markets. This bill gives them the immediate tools to do that. This compromise immediately removes butter and nonfat dry milk from price supports. Removing these supports will free dairy farmers to take advantage of growing overseas markets. Currently, butter and nonfat dry milk markets are strong and growing, and our dairy farmers are ready to compete. I have heard from farmers in Michigan and they are ready to go. However, retaining domestic price supports, as the Solomon amendment does, would allow foreign competitors to undercut American dairy farmers in international markets. The 5-year phaseout of these price supports in the Solomon amendment would only hold them back. I urge opposition to the Solomon amendment.

Mr. SOLOMON. Mr. Chairman, I would say, to the contrary, the Solomon amendment fully funds the incentive program for export in this bill, according to the Secretary of Agriculture.

Mr. Chairman, I yield 1 minute to my good friend, the gentleman from Georgia, Mr. CHARLIE NORWOOD.

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

Mr. Chairman, we continue to hear how Wisconsin dairy farmers got a raw deal back in the 1985 farm bill, and how dairy farmers in other parts of the country are doing better at their expense.

Well, we need to take a look at the facts. The Department of Agriculture statistics on dairy farmers take-home pay show that Wisconsin farmers are doing better than the majority of farmers in the rest of the country.

Now we are being asked to take the income of those other dairy farmers across America and transfer it to dairy farmers in Wisconsin through pooling profits in fluid milk.

That's not only wrong, but it would be disaster for many small family farms. The amount of income-transfer called for in the House dairy title is larger than the total profit margins of many of those small farmers, and would flat put them out of business.

Mr. Chairman, this issue points out far too well what happens when the Federal Government starts tampering with the economy. We end up with Americans pitted against each other in the fight over who benefits most from the largesse and special advantages granted by Washington. We cannot change these systems overnite, but it is high time we got started.

We need to stop playing Big Brother by taking money out of one farmer's pocket and putting it in another's. Karl Marx would have been mighty proud of that concept.

There is a reasonable alternative to this problem of fluid milk profits, that has the support of Members on both sides of the aisle.

The Solomon-Dooley dairy substitute amendment addresses the fluid milk issues in the dairy title in a way that is fair to the whole country.

I urge you to support fair play for dairy farmers in all 50 States by voting for the Solomon-Dooley amendment.

Mr. VOLKMER. Mr. Chairman, I would like to take just a minute to announce that this will be the last amendment we will be voting on this evening. I will not be offering the amendment that I did not ask for from the Committee on Rules.

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

Mr. OBERSTAR. Mr. Chairman, over the last 20 minutes, Minnesota's dairy farms have seen half of their numbers cease operations. In my district half of the dairy farms closed their doors. That is 1,500 dairy farms. They were dairy farms. They used to be families.

If the Solomon amendment becomes law, more Midwest dairy families will be driven off the land because the Solomon amendment will increase the price of Northeast milk, widen the disparity in regional milk prices, disadvantage Midwest dairy farmers, without real marketing reform.

In our upper Midwest milk shed area, the average price dairy farmers were paid in 1994 was less than they were paid in 1980. The principle driving force behind that gaping price disparity and the loss of dairy farms in east-central Minnesota, in my district and elsewhere in my region, is the unfair, unbalanced, protectionist milk marketing order system. If you believe in a free market, get rid of the milk marketing orders. All you do is benefit some parts of the country and disadvantage others.

The Gunderson plan in this bill is far from my ideal of real reform, but it is realistic, it is a workable step. We are moving in the right direction toward milk market order reform and consolidation. It moves the dairy sector toward a uniform national pricing system. The Solomon amendment is not reform, it is regional protectionism. We ought to vote it down.

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

Mr. LEWIS of Kentucky. Mr. Chairman, the committee achieves the reforms needed in dairy policy, just as H.R. 2854 does for all other commodities it affects. Again, dairy farmers are meeting their responsibility in helping to balance the Federal budget, but they need the committee reforms to the dairy program to meet that responsibility and to make a profit milking cows.

The committee bill saves $76 million in over 7 years. That is $400 million more than the Solomon-Dooley amendment. The dairy industry wants to become more market-oriented, and the committee bill allows them to accomplish that during a 2-year transition period, the shortest transition period included in the farm bill. The committee bill consolidates orders, reforms pricing, phases down support price over 5 years, and provides a safety net for the thousands of dairy farm families across this Nation.

Mr. Chairman, I met with two groups of dairy farmers from my district last week concerning the committee bill. These hardworking family farmers, who only want an opportunity to make a living for their family and be successful in dairy farming, they believe the committee bill is the way to go. I ask that my colleagues defeat this amendment.

Mr. SOLOMON. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. BAKER], another very valuable Member of this body.

Mr. BAKER of California. Mr. Chairman, here it is. Here is the phaseout of the farm programs. Follow it along, folks. This is what the kinder and gentler new Congress is going to do to get your hand out of the taxpayers. They have succeeded partly. They got their hand out of the taxpayers, and they put them into the consumer bigtime. The Gunderson provision makes a bad policy worse.

The Heritage Foundation says fluid milk prices to consumers are likely to increase by roughly 50 cents per gallon. The USDA estimates the increase to consumers at between 17 cents and 24 cents per gallon. Americans for Tax Reform supports the Solomon amendment, designates it a key vote for this year. Unlike Gunderson, the Solomon amendment will not increase dairy prices. It immediately reduces the current support price by 20 cents, and then 10 cents a year, a kinder and gentler freedom to farm.

Unlike Gunderson, the Solomon amendment will not create new bureaucratic pooling mechanisms. Unlike Gunderson, the Solomon amendment will not mandate expensive milk fortification. The CBO estimates private sector mandates at $800 million to $1.1 billion.

The following California groups support the Solomon amendment: The Alliance of Western Milk Producers, Dairy Institute of California Berkeley Farms, Brown Car Farm, Antioch, California, San Joaquin Valley Dairymen, Jersey Maid Milk Products, Chase Brothers Dairy, and 30 more.

The following groups oppose the Gunderson amendment: Americans for Tax Reform, Citizens Against Government Waste, Consumers Union, National Taxpayers Union, Consumer Alert, and representatives from Cato Institute and the Heritage Foundation.

□ 2115

Please, I urge my colleagues, join me in voting for the Solomon amendment, the only dairy reform provision available.

Mr. GUNDERSON. Mr. Chairman, I yield myself 10 seconds.

I just want to point out that we turn over the pricing system to the USDA over the next 2 years. I do not know how he has got a chart, because it has not been done yet.

With that, Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan [Mr. SMITH], our distinguished colleague on the committee.

Mr. SMITH of Michigan. Mr. Chairman, I will try to explain what is happening.

I am for a free market. If you are for a free market for dairy farmers and dairy products, then you vote against the Solomon amendment. The producers organizations across the country from coast to coast have now endorsed the committee version of this bill. They do it because they go to a free market.

Why some are nervous about the increase in price is because immediately under the committee bill we take away government purchases of powder and butter. That means that under the GATT negotiations, farmers can take advantage of export markets.

There is some fear that if farmers take advantage of export prices, the price of milk might go up.

If we are after a free market, what we do is vote down the Solomon amendment and get government out of the hair of the dairy farmers of this country. They are having a very difficult time surviving. If we do not get this bill passed, I say that many of the dairy farmers in my district are going to give up the ghost and go out of business.

Let us just review the organizations that support this: Nationally, the NFO, NFU, National Farm Bureau, again essentially every producer organization; a few in California do not support the bill. The California program is unique.

I urge you to look at a free enterprise system that is going to maintain a dairy industry in the United States that is going to satisfy our needs and not evolve into a situation where we have to depend on imports for milk.

Mr. SOLOMON. Mr. Chairman, I yield 1 minute to the gentleman from New Mexico [Mr. RICHARDSON].

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

Mr. RICHARDSON. Mr. Chairman, these are two provisions, two amendments that, in my judgment, support the dairy industry. This Solomon amendment is better. It appeals to a broad spectrum of the industry, consumer groups, free market groups, because this provision saves real money. It gets the Federal Government out of price support on a date certain. And most importantly, it does not pit one region against the other.

What we are doing here is a compromise, and like all good compromises, all sides will be able to live with it. This is a good provision. It is fairer than the other one. It is one that the industry can support, and, more importantly, it does not put the West against the Midwest, and it is a provision that deserves this House's support.

I support the Solomon-Dooley amendment because it will give United States dairymen the opportunity to compete in international markets.

Just like we should do what is best by maintaining the peanut program we should maintain the reforms in our current dairy system by supporting the Solomon-Dooley amendment.

Our American dairymen can produce milk more efficiently than any other country in the world. In recent years we have made other countries open their markets through trade agreements like NAFTA and GATT. Now we must give our dairymen the tools to compete for that international business.

I think the Solomon-Dooley amendment also protects our domestic milk market to make sure other countries do not take over our dairy market.

This is a critical time for US dairies. They will either choose to limit the milk we consume in the United States or produce more milk products to be sold to other countries which produces jobs in the United States.

The policies that have transitioned the dairy industry toward a greater market-orientation over the past ten years should continue. The Solomon-Dooley amendment continues creating opportunities for the American dairy industry.

Vote "yes" on Solomon-Dooley.

Mr. VOLKMER. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. STENHOLM].

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

Mr. Chairman, I would say I have to smile every time I hear the consumer argument made, because in this country, everyone knows that we are blessed with the most abundant food supply, the best quality of food, the safest food supply at the lowest cost to our consumer of any other country in the world. No one comes close to us.

Today, our dairymen need a raise. In 1984, dairy farmers received $13.61 a hundred, and a half gallon of milk cost $1.13. In 1994, the farmers received $13.02 a hundred, and a half gallon of milk cost $1.44.

The Solomon amendment will reduce dairy farm income over the next 7 years by $4 billion. The committee bill that the gentleman from Wisconsin [Mr. GUNDERSON] and the gentleman from Minnesota [Mr. PETERSON] and others have worked hard in numerous hearings will add $3.4 billion. It is not an unreasonable raise.

I hear a lot about how much it is going to cost. The true figure is 6 cents per week. We hear a lot about the additives that are going to be added to our milk. Solids, not fat, are primarily protein and calcium. Read the health concerns of so many men and women today. Current Federal standards for class 1 milk requires less protein and calcium than the average cow produces.

California has had it right for all of these years. What we are suggesting now is let the cow do her work. Let the people consume the milk that the cow produces, or at least a little closer than what we have been used to.

We hear all of this about the Federal regulations. That was laughable. As the gentleman from Wisconsin [Mr. GUNDERSON] pointed out, we have not done it yet. But what he is doing in this amendment, we are taking 33 Federal orders and reducing it down to 13. That is 20 less regulatory bodies. If that is not deregulation, if that is not dealing with the cost.

Now, the gentleman from Louisiana [Mr. LIVINGSTON] pointed out rightfully there are some problems with some of the feeding programs. But this bill saves $770 million. Dairy farmers have always been willing to share with those less fortunate.

Mr. SOLOMON. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Florida [Mrs. THURMAN], one of the distinguished Members of this body from my former home State.

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

I cannot support the dairy title of this bill, for one major reason: It is going to drain income unnecessarily from my region. That is why I am supporting the Solomon-Dooley amendment.

Dairy farmers in Florida are hurt by the Class 1 pool. The result, income will be shifted from Florida dairy farmers to other regions.

In addition, Florida consumers are hurt in two ways. The general consumer is hurt by the requirement for added solids. This requirement will increase the cost of fluid milk in those regions that will have to import the solids to add to local milk. That added cost will be passed on to consumers. Whether it is 40 cents a gallon or 40 cents a week is not important. What is important is that these price increases are not necessary.

I now want to address my urban colleagues on my side of the aisle. Last year, we fought together against an unfair welfare reform plan that hurt the needy. The dairy title increases the cost of WIC and reduces the benefits of food stamps and other nutrition programs that utilize milk by $1 billion. This amounts to a program reduction, in addition to whatever other changes may be included in the next welfare reform plan.

The only alternative before us today is the Solomon-Dooley amendment. It hurts neither the dairy farmer nor the milk consumer. Join me in supporting this sensible alternative.

Mr. GUNDERSON. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from California [Mr. CALVERT].

Mr. CALVERT. Mr. Chairman, there are about 350,000 milk cows in my area of California. I probably have more milk cows in my district than my good friend, the gentleman from the State of New York.

I was in favor of deregulating the entire dairy program, as many people here would like to do. But my friend was opposed to that. That is where we are at today.

The Gunderson compromise is the best compromise that we have, so I hope my colleagues will join me and

the California Farm Bureau, National Farm Bureau, and my local producers, and it is the largest producing area in the United States, in opposing Solomon-Dooley.

Mr. VOLKMER. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas [Mr. DE LA GARZA], the former chairman of the Committee on Agriculture, a member who has stood on this floor many times in the name of helping farmers all over the United States, who has traveled extensively throughout the United States in behalf of farmers and now would like to make another speech in behalf of dairy farmers.

Mr. DE LA GARZA. Mr. Chairman, I thank the gentleman for yielding this time to me.

My colleagues, this will be the last time that I participate in any debate on the farm bill and on the dairy program.

I have suffered with the dairy program all of my years on the Committee on Agriculture as chairman of the committee, but somehow in the final event, we come out with what is possible. Legislation is the art of the possible, not the extreme one side, not the extreme the other side. I have seen it all as it rolled by the years that I have been here.

In this case, I will support the gentleman from Wisconsin [Mr. GUNDERSON], because I think it falls more closely to what has been the model through the years. We look for the consumer, we look for the farmers, and it partly a sad occasion that I say this will be the last time that I participate in a debate of this kind on dairy, but I think that my final decision to support Mr. GUNDERSON follows the experience which I have had through the years.

But I have said what I needed to say, that with all due respect to my dear friend from New York, with all respect to my dear friend from California, as I go back through the years, I assess all of the models, all of the areas, all of the novel and innovative, you have got to come with what is possible, and I think this is the art of the possible, what is possible this day, this hour, this very minute, and I would hope that my colleagues would support the gentleman from Wisconsin [Mr. GUNDERSON].

Mr. VOLKMER. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. BROWN], who has a strong interest in dairy.

Mr. BROWN of California. Mr. Chairman, I do not pretend to speak with the expertise that the chairman just spoke with. But I want to speak in support of the provisions authored by the gentleman from Wisconsin [Mr. GUNDERSON].

My experience has been with the very large dairy industry in southern California. I know that this is the provision which best meets their needs, and I am here to indicate to you that I think that this would be best for all of the American dairy industry, although it is not a perfect bill or a perfect provision, as we all know, and I hope that we can keep those provisions in the bill and not support the Solomon amendment.

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

Let me say to the gentleman from Texas, KIKA DE LA GARZA, there is only one, and we sure are going to miss you. I am sorry you are not going to be able to be here tomorrow.

Mr. Chairman, I yield 30 seconds to the gentleman from New York [Mr. BOEHLERT] a distinguished Member of this body.

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

Mr. BOEHLERT. Mr. Chairman, I rise in support of the Solomon-Dooley amendment. It is a win-win situation. It is good for farmers. It eliminates the assessment they pay into the price support program. That is a well-deserved break.

It is good for farmers because it maintains the milk marketing orders, incidentally, milk marketing orders they pay for, not the taxpayers.

It is good for farmers because it will keep them competitive. It is good for farmers because it fully funds the dairy export incentive program, which is extremely important for trade in our dairy farmers' future expansion. That is good for our balance of payments.

This proposal is good for the taxpayers because it gets the Government out of the price support business, and it is good for consumers because it accomplishes all of this without raising consumer costs or increasing Government regulations.

□ 2130

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

Mr. Chairman, I would first like to say that I support the work of the gentleman from Wisconsin, the chairman of the subcommittee, Mr. GUNDERSON, on the dairy title. I strongly oppose the provision of the gentleman from New York [Mr. SOLOMON].

I would like to recommend and make a suggestion: As one who is also past chairman of this subcommittee and has worked on this same problem for years and did not get to the successful conclusion as the gentleman from Wisconsin, that the savings that are made by the dairy title in the bill, approximately $700 million, can easily then be used to offset the cost to the WIC Program and to the Food Stamp Program.

Is there any reason that cannot be done in conference? I see none. That should allay the fears of those feel that the Gunderson provision would increase the cost and stop people from benefiting from those programs. It will not, because those savings can be used to offset those costs. Therefore, I strongly support the Gunderson proposal.

Mr. SOLOMON. Mr. Chairman, let us go from New York all the way out to California. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. THOMAS].

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

Mr. Chairman, I imagine people trying to follow this who do not understand the dairy programs or agriculture programs are somewhat thoroughly confused right now. I will try to simplify it. This is about whose ox gets gored, or, more appropriately, whose milk cow dries up.

Let me ask a question: If you have ever seen the University of Wisconsin basketball team, and they pan the student body, are those students wearing powdered milk hats, butter hats, or cheese hats? Guess what happens in this program supported by the Committee on Agriculture? Powdered milk phases out immediately; butter phases out immediately; cheese does not.

Now, I am not standing up here saying that I do not have a cow in the corral. Since 1961, California decided on its own, without trying to affect the rest of the country, we wanted to fortify our milk. Up until recently, we did what we wanted to do and left the rest of the country alone.

What has occurred over the last several years is that California cannot do what it wants to do anymore. Here is a Federal court order telling California that they cannot enforce their own milk solid standards.

There is no guarantee in the committee bill that we can do what we want to do. There is a guarantee in the Solomon bill. We do not want to impose it on the rest of the country; we just want to do what we want to do. Fundamentally, you have heard it over and over again. Senator LUGAR has said it is crazy. This program in the Committee on Agriculture goes toward more control, when the whole thrust of the agriculture bill in all the other areas is towards less control. The Secretary of Agriculture has said $1 billion more. We have already heard the negotiations on the floor. ''Can we move some of the money that is going to the producers under this to help the WIC Program or to help the Food Stamp Program?'' Already the negotiations are beginning.

You do not need to go into that kind of horse trading if you support the Solomon-Dooley amendment. It is an excellent, excellent revision to an otherwise good bill.

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

The CHAIRMAN. The gentleman from New York is recognized for 1 minute.

Mr. SOLOMON. Mr. Chairman, the first think I wanted to do is commend the gentleman from Wisconsin, STEVE GUNDERSON. He certainly has done yeoman work in his authority as the chairman of the Subcommittee on Livestock, Dairy, and Poultry, and, STEVE, we all appreciate your work over the years.

Having said that, Mr. Chairman, I would implore Members to vote for the

Solomon-Dooley amendment. This amendment does not cost the farmers anything, it does not cost the consumers anything. It once and for all does away with all Government subsidies of the dairy industry. Let us do that throughout all of the Committee on Agriculture and let us let the farm system work. Above that, it does not cost the consumer a nickel.

This is a fair amendment. It preserves milk marketing orders throughout this country on a regional basis so that farmers, small and large, can stay in business. In my area they are going out of business by the droves. They are the backbone of America.

The way to help them is to vote for the Solomon amendment. It is the one that will be accepted by the Senate and the President, and will become law.

Mr. GUNDERSON. Mr. Chairman, to close this debate, I yield the balance of my time to the distinguished gentleman from Kansas [Mr. ROBERTS], the Chairman of the full Committee on Agriculture.

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

Mr. ROBERTS. Mr. Chairman, I thank the gentleman for yielding me time. I say to the gentleman from New York [Mr. SOLOMON], semper fi.

Mr. Chairman, I do not know of any Member who has worked harder and persevered more and put up with more and received more brickbats for his efforts than STEVE GUNDERSON. I would hope the Chair would not take that very well deserved applause out of my time.

Mr. Chairman, many Members look at this issue with very parochial interests, and that is the nicest way that I can put it. STEVE GUNDERSON loses more cows in his district every year than they have. He has worked harder and longer to achieve true dairy policy reform than anyone else; 10,000 traveled miles to conduct the field hearings.

Now, it is a fact of life, nobody is ever going to be happy or satisfied with any dairy provision. My suggestion is when we go to the conference on dairy, we hold it in Sarajevo.

But the committee language, and I am a little tired of trying to push this rope to try to get all of the dairy regions to work together, but the committee language represents the greatest amount of dairy program reform in its history.

The gentleman from Texas [Mr. STENHOLM] said it right: In terms of farm income, we increase dairy farmer income by $4 billion. The gentleman from New York [Mr. Solomon] and the gentleman from California [Mr. DOOLEY] cut dairy income by $3.7, a difference of $7.7 billion.

We save more money. We eliminate two-thirds of the Federal milk marketing orders. With the committee bill, we are able to allow the dairy industry to compete in the international marketplace. It removes butter and powder from price supports immediately. The other folks keep that over a period of time.

The Committee on Agriculture's dairy plan, with its subcommittee chairman, who has worked harder than any other individual on this farm bill that I know, is the clear choice for dairy farmers all throughout the Nation. Please support the committee. Support Mr. GUNDERSON and the committee's plan.

Mr. KIM. Mr. Chairman, I rise in opposition to the Solomon amendment because the majority of dairy farmers in my district support the dairy reform plan already in the farm bill.

I believe the farm bill is the best plan for reforming dairy programs for several reasons.

First, the Congressional Budget Office has scored the farm bill's dairy program as saving $767 million over 7 years. That is considerably more than the Solomon amendment's $337 million in savings.

The farm bill does this by eliminating price supports for butter and powdered milk immediately. We save millions of dollars by this provision alone.

The Solomon amendment slightly reduces price supports for all milk products and then eliminates them completely after 5 years. By keeping all the price supports in place for several years, this proposal spends more money than the farm bill.

Second, the farm bill requires the USDA to develop a new dairy program that will bring the dairy industry into a competitive market system over the next 3 years. To make sure this happens, our bill has a tremendous incentive for the dairy industry to work with the USDA and develop a market based program. If this program is not agreed upon in 2 years, then the existing dairy program expires. Now that's a powerful incentive to reform the program.

Third, the farm bill protects dairy farmers in my district while the program is being changed to a market-based system. During the 2-year transition period, the farm bill provides a floor price for fluid milk.

Furthermore, the bill provides an important safety net for dairy farmers by keeping a price support program for cheese. Farmers in my district are willing to give up price supports for butter and powder milk tomorrow, but they need some level of protection. Under the bill, the cheese price supports would continue, but at a lower level each year.

Finally, the farm bill adopts California's standards for fluid milk throughout the country. For over 25 years Californians have enjoyed the nutritional benefits of California milk. This is a critical point for my constituents, and I support the farm bill because it keeps California's higher milk standards.

In short, I believe the dairy provisions of the farm bill is the best approach to reforming dairy programs and moving the industry to a market-based system. Ultimately, that is in the best interests of the taxpayer, consumers, and the dairy farmers.

I urge my colleagues to support the dairy provisions of the farm bill and to oppose the Solomon amendment.

Mr. NADLER. Mr. Chairman, I rise in support of the Solomon amendment. This amendment will keep dairy products affordable for the American consumer and at the same time provide a smooth transition for dairy farmers to a largely free market system, all at little or no cost to the American taxpayer.

Under the bill before us today, the price for a gallon of milk would increase 40 to 50 cents; the price of cheese and other dairy products would increase as well. Under the Solomon amendment, the price of milk and other dairy products would be largely unchanged.

In addition, the bill before us would increase the cost of the Child Nutrition and Food Stamp Programs by $1 billion over the next 6 years, according to the Agriculture Department's chief economist. The Women, Infant, and Children Feeding Program, or WIC, would have to reduce the average number of monthly recipients by 80,000 in 1997 and an additional 30,000 in later years to recoup the increased cost of dairy products. The Solomon amendment would keep dairy prices down, allowing the WIC, School Lunch, and Food Stamp Programs to function at at least minimal levels in an era of budgetary cuts and block grants.

I urge my colleagues to support the women, infants, children, consumers and farmers of this country. Keep dairy prices affordable and vote "yes" on the Solomon amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York, Mr. SOLOMON.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 258, noes 164, answered "present" 1, not voting 8, as follows:

[Roll No. 36]

AYES—258

| | | |
|---|---|---|
| Ackerman | Condit | Franks (NJ) |
| Allard | Conyers | Frelinghuysen |
| Andrews | Cox | Frisa |
| Bachus | Coyne | Funderburk |
| Baker (CA) | Cramer | Gallegly |
| Baker (LA) | Crane | Ganske |
| Baldacci | Cremeans | Gejdenson |
| Ballenger | Cunningham | Gekas |
| Barr | Davis | Gilman |
| Barton | Deal | Goodlatte |
| Bass | DeLauro | Goss |
| Bateman | Dellums | Graham |
| Becerra | Deutsch | Gutierrez |
| Beilenson | Diaz-Balart | Hall (OH) |
| Bereuter | Dicks | Hamilton |
| Berman | Dixon | Hancock |
| Bevill | Doggett | Harman |
| Bilbray | Dooley | Hastert |
| Bilirakis | Dornan | Hastings (FL) |
| Bishop | Doyle | Hayes |
| Bliley | Dreier | Hefley |
| Blute | Duncan | Hefner |
| Boehlert | Durbin | Heineman |
| Boehner | Ehrlich | Hilleary |
| Borski | Engel | Hilliard |
| Browder | English | Hinchey |
| Brown (FL) | Ensign | Holden |
| Brown (OH) | Eshoo | Hostettler |
| Burr | Evans | Houghton |
| Buyer | Everett | Hutchinson |
| Callahan | Farr | Hyde |
| Campbell | Fattah | Inglis |
| Canady | Fazio | Istook |
| Cardin | Fields (LA) | Jacobs |
| Castle | Fields (TX) | Jefferson |
| Chabot | Flake | Johnson, Sam |
| Christensen | Flanagan | Jones |
| Clay | Foglietta | Kanjorski |
| Clayton | Foley | Kelly |
| Clement | Forbes | Kennedy (MA) |
| Clinger | Fowler | Kennedy (RI) |
| Clyburn | Fox | Kennelly |
| Coble | Frank (MA) | King |
| Collins (GA) | Franks (CT) | Kingston |

| | | |
|---|---|---|
| Klink | Murtha | Shuster |
| Knollenberg | Myrick | Sisisky |
| LaFalce | Nadler | Skaggs |
| Lantos | Neal | Skeen |
| Largent | Ney | Slaughter |
| LaTourette | Norwood | Smith (NJ) |
| Lazio | Olver | Solomon |
| Leach | Ortiz | Souder |
| Lewis (GA) | Owens | Spence |
| Lightfoot | Packard | Spratt |
| Lincoln | Pallone | Stearns |
| Linder | Parker | Stockman |
| Livingston | Paxon | Talent |
| LoBiondo | Payne (NJ) | Tate |
| Lofgren | Payne (VA) | Tauzin |
| Longley | Peterson (FL) | Taylor (MS) |
| Lowey | Pickett | Taylor (NC) |
| Maloney | Porter | Thomas |
| Manzullo | Portman | Thurman |
| Martinez | Pryce | Tiahrt |
| Martini | Quillen | Torkildsen |
| Mascara | Quinn | Torres |
| Matsui | Radanovich | Towns |
| McCollum | Rangel | Velazquez |
| McCrery | Reed | Visclosky |
| McDermott | Richardson | Vucanovich |
| McHale | Ros-Lehtinen | Waldholtz |
| McHugh | Roukema | Walker |
| McInnis | Roybal-Allard | Walsh |
| McIntosh | Rush | Wamp |
| McNulty | Salmon | Watt (NC) |
| Meehan | Sanford | Watts (OK) |
| Meek | Saxton | Waxman |
| Menendez | Scarborough | Weldon (FL) |
| Meyers | Schaefer | Weldon (PA) |
| Mica | Schiff | Weller |
| Miller (CA) | Schumer | White |
| Miller (FL) | Scott | Wynn |
| Moakley | Seastrand | Yates |
| Molinari | Serrano | Young (FL) |
| Moran | Shaw | Zeliff |
| Morella | Shays | Zimmer |

NOES—164

| | | |
|---|---|---|
| Abercrombie | Gillmor | Nussle |
| Archer | Gonzalez | Oberstar |
| Armey | Goodling | Obey |
| Baesler | Gordon | Orton |
| Barcia | Green | Oxley |
| Barrett (NE) | Greenwood | Pastor |
| Barrett (WI) | Gunderson | Pelosi |
| Bartlett | Gutknecht | Peterson (MN) |
| Bentsen | Hall (TX) | Petri |
| Bonilla | Hansen | Pombo |
| Bonior | Hastings (WA) | Pomeroy |
| Bono | Hayworth | Poshard |
| Boucher | Herger | Rahall |
| Brewster | Hobson | Ramstad |
| Brown (CA) | Hoekstra | Regula |
| Brownback | Hoke | Rivers |
| Bryant (TN) | Horn | Roberts |
| Bryant (TX) | Hoyer | Roemer |
| Bunn | Hunter | Rogers |
| Bunning | Jackson (IL) | Rohrabacher |
| Burton | Jackson-Lee (TX) | Roth |
| Calvert | Johnson (CT) | Royce |
| Camp | Johnson (SD) | Sabo |
| Chambliss | Johnson, E. B. | Sanders |
| Chapman | Johnston | Sawyer |
| Chenoweth | Kaptur | Schroeder |
| Chrysler | Kasich | Sensenbrenner |
| Coburn | Kildee | Shadegg |
| Coleman | Kim | Skelton |
| Collins (MI) | Kleczka | Smith (MI) |
| Combest | Klug | Smith (TX) |
| Cooley | Kolbe | Smith (WA) |
| Costello | LaHood | Stenholm |
| Crapo | Latham | Stump |
| Cubin | Laughlin | Stupak |
| Danner | Levin | Tanner |
| de la Garza | Lewis (CA) | Tejeda |
| DeFazio | Lewis (KY) | Thompson |
| DeLay | Lipinski | Thornberry |
| Dickey | Lucas | Thornton |
| Dingell | Luther | Torricelli |
| Doolittle | Manton | Traficant |
| Dunn | McCarthy | Upton |
| Edwards | McDade | Vento |
| Ehlers | McKeon | Volkmer |
| Emerson | Metcalf | Ward |
| Ewing | Minge | Waters |
| Fawell | Mink | Whitfield |
| Filner | Mollohan | Wicker |
| Ford | Montgomery | Williams |
| Frost | Moorhead | Wilson |
| Gephardt | Myers | Wise |
| Geren | Nethercutt | Wolf |
| Gibbons | Neumann | Woolsey |
| Gilchrest | | Young (AK) |

ANSWERED ''PRESENT''—1

Riggs

NOT VOTING—8

| | | |
|---|---|---|
| Collins (IL) | McKinney | Stokes |
| Furse | Rose | Studds |
| Markey | Stark | |

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The Clerk announced the following pair:

On this vote:

Mrs. Collins of Illinois for, with Ms. Furse against.

Mr. FATTAH, Mr. LAZIO of New York, and Ms. BROWN of Florida changed their vote from ''no'' to ''aye.''

Miss COLLINS of Michigan, Mr. HAYWORTH, and Mr. SAWYER changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 104–463.

The Chair understands the gentleman from Missouri [Mr. VOLKMER] is not desiring to offer amendment No. 4.

It is now in order to consider amendment No. 8 printed in House Report 104–463.

AMENDMENT OFFERED BY MR. BOEHLERT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BOEHLERT:

Strike title III (page 118, line 18, through page 128, line 12) and insert the following:

**TITLE III—CONSERVATION**

**SEC. 301. CONSERVATION.**

(a) FUNDING.—Subtitle E of title XII of the Food Security Act of 1985 (16 U.S.C. 3841 et seq.) is amended to read as follows:

**''Subtitle E—Funding**

**''SEC. 1241. FUNDING.**

''(a) MANDATORY EXPENSES.—For each of fiscal years 1996 through 2002, the Secretary shall use the funds of the Commodity Credit Corporation to carry out the programs authorized by—

''(1) subchapter B of chapter 1 of subtitle D (including contracts extended by the Secretary pursuant to section 1437 of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 16 U.S.C. 3831 note));

''(2) subchapter C of chapter 1 of subtitle D; and

''(3) chapter 4 of subtitle D.

''(b) ENVIRONMENTAL QUALITY INCENTIVE PROGRAM.—For each of fiscal years 1996 through 2002, $200,000,000 of the funds of the Commodity Credit Corporation shall be available for providing technical assistance, cost-sharing payments, and incentive payments for practices authorized under the environmental quality incentive program under chapter 4 of subtitle D. At least 50 percent of the funds made available under this subsection for a fiscal year shall be used to provide technical assistance, cost-sharing payments, and incentive payments under such chapter relating to livestock production.''.

(b) ENVIRONMENTAL QUALITY INCENTIVE PROGRAM.—Subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.) is amended by adding at the end the following:

**''CHAPTER 4—ENVIRONMENTAL QUALITY INCENTIVE PROGRAM**

**''SEC. 1240. DEFINITIONS.**

''In this chapter and section 1241:

''(1) LAND MANAGEMENT PRACTICE.—The term 'land management practice' means a site-specific nutrient or manure management, integrated pest management, irrigation management, tillage or residue management, grazing management, or other land management practice that the Secretary determines is needed to protect, in the most cost effective manner, water, soil, or related resources from degradation.

''(2) LIVESTOCK.—The term 'livestock' means mature livestock, dairy cows, beef cattle, laying hens, turkeys, swine, sheep, and such other animals as determined by the Secretary.

''(3) PRODUCER.—The term 'producer' means a person who is engaged in livestock or agricultural production (as defined by the Secretary).

''(4) STRUCTURAL PRACTICE.—The term 'structural practice' means—

''(A) the establishment of an animal waste management facility, terrace, grassed waterway, contour grass strip, filterstrip, tailwater pit, or other structural practice that the Secretary determines is needed to protect, in the most cost effective manner, water, soil, or related resources from degradation; and

''(B) the capping of abandoned wells.

**''SEC. 1240A. ESTABLISHMENT AND ADMINISTRATION OF ENVIRONMENTAL QUALITY INCENTIVE PROGRAM.**

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—During the 1996 through 2002 fiscal years, the Secretary shall provide technical assistance, cost-sharing payments, and incentive payments to producers who enter into contracts with the Secretary, through an environmental quality incentive program.

''(2) ELIGIBLE PRACTICES.—

''(A) STRUCTURAL PRACTICES.—A producer who implements a structural practice shall be eligible for technical assistance or cost-sharing payments, or both.

''(B) LAND MANAGEMENT PRACTICES.—A producer who performs a land management practice shall be eligible for technical assistance or incentive payments, or both.

''(3) ELIGIBLE LAND.—Assistance under this chapter may be provided with respect to land that is used for livestock or agricultural production and on which a serious threat to water, soil, or related resources exists, as determined by the Secretary, by reason of the soil types, terrain, climatic, soil, topographic, flood, or saline characteristics, or other factors or natural hazards.

''(4) SELECTION CRITERIA.—In providing technical assistance, cost-sharing payments, and incentive payments to producers in a region or watershed, the Secretary shall consider—

''(A) the significance of the water, soil, and related natural resource problems; and

''(B) the maximization of environmental benefits per dollar expended.

''(b) APPLICATION AND TERM.

''(1) IN GENERAL.—A contract between a producer and the Secretary under this chapter may—

''(A) apply to 1 or more structural practices or 1 or more land management practices, or both; and

''(B) have a term of not less than 5, nor more than 10, years, as determined appropriate by the Secretary, depending on the practice or practices that are the basis of the contract.

''(2) DUTIES OF PRODUCERS AND SECRETARY.—To receive cost-sharing or incentive payments, or technical assistance, participating producers shall comply with all

terms and conditions of the contract and a plan, as established by the Secretary.

''(c) STRUCTURAL PRACTICES.—

''(1) COMPETITIVE OFFER.—The Secretary shall administer a competitive offer system for producers proposing to receive cost-sharing payments in exchange for the implementation of 1 or more structural practices by the producer. The competitive offer system shall consist of—

''(A) the submission of a competitive offer by the producer in such manner as the Secretary may prescribe; and

''(B) evaluation of the offer in light of the selection criteria established under subsection (a)(4) and the projected cost of the proposal, as determined by the Secretary.

''(2) CONCURRENCE OF OWNER.—If the producer making an offer to implement a structural practice is a tenant of the land involved in agricultural production, for the offer to be acceptable, the producer shall obtain the concurrence of the owner of the land with respect to the offer.

''(d) LAND MANAGEMENT PRACTICES.—The Secretary shall establish an application and evaluation process for awarding technical assistance or incentive payments, or both, to a producer in exchange for the performance of 1 or more land management practices by the producer.

''(e) COST-SHARING, INCENTIVE PAYMENTS, AND TECHNICAL ASSISTANCE.—

''(1) COST-SHARING PAYMENTS.—

''(A) IN GENERAL.—The Federal share of cost-sharing payments to a producer proposing to implement 1 or more structural practices shall not be greater than 75 percent of the projected cost of each practice, as determined by the Secretary, taking into consideration any payment received by the producer from a State or local government.

''(B) OTHER PAYMENTS.—A producer shall not be eligible for cost-sharing payments for structural practices on eligible land under this chapter if the producer receives cost-sharing payments or other benefits for the same land under chapter 1, 2, or 3.

''(2) INCENTIVE PAYMENTS.—The Secretary shall make incentive payments in an amount and at a rate determined by the Secretary to be necessary to encourage a producer to perform 1 or more land management practices.

''(3) TECHNICAL ASSISTANCE.—

''(A) FUNDING.—The Secretary shall allocate funding under this chapter for the provision of technical assistance with respect to non-Federal lands according to the purpose and projected cost for which the technical assistance is provided for a fiscal year. The allocated amount may vary according to the type of expertise required, quantity of time involved, and other factors as determined appropriate by the Secretary. Funding shall not exceed the projected cost to the Secretary of the technical assistance provided for a fiscal year.

''(B) OTHER AUTHORITIES.—The receipt of technical assistance under this chapter shall not affect the eligibility of the producer to receive technical assistance under other authorities of law available to the Secretary.

''(C) PRIVATE SOURCES.—The Secretary shall ensure that the process of writing and developing proposals and plans for contracts under this chapter, and of assisting in the implementation of structural practices and land management practices covered by the contracts, are open to individuals in agribusiness, including agricultural producers, representatives from agricultural cooperatives, agricultural input retail dealers, and certified crop advisers. The requirements of this subparagraph shall also apply to any other Department program using incentive payments, technical assistance, or cost-share payments and to pilot project programs of the Department that require plans.

''(f) LIMITATION ON PAYMENTS.—

''(1) IN GENERAL.—The total amount of cost-sharing and incentive payments paid to a person under this chapter may not exceed—

''(A) $10,000 for any fiscal year; or

''(B) $50,000 for any multiyear contract.

''(2) EXCEPTION TO ANNUAL LIMIT.—The Secretary may exceed the limitation on the annual amount of a payment under paragraph (1)(A) on a case-by-case basis if the Secretary determines that a larger payment is essential to accomplish the land management practice or structural practice for which the payment is made.

''(3) REGULATIONS.—The Secretary shall issue regulations that are consistent with section 1001 for the purpose of—

''(A) defining the term 'person' as used in paragraph (1); and

''(B) prescribing such rules as the Secretary determines necessary to ensure a fair and reasonable application of the limitations established under this subsection.

''(g) REGULATIONS.—Not later than 180 days after the effective date of this subsection, the Secretary shall issue regulations to implement the environmental quality incentive program established under this chapter.''.

**SEC. 302. WETLANDS RESERVE PROGRAM.**

(a) ENROLLMENT.—Section 1237 of the Food Security Act of 1985 (16 U.S.C. 3837) is amended by striking subsection (b) and inserting the following:

''(b) ENROLLMENT CONDITIONS.—

''(1) MAXIMUM ENROLLMENT.—The total number of acres enrolled in the wetlands reserve program shall not exceed 975,000 acres.

''(2) METHODS OF ENROLLMENT.—The Secretary shall ensure, to the maximum extent practicable, that of the total number of acres enrolled in the wetlands reserve program—

''(A) one-third of the acres are enrolled through the use of permanent easements;

''(B) one-third of the acres are enrolled through the use of 30-year easements (or easements of a shorter period if required under applicable State laws); and

''(C) one-third of the acres are enrolled through the use of restoration cost-share agreements authorized under section 1237A(h).''.

''(3) TEMPORARY EMPHASIS ON CERTAIN ENROLLMENT METHODS.—To achieve the enrollment ratios specified in paragraph (2), the Secretary shall endeavor, to the maximum extent practicable, to rely on the enrollment methods described in subparagraphs (B) and (C) of paragraph (2) to enroll lands in the wetlands reserve program until such time as enrollments under each such subparagraph accounts for approximately one-third of all lands enrolled in the wetlands reserve.''

(b) ELIGIBILITY.—Section 1237(c) of the Food Security Act of 1985 (16 U.S.C. 3837(c)) is amended by striking ''2000'' and inserting ''2002''.

(c) EASEMENTS AND RESTORATION COST-SHARE AGREEMENTS.—Section 1237A of the Food Security Act of 1985 (16 U.S.C. 3837a) is amended—

(1) in the section heading, by inserting before the period at the end the following: ''and restoration cost-share agreements'';

(2) by striking subsection (c) and inserting the following:

''(c) RESTORATION PLANS.—The development of a restoration plan, including any compatible use, under this section shall be made through the local Natural Resources Conservation Service representative.'';

(3) in subsection (f), by striking the third sentence and inserting the following: ''Compensation may be provided in not less than 5, nor more than 30, annual payments of equal or unequal size, as agreed to by the owner and the Secretary.''; and

(4) by adding at the end the following:

''(h) RESTORATION COST SHARE AGREEMENTS.—The Secretary may enroll land in the wetland reserve program through agreements that require the landowner to restore wetlands on the land, if the agreement does not provide the Secretary with an easement. Other than cost share and technical assistance provided under section 1237C(b), the Secretary may not provide compensation for an agreement under this subsection.''.

(d) COST SHARE AND TECHNICAL ASSISTANCE.—Section 1237C of the Food Security Act of 1985 (16 U.S.C. 3837c) is amended by striking subsection (b) and inserting the following:

''(b) COST SHARE AND TECHNICAL ASSISTANCE.—

''(1) EASEMENTS.—In the case of an easement entered into during the 1996 through 2002 calendar years, in making cost share payments under subsection (a)(1), the Secretary shall—

''(A) in the case of a permanent easement, pay the owner an amount that is not less than 75 percent, but not more than 100 percent, of the eligible costs; and

''(B) in the case of a 30-year easement, pay the owner an amount that is not less than 50 percent, but not more than 75 percent, of the eligible costs.

''(2) RESTORATION COST-SHARE AGREEMENTS.—In making cost share payments in connection with a restoration cost-share agreement entered into under section 1237(A)(h), the Secretary shall pay the owner an amount that is not less than 50 percent, but not more than 75 percent, of the eligible costs.

''(3) TECHNICAL ASSISTANCE.—The Secretary shall provide owners with technical assistance to assist owners in complying with the terms of easements and restoration cost-share agreements.''.

(e) EFFECT ON EXISTING EASEMENTS.—The amendments made by this section shall not affect the validity or terms of any easements acquired by the Secretary of Agriculture under subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.) before the date of the enactment of this Act or any payments required to be made in connection with such easements.

**SEC. 303. ELIMINATION OF CONSULTATION REQUIREMENTS WITH SECRETARY OF THE INTERIOR.**

Section 1242 of the Food Security Act of 1985 (16 U.S.C. 3842) is amended—

(1) by striking ''(a)'' before ''In carrying out''; and

(2) by striking subsection (b).

**SEC. 304. ENVIRONMENTAL CONSERVATION ACREAGE RESERVE PROGRAM.**

(a) PROGRAM EXTENSIONS.—Section 1230(a) of the Food Security Act of 1985 (16 U.S.C. 3830(a)) is amended by striking ''1995'' and inserting ''2002''.

(b) CONSERVATION AND IMPROVEMENT OF WILDLIFE HABITAT.—Such section is further amended by inserting ''and wildlife habitat'' after ''soil and water resources''.

**SEC. 305. CONSERVATION RESERVE PROGRAM.**

(a) PROGRAM EXTENSIONS.—

(1) CONSERVATION RESERVE PROGRAM.—Section 1231 of the Act (16 U.S.C. 3831) is amended in subsections (a) and (b)(3), by striking ''1995'' each place it appears and inserting ''2002''.

(3) DUTIES OF OWNERS AND OPERATORS.—Section 1232(c) of the Act (16 U.S.C. 3832(c)) is amended by striking ''1995'' and inserting ''2002''.

(b) MAXIMUM ENROLLMENT.—Section 1231(d) of the Food Security Act of 1985 (16 U.S.C. 3831(d)) is amended striking ''total of'' and all that follows through the period at the

end of the subsection and inserting ''total of 36,400,000 acres during the 1986 through 2002 calendar years (including contracts extended by the Secretary pursuant to section 1437(c) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 16 U.S.C. 3831 note).''.

(c) OPTIONAL CONTRACT TERMINATION BY PRODUCERS.—Section 1235 of the Food Security Act of 1985 (16 U.S.C. 3835) is amended by adding at the end the following new subsection:

''(e) TERMINATION BY OWNER OR OPERATOR.—

''(1) EARLY TERMINATION AUTHORIZED.—The Secretary shall allow an owner or operator of land that, on the date of the enactment of the Agricultural Market Transition Act, is covered by a contract that was entered into under this subchapter at least five years before that date to terminate the contract with respect to all or a portion of the covered land. The owner or operator shall provide the Secretary with reasonable notice of the termination request.

''(2) CERTAIN LANDS EXCEPTED.—Notwithstanding paragraph (1), the following lands shall not be subject to an early termination of a contract under this subsection:

''(A) Filterstrips, waterways, strips adjacent to riparian areas, windbreaks, and shelterbelts.

''(B) Land with an erodibility index of more than 15.

''(C) Other lands of high environmental value, as determined by the Secretary.

''(3) EFFECTIVE DATE.—The contract termination shall take effect 60 days after the date on which the owner or operator submits the notice under paragraph (1).

''(4) PRORATED RENTAL PAYMENT.—If a contract entered into under this subchapter is terminated under this subsection before the end of the fiscal year for which a rental payment is due, the Secretary shall provide a prorated rental payment covering the portion of the fiscal year during which the contract was in effect.

''(5) RENEWED ENROLLMENT.—The termination of a contract entered into under this subchapter shall not affect the ability of the owner or operator who requested the termination to submit a subsequent bid to enroll the land that was subject to the contract into the conservation reserve.

''(6) CONSERVATION REQUIREMENTS.—If land that was subject to a contract is returned to production of an agricultural commodity, the conservation requirements under subtitles B and C shall apply to the use of the land to the extent that the requirements are similar to those requirements imposed on other similar lands in the area, except that the requirements may not be more onerous that the requirements imposed on other lands.''.

(d) USE OF UNEXPENDED FUNDS.—Section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended by adding at the end the following:

''(h) USE OF UNEXPENDED FUNDS FROM CONTRACT TERMINATIONS.—If a contract entered into under this section is terminated, voluntarily or otherwise, before the expiration date specified in the contract, the Secretary may use funds, already available to the Secretary to cover payments under the contract, but unexpended as a result of the contract termination, to enroll other eligible lands in the conservation reserve established under this subchapter.''.

(e) FAIR MARKET VALUE RENTAL RATES.—

(1) IN GENERAL.—Section 1234(c) of the Food Security Act of 1985 (16 U.S.C. 3834(c)) is amended by adding at the end the following new paragraph:

''(5) In the case of a contract covering land which has not been previously enrolled in the conservation reserve, annual rental payments under the contract may not exceed the average fair market rental rate for comparable lands in the county in which the lands are located. This paragraph shall not apply to the extension of an existing contract.''.

(2) APPLICATION OF AMENDMENT.—The amendment made by paragraph (1) shall apply with respect to contracts for the enrollment of lands in the conservation reserve program under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831)) entered into after the date of the enactment of this Act.

(f) ENROLLMENTS IN 1997.—Section 725 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 (Public Law 104–37; 109 Stat. 332), is amended by striking the proviso relating to enrollment of new acres in 1997.

□ 2200

Mr. ROBERTS. Mr. Chairman, I want to inform Members that the House will go into session tomorrow morning at 9 o'clock in order to expedite consideration of the farm bill, and to accommodate Members there will be no 1-minutes.

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. YOUNG of Florida, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2854) to modify the operation of certain agricultural programs, had come to no resolution thereon.

## HOUR OF MEETING ON TOMORROW

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 9 a.m. tomorrow morning.

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

There was no objection.

## AMENDMENT PROCESS DURING CONSIDERATION OF H.R. 994, SMALL BUSINESS GROWTH AND ADMINISTRATIVE ACCOUNTABILITY ACT

Mr. SOLOMON. Mr. Speaker, the Rules Committee is planning to meet on Thursday, February 29 to grant a rule for H.R. 994, the Small Business Growth and Administrative Accountability Act, which the House is likely to consider during the week of March 4. The Rules Committee is contemplating an open rule for this legislation.

The Rules Committee may grant a rule which would make in order an amendment in the nature of a substitute offered by Government Reform and Oversight Chairman CLINGER and Judiciary Chairman HYDE as original text for purposes of amendment.

The substitute amendment is expected to broaden the scope of the legislation. The Clinger-Hyde amendment will be printed in the CONGRESSIONAL RECORD on Thursday, February 29, and copies of the amendment will be available in the majority offices of the Government Reform and Oversight Committee and the Judiciary Committee.

Members should draft their amendments to this substitute.

The Rules Committee is also contemplating a rule which would provide priority in recognition to those Members who have preprinted their amendments in the CONGRESSIONAL RECORD prior to being offered.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

## MAKING IN ORDER SUBSTITUTE AMENDMENT DURING FURTHER CONSIDERATION OF H.R. 2854, AGRICULTURAL MARKET TRANSITION ACT

Mr. TRAFICANT. Mr. Speaker, I ask unanimous consent during further consideration of H.R. 2854, pursuant to House Resolution 366, that I be permitted to offer the amendment at the desk in lieu of amendment number 15 printed in House Report 104–463.

The SPEAKER pro tempore. The Clerk will read the amendment.

The Clerk read as follows:

At the end of title V, page 139, after line 17, add the following section: Sense of the Congress regarding purchase of American-made equipment and products requirement regarding notice. Any purchase of American-made equipment and products in the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this act or amendments made by this act, it is the sense of Congress that persons receiving such assistance should in expending the assistance purchase only American-made equipment and products.

B, the notice to recipients of assistance in providing financial assistance under this act or amendments made by this act, the Secretary of Agriculture shall provide to each recipient of the assistance a notice describing the statement made in subsection A by the Congress.

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

There was no objection.

## APPOINTMENT OF CONFEREES ON H.R. 1561, AMERICAN OVERSEAS INTERESTS ACT OF 1995

Mr. GILMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1561) to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and

1997, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York? The Chair hears none and, without objection, appoints the following conferees: Messrs. GILMAN, GOODLING, HYDE, ROTH, BEREUTER, SMITH of New Jersey, BURTON of Indiana, MS. ROS-LEHTINEN, and Messrs. HAMILTON, GEJDENSON, LANTOS, TORRICELLI, BERMAN, and ACKERMAN.

There was no objection.

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each:

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York [Mrs. MALONEY] is recognized for 5 minutes.

[Mrs. MALONEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

[Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida [Ms. ROS-LEHTINEN] is recognized for 5 minutes.

[Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. RIGGS] is recognized for 5 minutes.

[Mr. RIGGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

## WE NEED TO INCREASE PRODUCTIVITY AND SAVINGS

The SPEAKER pro tempore (Mr. KIM). Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, a challenge is facing this country, and I think there is excellent news for our future, for families, for wages that give families a decent living, if we make some simple changes down here in Washington.

Washington cannot do everything, and eventually, you know, in this country we are going to have to produce a good product that people around the world in this country want to buy, and we can sell it at a reasonable price.

Government can do some things to make sure that happens.

Think for a moment as you look at tax policies around the world and in the industrialized nations, and I see our chairman of the Committee on Ways and Means here. We in the United States penalize savings and investment more than any of those countries. If you look at what has happened the last decade, we see the United States trailing in savings. Out of every take-home dollar in the United States, we are saving about 4 cents. That compares with about 18 cents in Japan, up to 34 cents out of every take-home dollar saved in South Korea. So we are shy on savings.

Part of it is because we have tax policies that discourage savings, almost penalize savings.

If you look at the investment, the new investment in machinery and equipment over the last 10 years, again we see the United States investing less per worker than those other industrialized countries. So it is not surprising that the result is a lower, slower rate of increase in productivity.

Make no mistake, the United States is the most productive nation in the world, but our rate of increase in productivity is slipping over the last decade. We cannot afford that.

What is happening in this post-cold-war economy is that Eastern Europe, the Asian tigers, are doing everything they can to attract capital.

I was talking to some of the Wall Street financiers 3 weeks ago. They are saying with some of their portfolio funds they are now investing in other countries because they think they might be able to get a higher rate of return.

Look, in this next campaign we are going to be talking about new taxes, we are going to be talking should it be a flat tax, should it be some kind of a national income tax, should it be some kind of a value-added tax? All of those taxes are essentially the same in achieving the goals of encouraging savings and encouraging investment.

The country that attracts that investment and expands the capital in their country is going to be the country that ends up with a higher standard of living. We have got to do that.

Here are some of the things that we can do to increase the savings rate in this country:

We have got to reduce the negative savings that is caused by Government overspending. Government now borrows about 18 cents out of every dollar we spend. That means that if you look at all of the money that was lent out in the United States last year, the Federal Government borrowed almost 42 percent of all of the money lent out in the United States last year.

We remember our lessons in economics. The greater the demand, the higher the price. That is why Alan Greenspan came to our Committee on the Budget and said, ''If you guys can balance this budget, you are going to see interest rates drop between 1.5 and 2 percent.'' That means a tremendous difference in what happens to the economy, it makes a tremendous difference in reducing the price of everything we borrow money for, from cars to homes to college educations.

I would yield to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. If the gentleman will yield, is it not true that on a 2½ interest rate reduction for a $75,000 home over a 30-year period of time, the American consumers, the American homeowners, would save $37,000?

Mr. SMITH of Michigan. Is that not amazing? And I am going to give an example for some folks down in Hillsdale County, where the homes are a little less. If you had a $50,000 home and you ended up having—you had a mortgage that lasted over 30 years, it would reduce the amount of money that those homeowners paid by $30,000.

Think of what would happen if it was a business deciding to invest a half a million dollars in some new equipment or build new machinery. It would reduce the cost of that equipment and machinery, we would end up putting better tools in the hands of the greatest work force in the world; that is, the American work force; and we would see our productivity take off.

I mean, that is why Alan Greenspan followed it up saying, look, if you can do this and interest rates drop, you will see this economy growing like it has never grown before.

## THE SHADOW OF CRIME OVER AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska [Mr. CHRISTENSEN] is recognized for 5 minutes.

Mr. CHRISTENSEN. Mr. Speaker, a long shadow is falling over America. Slowly the shadow is blotting out the sunny streets and parks where children play. It is blocking out the moonlight where couples walk. It is even blocking out the warm welcoming glow of our houses at night.

That shadow is crime, and after many years of thinking it could not fall on the quiet communities from which we have come, it has. The violence that trails gangs and drugs like a vicious dog drove homicides in my city of Omaha to an all time high in 1995. There were 41 killings last year in Omaha, 8 more than in 1994. Omaha's police made nearly 20 percent more juvenile arrests in 1995 than in 1994. And the shadow even claimed the life of one of our brave men in blue.

□ 2215

Many of our districts may have been free from the worst of crime for many years, but now we must turn and face the shadow, and drive it back.

This evening I want to talk about how I think we can restore safety to our streets and sanity to the system. I am fighting hard to protect the American dream. I believe it is an essential part, to be free of the fear that we have today. We must have safe streets and secure schools, and I believe we can.

The fact is, Mr. Chairman, that moral principles, our values, underlie our criminal justice system. There is nothing wrong with these values, and we should never feel guilty about making those who violate those values pay. Theft is not some act or artistic or political expression. It is theft, and it is wrong. Murder is not forbidden as a matter of subjective opinion. It is objectively evil, and we must stop it.

No one but thieves and murderers benefit when we think otherwise. A year ago the House of Representatives here passed six tough bills aimed at combatting crime. For instance, the House unanimously approved the Victim Restitution Act. The bill instructs courts in Federal criminal proceedings to require convicted offenders to pay restitution to their victims. The fact that we passed the Victim Restitution Act without a single dissenting vote tells me that Congress has truly changed. Nowadays we all agree that criminals should have to pay for their misdeeds, literally.

Besides cosponsoring and supporting the six crime bills we have already passed, I have been working on some anti-crime legislation which I will soon introduce. I call this bill the Hard Time for Guns Crime Act. This bill would make it clear that the problem with guns in our society is not the guns, but the felons who use them for a common purpose. It would do so by dramatically increasing the penalties for the possessing, brandishing, or discharging a firearm during the commission of a Federal felony.

The message this bill sends is that we have had it with gun-related violence. Americans have zero tolerance for gun crime, so our justice system should, too. Our families and children should not be afraid to walk to school, go to the grocery store, and leave their windows open at night. That is why I am working hard to keep those who would misuse guns in jail. No more slick criminal defense attorneys pushing criminals to freedom through legal loopholes. No more soft sentences after teary speeches before the bench. No more legal gymnastics setting criminals free after a fraction of their allotted time in jail.

My Hard Time for Gun Crimes bill sends a clear message: If you use a gun to commit a felony, plan on spending the next few decades behind bars, no exceptions. We need to come together as Americans to fight off the shadow of crime. Men and women of all ideologies, all races, and all creeds agree that the shadow of crime has frightened our families and our children long enough. I say to those who care today to restore our streets to safety, we should work together to knit up our Nation's fraying social fabric. We should work now, today, to stop coddling criminals and start crushing them. I think together, in a bipartisan fashion, these goals can be achieved in the 104th Congress.

## THE FEDERAL INCOME TAX

The SPEAKER pro tempore (Mr. KIM). Under a previous order of the House, the gentleman from Arizona [Mr. HAYWORTH] is recognized for 5 minutes.

Mr. HAYWORTH. Mr. Speaker, returning from recess, and Mr. Speaker, I assure you and others who might be tuned in tonight that it might have been recess, but it certainly was not play period; instead, it was a chance to traverse the width and breadth of the Sixth District of Arizona, some 46,000 square miles in our sixth largest State, I was struck repeatedly in town hall meetings by the concern Arizonans share in the notion of tax reform. Indeed, tax is the three-letter-word that has too often become a four-letter-word because of the circumstances surrounding the tax burden, because of the seemingly, and in reality, confiscatory policies that confront law-abiding Americans.

To offer some perspective, I would point to a study conducted by the Small Business Survival Group that looked back in time to 1913, to the introduction of the amendment which led to Federal income tax, the 16th amendment. In conducting this study, the people of the Small Business Survival Group took a look at what our tax rates would be if that original act had not been changed through the years. Mr. Speaker, the results are nothing short of mind-boggling.

For example, if the rates introduced in 1913 were still in effect today, adjusting for 1996 dollars, the average American, every American, would be exempt from paying tax on his or her first $59,000 of income. Even more shocking, the tax rate would be at 1 percent up to $298,000 of income. It is shocking, but true.

Mr. Speaker, even more compelling is this realization that in the span of time from the adoption of the 16th amendment to our Constitution allowing for the Federal income tax, in that period of time, even adjusting for inflation, this Federal Government has grown in excess of 13,000 percent.

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

Mr. HAYWORTH. I yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Speaker, I want to make sure that folks understand what the gentleman means. I was at a UPS company, United Parcel Service, talking to the truck drivers. The driver said to me, ''I got three kids. I got a good job, and I work long hours. I get paid overtime and make good money. My wife is a schoolteacher. But at the end of each month, we have no money left over because of our tax burden.''

His taxes compared to his father, his father in the 1950's paid 5 percent Federal income tax. Today he is paying 24 percent. That is exactly what you are talking about, that Federal income tax. Once the Federal Government established a toe-hold, or should I say a hook in the American back pocket, they never let go. Each year they have grabbed more and more money out of that gentleman's back pocket. So now he wants to save money for his kids' college education, he wants to save money for a vacation, he wants to save money for his long-term retirement. He cannot. At the end of the month they had zero, because of the tax burden.

Mr. HAYWORTH. Reclaiming my time, Mr. Speaker, I thank my friend, the gentleman from Georgia, for pointing out and making it very personal.

Indeed, I would echo the comments of our good friend, the gentleman from Michigan [Mr. SMITH], who preceded me here in the well, Mr. Speaker. Lest there is some misinterpretation of this, let me again state what should be obvious: There is nothing ignoble or selfish or somehow lacking civic-mindedness for people wanting to hang onto more of their hard-earned money and send less of it to Washington. Mr. Speaker, you know something is wrong when the average American family spends more on taxes than on food, shelter, and clothing combined. Clearly, Mr. Speaker, there must be a change.

## THE MARRIAGE TAX PENALTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, I wanted to continue this discussion on taxes and talk about another tax that has been proposed to be alleviated by the Republican tax relief plan. That is the marriage tax penalty. If a young couple today gets married, they pay more taxes together married than they would if they lived with each other. I will walk through an example.

If you have a young woman who is making $20,000 and a young man who is making $20,000 a year, roughly they each pay about $4,000 in taxes. So their combined income, their combined tax liability, is $8,000. That is living together. They put on one of these little wedding bands here and get their relationship blessed by the Lord, and then that tax burden comes at a rate based on not $20,000 in income but $40,000 in income, and their total tax liability jumps from $8,000 to about $12,000 because they are now in a higher tax bracket.

Mr. Speaker, what sense is behind that? What is wrong with trying to correct that? It not only applies to young people, but senior citizens. Here we are, we have a society that is condoning such an absurd, ridiculous tax policy. If society believes in the institution of marriage, then we need to address the marriage tax penalty, which is exactly

what the Republican Party in their tax relief plan has done.

Mr. Speaker, I yield to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Speaker, I thank my friend, the gentleman from Georgia, for another real-life example of what could be called one of the one million and one absurdities of our current Tax Code. Let me offer another, mindful of one of our Founding Fathers, Mr. Franklin, or Dr. Franklin I suppose we should say, with his capabilities, as he was often referred to, who talked about only two certains in this life: death and taxes. And it is worth noting that we as Americans are taxed in death obscenely by this government. Estate taxes are so confiscatory and so patently unfair that they are akin to allowing one's estate to be plundered, not allowing those benefits to go to children and rightful heirs, but instead making everyone's uncle, Uncle Sam, the chief beneficiary. That is wrong. That must change.

I am pleased that some of our colleagues in the freshman class and others in the new majority, working with some like-minded folks on the other side of the aisle, are willing to move now for significant reforms that allow estate taxes to be lowered, so not only in this passage of life so important to marriage and building a family, but then as the family continues when one's earthly life ends, families are cared for. That is vitally important, too, and it is part and parcel of the fact that we must reform essentially our Tax Code, our tax laws, to allow Americans to save, spend, and invest more of their own money, instead of forcing Americans to dig into their wallets and send more and more and more money to this Federal Government.

Indeed, in the spirit of bipartisanship, we should note what Mr. Jefferson called for, what his ideal was at the outset of this Nation. Mr. Jefferson called for a limited but effective government, and part and parcel of that is allowing the American worker to realize his dream, to hold onto more of his money, and send less of it here.

Mr. KINGSTON. If the gentleman will yield, I want to make it abundantly clear to anybody who heard you say, Thomas Jefferson was not a Democrat. He was a Democrat Republican, and the party that he stood for has no reflection to today's Democrat party. Do not insult Thomas Jefferson.

I yield to the gentleman from Pennsylvania, Mr. JON FOX.

Mr. HAYWORTH. Mr. Speaker, I am appealing to the good sense of bipartisanship, as we have so many friends here on the other side.

Mr. KINGSTON. Do not call Thomas Jefferson a Democrat.

Mr. Speaker, I yield to the gentleman from Pennsylvania, Mr. JON FOX.

Mr. FOX of Pennsylvania. Mr. Speaker, what is also important is that we need the innovation. What has happened in this Congress which I think is also significant is the fact we talked about rolling back the 1993 Social Security tax on our seniors and allowing seniors to earn more. They were capped at $11,200. By our legislation they will be able to earn more without deductions from Social Security tax. I think that is important in order to free people up, give them the independence and let them decide what to do with their own money.

Mr. KINGSTON. Mr. Speaker, the gentleman is correct. Right now. Seniors who decide to keep working are penalized $1 on their Social Security for every $3 they earn in the workplace. What a ridiculous Tax Code that we have.

Let me speak about another thing. You mentioned the family, the different phases of life. As I listen to this, we know already that 77 percent of the people who will benefit from tax relief have a combined family income of $75,000 or less.

☐ 2230

And yet we are making it also clear that it helps young people, helps seniors, and it helps middle-income, it helps families with children.

Getting back to my UPS truck driver with three kids, under my proposal he will get a $1,500 tax credit, $500 for each kid. That is $1,500 in his pocket.

Now let us say, on the other hand, we say do not do that; let us increase minimum wage 50 cents. We increase minimum wage 50 cents, which might come out to $1,000 more a year in income. It is not a net income figure, because he still pays taxes on that. So it comes to about $600.

If you give the American worker a choice between increasing the minimum wage and a $500 per child tax credit, $500 per child tax credit, it puts more money in the pocket of the American worker, and that is why I am baffled by anyone in this Chamber who would vote against that.

Mr. HAYWORTH. Having been somewhat chastened for my interpretation of history and mindful of my good friend's admonishment, let me also point out something else. It applies not only to the UPS truck driver but to literally the millions of single mothers here. Imagine, a single mother with three children, $1,500 in her pocket. What would that mean? I think it would mean a lot.

## TAX RELIEF FOR ALL AMERICANS

The SPEAKER pro tempore (Mr. KIM). Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I yield to the gentleman from Arizona.

Mr. HAYWORTH. I thank my good friend from Pennsylvania, and again just to reemphasize, the notion of tax relief for all Americans is something that is not selfish. It is just simply this realization: that that single mother with three children receiving or able to hang onto $1,500 of her money with a $500 per child tax credit, she knows how best to spend that money, not the Washington bureaucrats. She understands, and she should be free to save, spend and invest for her family.

So my colleague from Georgia, though he might take me to task on some historical interpretations, is absolutely correct when he talks about the vital need for tax reform across the spectrum of age and across this Nation, benefiting middle-class Americans and all working Americans.

Mr. FOX of Pennsylvania. I yield to my friend from Georgia.

Mr. KINGSTON. I thank the gentleman.

I wanted to just conclude this $500 per child tax credit with this chart right here; the big blue section shows that 89 percent of the people who will benefit from $500 per child tax credit have a combined family income of $75,000 or less.

Now, the red line is in the category of $75,000 to $100,000. That is 7 percent. Above $100,000, it is 4 percent.

So, you know, if we want to do something to help middle America, if we want to do something to help America's middle class, this is the ticket to go, and not an increase in the minimum wage. This is real dollars. This will help them in their pocket.

Mr. FOX of Pennsylvania. I yield to the gentleman from Arizona.

Mr. HAYWORTH. I again would just like our friend from Georgia to articulate this, make sure that I understand, and, Mr. Speaker, those may be joining us this evening coast to coast and beyond understand what we are talking about. Is this $500 per child tax credit helping almost 90 percent of our population earning under $75,000? That is something that we absolutely have to herald and have to remind the American people of, and, further, I think it is just vital to understand that our current policy and indeed as I have heard some people put it, working families are those earning under $75,000 a year.

Indeed, 2 years ago, in the first State of the Union Message, the gentleman from Pennsylvania and I were personally in attendance here for having been newly elected to the Congress; President Clinton called working families those families making under $75,000 a year, which begs the question: Should families making in excess of that somehow be punished? Should there be an arbitrary line where we designate Americans as working but those Americans, ofttimes two-income families who work hard, who cross that magic $75,000 line, is it being implied that are not working families, that they are not worth of tax relief?

Mr. Speaker and my colleagues, it is obvious, relief must come because we are penalizing people who are succeeding.

Mr. FOX of Pennsylvania. I would say this, the fact is in this Congress we have already come forward with not

only tax reform but spending reductions and deficit reductions, which gives the change to have help for working families, for seniors and for our children.

I yield to the gentleman from Georgia.

Mr. KINGSTON. Let me just say this, in the 1992 presidential primary, candidate Bill Clinton had an ad that said this: ''Hi, I am Bill Clinton. I believe you deserve a change. That is why I have a plan to stimulate the economy, starting with a middle-class tax cut.''

Now, we all know, after running on a promise of a middle-class tax cut, the President turned around and in 1993 passed the largest tax increase in the history of our country. But it is ironic, the other day he said, ''I was raised in an old-fashioned home, in an old fashioned time, maybe, but I still think when you tell somebody you are going to do something, you ought to do everything you can to do it.'' That was President Bill Clinton at a press conference, January 5, just over 2 months ago, 1996.

All we are saying is, great we are glad, let us use those old-fashioned hometown values that we all love in America, both Democrats and Republicans think highly of. Let us go ahead and give middle-class America the tax cut that he promised and that we want to give him.

Mr. FOX of Pennsylvania. Reclaiming my time, the fact is in this Congress we have already moved pretty close to the balanced budget. I think we can get it. We have added $440 billion back for environment, education, Medicare, Medicaid. I think we are very close to getting a balanced budget, still maintaining the vital services people need.

Mr. HAYWORTH. And our colleague from Georgia again brings us a troubling aspect to this entire endeavor, and perhaps we will have to wait for another time to share that with our friends.

## COMMEMORATING BLACK HISTORY MONTH

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from New Jersey [Mr. PAYNE] is recognized for 40 minutes as the designee of the minority leader.

Mr. PAYNE of New Jersey. Mr. Speaker, as chairman of the Congressional Black Caucus, I am pleased to lead my colleagues in once again commemorating Black History Month. Let me take a moment to acknowledge the leadership of our colleague, Congressman LOU STOKES, who organized tonight's special order. A health problem has prevented him from being here tonight, and we want him to know we wish him a speedy recovery. He has been diligent in arranging special orders every year during the month of February, Black History Month. It was in 1976, the bicentennial year, that Congress first passed a resolution to institute a celebration of Black History Month.

This year, we have chosen the theme ''African-American Women—Yesterday, Today, and Tomorrow'' in recognition of the enormous contributions that African-American women have made to our history and culture. In every field of endeavor—public service, politics, law, medicine, literature, corporate management, education, and others—African-American women are achievers.

Let me begin by recognizing the women of the Black Caucus serving in the 104th Congress. They have inspired tremendous respect as each has approached issues before this Congress with eloquence, passion, and keen insight. Not only have they left their mark on public policy, they serve as outstanding role models for young women and aspirations to public service. Let us also recognize the great women of past Congresses, the trailblazers whose dreams made today's realities possible. Since 1969, when Shirley Chisholm was sworn in as the first African-American woman to serve in Congress, the door of opportunity has been opening and the Congressional Black Caucus now includes 11 women. In yet another first, Shirley Chisholm ran for President in 1972, placing her name on the ballot in 12 primary contests. We had an historic first in 1992 with the stunning victory of CAROL MOSELEY-BRAUN as she took her place as the first African-American to serve in the U.S. Senate.

This year marked the passing of one of our greatest leaders of all times, the Honorable Barbara Jordan. A staunch defender of the Constitution, Barbara Jordan was a tower of strength during the Watergate crisis, one of the most troubling times in our Nation's history. As the first African-American Congresswoman from a southern State, and as the first African-American woman to deliver a keynote address at the Democratic National Convention, she was a true pioneer in the field of public service. A forthright woman of courage and dignity, she will be greatly missed.

Let me take a moment to recognize all of the African-American women who have served so honorably in the U.S. Congress, beginning with Shirley Chisholm and followed by Yvonne Brathwaite Burke; CARDISS COLLINS, who is the longest serving African-American woman in the history of Congress; our great champion Barbara Jordan; Katie Hall, BARBARA-ROSE COLLINS, ELEANOR HOLMES NORTON; MAXINE WATERS; EVA CLAYTON; CORRINE BROWN; EDDIE BERNICE JOHNSON; CYNTHIA MCKINNEY; CARRIE MEEK; SHEILA JACKSON-LEE; and Senator CAROL MOSELEY-BRAUN.

Let me also pay tribute to an outstanding Cabinet member, Secretary of Energy Hazel O'Leary, whom I have had the pleasure of knowing for many years going back to our days growing up together in New Jersey. In her position at the Department of Energy, she has worked tirelessly on issues ranging from energy development to the health effects of radiation testing. She has achieved tremendous success in negotiating trade agreements with a potential value to our Nation of billions of dollars.

Also rendering outstanding service in the executive branch are Lorraine Miller, who formerly served as Deputy Assistant to the President for Legislative Affairs and now holds a post in the Federal Trade Commission; Alexis Herman, Director of Public Liaison at the White House; and Tracey Thornton, Special Assistant for Legislative Affairs.

I am proud of the many accomplished African-American women who hail from my home State of New Jersey. In fact, I had a swearing in ceremony in Newark which was presided over by a distinguished African-American judge, Judge Ann Thompson. I also have crossed paths with Connie Woodruff, a former labor union representative who is now a columnist. Dr. Delores Cross, a New Jerseyan who has achieved excellence as an educator and administrator, now serves as president of Chicago State University.

My home State of New Jersey is rich in a history which encompasses many famous African Americans. For example, Harriet Tubman, the famous operator of the underground railroad, worked as a servant in hotels in Cape May, NJ between 1849 and 1852 in order to earn money to finance her missions.

In 1886, a school was established in New Jersey called the New Jersey Manual Training and Industrial School for Colored Youth; it was better known as the Bordentown School. Among the many distinguished visitors and commencement speakers was the great educator and civil rights champion, Mary McCleod Bethune.

East Orange, NJ was the hometown of Marion Thompson Wright, the first African-American professional historian. She taught at Howard University until her death in 1962.

Gail Elizabeth Harris was the first African-American priest in the diocese of Newark, NJ. The fifth woman ordained in the Episcopal Church, she graduated from the Divinity School of the Pacific in Berkeley, CA.

New Jersey was also home to the great tennis champion, Althea Gibson. In 1951, she became the first African American to play at Wimbledon. In 1957, she won both the singles and doubles Wimbledon crowns.

One of the most successful African-American entrepreneurs, Sara Spence Washington, founded the Apex Beauty Products Co. in Atlantic City, NJ. Ms. Washington established her business in 1919, and by the late 1930's her Atlantic City office and factory had 87 employees, including chemists, clerks, bookkeepers, and beauty operators. With beauty schools in 11 cities, an estimated 35,000 individuals throughout

the world were dependent on the sales of her products.

African-American women were breaking into nontraditional roles long before women gained any degree of acceptance in the workplace. In the field of aviation, Bessie Coleman, who was born in 1893, became the first African-American woman to earn a pilot's license back in 1921.

Then, in 1934, Willa Brown Chappell became the first African-American woman to gain officer rank—lieutenant—in the Civil Air Patrol Squadron. She went on to form the first black aviator's group and established the first black-owned flying school, the Coffey School of Aeronautics.

African-American women have achieved a number of historic firsts in recent decades. Patricia Harris set records as she became the first African-American woman to be appointed an ambassador to an overseas post when President Lyndon Johnson chose her as Ambassador to Luxembourg; 2 years later she became the first to head the credentials committee of the Democratic National Committee; and then under President Jimmy Carter, she ascended to the position of Secretary of Housing and Urban Development, the first African-American woman to hold a Cabinet position.

In 1973, Shirley Ann Jackson received a Ph.D. in physics and became the first African-American woman in the United States to receive a doctorate from the prestigious Massachusetts Institute of Technology.

Mae Jamison will take her place in history as the first African-American woman to become an astronaut, exploring the world of possibilities beyond the planet Earth.

African-American women have also excelled in the creative and performing arts. The whole Nation took notice when Maya Angelou read her beautiful poetry at President Clinton's inauguration. Toni Morrison, the great novelist and editor, won a Pulitzer Prize for fiction for her novel ''Beloved'' and the National Book Critics Circle Award for ''Song of Solomon.'' Many Americans have enjoyed the music of jazz vocalist Ella Fitzgerald, who was hailed by Time Magazine as ''The First Lady of Song.'' Also gifted with a beautiful voice is Leontyne Price, the soprano singer, who won the San Francisco Opera Medal after performances in ''Falstaff,'' ''Porgy and Bess,'' and ''Anthony and Cleopatra.''

New York City's highest cultural award, the Handel Medallion, was awarded to the actress and singer Lena Horne, the first African-American woman to sign a contract.

In Newark, NJ, we are very proud of our hometown star, Sarah Vaughan. Known as the Divine One, she was a premier jazz vocalist with many pop and jazz hits.

As we honor famous African-American women, let us also pause to pay tribute to the millions of unsung heroines whose positive influence has made a difference in our lives. Every day, in every community, African-American women are working tirelessly and unselfishly to provide a better quality of life for those around them. They are volunteering in churches and community organizations, they are raising funds for scholarships so that the next generation can look to the future with hope; they are caring for older persons who might otherwise be forgotten. In my own life, in addition to the women in my family who gave me such encouragement and direction, I was fortunate to have many caring teachers and other concerned adults who helped guide me through the difficult times. I owe a debt of gratitude to a woman by the name of Mary Burch of Newark. She opened up her home and her heart to the young people of our community, organizing positive activities through an organization known as the Leaguers.

Another woman who gave generously of her time and talents in the interest of young people is Ms. Madeline Williams, who served as an NAACP advisor when I was a young man.

Under her guidance as a high school student, I was able to rise to the position of president of New Jersey Youth Councils and College Chapters of the NAACP.

Last year, during the Congressional Black Caucus Legislative Conference, I had the pleasure of meeting Ms. Oceola McCarty, the woman from Mississippi who earned her living doing laundry and then donated her life's savings to a scholarship fund so that a deserving youngster would have the opportunity to succeed.

Mr. Speaker, it is a pleasure to pay tribute to all these outstanding African-American women—yesterday, today, and tomorrow.

☐ 2245

African-American women, from Maya Angelou, to Toni Morrison, to many people like Ella Fitzgerald and Leontyne Price, as we talk about people who have done so much in all fields, African-American women are certainly those.

I will proceed as we go through this hour to talk about some other African-American women who have been so outstanding. But at this time I would ask the gentlewoman from Florida, Mrs. MEEK, if she would come before us, Mrs. CARRIE MEEK, to tell us about her African-American women who have done so many outstanding things.

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Chairman, it is a pleasure to be here to talk about the achievements of Black women.

I AM A BLACK WOMAN

(By Mari Evans)

I am a Black woman
the music of my song
some sweet arpeggio of tears
is written in a minor key
and I can be heard humming in the night
Can be heard humming in the night
I saw my mate leap screaming to the sea
and I/with these hands/cupped the life breath
from my issue in the canebrake
I lost Nat's swinging body in a rain of tears
and heard my son scream all the way from Anzio
for Peace he never knew . . . I
learned Da Nang and Pork Chop Hill
in anguish
Now my nostrils know the gas and these trigger tire/d fingers
seek the softness in my warrior's beard
I am a Black woman
tall as a cypress
strong
beyond all definition still
defying place
and time
and circumstance
assailed impervious indestructible
Look on me and be renewed

Mr. Speaker, that poem identifies Black women.

We have come a very long way since we were seen as acquiescent, submissive Aunt Jemimas, who showed grand faces, plump laps, fat embracing arms and brown jaws pouched in laughter. We have come a long way.

The heartbreaking tenderness of Black women and their majestic strength speak of the heroic survival of a people who were stolen into subjugation, denied chastity, and refused innocence.

Black women's hands have brought children through blood to life, nursed the sick and folded the winding clothes of many masters. Their wombs have held the promise of a race which has proven in each challenged century that despite the threats and mayhem, we still rise. Their feet have trod the shifting swampland of insecurity, yet they have tried to step neatly into the footprints of mothers who went before.

I remember those mothers. I am standing on their shoulders. I remember Harriet Tubman as she toiled so very hard to save slaves and to take them out of slave territory. I strongly remember Sojourner Truth, who was so strongly engrossed in what she did, she bared her chest at a big meeting and said ''Ain't I a woman?''

That is the story of the Black woman, the Black woman I remember so very well. I have heard Marion Anderson sing. I have heard Dorothy Maynor sing. What beautiful experiences and song coming out of the mouth of Black women, as a result of their many big contributions, not only in their movement, but also in their freedom of song and spirit.

And I remember so well Ida Wells at the Democratic Convention, where she refused to take second seat. And I also remember the mother of the civil rights movement, how she would not stay at the back of the bus, and how she made Black welcome to the front because of her courage.

I remember Winnie Mandela, C. Deloris Tucker, Black Women's Political Congress that C. Delores started. And Ms. Gwen Sawyer Cherry, the first Black woman to serve in the Florida

legislature. I remember Shirley Chisolm, Yvonne Braithwaite Burke, Barbara Jordan, Cardiss Collins, Hazel O'Leary, Madam C.J. Walker, and Althea Gibson, one of the most outstanding tennis players in the world.

That is the story of Black women. I rise today to pay tribute to these Black women, particularly Black women like Maya Angelou, Alice Walker.

But most of all, sketched in my memory is Mary McLeod Bethune. In 1947, Mary McLeod Bethune, in an address to the 22d Annual Meeting of the Association of the Study of Negro Life and History said:

> If our people are to fight their way up out of bondage, we must arm them with the sword and shield and the bunker of pride, belief in themselves and their possibilities, based upon a sure knowledge of the achievements of the past.

This quote, perhaps more than anything else, captures the basic spirit and philosophy and commitment that Mary McLeod Bethune and other strong Black women had for their race and the promotion and the development of women in African-American history.

I am always greatly moved by the memory of Mrs. Bethune. She was an inspirational American woman who signified and showed all the good qualities of Black American women, who was from the people, not of the people. She provided my generation, indeed many generations, with a beacon of light and hope that all things are possible through God and hard work.

I am hopeful that future generations of Black women remember those Black women from the past, those who have been in our past a long time ago, and they will remember the future, because they will be the light of the world from standing on the strong shoulders of the Black women.

Today, the light of these Black women stand throughout our country. It is so important that we remember. I thank the Black Caucus for bringing to the consciousness of this Congress how important and the contributions that Black women have made to this country. I am happy to be a part of this, I am proud of the Black women in this Congress, how they stand up and support the cause of African-Americans and how they stand up and support, particularly the Black males in America, who need so much help from Black women. This gives me the pride that I do not think anyone else has a chance anywhere to achieve.

We must continue to develop the history of Black women. You do not find as much of it, Mr. Chairman, as we should. It is important that we really visualize what Black women have done in this country throughout the beginning of this country. The slave women who toiled and did the best, came over to this country, laid like spoons in a slave ship. Yet they were strong, they raised their children and they gave us all inspiration.

We have lighted some torches here tonight. Gwen Sawyer Cherry, Mary Church Terrell, Nannie Helen Burroughs, and many others whose lives have informed and inspired our work. It is to good that we must continue to dedicate our lives to carrying forth that vision to another higher level, until we too shall pass the torch.

That is the story for the Black women in the past, in the present, and in the future.

Mr. PAYNE of New Jersey. Mr. Speaker, I thank the gentlewoman from Florida for that tremendous insight. She really is one of our outstanding leaders.

Now let me recognize the gentlewoman from the great State of Texas, SHEILA JACKSON-LEE.

Ms. JACKSON-LEE. Mr. Chairman, I thank you very much. Likewise, let me pay tribute to Congressman STOKES for his continuous support of an opportunity to bring to the Nation I believe the recognition of the value of contributions of African-Americans throughout this country.

Mr. Chairman, I thank you for leading this hour of tribute. For this month to come to a close, we would not want to be on record without being able to bring tribute to so many talented.

This year the challenge is African-American women, yesterday, today and tomorrow, and I rise today to be able to give special honor to many African-American women.

I am reminded, for a personal note, of the special women in my life. My Great Grandmother Sims, my Grandmother Bennett and Grandmother Jackson, many of whom who laid the groundwork for some of the challenges that I faced. My loving mother, Ivalita Jackson, my special Aunt, Valrie Bennett, along with Aunts Audrey and Sarah and Vickie and Sybil, all with their own very special stories of trials and tribulations and jubilations. And today is a day of celebration.

I would like to take this opportunity to call special attention to the extraordinary struggles and achievements of African-American women.

In the Black woman there is combined the two most challenged characteristics of American identity: Race and gender. What is utterly amazing is the fact that Black women have not only borne the weight of this double burden, but that we have done so with great courage and dignity and no small degree of success.

Mr. Speaker, Black Americans are by now well accustomed to what has now been a long history of a questioning of their equality. In this Congress we continually fight to oppose the elimination of affirmative action. We continually fight the challenges that come when it is time to tell us we should not have access to education, jobs and contracts. And yet we continue to fight.

I pay tribute to all of the women who served, African-American women, in the United States Congress, those who have already served and those who are serving now.

Today I give my most heartfelt and deepest words of praise that I can summon, for those must certainly be some of the most deserving group among us, the Black women of America.

First and foremost, our lot has been marked by the same unrewarded but vital work for which the majority of women in our society have had to do for generations. African-American women have been homemakers. They have reared children. They have guided families, and counseled many, the jobs that we are generally responsible for, along with the other job. These are the jobs for which we receive no pay, and are indeed lucky to receive thanks for it now and then.

Our other job, however, and we do it very well, includes sometimes domestic worker, sometimes child care provider, bus driver, clerk, secretary, beautician, and occasionally something that qualifies to be called as professional jobs.

Some of these jobs pay some of the lowest wages in the country. Our average income is only $8,825. Mr. Speaker, that is only 40.7 percent of the $21,695 average income of white American males. Yet we have survived.

African-American women have on this income raised their children, provided homes for our families, and maybe even opened businesses.

We have also been charitable. You will find African-American women in all of the social groups throughout this community, working to help our children, providing support systems for our schools, being volunteers, and, yes, being like the humble laundress from Mississippi who gave $180,000 from her savings over the years to educate Black college students in Mississippi. What a tribute, someone who cared, someone who worked with her hands, and someone who gave back.

Black women, for their children and for their families, have kept us altogether. There are nearly 2 million Black women providing for almost 5 million children on their income.

Black women are sometimes associated with welfare. We have heard the great debate, the cuts in welfare, the elimination of welfare, the termination of welfare. But the fact is, that our total number, 6 million of us are in the American work force, despite the disincentive of our meager wages. So that image is a misnomer.

We are working women, we are women who have protected our families, we are women who have a vision for the 21st Century, we are women who want the best and want the most for our children.

Under these circumstances, mere survival would qualify as success. But we have done much more than merely survive. Over 1.5 million of us have made our way into the technical, administrative and professional ranks of American society. Against great odds, African-American women have become doctors, lawyers, scientists, academics, mayors, and, yes, Members of this August body with increasing frequency.

☐ 2300

Mr. Speaker, in the name of all of our great female pioneers, like Phyllis

Wheatley, Harriet Tubman, Sojourner Truth, Mary McCloud Bethune, Fannie Lou Hamer, Dorothy Hught, and Senator CAROL MOSELEY-BRAUN, African-American women have continued to achieve.

I call upon my colleagues and Americans everywhere to join me in saluting all of the strong African-American women, those in the Clinton administration, those serving in local government, national government, these are our heroes and sheros.

And then I would like to acknowledge a few Texas women. We have already noted the Honorable Congresswoman Barbara Jordan, who was the first black to serve in the Texas State Senate since reconstruction; Irma Leroy, community activist, and Christen Adair, who were the first secretaries of the NAACP; Magdelein Bush, who organized the Martin Luther King Center, Lois Moore, who heads up our massive hospital district; Frances Frazier, a community activist with Nina Bailey, a strong activist, and Dorothy Hubbard; Dr. Alma Allen, an educator who promotes our children, our many ministers wives who cater and support their communities; Zina Garrison Jackson, outstanding sports enthusiast and tennis player; Maudet Stewart; Alice Bonner, the first African American judge in the State of Texas; Zoe Jones, one of the founders of National Council of Negro Women chapters in the State of Texas—black women who are today carrying on the great tradition of our predecessors and making a seminal contribution to American society.

I would also like to challenge the Members of this body in particular and Americans in general to celebrate the role that African American women play in our society.

It reminds me of the words of Langston Hughes, as he spoke through the black mother who said, Life for me ain't been no crystal stairs, but I's still a-reaching and I's still a-climbing.

Mr. Speaker, it is my privilege to be able to join this special honor and tribute to African American women, ages past, today and tomorrow. And it is a challenge for all of us, as we move into the 21st century, to be reminded of their legacy and that of Maya Angelou that says, despite all that we have to overcome, still we rise, still we rise.

Mr. PAYNE of New Jersey. Mr. Speaker, I thank the gentlewoman for that eloquent statement. We certainly appreciate the outstanding work that she has brought into this 104th Congress.

I now yield to the gentleman from the great State of Georgia, Mr. SANFORD BISHOP.

Mr. BISHOP. Mr. Speaker, I would like to commend you along with my colleague for sponsoring this special order today. As we look back on the month of February, as we celebrate Black History Month, I certainly would like to commend our colleague, the gentleman from Ohio [Mr. STOKES], for his many years of service in leading this caucus as we celebrate Black History Month.

Like many of our colleagues, I have been fulfilling requests to talk about black history during the past month at schools and colleges, churches and civic organizations throughout my area of middle and south Georgia. It is an honor to have an opportunity to participate.

Mr. Speaker, I believe that the 70-year-old observance of Black History Month has made a big difference in our understanding of history. It has helped teach us about how our country's unique diversity has enriched and strengthened us as a people and a nation. Evidence of this statement can be found in the far-reaching contributions made by African Americans in science and medicine, art, entertainment, education, business, exploration, statesmanship and government, the law, in the military and indeed in all aspects of the country's growth and development from our colonial days to the present.

These are contributions that helped the country grow more rapidly, become more prosperous and ultimately emerge as the strongest and most secure nation on earth.

All cultures that have become a part of this great melting pot have made important contributions. Diversity has set America apart and helped make our country great.

It is truly something worth celebrating. All of the Black History Month programs that I have participated in have been rewarding, but one in particular was memorable. In Valdosta, GA this past Sunday, near the Georgia-Florida line, a grass-roots group of citizens conducted a fundraising drive over the past 2 years to erect an archway which was dedicated and a memorial at the site of unmarked graves of former slaves.

The site was discovered some 40 years ago when a gentleman by the name of Mr. Nelson, who was at that time a laborer in the cemetery, was instructed by his superviser to go and to dig and to prepare a compose pit in a certain portion of the Sunset Avenue Cemetery. As he prepared to carry out his instructions and he started to dig, he was interrupted by a woman who was visiting the cemetery, a Mrs. Findley, a black woman who was very, very steeped and knowledgeable of the history of the Valdosta, Lyons County, Brooks County area. She interrupted him and said, son, do you know what you are doing? He said, yes, ma'am, I sure do. She said, what are you doing? He said, I am carrying out the instructions that my boss gave me, and that is what I intend to do.

She said, well, let me tell you, before you go any further, what you are about to do is to dig up some of your history. He said, what do you mean? And she explained that at the site legend had it that that was the site of unmarked graves of former slaves who had lived in the Valdosta area.

He said, well, I had better check into this. And he went and he brought that to the attention of his supervisor in 1956. He challenged his supervisor and said, I just do not think we ought to go forth with this compose pit without checking further into it.

His supervisor paused and he said, all right, we will check into it. And they dug a trench gingerly around the area. They discovered with some exploration that there were indeed the outlines of the graves.

So through four or five supervisors, Mr. Nelson protected the area, informing each of his supervisors of what had taken place, and each one allowed that area to be protected and they did not disturb it. But he had a dream that someday that this area would be preserved. And finally with the help of the grass-roots citizens group, a group called the Committee for the History of the Unknown Slaves and a group called Valdosta Project Change, they are able to raise money and to finally dedicate a very meaningful memorial to these individuals.

We know a great deal about the lives of the more prominent figures who rose from bondage, figures like Sojourner Truth, Harriet Tubman, Frederick Douglass. But we know very little about most of the men and women who endured lives of servitude. We do know, however, that they struggled to better themselves and their families. Many learned to read and to write. Many learned skilled trades. They forged lives that were characterized by deep spirituality and a yearning for a new day of freedom and justice.

They courageously laid the foundation for the freedom to come. The memorial was dedicated last Sunday. It says: To the unknown slaves of Valdosta, in recognition of their sacrifices and contributions to our community.

This recognition is well deserved and long overdue, and I am privileged to have been a part of it.

Mr. PAYNE of New Jersey. Mr. Speaker, I thank the gentleman very much. That was really a very moving story. We appreciate the gentleman bringing that to history. There are so many unsung heroes, as the gentleman mentioned, and I really appreciate his contributing that to our special order tonight.

Mr. Speaker, I now yield to the gentleman from North Carolina [Mr. WATT], a gentleman who has brought a great deal of new energy also into the Congress.

Mr. WATT of North Carolina. Mr. Speaker, I thank that chairman for yielding to me and for organizing this important African-American History Month special order and doing so and taking over in the place of our colleague, the gentleman from Ohio [Mr. STOKES].

I think it would be remiss if we did not send our special regards and wishes for a speedy recovery to our colleague, LOU STOKES, and hope that he gets

back here soon and continues to provide the kind of leadership he has provided to us over a period of time.

The theme for this special order, African-American Women, Yesterday, Today, and Tomorrow, is particularly appropriate. I would like to do three short things, given the lateness of the hour.

First of all, I want to go back to a special order or an insertion that I did in last year's African-American history special order and pay tribute to a special woman. Apparently I was a year ahead of my time because the theme last year was not necessarily African-American women, but I did attribute to a special African-American woman who has had a special impact in my congressional district in North Carolina. Her name was Charlotte Hawkins Brown, who was the founder of the Palmer Memorial Institute, which is located in Sedalia, NC.

At the age of 18, Ms. Charlotte Hawkins at that time accepted a teaching position in a school called the American Missionary Association, near Greensboro to teach at the Bethany Institute near Greensboro. And that school went out of existence after about a year. She committed herself to founding a school for women because of the fact that North Carolina had the second highest illiteracy rate in the country at that time.

She traveled back to Massachusetts to raise money for this purpose, did some singing at the seashore, waited tables, sought out donations, worked in various jobs and finally realized the dream of opening the Palmer Memorial Institute in the year 1902. That institute continued until Charlotte Hawkins Brown died on January 11, 1961, and the school actually continued until the year 1971.

So that I can make sure that Charlotte Hawkins Brown gets paired with all the wonderful, powerful women whose names have been mentioned this evening by other Members of Congress, I wanted to restate the important role that Charlotte Hawkins Brown has played in our history.

Second, I want to pay tribute to Harriet Tubman, and I want to do it in a kind of a backhanded way. And I do this without any disrespect to Harriet Tubman. But there is a gentleman in North Carolina by the name of Hal Sieber who has actually researched this thing and determined that the Underground Railroad started in Greensboro, NC.

He has written a book called the ''Holy Ground'' in which he has gone and researched this. In that book he writes the following: ''The legendary national underground railroad system most often associated in later history with the conductor, Harriet Tubman, assisted the escape of thousands of African Americans from captivity. It was founded in the year 1819, actually one year before Harriet Tubman was born in Greensboro, NC, in the woods at New Garden Friends Meeting House.''

This first route of the Underground Railroad coursed through Greensboro, NC, north through western Virginia and across the Ohio River to Richmond, IN.

The first recorded passenger of the Underground Railroad was John Moses Dimrey, according to Hal Sieber's historical analysis.

So I want to pay my utmost respects and memories to Harriet Tubman but at the same time remind my colleagues that based on all the information we have now been able to develop, the Underground Railroad actually originated well before Harriet Tubman. It originated in my congressional district in North Carolina.

□ 2315

So I will make that the second part of my tribute to African-American women yesterday, today and tomorrow, and then the final tribute I want to make is to the African-American colleagues that we have here in this House of Representatives and in the Congress of the United States House and Senate: Those important women, CORINE BROWN of Florida, EVA CLAYTON of North Carolina, CARDISS COLLINS of Illinois, ELEANOR HOLMES NORTON of the District of Columbia, SHEILA JACKSON-LEE of the great State of Texas, and we have heard from earlier this evening EDDIE BERNICE JOHNSON from Texas, CYNTHIA MCKINNEY from Georgia, who has led this redistricting fight so vigorously in the State of Georgia, CARRIE MEEK from the great State of Florida, whom we have also heard from earlier this evening, whom I always refer to as Grandma, CAROL MOSELEY-BRAUN, Senator CAROL MOSELEY-BRAUN, from Illinois, BARBARA ROSE COLLINS from Michigan and of course my colleague MAXINE WATERS from California.

As you, Mr. Speaker, have indicated, these women have stood firm in the face of adversity and been shining examples of how progress can be made with dignity and with honor and with integrity and with commitment, and it would be remiss of me if I did not pay special tribute to them for their contributions as we are paying tribute to African-American women. Yesterday they were here. Today they are here. And many of these women who I have mentioned here will be here tomorrow leading the fight for justice and equality in this country.

Mr. PAYNE of New Jersey. Mr. Speaker, let me just thank the gentleman from North Carolina [Mr. WATT] for that very interesting presentation. Let me at this time recognize the gentleman from the State of Illinois, a person who is no stranger to the struggle, one who we are proud to have as one of our colleagues, Mr. BOBBY RUSH from Illinois.

Mr. RUSH. Mr. Speaker, it is indeed an honor and a privilege to join with you this evening to honor black women, African-American women, yesterday, today and tomorrow. And, Mr. Speaker, I also join with you and other members of the caucus to express our considerable remarks and regards for the work that Congressman LOU STOKES from Ohio has put into making this an annual event. His work is certainly commendable, and we all wish him Godspeed in his current illness, and we look forward to working with him and look forward to his return to this Congress.

Mr. Speaker, I want to look at and focus the light of history on a woman from Illinois who serves as a member of this body, CARDIS COLLINS, the Representative from the 7th Congressional District. Mr. Speaker, there are literally legions of strong, remarkable women who have crossed my path and who I have read about and who made history who have contributed all that they could. All that was asked of them, to learn that the African-American community, the Nation, was the best that it could possibly be. These women have made tremendous sacrifices and we have heard names from speakers before me.

But, Mr. Speaker, I want to take a note and I want to take a moment and I want to reflect and focus on CARDISS COLLINS. I happen to believe, Mr. Speaker, that history and historians and indeed historical figures have a special meaning to some of us because they guide our paths. I believe that people who make history are not by definition artifacts on a shelf, but I believe that they are living, working, breathing, caring, committed people. CARDISS COLLINS is such a person. CARDISS COLLINS is a trailblazer. We must note that she was the first African-American Congresswoman from the great State of Illinois, and for nearly a decade she was the only black woman in Congress. She was the first African-American to hold party rank; that is a leadership position. She was the Democratic whip at large.

And Mr. Speaker, we have got to take a moment to pause to honor CARDISS COLLINS because at the end of this term, the 104th Congress, she will retire. She will retire from a Congress where she was indeed, if not the longest serving woman in the Congress, certainly one of the longest serving women in the Congress. She has a long list of firsts, a remarkable record of accomplishment and achievements.

She was the first African-American woman and the first woman to chair the House Government Operations Subcommittee on Manpower and Housing. She serves as chair of the Congressional Black Caucus of the 96th Congress. And she was the first woman to head the Congressional Black Caucus Foundation. She made many achievements. She accomplished many firsts.

But I know CARDISS COLLINS as a tireless worker, a person who spends enormously long days working on behalf of the poor, the downtrodden and minorities. She is a person who would not stop until she gets her task fulfilled. She is relentlessly pursuing all kinds of causes and battles that do not

make the evening news, that do not make the headlines.

CARDISS COLLINS in 1991 became the first African-American to chair a subcommittee on the Committee on Energy and Commerce. Back in 1990 she wrote the law which expanded Medicare coverage for screening mammography for millions of elderly and disabled women. She authored the Child Safety Protection Act of 1993, legislation that required warning labels on dangerous toys, and Federal safety standards for bicycle helmets.

CARDISS COLLINS today is leading the fight to protect Medicare for the elderly.

Mr. Speaker, I know of no other female legislator, black, white or any other racial group, I know of no one who has throughout her history led the charge for justice and humanity like CARDISS COLLINS. She is a person that in a very, very humble and quiet manner wields a mighty influence on all those who come within her view or within her realm or in her world. CARDISS COLLINS has the respect of some of the great powers that be, both in the State of Illinois, the city of Chicago, and indeed throughout the Nation.

Mr. Speaker, I just had to take a moment this evening to recognize a friend and a colleague, a person who, if in fact had not been called upon to serve in this Congress, this Congress would certainly not be as great as it is. This person, this individual, this African-American woman, certainly epitomizes the kind of persons whom we have honored in our discussions and our speeches on this floor today, and she is also the kind of individual that they will honor in the future, and I want to today recognize our colleague CARDISS COLLINS, as an African-American woman whose contributions we all admire, respect, appreciate.

She is an African-American woman for yesterday. She is an African-American woman for today. And certainly history books will show that she is an African-American woman for tomorrow.

Mr. PAYNE of New Jersey. Thank you very much. That was certainly very stirring. I could not agree with you more that Representative COLLINS has served this Congress so well, and I thank you for bringing that to our attention.

At this time we will hear from the gentleman from Michigan [Mr. BARCIA].

Mr. BARCIA. I want to thank you, Chairman PAYNE, for the opportunity to participate tonight in paying tribute to a very special friend and an outstanding African-American leader.

Mr. Speaker, as Black History Month comes to a close, I believe it is most appropriate and important to pay tribute to a noted civil rights advocate, an inspirational educator and a distinguished community leader who has impacted the lives of many citizens in the Fifth District of Michigan, the great State of Michigan and across the Nation.

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Bernice Barlow, the eldest of James and Estelle Lowrey's eight children, was born in Louisiana and moved to Michigan when she was still just a toddler. She was born at a time when African-Americans, especially women, had to work harder and struggle against forces beyond their control to demonstrate their leadership abilities and talents. Yet, against those forces, she succeeded and gained the respect and admiration of her peers, whether man, woman, black, or white. She now uses that influence and her talents to help others reach the same threshold of achievement that she has.

As the longest serving president of the Saginaw branch of the National Association for the Advancement of Colored People, Bernice is a living example of a commitment to improving the lives of African-Americans. For the past 28 years, under her steady leadership, the branch has received numerous State and national awards, including outstanding membership and outstanding branch. Prior to becoming its president, Mrs. Barlow served as its secretary, and was also a youth member of the organization. Bernice is also dedicated to improving business opportunities for African-American women, and is a charter member and past president of the local chapter of the National Association of Negro Business and Professional Women's Clubs.

As a member of Alpha Kappa Alpha sorority, Bernice has assisted many young African-American women in achieving their goals. Bernice learned early the importance of a good education. She graduated from Saginaw High School in 1945, and earned a bachelor's degree and a master's degree in education from Michigan State University.

An elementary school teacher with the Saginaw public schools for 31 years, she has had an immense impact on her students. Over her 31 years of teaching, Bernice taught her many students that with a good education, nothing would be beyond their reach. Her words have had a positive effect passing from generation to generation, and she has inspired all who worked with her or had the good fortune to study under her tutelage.

Bernice is not only devoted to teaching our young people, but also teaches basic adult education, showing them that it is never too late to learn and improve yourself. Steadfast in her quest to improve her community, Bernice has consistently been recognized for her outstanding community service. She is a member of numerous operations, and serves as a member of the board of trustees of the Messiah Missionary Baptist Church.

In recognition of how much her community appreciates and acknowledges her accomplishments, her church is naming their new scholarship the Bernice Lowrey Barlow Scholarship, and are recognizing her achievements at a banquet held in her honor on March 2, 1996.

In order to promote fair housing opportunities, Bernice also has been recognized by the Tri-County Fair Housing Council for her outstanding leadership in helping to eliminate racial discrimination in housing. She is also a member of the Saginaw County Mental Health Board, and currently serves on a recipients' rights committee, and is the vice chair for the program committee.

Bernice could not have achieved these great accomplishments without the support of her family, including her loving husband of 47 years, Charles Barlow, and they have four children: Michael, Belinda, Mitchell, and Patrick, as well as 10 grandchildren.

Bernice Barlow is a shining example of the ability of individuals to improve our society. She is the embodiment of the finest qualities expressed in the word citizenship. I commend Bernice Barlow for her lifelong achievements, and I urge my colleagues to join me in extending her our very best wishes in her future endeavors.

I thank the gentleman, Mr. Speaker.

Mr. PAYNE of New Jersey. I thank the gentleman very much for his kind remarks, and we know the family will appreciate that being done here at Black History Month, and we appreciate your contribution.

Mr. Speaker, I yield to the gentleman from Louisiana, Mr. CLEO FIELDS.

Mr. FIELDS of Louisiana. Mr. Speaker, I thank the gentleman for yielding to me. Let me just say to the gentleman that I certainly appreciate the gentleman making recognition of Mrs. Bernice Barlow. I was extremely excited at the fact that she was born, she started off, in Louisiana, in the State that I represent. I want to thank the gentleman for taking the time to recognize such a great servant. Mr. Speaker, let me thank the gentleman for taking the time to have this special order.

I want to personally thank all the African-American women in this country, those who came before us, or before me, and those who are present today in our society who have opened up so many doors of opportunity.

That leads me to a very brief discussion, Mr. Chairman. I wish to talk about a few African-American women from Louisiana. I want to start by talking about an African-American woman by the name of Yola Antoine. Just a few weeks ago, as a matter of fact, when I was traveling in my district giving speeches for Black History Month, I was speaking at a church, and the mother of the church was Ms. Antoine, and the pastor had her to stand, and found out she was 100 years old. So I certainly want to take this moment to recognize her and talk about what type of a woman she is.

She is a great woman, because even at 100 years old, she still has kids gathering at her home, and she reads the

Bible to them, and she should be commended for that. But she cuts her own grass, she lives by herself, and to be 100 years of age and still be as active as she is in the church, as active as she is with taking care of herself, we certainly want to recognize her tonight, and I certainly commend her. She is from Eunice, LA. I was just so proud of the fact that I had a citizen in my district that was so old, but yet so wise and so energetic.

I also want to talk about those African-American women who work with children in the district and in the State that I represent. It brings me to the name of Hazel Freemen, who was the past president of the Delta Sigma Theta sorority. She also was a high officer in the LINKS organization. The gentleman from New Jersey knows about these two organizations. This lady works night and day to try to encourage young people to stay in school and stay away from drugs and alcohol, so I certainly want to talk about her as we celebrate black history and recognize women.

I want to talk about another woman from my district out of Baton Rouge, LA, Ms. Eva Legarde. Ms. Legarde was the first female black president of the school board. She was elected to the school board. She put a heavy emphasis on education. She encouraged kids to stay in school. She should be commended tonight. She is no longer on the school board. She still works with community groups. She still works with the Girl Scouts and Boy Scouts and with her church, St. Francis Xavier, a church in Baton Rouge. She tries to encourage kids to stay away from drugs and alcohol.

I want to talk about Annie Smart, who started a legal defense fund in Baton Rouge, LA, because there were so many indigent people in the city that did not have legal representation. She started not only a legal defense fund, but she started a legal aid program in Baton Rouge. What she decided to do as a result of that, she started encouraging more young people to go to college and major and get a legal education. She encouraged kids to go to law school. We certainly commend Annie Smart tonight.

Ms. Lula B. Coleman. She was the mother of civil rights for Baton Rouge. She worked so hard to open up many doors of opportunities that many of us have benefited from today. I can speak as one of those individuals who is a direct beneficiary of her hard work.

Janice Clark, who is a judge in Baton Rouge, LA, today. She works night and day to work with kids before they are confronted with the judicial system. The way she deals with it, she goes into schools and she talks to kids about the consequences of committing crimes and doing drugs, so she should be commended at Black History Month.

Diana Bajoie, who is a female State senator who serves in the Louisiana State Senate, the first African-American woman elected to the Louisiana State Senate. She works night and day to try to improve education in the State of Louisiana by introducing bills that are in the best interests of educating our children.

Ms. Georgia Browne, who is a former librarian at Southern University. She had a program where she brought kids from high schools from across the State of Louisiana, and had them to interface with the library on the college campus. She had many programs that included kids from churches, so they can understand how to use the card catalog, so I want to commend Ms. Georgia Browne tonight.

Mr. Speaker, I want to thank the gentleman for yielding to me.

Mr. PAYNE of New Jersey. Mr. Speaker, I think all our time has expired. I appreciate the gentleman coming.

Mr. GILMAN. Mr. Speaker, as has been my traditional practice for many years, I am pleased to again participate in this special order on the occasion of Black History Month. It is an appropriate time to pay tribute to the many contributions made by Afro-Americans throughout the history of the United States, and to remind all Americans that the many gifts of black culture are and have always been a significant strengthening factor in the overall development of American society.

Thomas Carlyle wrote that ''the history of the world is but the biography of great people.'' Many historians contend that men and women do not make events, but rather events make men and women. I do not subscribe to that theory. I believe that every advance made by civilization, as well as every setback, came about because men and women made conscious decisions either to do something or not do something. The decisions made and actions taken by black Americans ever since our colonial times have impacted greatly on the development and the history of our Nation. Black History Month is an appropriate time to inform the American people of the many outstanding black individuals who have made a better life for all of us throughout the years.

As examples of outstanding blacks who throughout our history have contributed to our way of life, let us not forget: Crispus Attuckus, a free black man who gave his life at the Boston Massacre, which signaled our War for Independence in 1770, and Peter Salem, a hero of the Battle of Bunker Hill.

Let us also note Benjamin Banneker, an astronomer and mathematician; Jean Baptiste Point du Sable, a pioneer trader and trapper; Harriet Tubman and Sojourner Truth, who helped found and run the Underground Railroad for escaping slaves; Frederick Douglass, an escaped slave who became one of the great American diplomats and leaders of all time; and the thousands upon thousands of Afro-Americans who fought and in many cases gave their lives in the Civil War.

Other brilliant Afro-Americans include: Jan Matzeliger who invented shoemaking machinery; Henry Blair, who invented farm machinery; and Granville T. Woods, whose inventions made subway travel safe and practical. Noteworthy Black educators include: Dr. Mary McCleod Bethune, Frederick D. Patterson, and Benjamin Mays; A. Philip Randolph was an outstanding labor leader. Bayard Rustin helped him in organizing the marches on Washington in 1941 and 1963 which raised the consciousness of all Americans.

Dr. Martin Luther King, Jr., whose birthday we celebrated last month, was in a class all by himself. An individual whose message of love and non-violence was valid for all races and for all nationalities for all time, Dr. King has been and will always remain an inspiration to all of us.

Outstanding African-Americans writers include: Toni Morrison, Langston Hughes, Alice Walker, James Baldwin, Charles Fuller, Lorraine Hansberry, Paul Dunbar, and Alex Haley.

And we have not even begun to list the many black Americans who made an impact in the fields of education, sports, entertainment, music, politics, the graphic arts, and so many other spheres of human endeavor.

Mr. Speaker, I am certain that many of our colleagues noted the guest editorial which appeared in the Washington Post just this morning by the gifted black writer, Jonetta Rose Barras. Ms. Barras comments with alarm and disdain regarding some of the efforts of businesses to capitalize on Black History Month. She also notes the unfortunate tendency of many of our institutions to concentrate all activities regarding Afro-Americans into Black History Month, as if the achievements of gifted blacks could and should be ignored the other 11 months of the year.

I tend to agree with Ms. Barras' chagrin. It is bad enough that the memory of our fallen heroes on Memorial Day and Veterans Day is too often desecrated by sales pitches and advertising blitzes which totally ignore the significance of those occasions. Let us not allow this same fate to befall Black History Month.

Black History Month is an appropriate time to note that the contributions of blacks to our culture and our society are truly significant. It is a time to note that our world would be different today were it not for the contributions of so many gifted men and women.

However, it is not an appropriate time to cheapen the sacrifices and the hardships endured by many black Americans throughout the years to advance the causes of equality, liberty, and justice for all.

Mr. Speaker, for the benefit of any of our colleagues who may have overlooked Ms. Barras' editorial, I request that it be inserted in full in the RECORD at this point.

[From the Washington Post, Feb. 28, 1996]

BLACK HISTORY MONTH GONE WRONG

(By Jonetta Rose Barras)

My mother says I'm a glutton for punishment; she's not half wrong. Except this time, I didn't go looking for trouble. I went into the CVS (formerly Peoples Drug Store) for a pair of hose, which except for the Safeway is the only place to find them in Adams-Morgan.

I'm waiting in line, my hands filled with hosiery, a regular box of Junior Mints and nail polish remover. I'm reading everything in sight, which is Part I of my mother's glutton assessment; Part II is that I often react to what I read, even when I try not to.

As the cashier rings up my merchandise, I continue reading. The sign that catches my eye seems benign: ''Look for these and other great values throughout the month,'' it reads at the top. I scan down the list—I'm always after a good sale.

Luster Silk Right on Curl Moisturizer
Let's Jam Conditioning Gel
Luster's S Curl

Soft Sheen
Afro Pride No-Lye Relaxer

Nothing for me, I conclude; I've worn my hair natural since 1968. It's not a political statement, more of a beauty thing. I think I look great with nappy hair.

But I relax too quickly; the last few lines of the sign are lethal: ''CVS Pharmacy Supports Black History Month,'' it reads, What the hell do S Curl and No Lye have to do with Carter G. Woodson, Harriet Tubman, Sojourner Truth, my aunt Loweska or any of the other tens of millions of black people who have lived and died in this country? I nearly shout at the cashier, She turns the sign around toward her so she can see what set off my alarm. I'm ready to call the manager, the owners, someone, anyone. I am exhibiting 150 percent of righteous indignation (if Madame C.J. Walker were mentioned somewhere on the poster, I might accept the listing of products as a passable salute—although that would be stretching it). I demand justice.

I am tired of Black History Month; tired of being squeezed between 28 days (29 this leap year). I'd started this month declaring I would not try to convert anyone else. I'd quietly achieve my own version of justice, albeit rather peculiar. I would boycott any Black History Month event. No Alvin Ailey or Dance Theater of Harlem or Smithsonian lectures or tours or special exhibitions of Bearden and Tanner or dinners honoring ''Great Black Leaders.'' There'd be none of that for me.

Although I never spoke with Dr. Carter G. Woodson, who originated the concept of a Black History Month (in his day it was called Negro History Week), I am sure he would proclaim his dream a nightmare.

Some think it's progress that African Americans are honored for an entire month. But is it progress when the Smithsonian Institution waits until Black History Month to dump most of its programming targeted for African American audiences and those interested in black culture into one month—forcing every black writer, academician, dancer or whatever to compete with one another because across town at some other institution there is another black history event they want to catch?

Is it progress when mainstream publishers wait for February to unload books they could have released in the fall, just to make their marketing strategy easier?

Maybe it's progress when some drugstore chain decides the best way to celebrate the history of millions of Americans whose ancestors helped build this country into the capital of the free world is to stick up some placard advertising S Curl and Let's Jam Conditioning Gel and call it a salute.

It wasn't supposed to be this way.

I'm absolutely positive Woodson intended that at some point Negro History Week, Black/African-American History Month would become obsolete. He expected the stories of the 5,000 blacks who fought in the Revolutionary War to be right there alongside Washington's. He believed that when the history of World War II was written, it would contain the names of Mary McLeod Bethune, Gen. Daniel Chappie James Jr., the Tuskegee airmen and hundreds of other colored Americans who fought valiantly. And that in every anthology of American poets, Sterling Brown, James Weldon Johnson, Georgia Douglas Johnson and Countee Cullen would be among the writers. Instead, they are in separate books, pulled out during February and considered ''additional suggested reading, variations on themes'' They are not integral components of America's historical discourse.

This I am certain of: Woodson never intended for his concept aimed at instilling race and cultural pride to become a marketing strategy for museums, publishers and hair-care companies. It's much too precious for that, which is why I had decided to do my own quiet protest.

But CVS changed all of that; I'm now publicly advocating that Americans who no longer want a segregated history of this country boycott Black History Month and demand full representation throughout the year—the key word here is full, not some weak-kneed, half-committed expression. Full, nothing less.

After we've righted the misdirection of Black History Month, let's set our sights on Women's History Month—I mean, where does that come from, anyway?

Mr. BENTSEN. Mr. Speaker, I rise to join my colleagues and our Nation in celebrating Black History Month. I appreciate this opportunity to pay tribute to African-Americans who have contributed so much to making our Nation what it is today. The theme of this year's special order observance is African-American women: yesterday, today and tomorrow.

I want to take this opportunity to honor the memory of one very special woman—a fellow Texan and Houstonian and former Member of this House—who has long been an inspiration to me. That woman is Barbara Jordan.

We all felt a deep loss when she passed away recently. But I have no doubt that Barbara Jordan's life and accomplishments will continue to inspire many generations to come.

As a legislator, Ms. Jordan built a reputation of being a skilled politician and forceful and dynamic individual. She was the first African-American woman in Texas to be elected to the Texas Senate and the first African-American from the South to serve in the Congress of the United States since Reconstruction.

During her tenure in the House, she served as a member of the House Judiciary Committee, the House Committee on Government Operations and the Steering and Policy Committee of the House Democratic caucus. In reflecting on this year's theme, I cannot think of another woman who truly embodies our Nation's greatest traditions and our deepest aspirations than Barbara Jordan.

Barbara Jordan championed the ideal of America being a country where legal rights and equal opportunities were available for everyone. She furthered that ideal for herself, for African-Americans, for African-American women, and for persons of all races.

Ms. Jordan has earned a place in American history, alongside Dr. Martin Luther King, Jr. in pushing forward the dream of equal opportunity for all Americans. She never ceased to remind us what ''we the people'' truly means.

Texas and the Nation, have lost a powerful voice of conscience and integrity. Barbara Jordan was a champion of our freedom, the Constitution and the laws of our country. We will miss her unflinching intelligence and integrity, her passion for justice, the power of her voice, and the sheer force of the truth for which she spoke. From Watergate to the U.S. Commission on Immigration Reform, our Nation relied on her time and again to give us straight answers. And she never left us disappointed.

In another significant first, she delivered the keynote address at the 1976 Democratic Party Convention—the first black woman in the 144-history of our party to do so. She repeated that performance some 16 years later at the 1992 Democratic Convention when she challenged delegates and the Nation to transform our decaying inner cities into places where hope lives.

Also, let us not forget Ms. Jordan's eloquent defense of the Constitution when she sat on the House Judiciary Committee that investigated the Watergate break-in and the White House coverup that lead to the resignation of President Nixon. She made all of us proud to be Americans. I am most reminded of a speech in which she stated that, ''My faith in the Constitution is whole, it is complete, it is total and I am not going to sit here and be an idle spectator to the diminution, the subversion, the destruction of it.''

History will remember Barbara Jordan as a dynamic leader, powerful politician, riveting orator, a pioneer for all, and the ultimate public servant. Her impact transcended age, sex, and ethnicity. Barbara Jordan also had a more personal side that friends and associates will remember most. The side that was not fully seen by the public eye.

For example, many do not know that she loved to sing gospel, top 40, and country songs at the parties she threw for her graduate students in Austin. Many do not know of her sharp intellect, dry wit, and childlike curiosity. But one thing is certain, the State of Texas, The city of Houston, and the Nation have lost a true treasury in Barbara Jordan. She lived the dream of fairness and equal opportunity enshrined in our Constitution, and she committed her life to helping all Americans share in that dream.

I last saw Barbara Jordan in San Antonio last spring where we both addressed the College Democrats of America. While it was a unique exchange involving three generations of Americans, I was most thrilled that my two younger daughters, Louise and Meredith, a fourth generation and fellow Houstonians, had a chance to meet a real trailblazer in our American History. She did not let them down.

The best way to honor her is to rededicate ourselves to making that dream come true for all Americans.

Mr. RAHALL. Mr. Speaker, since 1976, February has been celebrated as Black History Month, but the origins of this event date back to 1926, when Dr. Carter G. Woodson who was born in Huntington, WV, set aside a special period of time in February to recognize the heritage, achievements, and contributions of African-Americans. This occasion provides the opportunity for our country to celebrate the past and present contributions and accomplishments of African-Americans. As I reflect on these contributions and accomplishments, I am quickly drawn to my district and a gentleman who has demonstrated time and time again a tireless effort to be of exemplary service to all mankind. Ernest C. Moore is a husband, father, legislator, activist, humanitarian, role model, and friend to all who know him. For over 20 years Delegate Ernest C. Moore has championed the causes of justice and equity as a West Virginia State legislator representing McDowell County, 22d district.

Delegate Moore was born on July 12, 1922 in Winston-Salem, NC but moved to Thorpe, WV at age 4 when his father, a railroad worker heard about a good paying job in the coal mines. His father spent the rest of his life working at U.S. Steel's No. 4 mine in Gary, WV and Moore followed suit when he was old enough, starting at No. 4 and then moving to the No. 10 mine. Along the way he became active in the United Mine Workers, eventually serving as district 29, vice president for 14½ years.

Mr. Speaker, Delegate Moore is the longest serving legislator in the West Virginia House of Delegates. However, because of health reasons on January 22, 1996 Moore retired. He was first elected to the West Virginia House of Delegates in 1971 by McDowell County voters. Except for the one 2-year term from 1979 to 1980, he has served continuously in the House. During his tenure he served on the following committees: Enrolled Bills (chairman), Banking and Insurance, Constitution Revision, Judiciary (chairman), Industry and Labor (chairman) for the 67th–69th legislatures.

Delegate Moore the legislator and humanitarian worked hard to help create the much needed Tug River Health Clinics in Gary and Northfork, WV along with building of the new Welch Emergency Hospital. The significance of this accomplishment is that in McDowell County the hospital and three clinics are among the three highest employers in the county.

Delegate Moore the legislator and activist was also a key player in the civil rights legislation that led to designating Dr. Martin Luther King's birthday a State holiday.

Delegate Moore the legislator and role model has received almost every type of reward and recognition, to name a few. In 1976, he received the Distinguished Citizen's Award from Mountain State Bar Association. In 1992, the Distinguished West Virginia Award and, in 1993, Twenty Years of Dedicated Service Award from the West Virginia Legislature.

Delegate Moore the husband and father is married to Mittie Kellum and is the father of four, Judy, Douglas, Clifton, and Gail. He has maintained that God and his family are the cornerstone of his success.

Delegate Moore the legislator and friend has not only served as a role model to his family and colleagues, but also his constituents. He has demonstrated this through his involvement in community organizations such as the Brother's Club, the McDowell County Health Board, president, Public Defender's Corporation—8th Circuit, and the NAACP. His contribution has symbolized the importance of community involvement and helped to develop future leaders who will challenge this Nation to reach its great potential.

Mr. Speaker, Delegate Moore like so many others we honor this month is a rare and wonderful individual, who, through words and deeds has helped make a difference to countless lives in West Virginia and the Nation. I would now like to share with you Moore's recent response to a news reporter question of regrets during his 23 years of service. More responded by saying, ''I don't regret a day, a lot of people would probably be shedding tears of sorrow, but if I would be shedding any tears, it would be tears of joy. And I know in my heart that I have done everything possible to help McDowell County and the State of West Virginia.

Finally, Mr. Speaker, there are countless men and women who like Delegate Moore improve the lives of many people on a daily basis, they may not be famous, but they are extraordinary individuals in the same tradition. I ask my colleagues to join me during Black History Month as I salute the excellence of Delegate Ernest C. Moore, an outstanding example of civic responsibility, courage and commitment of whom the African-American community, and indeed Americans everywhere should be proud.

Mr. VISCLOSKY. Mr. Speaker, I am pleased to participate today in this special order to commemorate Black History Month. In March, we will celebrate Women's History Month, and, in that vein, I would like to pay tribute to a number of African-American women who have overcome adversity to achieve great success.

African-Americans have made great strides since the Civil Rights movement of the 1960's. However, we have a ways to go before the economic disparity between the African-American community and the rest of America is eliminated. Black women, in particular, still struggle in disproportionately high numbers with the challenges of raising children while living in poverty.

Fortunately, we can look at shining success stories in the African-American community to show young people how to improve their lives and communities. In the words of the late Congresswoman Barbara Jordan: ''We need to change the decaying inner cities from decay to places where hope lives.''

A pioneer in American politics, Barbara Jordan was the first black State senator in Texas history, and the first woman from Texas, as well as the first black, to be elected to the U.S. House of Representatives after Reconstruction. Barbara Jordan was a champion of freedom and of the Constitution. Her beliefs were epitomized when, during the Watergate hearings, she declared, ''My faith in the Constitution is whole, it is complete, it is total, and I am not going to sit here and be an idle spectator to diminution, the subversion, the destruction of the Constitution.''

After serving three terms in Congress, Barbara devoted her energy to teaching and continued to strive, in her own words, ''to do something unusual.'' This was certainly an understatement. Later in life, Barbara struggled with multiple sclerosis, and while the disease crippled her body, she refused to allow it to conquer her spirit. Barbara Jordan's life and success have left a legacy of opportunity for countless American women.

A number of African-American women from Indiana's First Congressional District have also been pioneers. These women have achieved economic and personal success, and they serve as role models for the young people in northwest Indiana. I would like to bring a few of them to your attention now.

Katie Hall served as U.S. Representative for Indiana's First Congressional District from 1982 to 1984. During her tenure in Congress, Katie Hall played an instrumental role in creating the Martin Luther King National Holiday. She currently serves as the Gary city clerk.

Earline Rogers has been elected to serve as a Gary City Council member, State representative, and State senator. Ms. Rogers was only the second African-American woman to be elected a State representative. She continues to serve as a State senator.

Judge Karen Freeman-Wilson is the presiding judge of the Gary City Court. She is also a practicing attorney and has served as a public defender in the Lake County Superior Court.

Eloise Gentry is the president and CEO of the Urban League of Northwest Indiana. She has also served as executive director for Community Coordinated Child Care and helped instigate the movement to integrate Gary's public schools.

Judge Shelia Moss was nominated in 1993 by Governor Bayh to be the presiding judge of the Lake County Superior Court. She has also held the position of deputy director of the Child Support Division for the Lake County Prosecutor's Office.

Hilda Richards is the first African-American chancellor of Indiana University Northwest. She was installed in this position in May of 1994.

Pauline Hutson was the first African-American woman to become a member of the Gary Police Department in 1936, and the first black woman to be promoted to detective in 1969. She has gone on to become commander of the Women's Division of the Gary Police Department.

Y-Gene Chambers was the first African-American woman appointed to the Lake County Crime Commission and the first black woman appointed to the advisory board of Bank One. Ms. Chambers also chartered and was the first president of the board of directors of the Gary Educational Development Foundation.

Dr. Waltee Douglas was one of the first women to become an ordained minister in the Baptist Church in 1985, at St. John Baptist Church in Gary.

Imogene Harris is the publisher of the Gary Info Newspaper and president of the Harris Printing Co. The Gary Info Newspaper is an African-American news weekly which has been in continuous publication for 34 years.

Kellee Patterson was the first African-American woman to win the title of Miss Indiana in 1971.

Vivian Carter was the first African-American woman to host a 5-hour radio show. She is a cofounder of Vee Jay Record Co., which was the first record company to distribute the early recordings of the Beatles.

Dorothy Leavell was the second female president of the National Newspaper Publishers Association, an organization of more than 200 African-American newspapers in the United States.

Del Marae Williams is currently east Chicago's city judge. She has also served in the Lake County Public Defender's Office and as an East Chicago human rights attorney.

As we celebrate Black History Month, we celebrate an America more culturally enriched, intellectually developed, and technologically advanced because of the contributions of African-Americans. In closing, I would like to commend my colleagues, Representatives LOUIS STOKES and DONALD PAYNE, for organizing this important special order on Black History Month.

Ms. BROWN of Florida. Mr. Speaker, in the grand tradition of Mary McLeod Bethune, Shirley Chisholm, and Dorothy Height, former Congresswoman Barbara Charline Jordan carried our Nation's baton for freedom, justice, and equality as one of the first female African-American Member of Congress. When she retired from Congress in 1977, she left an incredible void and a legacy that my colleagues and I have worked tirelessly to fulfill.

Jordan, who died last month in Houston, TX at age 59, was a true inspiration for past, present, and future female African-American Members of Congress. Both as a Texas State senator and as a U.S. Congresswoman, Jordan sponsored bills that championed the cause of poor, black, disadvantaged, and working people.

Barbara Jordan would be saddened today by the challenges to minority voting districts,

including the very district Jordan once represented and is now represented by my colleague, SHEILA JACKSON-LEE. Minority voting districts have been instrumental in ensuring that we are all included in ''We the People.'' Jordan used to say that perhaps George Washington and Alexander Hamilton had left her out by mistake when drafting the Constitution to begin ''We the People.'' Much of her career was spent working to fully implement the Voting Rights Act of 1965. Jordan met with much success. ''Through the process of amendment interpretation and court decision,'' she said, ''I have finally been included in 'We the people.' ''

Now, our Nation faces threats to the inclusion of all people in challenges to minority districts in many States, including Florida. The Third Congressional District of Florida is a truly representative district and I believe that my constituents have been well served.

In Congress today, I would argue that we need more inclusion, more compassion, and more minority voting districts to ensure that ''We the People'' includes us all. If the current Republican-led Congress could be injected with the spirit of Congress' most powerful heroes, the U.S. Congress and its American citizens would be better off today.

Those who have come after her have struggled to fill her giant shoes. Barbara Jordan was a true American hero. Let us never forget her legacy of equal opportunity, dreaming and living our dreams, and including all people as we interpret the U.S. Constitution.

Mr. MARTINEZ. Mr. Speaker, I join my colleagues tonight in saluting the accomplishments and contributions of African-American women, who have enriched the lives of all Americans. As we hear the end of Black History Month, we should keep in mind that this Nation was built with the blood, sweat and tears of African-Americans.

Black Americans have made enormous contributions in fields as diverse as science and the arts to politics and sports. From the sublime poetry and writings of Maya Angelou to the athletic prowess and wizardry of Magic Johnson, African-Americans continue to contribute to the economic, cultural and political fabric of the Nation.

Tonight, I would like to highlight the achievement of an exceptional African-American woman and former Member of the House of Representatives—the Honorable Barbara Jordan.

Barbara Jordan excelled in every field of endeavor she focused her considerable talents in pursuing. Her distinguished career spanned the areas of politics, law and education. Barbara Jordan tragically passed away a few months ago, however, she has left an indelible mark on the country. Her intellectual brilliance, eloquence, clarity of thought and principled stand on so many vital issues facing the country continue to resonate today. Barbara Jordan was a trailblazer setting the stage for other women, be they black, white, Hispanic or Asian, to follow in her stead.

In the mid-1960's, Barbara Jordan became the first black elected official to the Texas State senate since 1883. During her tenure in that chamber, she authored the first Texas minimum wage law and spearheaded the first package of urban legislation through that chamber. And on June 10, 1972, Barbara Jordan, as President pro tem, became Governor for a day when both the Texas Governor and Lieutenant Governor were out of State, adding another ''first'' to her long list of accomplishments.

In 1972, Barbara Jordan was elected to the U.S. House of Representatives where she would soon be propelled to national prominence. During the Watergate and impeachment hearings, Representative Jordan distinguished herself by delineating before the entire Nation why she believed the committee on judiciary should vote to indict President Richard Nixon. Newsweek called her speech ''The most memorable indictment of Richard Nixon to emerge from the House impeachment'' proceedings.

Jordan's memorable keynote address in the 1976 Democratic National Convention sealed her reputation as one of the great political orators in the country. Her decision to retire from the House in 1978 in order to accept a teaching post at the University of Texas' Lyndon B. Johnson School of Public Affairs, represented a loss for American politics and a tremendous gain for the world of academia. More recently, Barbara Jordan was called upon once again to serve our country as chairman of the U.S. Commission on Immigration Reform. She performed her task with the integrity and utter professionalism that marked her whole life.

Barbara Jordan led by example; she led by her sheer will to persevere; and she led by her intellect and oratorical skill. Barbara Jordan was truly a great American. Her legacy is now and forever a part of the rich history of African-American accomplishments and contributions to our country.

Mr. FARR. Mr. Speaker, since 1976, February has been celebrated as Black History Month, but the origins of this event date back to 1926, when Dr. Carter G. Woodson set aside a special period of time in February to recognize the heritage, achievements, and contributions of African-Americans. It is with great pleasure that I rise to recognize a resident of my district who has made an outstanding contribution to both the African-American community, and the central coast region in general.

Rev. Herbert Hoover Lusk, Sr., a native of Memphis, TN, has served as a minister and professional community organizer in the City of Seaside, CA for over 30 years. Widely known for his speaking ability and leadership skills, he has been an instrumental figure in the growth and development of the city of Seaside.

Reverend Lusk received his formal education at Henderson Business College in business administration, 1951, and the Right School of Religion, 1955, both located in Memphis, TN. Later, he received his bachelor of science degree in human relations and organizational behavior from the University of San Francisco, 1984, and his master of science degree in management and school administration from Pepperdine University.

As an organizational planner and administrator, Reverend Lusk founded Operations Shoe-Strings, Inc. Of Seaside 25 years ago, along with Operation Tobacco Education and Operation Second Chance. These organizations are designed to provide essential services to aspiring youth, their parents and other interested community residents.

Reverend Lusk has served as minister and pastor of the Bethel Missionary Baptist Church of Seaside, CA since 1961. During this period he has designed and organized church educational programs, a day-care and pre-school program, assisted in community organizational efforts and developed and administered successful proposal and grant-funding efforts. He is also vice-moderator of the St. John District Association, which consists of the States of California, Nevada, New Mexico, and parts of Africa. In February of 1993, Reverend Lusk participated in the first African American national conference ever held on South African soil. In addition, he has served as either a leader or member of such community organizations as the Monterey Peninsula Ministerial Alliance, the Seaside Chamber of Commerce, the Seaside Club International, the National Association for the Advancement of Colored People [NAACP], the Southern Christian Leadership Conference, the National Baptist Convention U.S.A. and the National Alliance for Black Observation Day.

As a result of his inspirational leadership and tireless efforts Reverend Lusk has been widely recognized for his achievements. Among the many awards and honors bestowed upon him are the Outstanding Services Award of the Anti-Poverty Council, Monterey Peninsula—1971, the NAACP Man of The Year, 1971, the Seaside Chamber of Commerce Award, 1978, the Elvirita Lewis Foundation Award, 1980, the Delta Sigma Theta Sorority, Inc. Award, 1985 and the California Legislative Resolution Commendation that I sponsored in 1988.

Mr. Speaker, I have known Reverend Lusk for many years. He has demonstrated time and time again a tenacious commitment to bettering the lives of the less fortunate in Seaside and surrounding central coast communities. His zeal and enthusiasm have inspired cooperation and commitment for the betterment of the community. As we celebrate our 1996 observance of Black History Month, we celebrate an America that is richer and more culturally aware because of the undertaking and accomplishments of people like Reverend Lusk.

Mr. DELLUMS. Mr. Speaker, as we remember our former colleague, the Honorable Barbara Jordan, it is particularly fitting that the theme of this special order in observation of Black History Month is ''African-American Women: Yesterday, Today and Tomorrow.'' This institution has benefited greatly from the contributions of Congresswoman Jordan, as well as our other strong African-American female members. So, too, has America benefited from the presence of African-American women in her midst over the past almost 400 years. During slavery the blood, sweat, and tears of African-American women became literally and figuratively a part of the very foundation upon which out great Nation is built.

Throughout her story in America, the African-American woman has played an integral role in the survival of the family, community, and country. Women such as Harriet Tubman, Sojourner Truth, Rosa Parks, Ida B. Wells, Mary McLeod Bethune, and countless others, struggled to obtain freedom and racial equality for African-Americans and all Americans, and to make America a Nation true to its principles and ideas.

African-American women embody the pride and strength of a people who have experienced and survived great oppression. The tradition of leadership and struggle continues today among African-American women as evidenced by Marian Wright Elelman, ELEANOR

HOLMES NORTON, Dorothy Height, Myrlie Evers, and others. Today, I join my colleagues to recognize and salute the strength, pride, resilience and commitment of African-American women.

Mr. DURBIN. Mr. Speaker, on behalf of myself and Congressmen GLENN POSHARD and JERRY COSTELLO, I rise to honor Capt. William R. (Bill) Norwood of Carbondale, IL, for his distinguished career and his contributions to Illinois and the Nation. Captain Norwood is retiring after more than 30 years with United Airlines. I want to take this opportunity to acknowledge his significant achievements.

Bill Norwood's life has been one of great individual achievements, which have helped to pave the way for others to follow. He was the first black pilot hired by United Airlines, and the first to reach the rank of captain. Today, there are 236 black pilots at United Airlines who have followed in Bill Norwood's footsteps.

He was born in Centralia, IL, where he attended Lincoln Elementary and Centralia Township High School. He started working at the age of 10, selling newspapers, and worked with his father in carpentry. He graduated from Southern Illinois University in Carbondale with a degree in chemistry, where he was also the first black quarterback on the football team, and went on to earn a master's in business administration from the University of Chicago. He was hired by United Airlines in 1965 and has flown all the cockpit positions and many different airplanes, beginning with the 727 and ending with the DC–10.

He was inspired to become a pilot by a teacher in grammar school who had flown with the Tuskegee Airmen black fighter squadron. He joined the ROTC and served 6 years in the U.S. Air Force, where he flew for the Strategic Air Command.

He is the recipient of many honors and awards, including the United Airlines Flight Operations Division Special Achievement Award; the United Airlines 1991 Community Relations Award; the Certificate of Merit from the Chicago Merit Employment Committee; the Illinois Concerns for Blacks in Higher Education Special Merit Award; membership in the Southern Illinois ROTC Hall of Fame; the Southern Illinois Athletic Hall of Fame; and the Centralia, Illinois Historical Hall of Fame. He was profiled in Chicago's ''Successguide 1991'' as one of the top 10 black professionals making outstanding contributions to the community. He is named in the first editions of ''Who's Who Among Black Americans,'' ''Profiles in Black,'' ''The African Americans,'' and ''African American Firsts.'' He is also pictured in the National Air and Space Museum's permanent display called ''Black Wings.''

Beside these many honors are the contributions he has made to our community. Bill serves on the board of trustees of Southern Illinois University and the Southern Illinois University Aviation Advisory Committee. He is a member of the Illinois Board of Higher Education; immediate past president and former treasurer of the State Universities Retirement System Board; and he works with the Illinois Committee on Black Concerns in Higher Education. He is a member of the Airline Pilots Association; he has served many terms as treasurer, president, and chairman of the board of the Organization of Black Airline Pilots; he is a life member of the NAACP; he serves on several committees at the Prince of Peace United Methodist Church; and he frequently takes time to visit schools and give career and motivational talks to young people.

Bill is retiring from United Airlines to spend more time with his family, which he raised with his lovely wife, Molly Frances Cross Norwood, who is also president and CEO of the Blue Ribbon Press. His two adult sons, William, Jr., who is an air traffic controller, and George Anthony, an attorney, are following in their father's footsteps of high achievement. On behalf of his many friends and admirers, I congratulate Capt. William R. (Bill) Norwood and wish him and his family the very best in the future.

Mr. COYNE. Mr. Speaker, I rise today to join in this special order to observe and celebrate Black History Month. Observing Black History Month each year helps Americans educate ourselves about the important role that African-Americans have played in our Nation's history. Given the unique experience of African-Americans in this nation of immigrants, it is important that all Americans understand and appreciate the nature of their struggle for freedom and equality—and the accomplishments in art, science, education, business, and politics that African-Americans have achieved despite the extraordinary obstacles that they have been forced to overcome.

I want to thank Representatives LOUIS STOKES and DONALD PAYNE for organizing this special order today. As a result of their efforts, Members of Congress can take this opportunity to celebrate the many important contributions that African-Americans have made to our country's cultural, economic, and political life.

Black History Month was initiated by Dr. Carter G. Woodson, who established the Association for the Study of Afro-American Life and History in 1915 in order to encourage the proper appreciation for the contributions that African-Americans had made to their country. Black History Month has been celebrated in some form since 1926.

The Association for the Study of Afro-American Life and History has made African-American women the focus of this year's observance because, as Mary Church Terrell observed, African-American women had to overcome the obstacles of both racial and gender discrimination. Consequently, I would like to focus my remarks today on some of the remarkable African-American women who have overcome tremendous obstacles to achieve success in their chosen fields. Brave, smart, strong, and determined—these women were truly giants.

African-American women have been active in every field of human endeavor in this country, and yet, more often than not their contributions have gone unrecognized. African-American women in this country have been activists, educators, professionals, entrepreneurs, artists, and elected officials. Moreover, they have succeeded in these fields in the face of a combination of obstacles more intimidating that those that most other Americans have had to confront.

Women like Harriet Tubman, and Sojourner Truth were born into slavery, but they refused to submissively accept their designated place in society. Both of these women became dedicated abolitionists and contributed to the growing opposition to slavery in this country in the mid-1800's. Harriet Tubman returned to the South many times to help many other African-Americans escape the bondage of slavery. As a result of their efforts to change public attitudes about slavery, millions of African-Americans were eventually freed from slavery.

Emancipation was not the end of African-Americans' struggle for freedom and equality in this country, however. Sadly, even 131 years after the end of the Civil War, that struggle is not over. Nevertheless, tremendous strides have been made. Just as in the battle against slavery, African-American women were active participants in the struggle to end segregation and secure their political rights. Ida B. Wells, for example, was an influential activist and journalist in the late 19th and early 20th centuries. She braved threats of physical violence to organize African-Americans against segregation and protest the lynchings that characterized the post-Reconstruction era. Fannie Lou Hamer was threatened, shot, and beaten as a result of her efforts to secure the right to vote for African-Americans, and yet she never wavered in her pursuit of social justice. Rosa Parks was arrested for her refusal to submit to the racist Jim Crow laws that, sadly, enjoyed wide support in the South for most of this century. These are only a few of the women who were active in breaking down the political and legal system that discriminated against African-Americans in this country; it would be impossible to mention the names of all the African-American women who contributed to this effort, but it would be wrong not to point out the important role that they played.

As a result of the struggle for civil rights, African-American women have been able to begin participating fully in the political process. Mary McLeod Bethune, a noted African-American educator, was appointed by President Franklin Delano Roosevelt to administer the African-American division of the New Deal era National Youth Administration. In 1969, Shirley Chisholm became the first African-American woman to be elected to the U.S. House of Representatives, and in 1992, CAROL MOSELEY-BRAUN became the first African-American woman elected to the U.S. Senate. Shirley Chisholm also has the honor of becoming the first African-American woman to run for the Presidency. It didn't take long for African-American women like Barbara Jordan to make their mark on Congress. Today there are a number of African-American women in Congress, the judiciary branch, and the administration—as well as in State and local government.

Even in the darkest days of segregation, however, African-American women were successful entrepreneurs and professionals. C.J. Walker, for example, became America's first self-made female millionaire. In the 1800's and early 1900's, thousands of talented African-American women became school teachers and administrators. More recently, African-American women have begun taking advantage of the hard-won opportunities to pursue careers in less traditional fields; Katherine Johnson, for example, has achieved renown for developing navigational procedures for tracking NASA spacecraft. Today, there are no legal or institutional limits on the professions African-American women can pursue.

Finally, I want to mention talented African-American artists like Maya Angelou, Zora Neale Hurston, Alice Walker, and Toni Morrison, who have given powerful voice to the shared experiences of African-American women.

This country has made tremendous progress in race relations in the last 50 years. Much more needs to be done, of course, but let us not forget the substantial advances that have been made, thanks in no small part to the African-American women that I have mentioned here today.

I have focused today primarily on African-American women whose accomplishments are in the more or less distant past. That is understandable—we don't have the perspective necessary to objectively evaluate contemporary events, and we cannot know with any certainty what the future holds. It would be inappropriate, however, to conclude without some mention of the future. The future is inextricably linked to the past—it holds so much potential for African-American women today precisely because of the struggles and sacrifices undertaken by their mothers and their grandmothers. As a result, their future successes will be that much brighter—and the challenges they face will, hopefully, be very different that the obstacles that their mothers and grandmothers were forced to overcome. It is only fitting that we take this time to recognize the contributions that African-American women have made to this country—and will continue to make.

Mr. STOKES. Mr. Speaker, I want to thank our distinguished colleague from New Jersey, Congressman DONALD PAYNE, who chairs the Congressional Black Caucus, for his leadership with regard to today's special order. We gather today to mark the congressional observance of Black History Month. I join Congressman PAYNE, members of the Congressional Black Caucus, and our colleagues on both sides of the aisle as we acknowledge the contribution of African-American men and women to the building and shaping of this great Nation.

African-American have a rich and magnificent history. It is a history which is inextricably woven into the economic, social, and political fabric of this Nation. In 1926, the late Dr. Carter G. Woodson understood that African-Americans were not receiving proper recognition in history for their contributions. Therefore, he proposed setting aside 1 week during the month of February to commemorate the achievements of African-Americans. In 1976, the observance was changed to Black History Month. The Association for the Study of Afro-American Life and History, which Dr. Woodson founded, has selected the theme, ''African American Women: Yesterday, Today and Tomorrow,'' for the 1996 observance of Black History Month.

Mr. Speaker, we gather to pay tribute to African-American women who have contributed to the building and shaping of America. The list is long and the names are many. In most instances, these individuals had to overcome tremendous obstacles and challenges in order to succeed. Let us pause to recognize some of these outstanding Americans and their extraordinary achievements.

In January, the Nation mourned the passing of a great African-American achiever. For many years, Barbara Jordan's voice was heard in these Halls, speaking out on the issues of the day and defending the Constitution. Not only was she a knowledgeable legislator, but she was also sincere and compassionate. She was a tireless advocate for those who had no voice in the congressional deliberations.

Barbara Jordan began her political career with her election to the Texas State Senate, becoming the first African-American elected to that legislative body. In 1972, Barbara Jordan again made history when she and Andy Young became the first African-Americans from the South to be elected to Congress since Reconstruction.

Mr. Speaker, those of us who were fortunate to serve in the U.S. Congress with Barbara Jordan loved, admired, and respected her greatly. She was a lawmaker of the highest caliber and integrity. Her eloquent voice and legal scholarship will be greatly missed.

As we celebrate Black History Month, we also recall the perseverance of Shirley Chisholm who, in 1969, became the first African-American female to be sworn in as a Member of the U.S. Congress. Her election offered hope that women of color could be elected to all branches of government. Shirley Chisholm went on to become the first African-American woman to run for the highest office of the land when she sought the Democratic Presidential nomination in 1972.

Equally noteworthy is the election of the Nation's first African-American female Senator. In 1992, CAROL MOSELEY-BRAUN was elected to the U.S. Senate from the State of Illinois. A committed public servant, she has served with honor and distinction as a Member of that legislative body.

Mr. Speaker, along with Senator MOSELEY-BRAUN, we also pay tribute to the African-American female lawmakers within the ranks of the Congressional Black Caucus. The CBC continues to benefit from their strong leadership and commitment. Like pioneers before them, these 10 lawmakers have been willing to take strong stances on behalf of their constituencies and those who have no voice in the political process.

Mr. Speaker, we know that there are many other African-American women trailblazers who set the pace and cleared the course for those who followed. We need only sift through the ashes of history to find African-American women who withstood the challenges and rose to great heights.

We recall the perseverance of Harriet Tubman, the engineer of the Underground Railroad. This tightly organized, highly secretive network of safe houses provided shelter and support for slaves in their escape from the South to freedom in the northern States and Canada. Harriet Tubman propelled a mass of people to seek better lies for themselves, and to demand something more for future generations. She never gave up, and she never gave in.

During this special observance of Black History Month, we remember the strength of Mary McLeod Bethune, a woman who founded one of America's foremost education institutions, Bethune-Cookman College, with a total capital of $1.50; a woman who during her lifetime held Presidential appointments, and became a friend and advisor to Presidents.

As we celebrate our theme, ''African American Women: Yesterday, Today and Tomorrow,'' we recall the efforts of the legendary Rosa Parks. Her refusal to give a white man her seat on a bus in Montgomery, AL, in 1955, prompted a year-long protest that ultimately resulted in the abolishment of a law that required African-Americans to sit in the rear of the bus behind white people. Rosa Parks continues to serve today as a role model and heroine to those who champion justice and equality.

Mr. Speaker, I take special pride in participating in today's special order in observance of Black History Month. I join my colleagues in saluting African-American women who have changed and, indeed, are making history. This special order provides just a glimpse of the historical contributions of African-American men and women to our Nation. It is important to remember, however, that not only in February, but every day African-Americans are contributing to the building, shaping, and preservation of this great democracy. Our history is America's history.

Mr. HALL of Ohio. Mr. Speaker, it is a pleasure to speak on the accomplishments and contributions of Shirley Chisholm during this special order on Black History Month.

Her political life took root when she decided to become a teacher. During her years in college, she became known for her outspokenness and was encouraged to go into politics. For several years, she worked behind the scenes for many political candidates before she decided to run for the New York State Assembly. Against all odds, she won.

In 1968, Shirley Chisholm entered the House of Representatives with a bang when she refused to accept an assignment on the Committee on Agriculture. In that one moment, she defined herself as a maverick; a warrior who would fight for her rights and the rights of others; a campaigner for the poor, higher minimum wages, and Federal subsidies for day care centers. She showed her commitment, not only to the Brooklyn community she represented, but to many communities that were powerless and insignificant, and she turned them into forces with which to be reckoned.

During 1981 and 1982, I had the opportunity to work with Representative Chisholm when we served together as members of the Rules Committee. During these committee meetings, I was able to witness firsthand her dedication to causes greater than herself. It was an honor to work beside her to achieve changes that improve mankind.

She began to build a road for other African-American leaders and women who were interested in running for Congress. And when this road seemed to come to an unexpected end, she did something few people expected her to do. She sought a major party nomination for President. She was unsuccessful; however, she felt success in being allowed to carry the torch that would allow for other minorities to follow her challenge to run for President.

Representative Chisholm retired in 1982 and returned to the teaching profession. During these years, she has continued to work behind the political scenes for the advancement of all people.

In her biography, ''The Good Fight,'' she stresses that she does not want to be remembered as the first black woman to be elected to the U.S. Congress, even though she was. She does not want to be remembered as the first black woman who happened to be black to make a serious bid for the presidency. She wants to be known as a catalyst for change, a woman who has the determination and a woman who has the perseverance to fight on behalf of the female population and the black population, because she is a product of both.

Mr. PAYNE of Virginia. Mr. Speaker, I would like to take this opportunity to join people from

throughout our Nation in commemorating Black History Month. This is a time when we, as American citizens, recognize and pay tribute to the many African-Americans who have made significant contributions in their respective fields throughout the course of American history.

SInce our country's beginnings, every aspect of American life and culture has been enhanced by the acts of great African-Americans. Dating back as early as the Revolutionary War, some 5,000 blacks fought for our Nation's independence. For much of American history they were legally denied recognition for their accomplishments and even today, many of their contributions are largely unknown.

For this reason, the noted black author and historian, Dr. Carter G. Woodson of Buckingham County in my congressional district, initiated what has become known today as Black History Month; 70 years later, Dr. Woodson's legacy means that all children across our Nation now understand an important part of history.

Thanks to Black History Month, children now understand that African-Americans made significant advancements in the fields of arts, science, entertainment, technology, communications, politics, and civil rights. These social, economic, and educational achievements have contributed to our Nation's prosperity and rich culture.

In addition to Dr. Woodson, we in the Fifth Congressional District are very proud of another outstanding individual who emerged as one of the most influential African-Americans in American history. Booker T. Washington, born in Franklin County, VA in 1856, spent most of his life working to achieve economic advancement for blacks. Best known for founding the Tuskegee Normal and Industrial Institute in 1881, Mr. Washington also advised Presidents Theodore Roosevelt and William Howard Taft on racial injustice facing the United States. In order to achieve a better quality of life Mr. Washington advocated vocational and industrial training for African-Americans. This would prove to be the most effective path for African-Americans to follow in order to elevate their economic standing. Booker T. Washington was a voice of compromise and moderation in a time when civil and political rights were reserved only for a select few. He believed progress for blacks would be achieved only if peace between the races was maintained.

Booker T. Washington was just one great African-American who helped more of our countrymen to realize freedom and independence. Other individuals, like Frederick Douglas and Martin Luther King, Jr. rank among the greatest Americans in history.

I encourage all citizens to commemorate Black History Month and to recognize always that Americans of every race, color, and creed have helped to make this the greatest nation on Earth.

## GENERAL LEAVE

Mr. PAYNE of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order tonight.

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

There was no objection.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON-LEE of Texas (at the request of Mr. GEPHARDT) on Wednesday, February 28, 1996, before 5:40 p.m., on account of the funeral of a constituent in her district.

Mr. MYERS of Indiana (at the request of Mr. ARMEY) until 6 p.m. today, on account of family medical reasons.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. MEEK of Florida) to revise and extend their remarks and include extraneous material:)

Mrs. MALONEY, for 5 minutes, today.

Mr. PAYNE of New Jersey, for 60 minutes, today.

(The following Members (at the request of Mr. HAYWORTH) to revise and extend their remarks and include extraneous material:)

Mr. KINGSTON, for 5 minutes, today.

Mr. HAYWORTH, for 5 minutes, today.

Mr. FOX of Pennsylvania, for 5 minutes, today.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. MEEK of Florida) and to include extraneous matter:)

Mr. BEILENSON.
Mr. HAMILTON in four instances.
Mr. FRANK of Massachusetts.
Mr. HOYER in two instances.
Mr. TOWNS in eight instances.
Mr. BARCIA in two instances.
Mr. MARTINEZ.
Mr. BRYANT of Texas.
Mr. TORRES.
Mr. HILLIARD.
Mr. PICKETT
Mr. DELLUMS.
Mr. HASTINGS of Florida.
Mr. PALLONE.
Mr. RAHALL.
Mr. SABO.

(The following Members (at the request of Mr. HAYWORTH) and to include extraneous matter:)

Mr. SOLOMON in two instances.
Mr. GILMAN in three instances.
Mr. ROHRABACHER.
Mr. GOODLING.
Mr. FAWELL.
Mr. GREENWOOD.
Mr. SPENCE.
Mr. FOX of Pennsylvania.
Mr. FIELDS of Texas.

## ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that the committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2196. An act to amend the Stevenson Wydler Technology Innovation Act of 1980 with respect to inventions made under cooperative research and development, and for other purposes.

## ADJOURNMENT

Mr. FIELDS of Louisiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until tomorrow, February 29, 1996, at 9 a.m.).

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2137. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Secretary's certification that the Republic of Belarus, the Republic of Kazakstan, the Russian Federation, and Ukraine are committed to the courses of action described in section 1203(d) of the Cooperative Threat Reduction Act of 1993 (title XII of Public Law 103–160), section 1412(d) of the Former Soviet Union Demilitarization Act of 1992 (title XIV of Public Law 102–484), and section 502 of the FREEDOM Support Act (Public Law 102–511); to the Committee on International Relations.

2138. A letter from the Director, Office of Management and Budget, transmitting a report entitled ''Statistical Programs of the United States Government: Fiscal Year 1996,'' pursuant to 44 U.S.C. 3504(e)(2); to the Committee on Government Reform and Oversight.

2139. A letter from the Secretary of Labor, transmitting the annual report under the Federal Managers' Financial Integrity Act for 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

2140. A letter from the Secretary of Transportation, transmitting the Secretary's management report on management decisions and final actions on Office of Inspector General audit recommendations, for the period ending September 30, 1995, pursuant to Public Law 101–576, section 306(a) (104 Stat. 2854); to the Committee on Government Reform and Oversight.

2141. A letter from the Secretary of Commerce, transmitting the Department's reports entitled ''Fisheries of the United States'' and ''Our Living Oceans,'' pursuant to 16 U.S.C. 742d; to the Committee on Resources.

2142. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the Department's December 1995 issue of the ''Treasury Bulletin,'' pursuant to 26 U.S.C. 9602; to the Committee on Ways and Means.

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 497. The Committee on Resources discharged from further consideration. Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FIELDS of Texas (for himself, Mr. PORTER, Mr. OXLEY, Mr. MOORHEAD, Mr. SCHAEFER, Mr. BARTON of Texas, Mr. HASTERT, Mr. GILLMOR, and Mr. FRISA):

H.R. 2979. A bill to ensure the financial self-sufficiency of public broadcasting, and for other purposes; to the Committee on Commerce.

By Mr. ROYCE:

H.R. 2980. A bill to amend title 18, United States Code, with respect to stalking; to the Committee on the Judiciary.

By Mr. BAKER of Louisiana:

H.R. 2981. A bill to amend the Bank Holding Company Act of 1956 to provide investment opportunities for small bank holding companies; to the Committee on Banking and Financial Services.

By Mr. BEVILL:

H.R. 2982. A bill to direct the Secretary of the Interior to convey the Carbon Hill National Fish Hatchery to the State of Alabama; to the Committee on Resources.

By Mr. FOX:

H.R. 2983. A bill to amend the Internal Revenue Code of 1986 to restore the 10-percent investment credit; to the Committee on Ways and Means.

By Mr. FOX (for himself, Mr. BEREUTER, Mr. DORNAN, and Mr. ZIMMER):

H.R. 2984. A bill to amend the Internal Revenue Code of 1986 to extend the research credit, to allow an alternative incremental research credit, and for other purposes; to the Committee on Ways and Means.

By Mr. FOX (for himself, Mrs. JOHNSON of Connecticut, Ms. MOLINARI, Mr. DORNAN, Ms. JACKSON-LEE of Texas, Mr. STOCKMAN, Mr. POMEROY, and Mrs. KELLY):

H.R. 2985. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit for a portion of the expenses of providing dependent care services to employees, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEACH (for himself, Mr. BEREUTER, Mr. SCHUMER, Mr. BACHUS, Mrs. MALONEY, Mr. ROYCE, Mrs. KELLY, Mr. HEINEMAN, and Mr. WATTS of Oklahoma):

H.R. 2986. A bill to establish a criminal penalty for the production, sale, transportation, or possession of fictitious financial instruments purporting to be instruments issued by a public or private entity, to require forfeiture of counterfeit access devices, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MANTON:

H.R. 2987. A bill to declare a portion of Queens County, NY, to be nonnavigable waters of the United States; to the Committee on Transportation and Infrastructure.

By Mr. MCKEON:

H.R. 2988. A bill to amend the Clean Air Act to provide that traffic signal synchronization projects are exempt from certain requirements of Environmental Protection Agency rules; to the Committee on Commerce.

By Mr. SCHIFF (for himself, Mr. RICHARDSON, and Mr. SKEEN):

H.R. 2989. A bill to redesignate the Jemez Canyon Dam as the ''Tamaya Dam''; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of Michigan:

H.R. 2990. A bill to require congressional approval of proposed rules considered by the Congress to be significant rules; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. QUILLEN:

H.J. Res. 161. Joint resolution proposing an amendment to the Constitution of the United States to secure the people's right to acknowledge God according to the dictates of conscience; to the Committee on the Judiciary.

By Mr. FAZIO of California:

H. Res. 367. Resolution designating minority membership on certain standing committees of the House; considered and agreed to.

## MEMORIALS

Under clause 4 of rule XXII,

203. The SPEAKER presented a memorial of the Legislature of the State of New Mexico, relative to land grant permanent funds; to the Committee on Resources.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 240: Mr. FRISA, Mr. FILNER, and Ms. LOFGREN.

H.R. 248: Mr. MORAN.

H.R. 310: Mr. PORTER.

H.R. 311: Mr. PORTER.

H.R. 312: Mr. ZIMMER.

H.R. 313: Mr. PORTER.

H.R. 528: Mr. HOYER.

H.R. 820: Mr. THOMPSON, Mr. CUNNINGHAM, Mr. COX, Mr. REGULA, and Mr. FILNER.

H.R. 833: Mrs. KELLY, Mr. DOOLEY, Mr. DELLUMS, Mr. SABO, Mr. OLVER, Mr. BALDACCI, and Mr. VENTO.

H.R. 862: Mr. BARCIA of Michigan.

H.R. 878: Mr. BEREUTER, Mr. CLEMENT, Mr. KLINK, and Mr. TRAFICANT.

H.R. 892: Mr. LIVINGSTON, Mr. KING, and Mr. DELAY.

H.R. 938: Mr. CRAMER.

H.R. 941: Mr. HASTINGS of Florida.

H.R. 972: Mr. MINGE.

H.R. 1023: Mr. MCNULTY and Mr. THOMPSON.

H.R. 1110: Mr. CAMP.

H.R. 1305: Mr. NADLER.

H.R. 1404: Mr. CANADY, Mr. COLEMAN, Mr. THOMPSON, and Ms. LOFGREN.

H.R. 1406: Mr. EHLERS, Mr. BALLENGER, Ms. RIVERS, Mr. STUPAK, Mr. FARR, Mr. MOLLOHAN, and Mr. WARD.

H.R. 1424: Mr. STOCKMAN.

H.R. 1462: Mr. DURBIN and Mr. QUILLEN.

H.R. 1484: Mr. TEJEDA.

H.R. 1496: Mr. MYERS of Indiana and Mr. MCDADE.

H.R. 1514: Mr. THORNTON, Mr. CASTLE, Mr. STUDDS, Ms. MOLINARI, Mr. STOCKMAN, Mr. HASTINGS of Washington, Mr. GUTKNECHT, Mr. GOODLING, Mr. GEKAS, Mrs. MORELLA, Mr. FRAZER, Mr. EDWARDS, Mr. BROWNBACK, Mr. LATHAM, Mr. WALSH, and Mr. TIAHRT.

H.R. 1560: Mr. THOMPSON.

H.R. 1583: Mr. KENNEDY of Massachusetts and Mr. WYNN.

H.R. 1619: Mr. GILMAN and Mr. QUILLEN.

H.R. 1625: Mr. BARTON of Texas and Mr. MCCOLLUM.

H.R. 1711: Mrs. CUBIN, Mr. NEUMANN, Mr. KING, Mr. PETRI, Mr. ROGERS, Mr. TALENT, Mr. BAKER of California, and Mr. OXLEY.

H.R. 1791: Mr. BUNNING of Kentucky.

H.R. 1863: Mr. CAMPBELL and Mr. JACKSON.

H.R. 1920: Mr. GILMAN and Mr. WALSH.

H.R. 1946: Mr. REGULA, Mr. RIGGS, Mr. MCCOLLUM, Mr. BUNNING of Kentucky, Mr. NORWOOD, and Mr. NUSSLE.

H.R. 1963: Mr. FAZIO of California.

H.R. 1965: Mr. FRANKS of Connecticut, Mr. ANDREWS, Mr. CAMPBELL, Mr. OBERSTAR, and Mr. LAFALCE.

H.R. 1972: Mr. CALVERT, Mr. PARKER, Mr. CLEMENT, Mr. KING, and Mr. LUTHER.

H.R. 1998: Mr. LINDER and Mr. JACOBS.

H.R. 2024: Ms. FURSE, Mr. DEAL of Georgia, and Mr. FOLEY.

H.R. 2080: Mr. SENSENBRENNER, Mr. FALEOMAVAEGA, Mr. FROST, Mr. MANTON, Mr. TOWNS, Mr. ACKERMAN, Mr. PASTOR, and Mr. HASTINGS of Florida.

H.R. 2098: Mr. BONO and Mr. WELDON of Florida.

H.R. 2137: Ms. PRYCE.

H.R. 2138: Mr. BOEHLERT, Mr. SKEEN, Mr. LEWIS of Georgia, Mr. HUTCHINSON, Mr. FROST, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RICHARDSON, Mr. UNDERWOOD, Mr. GENE GREEN of Texas, Mr. BURR, Mr. WYNN, Mr. MCCOLLUM, Mr. COLEMAN, Mr. BEVILL, Mr. LANTOS, Mr. GOODLING, Mr. THORNTON, Mr. CHRYSLER, Mr. THOMPSON, Mr. FIELDS of Texas, Mr. BRYANT of Texas, Mr. NEY, Mr. COMBEST, Mr. BENTSEN, Mr. PETE GEREN of Texas, and Mr. BISHOP.

H.R. 2178: Mr. MARKEY, Mr. KENNEDY of Massachusetts, Mr. TRAFICANT, and Ms. NORTON.

H.R. 2200: Mr. STEARNS, Mr. EVERETT, Mr. EHRLICH, Mr. WICKER, Mr. BARR, and Mr. DORNAN.

H.R. 2202: Mr. CHAMBLISS, Mr. BEVILL, Mr. GENE GREEN of Texas, Mr. OBEY, and Mr. BROWDER.

H.R. 2234: Mr. GORDON.

H.R. 2240: Mr. BOUCHER and Mr. DELLUMS.

H.R. 2333: Mr. HANCOCK, Mr. LINDER, Mr. WARD, Mr. LEWIS of Georgia, Mr. DEAL of Georgia, Ms. MCKINNEY, Mr. NORWOOD, Mr. ENGLISH of Pennsylvania, Mr. KINGSTON, Mr. KLECZKA, Mr. BARR and Mr. CAMP.

H.R. 2335: Mr. ROHRABACHER, Mr. CONDIT, Mr. SOLOMON, Mr. COBLE, Mr. EVERETT, Mr. BUNNING of Kentucky, Mr. KANJORSKI, Mr. PICKETT, Mr. LEWIS of Kentucky, Mr. WHITFIELD, and Mr. STEARNS.

H.R. 2391: Mr. PETRI, Mr. MCINTOSH, and Mr. GRAHAM.

H.R. 2411: Mr. POMEROY.

H.R. 2433: Mr. FARR and Mr. FOGLIETTA.

H.R. 2435: Mr. FATTAH, Mr. BOUCHER, Mr. THORNBERRY, Mr. KOLBE, Mr. SOLOMON, and Mr. FRANKS of Connecticut.

H.R. 2472: Mr. FOGLIETTA, Mr. ROMERO-BARCELO, Mrs. MEEK of Florida, Mr. LUTHER, Mrs. MALONEY, Mr. BORSKI, Mr. WAXMAN, Mr. KENNEDY of Rhode Island, and Mr. GEJDENSON.

H.R. 2475: Mr. POMEROY.

H.R. 2483: Mr. MCCOLLUM.

H.R. 2497: Mr. BARRETT of Nebraska, Mr. JACOBS, Mr. CHRISTENSEN, Mr. LINDER, Mr. HAYWORTH, Mr. LATHAM, Mr. ROHRABACHER, Mr. ROBERTS, and Mr. HERGER.

H.R. 2508: Mr. RADANOVICH, Mr. BILBRAY, Mr. CHRISTENSEN, Mr. FARR, Mr. BARCIA of Michigan, Mr. DICKEY, Mr. HEINEMAN, and Mr. PORTER.

H.R. 2531: Mr. CASTLE and Mr. GOODLATTE.

H.R. 2578: Mr. WAXMAN and Ms. SLAUGHTER.

H.R. 2579: Mr. DOYLE, Mr. PORTER, Mr. WELDON of Pennsylvania, Mrs. COLLINS of Illinois, Mr. CLYBURN, Mrs. KENNELLY, Mr. CAMPBELL, Mr. LEACH, Mr. WARD, Mr. BACHUS, Mr. WYNN, Mr. COBURN, Mr. METCALF, Mr. MCHALE, Mr. STUDDS, Mr. KINGSTON, Ms. KAPTUR, and Mr. HOYER.

H.R. 2610: Mr. PORTMAN and Mr. BARTLETT of Maryland.
H.R. 2617: Mr. HOLDEN.
H.R. 2650: Mr. SOLOMON.
H.R. 2651: Mrs. COLLINS of Illinois, Mr. WALSH, Mr. HAYES, Mr. FOLEY, Mr. KILDEE, Ms. NORTON, and Mr. VENTO.
H.R. 2652: Mr. GUTIERREZ, Mr. KLECZKA, Mr. DURBIN, Mr. HINCHEY, Mr. BORSKI, Mr. EVANS, Ms. NORTON, Mr. COSTELLO, and Mr. MINGE.
H.R. 2655: Ms. MOLINARI and Mr. PAYNE of New Jersey.
H.R. 2697: Mr. LONGLEY, Mr. BROWN of California, Mr. YATES, Mr. DOYLE, and Mr. BERMAN.
H.R. 2740: Mr. FIELDS of Texas and Mr. CRANE,
H.R. 2777: Mr. STEARNS.
H.R. 2778: Mr. CHRYSLER, Mr. BAKER of Louisiana, Mr. INGLIS of South Carolina, Mr. CARDIN, Mr. PASTOR, Mr. MANZULLO, Mr. MCHALE, Mr. LEACH, Mr. WICKER, Mr. CHAMBLISS, Mr. SCARBOROUGH, Mr. THOMAS, and Mr. FRELINGHUYSEN.
H.R. 2807: Mr. DE LA GARZA, Mr. SMITH of New Jersey, Mr. SERRANO, Mr. CONDIT, and Mr. STOCKMAN.
H.R. 2827: Mr. LEACH, Mr. FRAZER, Mrs. SCHROEDER, Mr. KILDEE, and Mr. Ney.
H.R. 2828: Mr. QUINN and Mr. SHADEGG.
H.R. 2853: Mr. EWING.
H.R. 2856: Mr. SMITH of New Jersey and Mr. FRANKS of New Jersey.
H.R. 2873: Mrs. MEEK of Florida, Mr. PETERSON of Florida, Mr. UNDERWOOD, Mr. FRAZER, and Mr. MCDERMOTT.
H.R. 2874: Mr. GORDON, Mr. DOYLE, Mr. STUPAK, Ms. SLAUGHTER, and Mrs. SCHROEDER.
H.R. 2875: Mrs. KELLY, Mr. OBERSTAR, Mr. SOLOMON, Mr. FOX, and Ms. NORTON.
H.R. 2896: Mr. KIM.
H.R. 2898: Mr. HASTINGS of Washington, Mr. BAKER of Louisiana, Mr. NEY, Mr. CHABOT, and Mr. HERGER.
H.R. 2912: Mr. HASTINGS of Florida and Mr. UNDERWOOD.
H.R. 2919: Mr. TRAFICANT and Mr. FRAZER.
H.R. 2937: Mrs. MEYERS of Kansas, Mr. HORN, and Mr. ENGLISH of Pennsylvania.
H.R. 2951: Mr. KENNEDY of Massachusetts, Ms. LOFGREN, Mr. SHAYS, Mr. CHABOT, and Mr. DOYLE.
H.R. 2959: Mr. LEVIN, Mr. BARRETT of Wisconsin, Mr. KOLBE, Mr. TORRES, Mr. RUSH, Mr. CLAY, Mr. BONIOR, and Mr. PALLONE.
H.R. 2969: Mr. CHRISTENSEN.
H.J. Res. 114: Mr. FRANK of Massachusetts.
H. Con. Res. 51: Mr. DOYLE.
H. Con. Res. 134: Mr. CRAPO, Mr. MOORHEAD, Mr. SCHAEFER, Mr. LEWIS of Kentucky, and Mr. MYERS of Indiana.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

63. The SPEAKER presented a petition of the Rensselaer County Legislature, NY, relative to supporting legislation which would require an auction of the spectrum to corporate television networks; which was referred to the Committee on Commerce.

## AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2854

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 6. At the end of title V (page 139, after line 17), add the following:

**SEC. . SENSE OF CONGRESS REGARDING PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS; REQUIREMENT REGARDING NOTICE.**

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act or amendments made by this Act, it is the sense of the Congress that persons receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act or amendments made by this Act, the Secretary of Agriculture shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

United States
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# Congressional Record

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# Senate

*(Legislative day of Friday, February 23, 1996)*

The Senate met at 11:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Dear God, we respond to Your invitation to enjoy these moments of conversation with You. We praise You for who You are: our creator, sustainer, loving heavenly Father. It is awesome to us that You have chosen, called, and commissioned us to be Your blessed people. Forgive us when we resist the greatness You desire for us and forget to ask for Your guidance. We thank You for the times we did trust You and did receive Your blessings of wisdom, strength, and determination. You have called us to be intercessors by placing in Your capable hands the problems of people around us. Now hear our longing to know and do Your will in the crucial matters before us. There is so much on which we do agree; show us how to come to creative compromise in issues on which we do not agree. Give us clear heads and trusting hearts. May we earn a new confidence from the American people by the way we press on expeditiously and with excellence. Now we commit ourselves anew to You. We reorder our priorities. Deliberately we put behind us self-serving manipulation and put before us our patriotic motivation. With confidence we thank You in advance for Your guidance today. In Your all-powerful name. Amen.

## RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, Senator LOTT, is recognized.

SCHEDULE

Mr. LOTT. Mr. President, today there will be a period for morning business until the hour of 1 p.m., with Senators permitted to speak for up to 10 minutes each except for the following: Senator DOMENICI for up to 20 minutes and Senator MURKOWSKI for up to 15 minutes.

Following morning business, it is hoped that it would be possible to proceed to the legislation which will extend the authority for the special committee to investigate Whitewater. Rollcall votes, therefore, are possible during today's session, and the Senate may be asked to consider any other legislative items that can be cleared for action.

Senators also should be reminded that a second cloture motion was filed yesterday on the D.C. appropriations conference report. Therefore, that cloture vote will occur during Thursday's session of the Senate, after the leaders have consulted and agreed upon a time.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. THOMAS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

## MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business until 1 p.m., with Senators permitted to speak therein for 10 minutes each, with the following exceptions: The Senator from New Mexico [Mr. DOMENICI] for 20 minutes; the Senator from Alaska [Mr. MURKOWSKI] for 15 minutes.

The Senator from New Mexico.

Mr. DOMENICI. I thank the Chair.

(The remarks of Mr. DOMENICI and Mr. DORGAN pertaining to the submission of Senate Resolution 226 are located in today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

Mr. DORGAN. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ASHCROFT). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## THE ENTERTAINMENT INDUSTRY SHOULD PROVIDE QUALITY PROGRAMMING

Mr. DOLE. Mr. President, it has been nearly 9 months since I made a speech in Hollywood suggesting that our entertainment industry has a responsibility to look beyond the bottom line and to not pollute our culture and our children.

That speech ignited a national discussion—a discussion which has continued to this day.

This discussion will take what I hope will be an important step tomorrow, when a delegation of entertainment industry leaders will meet with the congressional Republican leadership here at the Capitol, and then with President Clinton at the White House.

It is reported that the industry leaders will use these meetings to inform us of their decision to voluntarily create a rating system for television programs.

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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I certainly hope these reports are true, and that the meetings are not just publicity stunts for all involved.

While previous commitments will prevent me from attending tomorrow's meeting, I did want to take a moment to add a few thoughts to the discussion.

First, I wish to congratulate the entertainment industry leaders for their decision. Every parent knows that some television programming goes over the line—way over the line—of decency.

And I believe a voluntary rating system, if honestly implemented, will help parents in making informed decisions about what programs their children should and should not watch.

Second, let me urge the entertainment industry not to spend too much time patting themselves on the back.

It is one thing to produce programs that children should not watch, and to inform parents of the content of those programs.

But it is another thing entirely to produce programs that parents are proud to let their children watch.

That is an important distinction I hope Hollywood understands, and one they can respond to only by producing quality, family friendly programming.

Third, let me emphasize that if a rating system is to work, then it must be designed and implemented without any Government meddling or interference.

While I have taken Hollywood to task, I have also made clear that the answer is good corporate citizenship, and not Government censorship.

If the era of big Government is truly over, then the President, the Congress, and the Federal Communications Commission cannot be in the business of reviewing and rating television programs.

Finally, I believe it is very worthwhile to note that the industry's decision to voluntarily rate television programs is proof that the voice of concerned Americans is being heard.

We learned that when outraged citizens forced the Calvin Klein Co. to withdraw ads that were nothing more than child pornography, and we learn it each time a movie that assaults our values sinks at the box office.

The bottom line is that shame does work, and it will continue to work, as long as concerned Americans speak out.

And I am just one of countless concerned Americans who intend to continue to speak out for decency, for civility, and for the future of our children.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## UNANIMOUS CONSENT AGREEMENT—D.C. APPROPRIATIONS CONFERENCE REPORT

Mr. DOLE. Mr. President, I ask unanimous consent that the vote on invoking cloture on the D.C. appropriations conference report occur at 12:30 on Thursday, February 29, with the mandatory quorum being waived; further, that the time from 12 to 12:30 be equally divided in the usual form for debate on the motion to invoke cloture on the conference report.

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

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. I thank the Chair, and I thank the majority leader.

The PRESIDING OFFICER. The Senator has 15 minutes.

## FULLEST ACCOUNTING—VIETNAM, WHY NOT NORTH KOREA, TOO

Mr. MURKOWSKI. Mr. President, I would like to call to the attention of the Members what I honestly feel is an overlooked issue relative to one of the highest responsibilities that our Government has, and that is the full accountability of those armed services personnel who have been lost in action.

We have always demanded the fullest possible accounting in Vietnam for those listed as missing-in-action, and the question that I pose today is, why not North Korea as well?

The fate of more than 8,100 American servicemen from the Korean war remains unresolved. At least 5,433 of these were lost north of the 38th parallel. In Vietnam, by contrast, the number of unresolved cases is 2,168, and Vietnam has cooperated in 39 joint field activities.

I have a small chart here, Mr. President, that shows the unaccounted for in our foreign wars. Beginning in World War I, we have 1,648 unaccounted for; World War II, 78,794; Korea, 8,177, and Vietnam, 2,168. As I have said, out of the 8,177, 5,433 were lost north of the 38th parallel.

One can see that public opinion has prevailed in demanding a full accounting in Vietnam, and while we must maintain our commitment for accountability of all Americans who are lost, clearly, we have made significant progress in Vietnam as a consequence of a commitment and dedication to do so. So it seems strange that we would still have in North Korea a significant number of servicemen whose fates are unknown.

The United States Government recently announced plans to contribute $2 million, through U.N. agencies, to relieve starvation in North Korea, certainly a worthy cause. The donation was consistent with other instances where the United States seeks to relieve human suffering despite disagreements with various governments in the receiving country.

But what is inconsistent with United States policy is our failure to ensure that the Democratic People's Republic of Korea addresses the humanitarian issue which is of great concern to the American people: the resolution of the fate of servicemen missing in action since the end of the Korean war, those lying north of the 38th parallel.

Relations between the United States and Vietnam—I give you this background as a reference—our relations with Vietnam did not begin to thaw until the Government of Vietnam agreed to joint field operations with United States military personnel to search for missing servicemen in Vietnam. We knew the general areas where conflicts had occurred or where aircraft had gone down. The pace and scope of normalization was commensurate with Vietnam's cooperation on the MIA issue and other humanitarian concerns.

In virtually every discussion that our Government had with their Vietnamese counterparts, the MIA issue was paramount. I know that on the numerous occasions that I visited Vietnam, that was the one message we sent loudly and clearly: You have to cooperate with us on the MIA issue; you have to allow us to bring in our personnel in the joint task force teams; and you have to cooperate with us for a full accountability, otherwise our relationship will not go any further.

So the Vietnamese received clear signals that progress and normalization of relations with the United States would come only after significant progress was made on the MIA issue.

In contrast to our Vietnam policy, United States policy toward North Korea seems to lack this same focus with no explanation. The recent announcement regarding food aid for North Korea did not mention our interests in the MIA issue. There was no explanation as to why.

The agreed framework between the United States and the Democratic People's Republic of Korea does not talk about cooperation on MIA's, even though the framework commits the United States to give the North Koreans free oil and to supply two highly advanced light water reactors, a total package that exceeds $5 billion, $4 billion alone for the reactors and some $500 million for the oil, not counting potential future aid for a grid system to distribute the power that the reactors will produce. North Korea simply does not have the transmission capability to handle the new reactors, so we can expect to be asked for approximately another billion dollars so that the power can go out and be distributed throughout the countryside.

The agreed framework also envisions that the United States would lift its trade restrictions and normalize relations, regardless of, evidently, any movement on the MIA issue. The most obvious difference between Vietnam and North Korea is North Korea's nuclear program; the United States has

an overriding national security interest in stopping the North Korean nuclear program. Nevertheless, I do not believe that we should have ignored the MIA issue. That is why I have introduced Senate bill 1293, legislation that would prevent establishing full diplomatic relations or lifting the trade embargo until the North Koreans have agreed to joint field operations.

I recently had an opportunity to sit down with our dedicated armed services personnel in Hawaii, who are responsible for negotiating with the North Koreans on the issue. These are the people that actually negotiate relative to Americans missing in action. These are the people that identify the remains. They are very dedicated and knowledgeable people, doing a tremendous service for our country. It was clear from that briefing that joint field operations would have a high probability of success because, unlike in Vietnam, the United States has concrete evidence of the sites of mass U.N. burial grounds and prisoners of war camps located in North Korea. But United States personnel have had no access to those North Korean sites. The only thing preventing our personnel from going in and making these identifications is the Government of North Korea.

The North Koreans have been unilaterally turning over some limited remains. Unfortunately, the North Koreans, without training in the proper handling of remains, have turned over excavated remains that have not been properly handled, that have been mixed, making identification vastly more difficult, if in some cases not impossible. Of the 208 sets of remains that have been turned over since 1990, unfortunately, only 5 sets have been identified.

Despite the United States aid flowing to North Korea, the Koreans have repeatedly attempted to link progress on the remains issue to separate compensation. In other words, Mr. President, they expect repayment above and beyond their out-of-pocket costs. These amounts of money seem far in excess of the reimbursement costs for recovery, storage, and transportation of remains.

The U.S. Government must stand by its policy not to buy remains. This would degrade the honor of those who died in combat on behalf of our country. Instead, the United States has offered to reimburse the North Koreans for reasonable expenses, as we have done in Southeast Asia over the last couple of decades. Talks to move the MIA remains and the reparation issue seem stalled at this moment. We have reason to believe that the progress is not what it should be relative to our ability to go into North Korea, to the sites where we know we are likely to find remains.

Now, the United States has been careful not to link the nuclear issue with other policy concerns in North Korea. But it is not unreasonable for the United States to consider North Korea's behavior on other issues, such as the MIA issue, when considering whether to provide humanitarian assistance to this isolated, closed nation.

I was over in Pyongyang last year and can say that, clearly, this is a country that is probably as isolated as any country on Earth. As a consequence, our inability to develop a dialog, other than that which was necessitated after the conversations concerning their efforts to develop a nuclear capability, has brought this whole picture into focus. But the bottom line is that in our negotiations we should demand that we have access so that we can address our responsibility and ask for the fullest possible accounting for those missing, those 5,433 that we believe are still unidentified in North Korea, for the families of those airmen still missing more than 40 years after the end of the conflict. There is no more humane action that North Korea could take than to let Americans have sufficient access to try to resolve as many cases as possible.

Mr. President, we have demanded the fullest accountability from the Government of Vietnam on the MIA issue, and we should demand the same of the Government of North Korea.

I urge my colleagues to reflect on the merits of the legislation I have offered, Senate bill 1293, that would prevent establishing full diplomatic relations or lifting the current trade embargo until the DPRK, the Government of North Korea, has agreed to joint field operations that would allow us to have access to those sites where we believe we can identify and find remains.

Mr. President, I yield the floor.

## DEREK J. VANDER SCHAAF: A MODEL PUBLIC SERVANT

Mr. GRASSLEY. Mr. President, I come to the floor to today to honor a Federal bureaucrat.

Now I know that Republicans, myself included, have been bashing bureaucrats lately—mostly with good reason.

Most bureaucrats could care less about the taxpayers. They have forgotten who they serve and who owns the money.

Well, I would like to talk about a different kind of bureaucrat. This one is the exception. He is unique. He is a model civil servant. He cares about the taxpayers.

His name is Mr. Derek J. Vander Schaaf.

We know him affectionately as Derek.

Derek was born and raised in a small farm town in northwest Iowa—the town of Hull.

Hull is where his Dutch parents taught him to be so thrifty, to skimp, to penny-pinch, to be honest and work hard.

Mr. President, that's what Derek is all about: being honest and fair, working hard, and saving a penny here and a penny there. But zero tolerance for waste. His Motto is: There shall be no waste, period.

This is Derek to a ''T.'' This is what made him dedicate his life to controlling waste at the Pentagon.

This is what led him into the Office of the Inspector General.

Today, Derek is the Deputy Inspector General at the Department of Defense (DOD). He has occupied that position since it was created in December 1981.

After 33 years of dedicated service, Derek is leaving the government.

He is retiring in March.

Derek first earned a reputation as a junior junk yard dog back in the 1970's as a staff member over on the House Defense Appropriations Subcommittee.

He was known for doing his homework.

But he was best known for plowing through mountains of DOD audit reports.

Now, Mr. President, nobody else in the whole world paid much attention to those reports—even though they were produced at great expense and contained some beautiful little nuggets.

DOD audit reports are hard to read. You have to read and re-read them 10 times or more before you can begin to understand what they say.

Well, Derek made a living reading and acting on those reports over in the House.

He would turn the nuggets into savings.

He would find a way to save a penny here and a penny there.

Pretty soon Derek was helping to save big bucks—billions of dollars, I am sure.

Derek's junk yard operation over in the House used to drive the Pentagon brass absolutely nuts.

The generals and admirals used to parade in and out of his office, trying to ''correct his thinking.''

Even an occasional blow with a ball-peen hammer didn't help much.

Derek was never affected by all the high-level attention. He just went about his business like a real professional.

Derek's beefs with the Pentagon always rested on firm ground.

He would skewer the brass with their own reports.

It was very hard for the brass to avoid getting nicked once Derek zeroed in on a problem.

The only thing that saved them was a full-court press lobbying effort with the Committee's members.

The end-run lobbying maneuver didn't faze Derek one bit.

He just read more audit reports and made more cuts. He stayed way ahead of the DOD posse and all the tinhorn deputies.

He just kept right on trucking—saving a penny here and a penny there.

When the DOD IG opened shop in 1981, Mr. Joe Sherick was put in charge. Joe Sherick was the original junk yard dog. He picked Derek to be his deputy dog.

Derek was the perfect choice. He had been a foot soldier in the war against

Pentagon waste for 10 years. He had proven his mettle in combat, so to speak.

Derek was ready to begin leading the war on military waste. He was ready to go out on the ''point.''

As one of the ''defense reformers'' in Congress, I often turned to Derek for help when we uncovered problems at the Pentagon.

We usually turned to Derek in the heat of battle.

We usually turned to him after getting stonewalled by the big wheels over at the Defense Department.

So right off the bat, we put Derek in the hot seat.

We asked him to investigate. We asked him to document and verify.

We asked him to tell us what really happened. We asked him for the truth.

Mr. President, I wish I knew how many times Mr. Vander Schaaf's name has been used right here on the Senate floor to prove a very important point.

I have done it myself many times.

But my opponents have done it too. They have also used his work—in many instances to hammer me—and to hammer me with great success.

That is one of the reasons I admire Derek so much.

He does not always do what we want him to do.

At times, we have felt anger, frustration, and even disappointment over his work.

We have even accused him of whitewashing. But that is fine. That is the way it should be.

He runs an independent operation.

Derek is his own man. He lets the chips fall where they may.

When he looks at the evidence, he first searches for the truth.

But he also thinks about protecting the interests of the taxpayers.

He thinks about the needs of the men and women serving in the Armed Forces.

He thinks about what is right.

And, he thinks about how to succeed without getting knocked off by the brass. And that is no small feat.

Derek is a tight-rope artist.

He does a balancing act on the high wire.

He has made the trip across the high wire many times without hestitation. He never wavered and never took a fall.

Mr. President, Derek is a model civil servant. He is honest. He is tough but always fair. He knows his stuff. He dedicated his life to protecting the taxpayer's money.

Mr. President, if his parents were alive today, they would be proud of Derek's service to the people. But they would not make a big fuss about it.

They would know that he was no more and no less than what they expected him to be.

Mr. President, Derek has always set a good example—an example of excellence.

Derek is a leader. He is a man of courage. He is a man of integrity, and the people will miss him.

Mr. President, I wish him good luck and Godspeed.

And I pray that there is someone just as good ready to take over.

Mr. INHOFE addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

## THE NEED FOR ADEQUATE DEFENSE AGAINST BALLISTIC MISSILE ATTACK

Mr. INHOFE. Mr. President, I am speaking today, once again, about the urgent priority we have to develop and deploy adequate defenses against a ballistic missile attack.

As a member of the Armed Services Committee and Intelligence Committee, I feel it is my duty to call relevant aspects of this issue to the attention of my colleagues and the American people.

This month, we are marking the 5-year anniversary of the gulf war. While the war was, in many respects, a great triumph, there are certainly many lessons that we should learn from that war. One of these lessons is that future conflicts will, very likely, include attacks on American forces by ballistic missiles. It is our obligation to our troops—not to mention the American people, generally—to do all we can to prepare for this reality.

Five years ago this past Sunday, a primitive Iraqi Scud missile carrying a conventional explosive warhead slammed into a barracks housing American troops in Saudi Arabia, and 28 Americans were killed, 98 Americans were injured. It was the single largest loss of lives during that war.

In recalling this event the other day, the Washington Post Style section recounted the horror of how these brave young Americans, well behind the front lines, were coldbloodedly attacked and murdered without warning. As the Post described it:

> It was simply a freak of war. No ground was gained, none was defended, no tactical purpose was served, people were assassinated in their beds as they dozed or lounged or clowned with buddies. They were in a converted warehouse in the suburbs of Saudi Arabia, 200 miles behind the front line, in a neighborhood that included a supermarket, a hotel, and other buildings. The war was winding down. Two days after the attack, it would be over.

I was particularly struck by the Post's description of the victims of this incident as the ''forgotten fatalities of the Persian Gulf war.''

Now, it is understandable that a lot of the American people did not see this happening because, understandably, the television crews were up there in the front lines, and they were filming the last 2 days of this war. Nonetheless, it happened. I think there are a lot of people who think that perhaps it would go unnoticed. But I am here to remind my colleagues that, as policymakers and overseers of our national defense preparedness, we cannot and will not ever forget what happened in this incident. This was an unprovoked, cowardly, and feeble ballistic missile attack that gives us a glimpse of the future.

My concern is that, with a lot of people not having known and remembered that this happened, these 28 Americans will have died in vain. On the other hand, if this can be very visibly laid out in front of the American people—and I do applaud the Washington Post for bringing this to public attention this week—then perhaps this can be used to get a very meaningful, sophisticated, theater missile defense in place as everyone in Congress has asked the President to do.

Ballistic missiles are fast becoming the weapons of first choice of those who seek to harm to American interests abroad. We know, and our intelligence confirms now, that 25 nations have ballistic missiles of different degrees of technology, but the capability is there. Keep in mind, the one that murdered 28 Americans was a very primitive Scud missile. These 25 nations all have missiles that are more sophisticated than that.

Now, to illustrate this directly, I call the attention of my colleagues to recent news reports concerning communications between the United States commander in Korea, General Luck, and the Chairman of the Joint Chiefs of Staff, General Shalikashvili. In this astonishing exchange, General Luck's urgent request for advanced missile defenses to protect his troops was rejected. General Luck and his forces are on the front lines facing an increasingly hostile and menacing adversary in North Korea. According to the Washington Times, General Luck warned in December that the threat to United States forces from North Korean missiles is growing and advance theater missile defenses were needed as soon as possible.

Specifically, General Luck requested that the development of our most capable ground-based theater missile defense system, the THAAD system, the theater high altitude area defense, be accelerated to facilitate rapid deployment to Korea of at least 2 THAAD batteries including up to 18 launchers. Such a system would have the potential to provide some adequate protection for our forces in the entire Korean theater. In other words, this is the very minimum that General Luck says we have to have to protect the lives of our Americans in South Korea. We have 37,000 Americans in South Korea. The report states that General Luck's urgent request for THAAD batteries was rejected. Instead, General Shalikashvili reportedly informed him that THAAD development would actually be further delayed by a period of 3 to 5 years so that limited funds could be diverted to smaller and less capable missile defense systems such as the Patriot PAC 3 system and to what was called critically underfunded areas of recapitalization.

Mr. President, I find this story to be absolutely incredible. The Congress has

been wringing its hands all year to accelerate the vital missile defense programs, especially advanced theater missile defense programs, to help commanders like General Luck. We have just passed, and the President has signed, a Defense authorization bill which expressly calls for more funding and more priority to such theater missile defense systems such as THAAD and the Navy Upper Tier.

We are not talking about a national defense system. That is very controversial. I have stood on this floor over the past year and talked, collectively, many, many hours about a national missile defense system. We are not talking about that, Mr. President. We are talking about a theater missile defense system to protect our troops who are currently over in places like South Korea from missile attack. At the very least, the threat we face is from missiles that are using what we consider right now to be very primitive technology, such as the Scud missile.

While I have been trying to carry on the debate on the national missile defense system—I am very much concerned about it—we have been losing the battle with the administration. They are convinced that we will have to adhere to the ABM Treaty. The ABM Treaty was put together in 1972, not by a Democratic administration but by a Republican administration. That was President Nixon.

Henry Kissinger felt at that time it was in the best interests of the United States of America to have a program of what was referred to as ''mutual assured destruction.'' That is a program that would say there are two superpowers in the world. We have U.S.S.R. and we have America. If we agree not to defend ourselves, then, in theory, if one would fire a missile at the other superpower, that superpower would fire one back at us, everyone would die and everything would be fine. That was our strategy at that time. I did not agree with President Nixon and Mr. Kissinger at that time. At least it made sense because at that time we had two superpowers.

We are not talking about that now. We are not talking about a national missile defense system. What we are talking about is a theater missile defense system, and I think that America needs to know that General Luck in South Korea made the request to continue the technology advancements so that we would have somewhat of a sophisticated system just to protect those people.

These field commanders know what they are talking about, Mr. President. They are not like we are here, talking in theory and debating on these things in the abstract. They are on the ground facing the threat that exists. I remind my colleagues that the last time the Clinton administration turned down a field commander's similar request for needed equipment was in Somalia in 1993, and it cost 18 American lives. All they asked for was armored vehicles. For some reason, we felt that was not what they needed. But, in retrospect, we now we know the field commander was right, and Americans died.

I urge General Shalikashvili, the Pentagon, and the policymakers in the Clinton administration to reconsider what is going on here. Our troops in the field are facing a threat. That threat is real. That threat is now. It has been 5 years since the devastating Scud missile attack in Saudi Arabia. We should have no illusions about what we are up against. We know hat we have to do. We should do it and do it now. We have the technical know how.

The only other thing we have that would stand in the way, deterring us from responding to the urgent needs of General Luck and other field commanders, is the money. I have to say, Mr. President, I have said this many times before, I am very much disturbed over what is happening right now. We have an administration that is sending troops all throughout the world—Somalia, Rwanda, Haiti, Bosnia—on humanitarian missions. Then they come back to us for emergency supplementals that we give to them. That is all we need here, to come for an emergency supplemental and give General Luck that which he needs to protect 37,000 American soldiers.

My fear is that people will think that we will forget those 28 Americans who lost their lives. The President may think we will forget, but he is wrong again. Now is the time to reverse that policy of delay in the Pentagon and continue the development of a sophisticated theater missile defense system, and do what is right.

I notice my colleague from North Dakota is on the floor. I yield the floor.

Mr. DORGAN. Mr. President, I was thinking perhaps the Senator from Oklahoma was talking about the proposals for a national missile defense system. Since there is no Senate business pending, I thought it would be a good time to discuss the building of a $48 billion boondoggle called star wars, but you were not talking about that, and this is not the time for that discussion.

Mr. INHOFE. I think this might be an appropriate time to have that discussion because the Senator understands that I am talking here about theater missile defense, which we all agreed we needed when we voted in favor of the second go around on the DOD authorization bill. In addition, as I said, I believe we need to proceed with a national missile defense.

Let me correct the Senator from North Dakota. It is not a $48 billion proposition. We already have a $40 billion investment in the essential elements a limited, but effective, national missile defense system. It would take about 10 percent of that to make the upgrades necessary to make such a system work. For example, we have 22 Aegis ships with launching capability floating today. That technology is here. It is paid for. All we need to do is upgrade it, giving it the capability to penetrate the upper tier so that if a missile does go forth from North Korea, Iran, Syria, Russia, China, or any place throughout the world, we could protect American lives. I think any time is an appropriate time to discuss that.

Mr. DORGAN. I understand the Senator is talking about theater missile defense. We have had robust research and development funds for theater missile defense. I have supported some of that. We have had robust research and development funds for national missile defense. I have supported some of that. What I do not support is this notion that we ought to, on an urgent basis, deploy in 1999 a national missile defense that has a star wars component, a space-based component, multiple sites around the country. If you wanted to waste the taxpayers' money, that is an awfully good way to waste it.

To those who advocate creating now this new star wars or national missile defense system, I would say that if this country were threatened by a rogue nation, Qadhafi from Libya, Saddam Hussein from Iraq, or any other rogue nation, we are far more likely to be threatened by a nuclear device stuck in the trunk of a rusty Yugo parked at the docks of New York City than one delivered by a sophisticated missile. Or it is far more likely we will be threatened from another country by a small glass vial, no bigger than my hand, full of deadly biological agents.

I just think this notion of building an Astrodome over America—and it will cost $48 billion incidentally, for something we do not need—I think we ought to think long and hard before we do that.

Mr. INHOFE. Is the Senator aware that the Taepo Dong missile in North Korea, it is believed, will be able to reach the United States by the year 2002, and actually can reach Alaska and Hawaii by the year 2000? I think that is something which the Senator would agree that our intelligence has indicated would be a threat to the United States in those time limits.

We can talk about all these other things, these social areas in which to invest our money. But if we do not stay on line and finish what we have started, what we have paid for, to develop a national missile defense system, I believe we will regret it. I agree with Jim Woolsey—and certainly Jim Woolsey is not a Republican; he was the CIA Director appointed by President Clinton—when he said our intelligence confirms there are between 20 and 25 nations that currently have, or are in various stages of developing, weapons of mass destruction, either chemical, biological, or nuclear, and are working on the missile means to deliver them.

The Senator from North Dakota is fully aware that such technology is out there, and that many of those countries who want to sell that technology may do so and we might not have any way of knowing what is going on.

Mr. DORGAN. I would say to the Senator, a much greater threat than an ICBM from North Korea is the likelihood that some rogue country will get a hold of an air-launched cruise missile from an air platform not too far offshore, or a sea-launched cruise missile, or a ground-launched cruise missile. That would be a far more likely delivery vehicle to get. The national missile defense system is not going to shoot down cruise missiles.

In any event, we should debate this question of what is an adequate defense for this country, what are the threats, and what do we do to prepare to meet those threats. I do not disagree at all with the contention of the Senator that we should have such a debate.

The difficulty I have is there seems to be a tendency for some to embrace the biggest, most expensive, and broadest possible defense program to respond to a threat. There are many threats to this country, and I think the Senator from Oklahoma and others do a service when they raise on the floor of the Senate a whole series of defense issues and do it in a thoughtful and persuasive way. It is also helpful for others of us who switch roles sometimes and say, ''Wait a second, who are the big spenders now? Where are you going to get all this money?''

We have had some experience with national missile defense. In North Dakota, they built the only antiballistic missile program in the free world's history. It was decommissioned 30 days after it was declared operational. I do not know how many billions of dollars went into that, but it was wasted because the system was closed down. It was closed down within a month after it was declared operational.

I am not suggesting that we should not invest in a lot of these issues. I supported investing $370 million in research and development on the national missile defense system. But when the defense bill came to the floor, and the Senator from Oklahoma and others insisted on increasing that funding by over 100-percent in this year's appropriation, I said, ''Wait a second, where are we going to get the money? Where on Earth are we going to get the money to increase the so-called star wars, as I call it, the national missile defense, as you call it, by over 100 percent in this year and demand it be deployed, early deployment, in 1999?''

The Senator quoted some defense and intelligence folks he knows. The Senator will recall that I held up on the floor of the Senate a chart showing letters from the Secretary of Defense, who thought that funding increase was very unwise. He did not support a 100-percent increase for a star wars program, demanding early deployment in 1999, and suggesting that we use multiple sites on the ground and possibly systems in space. The Secretary of Defense did not support that. He said that was not in this country's interests.

Mr. INHOFE. Will the Senator yield?

Mr. DORGAN. I will be happy to yield.

Mr. INHOFE. First of all, we have talked about this on the floor many, many times. A number of us who are on both the Intelligence Committee and on the Senate Armed Services Committee believe that this threat is imminent and real. If our intelligence confirms that we could be reached by a missile from North Korea within 6 years of right now, this is something to be called to the attention of the American people.

You might say, the big spenders, what are they spending this on? Yes, we were asking for more money to stay on course so we would have a defense system in place by the year 2000 or 2003.

Mr. DORGAN. No, no, it was 1999. If I might reclaim my time, the Senator is mistaken. The legislation that came to the floor of the Senate demanded early deployment by 1999 of a national missile defense system. The way to waste the taxpayers' money is to——

Mr. INHOFE. But that bill, of course, was vetoed by the President. And the President, in his veto message, said we do not need a national missile defense system on the timeline we are talking about. He is talking about 15 years out in the future.

I would ask the Senator, does he remember what Saddam Hussein said during the Persian Gulf war, when he stated that if he could have waited another 5 years, he would have had the missile technology to reach the United States, and that he would not have hesitated to use it? I think there should be no hesitation to conclude that some of the madmen around the world like Saddam Hussein would act the same way.

Then, only 3 weeks ago, in an article in the New York Times, references were made to statements from top Chinese officials concerning direct missile threats on Taiwan. They indicated that they could make such threats with little concern about how the Americans would react because, they said, the Americans are more concerned about protecting Los Angeles than they are about protecting Taipei.

When you get top officials talking like that, you get a sense of what we will be facing in the future. Let us just assume for a minute that maybe you are wrong. Maybe the Senator, who is very knowledgeable, the Senator from North Dakota, might be wrong. What are the consequences? I come from Oklahoma. In Oklahoma, just last April, we had the most devastating terrorist attack in the history of terrorism in this country, in the Murrah Federal Office Building in Oklahoma City. The bomb that went off was a 1-ton bomb, the equivalent to 1 ton of TNT. The smallest nuclear warhead known right now is 1,000 times the devastation of that bomb.

Mr. DORGAN. Let me reclaim my time on that point, because I think the Senator makes the point I am trying to make. Tragically, the terrorist attack in Oklahoma City was a fertilizer bomb. The tragic terrorist attack in Oklahoma City was with a fertilizer bomb in the back of a Ryder truck. Not even a very large one, but large enough to destroy that building and kill so many wonderful Oklahoma people and others. It just breaks your heart to see that happen.

But my point is this. My point is, terrorism does not come, necessarily, as a warhead on an ICBM.

Mr. INHOFE. I agree.

Mr. DORGAN. Terrorism finds its form in dozens of different areas. The Japanese confronted a terrorist attack that could have been of such a nightmare quality that it would have been unheard of previously, with this deadly chemical agent which killed, tragically, a good many Japanese. The human toll of that attack in Tokyo could have actually been much worse than it was. Fortunately, certain circumstances intervened.

But my point is this. There are a lot of rogue nations out there. There are people with the capability to build a nuclear device. There are some with the ability to deliver the nuclear device. You can deliver a small nuclear device in a suitcase these days. You can deliver it with an ICBM. You can put it on a cruise missile. You can drive it in a car. You can plant it in a truck. Or you can create a nonnuclear device, a deadly biological agent, in a very small bottle. There are dozens and dozens of ways to terrorize this country.

One thing that anybody out there ought to understand in this world is this. If a Saddam Hussein or if a rogue country decides to launch a nuclear attack on our country, they would be vaporized instantly. We have intercontinental ballistic missiles with Mark 12 warheads. The fact is, with our combined triad of nuclear power in the sea, nuclear power in the air, nuclear power on the land, anyone who harbors the thought of engineering that kind of attack on our country will understand that they will be gone from this Earth.

That has been what for many years has prevented a nuclear attack on our country. The Senator makes the point that there are other ways to ensure our safety. We can essentially create a catcher's mitt to catch ICBM's that may be aimed at us. The catcher's mitt over America will not catch cruise missiles. But it will not deal with the other elements of terror, including fertilizer bombs or deadly biological agents.

The question is whether we should build this astrodome over America for roughly $48 billion. And it is not a case of spending 10 percent more because we already spent 90 percent. I should mention that the Director of the Congressional Budget Office estimated in July 1995 that the cost of a six-site ground-based national missile defense system would be $48 billion. You go down this road and I guarantee you that you will spend tens of billions of dollars. And at the end you will have not devised a system that gives you any more cause to

sleep better at night than you did yesterday.

Mr. INHOFE. Up until that statement, I suggest to the Senator from North Dakota that we are almost in agreement on a couple of things. We need to do what we can to defend against terrorist attacks, whether it is fertilizers bombs in suitcases and any other way. But just because that is also a threat does not mean we should abandon our national missile system because that threat is there. The Senator talks about what our capabilities are today. The Senator talks about a dome. I am not talking about a dome. I think it is demeaning to the American people to keep using over and over again the statement ''star wars.'' I know the President does that quite often.

Mr. DORGAN. I reclaim my time. This is my time. The reason I use ''star wars'' is because the proposal that the Senator and others pushed is a proposal that——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DORGAN. Mr. President, I really came to the floor to speak for about 5 minutes about an economic task force. I ask unanimous consent that I be allowed to speak for 7 additional minutes, and for the next 2 minutes let us deal with this and let me give the statement I intend to on the economic task force.

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

Mr. DORGAN. The bill the Senator supported last year included both multiple sites on the ground and the possibility of space-based laser systems.

Mr. INHOFE. We are talking right now about going into that position. We have something in space we are concerned about, and that is our satellite technology that warns us in advance 30 minutes before it reaches the United States. If one should come from North Korea, that gives us adequate time. That technology is here now. Brilliant Eyes would tie into our ground-based radar and give us warning so we would be able to project and hit it. But we are not talking about that at this point. We are talking about a bad missile that would reach the stratosphere. We have 22 Aegis ships that we have a tremendous investment in, and I am sure the Senator maybe disagreed with the amount of money that we invested in that to begin with. But it is here. We were in this body at the time that decision was made. They have now those out there floating. We want to get in the position that we can use that investment by having maybe three ships on the east coast and three ships on the west coast to reach into the atmosphere and hit missiles coming toward the United States. That is hardly an umbrella over the United States. But it is common sense—I still contend—that your figures are not accurate. And for approximately 10 percent more in investment than we have already made we could have a system that would defend Americans against missile attack.

Mr. DORGAN. I respect the Senator's views. And he comes with great energy, as do many of his colleagues when we have this discussion on the floor. I will be here when it comes again this year on the Defense authorization bill. I am not suggesting that we ought not be involved in these kinds of questions or issues. I could have supported a level of $370 million of R&D for a national missile defense. I think that is a little high. But the fact is that was in the administration's budget. We agreed with that. We disagreed with adding over 100 percent to that, or increasing by 100 percent.

Interestingly enough, this comes at a time when the workhorse of our strategic defense are still effective. The B–52 bomber, for example, is a wonderful airplane. It has lots of life left. The Air Force does not have enough money. So they are putting B–52's in storage. We are going to draw down that bomber force? Why? Because we do not have enough money to retain the bomber force. You can run 25 B–52's for I think 5 years for the cost of one new B–2 bomber, as I recall.

The tradeoffs here are what I am talking about. I am not suggesting that we should not make good investment to defend this country. I am saying let us make sure that what we are doing represents the right kind of tradeoffs in the things that are necessary for this country's defense in the future.

Mr. INHOFE. I agree. I cannot think of anything more valuable when you are talking about tradeoffs than defending the lives of Americans.

The reason I brought up the thing in Oklahoma City was I was there for the 168 people who were killed, and many were dear friends of mine. The point there is that the smallest warhead known could kill 1,000 times that many. That is a real threat to Americans.

Mr. DORGAN. I understood the point the Senator was making. I think all of us in this Chamber understand the heartbreak and the sadness which was visited on Oklahoma and Oklahoma City and this entire country by that tragedy, by that senseless violence that happened. It maybe in a lot of ways reminds us all again of how fragile things are and how easy it is for someone deranged, or some group deranged, to want to visit great damage on a country, or a region, or a city, or a people. We need to be vigilant about that. But there are a whole range of threats. We need to consider the entire range.

As always, I enjoyed the visit with the Senator from Oklahoma.

Mr. President, thank you for indulging us and sitting and listening to this exchange. But you will hear much of this exchange again when we have the Defense authorization bill on the floor of the Senate.

Mr. President, let me ask unanimous consent that I be allowed to speak for the next 5 minutes.

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

## TASK FORCE ON JOBS

Mr. DORGAN. Mr. President, we had this morning a task force that involved its work on the issue of jobs over in the Dirksen Building.

I and Senator DASCHLE and Senator BINGAMAN from New Mexico, who is chairman of this task force, were a part of it. I wanted to point out some of what we are trying to do.

This issue of Pat Buchanan moving around this country talking about jobs is not an accident. He understands what many of us understand—that the center pole of the tent for the economic debate in this country ought to be jobs. I happen to think Pat Buchanan has a few dark sides to his debate. I do not like some of the influences which I see and some of the references. But the fact is on the issue of jobs, it seems to me, the voters of New Hampshire and others responded to the issue of jobs and economic opportunity. And it is something that we have been working on in our caucus under the leadership of JEFF BINGAMAN now for about a year. Today, we are unveiling a series of recommendations on the issue of creating jobs in our country.

We have an interesting economy in America. America is still a strong country, and a wonderful place. Nobody wants to leave. People want to come here. We have some folks running for the Presidency who I think want to build a fence down there to keep people out of our country. What does that say about our country? It has a lot of problems but it is also a wonderful place and a magnet where a lot of people want to come to. We have an economy, however, where economists measure economic progress by taking a look at car wrecks, heart attacks, and earthquakes. There are economists down at the Federal Reserve who are measuring economic strength by examining car accidents, heart attacks, and earthquakes. Hurricane Hugo added one-half of 1 percent of GDP to this country because this country measures its economic health by what it consumes and not what it produces.

In the long run the question of whether this country has a strong, vibrant, healthy economy will depend on how we produce, what we produce, and whether we have a strong manufacturing base. We have an economic system that has been redefined in our country in recent years by large international economic organizations. And they have redefined it by saying we choose to want to produce. Whether it is to produce and sell in established markets, we choose to access 20-cent an hour labor, or $1 an hour labor, and sell the shoes, or the products from that labor, the shirts, the belts, the cars in Pittsburgh, or Tokyo, or Fargo, or Denver. The problem is that disconnects. That is a global economic circumstance that we probably cannot

change very much in the broader sense but that we address with respect to additional rules because it disconnects the income from the source of production from the consumers who are going to be consuming the benefits, or the fruits of production.

The engine of progress in this country, in my judgment, is how do we create new, good-paying jobs? When people sit at the dinner table at night and talk about their lives as a family, the only question that matters is, ''Are we increasing our standard of living?'' And, regrettably for 60 percent of the American families, the answer is, ''No. We are working harder.'' And over the last 20 years we are making less money, if you adjust it for inflation. There is no Government program, none that is as effective as a good job, or a substitute for a good job, that pays well.

Now, the question is, Why are we losing manufacturing jobs? Why are jobs moving out of our country? Why are jobs going overseas? And what can we do about it?

First, fair trade and fair competition. Our country ought not be ashamed ever to stand up and say we demand fair trade. We expect to compete, but we demand the competition be fair as well. When I was a kid walking to school, I knew every day that our country could win just by waking up; we were the biggest, the strongest, the best, and we could win the economic contest with one hand tied behind our back. But times are different, and we cannot do that today. And we ought to insist that fair competition and fair trade be hallmarks of our economic circumstances in this country.

Second, it seems to me we ought to change our Tax Code. I introduced some legislation, and I am introducing more that says let us stop subsidizing movement of jobs overseas, this insidious, perverse provision in our Tax Code that says, if you close your plant here and move your jabs to a tax haven overseas, we will give you a little bonus. We will give you a tax break. We have already voted on that on the floor of the Senate, and I was unable to pass closing the tax break that says we will reward you if you move your jobs overseas. But guess what. You are going to get a chance on a dozen more occasions this year to vote on the same thing. We ought to shut down the tax breaks in our Tax Code that say to people: Move the jobs overseas and we will reward you.

Third, we ought to provide some basic incentive to create jobs here, and I propose a 20 percent payroll tax credit for those who create new net jobs in this country. Let us shut off the incentive to move jobs overseas and create incentives to create new jobs in this country.

I am not much interested in how many jobs exist in Japan or how many jobs exist in Germany or how many jobs exist in Mexico. I am interested in how many jobs exist in our country. This is an economic competition in which we are involved. It is a competition with winners and losers. It is not a circumstance where everybody wins. It is a circumstance where, if the rules are unfair and the competition is not fair, there are winners and losers. We are losing our manufacturing base in this country, and we can do something about it, the quicker the better. The task force that was headed by JEFF BINGAMAN from New Mexico is a task force that makes serious and specific recommendations that will try to create the incentives to create new jobs in this country—not elsewhere; in this country—in the future. The currency of ideas that are represented by the recommendations of that task force will be a set of ideas we will discuss over and over again in this Congress in 1996.

It will not surprise anyone to understand the anxiety that exists in our country today. People are worried. They know that they are less secure in their jobs. You can work 20 years and be laid off without a blink by some enterprises. Their jobs pay less adjusted for inflation than they did 20 years ago in many cases. So they are worried about fewer jobs, jobs that pay less, and jobs with less security, and they want something done about it that increases the standard of living in this country.

Government cannot wave a wand to make that happen, but the rules and the debate about how you create good jobs and how you stop the hemorrhaging of jobs from our country moving overseas is a debate that we ought to have right here in the center of the Senate.

We are going to have an Olympics in Atlanta in August, and everybody is going to be rooting. We will root for all the wonderful athletes all around the world, but especially we will decide as Americans that those men and women wearing the red, white and blue are our team and we want them to do well. There is another competition that is not on the field of athletics. It is in the field of economics, worldwide economic competition to decide who wins and advances with new jobs and better opportunity and who suffers the turn-of-the-century British disease of long economic decline, who wins and who loses.

Frankly, I want us to have a plan. I want our team to win. I want our team to decide that we will compete and we will win, and we will make sure the rules are fair as we compete. That is the purpose of trying to put together a series of steps that say our intent is to try to encourage new jobs created in this country and try to discourage, through the insidious provisions in our Tax Code, the export or the shipment of good jobs in America overseas. We ought not pay for that. We ought not provide incentives to move jobs elsewhere. I tell you what. Anybody who thinks that makes sense is not thinking. And I hope we will get the Senate to think a lot about that in 1996.

Mr. President, we will be discussing at some greater length the legislation that I have introduced, and we will discuss at greater length the recommendations of the high wage task force of Senator BINGAMAN in the future as well. I look forward to those discussions.

Mr. President, I yield the floor.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER (Mr. DEWINE). The Senator from Pennsylvania is recognized.

## ADJOURNMENT

Mr. SPECTER. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Senate stand in adjournment for 1 minute and that, immediately following the reconvening of the Senate, time for the two leaders be reserved, the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, and that I be recognized as if in morning business.

There being no objection, at 1:06 p.m., the Senate adjourned until 1:07 p.m. the same day.

The Senate met at 1:07 p.m., and was called to order by the Honorable MIKE DEWINE, a Senator from the State of Ohio.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, parliamentary inquiry. For the benefit of those in the gallery and whoever may be watching on C-SPAN 2 and for me, too, we now have a new legislative day.

Would the Chair, without reference to the Parliamentarian, explain the procedural purpose?

The PRESIDING OFFICER. To qualify resolutions to go to committees.

Mr. SPECTER. I thank the Chair and the Parliamentarian, Mr. Dove.

## LEGAL AND ILLEGAL IMMIGRATION APPROPRIATIONS

Mr. SPECTER. Mr. President, I have sought recognition to comment about the immigration bill which is scheduled to come before the Judiciary Committee tomorrow and, first of all, an amendment which will be offered by a number of Senators, including the distinguished Presiding Officer, Senator DEWINE of Ohio, under the leadership of Senator SPENCER ABRAHAM of Michigan, to divide the appropriations bill into two parts, that relating to legal immigration and that relating to illegal immigration.

I think it is important to do so, that the bills have independent status and that there not be an effort made to tie either bill to the other. The bill on legal immigration has no more to do with the bill on illegal immigration than, say, the telecommunications bill has to do with the crime bill. Illegal immigration is a major problem in America.

I picked the telecommunications bill not at random but because the distinguished chairman of the Commerce Committee walked in for a moment.

The bill on illegal immigration is a very important bill. We ought to protect our borders. We ought to take it up, in my view, separately. On the bill on legal immigration, I have already stated my intention to introduce an amendment, but I think it worthwhile to make this statement in the Chamber of the Senate so it will appear in the CONGRESSIONAL RECORD and my colleagues and others will have notice as to what I intend to do.

But the amendment would make the following changes. First it would increase the worldwide level of employment-based visas from 90,000 to 135,000 a year. Second, it would eliminate the fee that employers must pay for each immigrant employee they sponsor, which is now $10,000 or 10 percent of the employee's compensation annually, whichever is greater. Third, my amendment would eliminate the fee that certain employers must pay for each temporary foreign worker that they employ.

Next, it restores the maximum length of the H visa to 6 years and the maximum length of the L visa to 7 years. Next, it restores the ''Outstanding Researchers and Professors,'' which is a category that is exempt from the labor market screening requirement. It also eliminates the requirement that employers must pay foreign workers 105 percent of prevailing wages.

Mr. President, there has been an effort made to limit legal immigration under the general guise of protecting American workers. But I believe this bill is exactly wrong and exactly counterproductive because the kinds of people who are going to be excluded from this bill are Ph.D.'s, scientists, M.D.'s, and those who have great proficiency and capability for adding much to employment potential in this country.

In 1989–90, I sponsored the lead amendment to add people to come in people who were in demand in industry. I did that because the chamber of commerce and the National Association of Manufacturers were interested in that as a job-producing approach. Again, this year, after having meetings with extensive numbers of my constituents in Pennsylvania, both in Pittsburgh and Philadelphia, I have found that there is a tremendous demand for these highly skilled people, and that the people are not available in the United States to take the jobs. Rather than decreasing employment opportunities for American workers, the bringing in of these additional people will increase the employment opportunities.

I also say, Mr. President, that Americans should never lose sight of the fact that this is a nation of immigrants. It is something that I feel particularly strongly about since both of my parents were immigrants.

My father came to the United States at the age of 18, literally walked across Europe from the Ukraine with barely a ruble in his pocket, rode steerage, the bottom of the boat, to come to America for a better life for himself and his family.

My father was a great contributor to the United States. He did not know when he came over steerage he had a round-trip ticket back to Europe, back to France, not to Paris and the Follies Bergere, but to the Argonne Forest, where he served with great pride in the United States Army. He rose to the rank of buck private. I say that somewhat facetiously because my dad was at the bottom of the totem pole in rank but at the top of the totem pole in dedication, loyalty, bravery.

In the Argonne Forest, he sustained shrapnel in his legs, wounds he carried with him until the day he died. But he was a great American, a great contributor to this country. He was an immigrant. If he had been barred from the United States, I would not be in the U.S. Senate today. In fact, I would not be.

My mother, too, came as an immigrant, as a child of 5 with her parents from a small town on the Russian-Polish border. She, too, was a great American, raising a family. My brother, two sisters and I have had the advantage of an education in America and have been able to share in the American dream, as have so many Americans. More than sharing in the American dream, the immigrants have created the American dream. This is a factor that I think has to be borne in mind.

I talked to my distinguished colleague, Senator SIMPSON, about this bill. Senator SIMPSON made the unusual effort of coming to see me twice. When Senator SIMPSON walked in, he said, ''I've been here for lunch frequently with the Wednesday Group, but I never looked at the pictures.'' I showed Senator SIMPSON a picture of Mordecai Shem, my mother's father, who came in 1905, another great American. I showed him a picture of my father in military uniform marrying my mother in St. Joe in 1919.

I said to Senator SIMPSON, ''I'm going to agree with you on just about nothing on this immigration bill.'' I think the future of our country is wrapped up in inviting these highly skilled, highly trained immigrants to create more jobs and more prosperity in America.

## AN OMNIBUS APPROPRIATIONS BILL

Mr. SPECTER. Mr. President, I am optimistic today that the Congress will move forward with an omnibus appropriations bill to cover the departments now not covered in existing legislation. I have been particularly concerned about what has happened to the subcommittee of Appropriations which I have the honor to chair, the Subcommittee on Labor, Health and Human Services and Education. The absence of an appropriations bill in these departments has been very, very, very problemsome.

It has been impossible for the Secretary of Labor to plan on worker safety and impossible for the Secretary of Education to advise various States as to the allocation of their funding. It has been impossible for the Secretary of Health and Human Services to make allocations on very important items, although we have taken some items out like the National Institutes of Health, where we have maintained, again, an increased appropriation on that very important line.

I had scheduled last week a hearing of the three Secretaries to outline the needs of their Departments and to the approaches which they might be able to take. I deferred that hearing because, in the absence of knowing how much the additional funding would be, it was impossible to have that hearing in a meaningful way.

I had been in touch with the Chief of Staff, Leon Panetta, on a number of occasions spreading over several weeks trying to push ahead to see to it that we had an opportunity to construct this legislation well in advance of the March 15 date when the current continuing resolution would expire.

As a matter of fact, I even made an effort to talk to Chief of Staff Panetta when he was traveling with the President recently, when he traveled Friday to Wilkes-Barre, where the President was due to stop to look at flood damage in Pennsylvania, which was very extensive. There is flood damage all over the State, not only with the Susquehanna in Wilkes-Barre, the Lackawanna River in Scranton, and the Susquehanna through central Pennsylvania, very great damage off Dauphin and Cumberland counties, other places, Pittsburgh as well, and western Pennsylvania.

When the President came to Wilkes-Barre, he was scheduled to have Mr. Panetta with him. I thought I would be able to get the facts there. But Chief of Staff Panetta had left the party, so I had a chance to talk with the President about the additional funding. The President was in agreement we needed to do just that.

Yesterday I was advised that there would be an additional $4.5 billion in budget authority, slightly in excess of $1.7 billion in budget outlays, so we can go ahead.

I am looking forward to rescheduling the hearing with Secretary of Labor Reich, Secretary of Health and Human Services Shalala, Secretary of Education Riley, to make a determination as to where those funds ought to be added.

Mr. President, I ask unanimous consent that a copy of my letter to Chief of Staff Leon Panetta dated February 20, 1996, be printed in the RECORD.

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

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
*Washington, DC, February 20, 1996.*

Hon. LEON PANETTA,
*Chief of Staff, the White House, Washington, DC.*

DEAR LEON: I called again this morning to try to find out from you the possible offsets to add approximately $3.3 billion for appropriations for my Subcommittee on Labor,

Health and Human Services and Education. As you know, when we talked the week before last, you expected to be able to identify those offsets by last Tuesday. When I caught up with you on Friday, you thought the offsets could at least be identified by today.

As I had mentioned to you, a Subcommittee hearing has been scheduled for February 21 to hear from Secretary Reich, Secretary Shalala and Secretary Riley to try to structure an appropriations bill which the President would sign with the additional funding.

I believe it is advisable to defer that hearing until we can identify the amount of the additional funding and the offsets so that we can pass a bill in advance of the March 15 expiration of the continuing resolution.

As I have said on many occasions, I think it is very important that we move ahead on these preliminary steps forthwith because I anticipate many controversial issues in the Senate floor debate and then a House-Senate conference which could take considerable time.

As I mentioned to you when we talked Friday afternoon, I had hoped to see you in Wilkes-Barre with the Presidential party, but I understood you had to leave in advance of that stop.

At Wilkes-Barre, I discussed with President Clinton the urgency of identifying these offsets. The President said he had already discussed the offsets with you and agreed on the importance of moving ahead promptly to identify additional funding for these three important departments.

As soon as you can advise me on the additional funding and the offsets, we shall move ahead to reschedule the hearing.

Sincerely,

ARLEN SPECTER.

Mr. SPECTER. In the absence of any other Senator on the floor, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## ORDERS FOR THURSDAY, FEBRUARY 29, 1996

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 11 a.m. on Thursday, February 29, and that immediately following the prayer, the Journal of the proceedings be deemed approved to date, the time for the two leaders be reserved, and that there be a period for morning business until the hour of 12 noon, with Senators permitted to speak therein for up to 5 minutes each, with the following exceptions: Senator MURKOWSKI for 15 minutes, Senator DORGAN for 20 minutes.

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

## AUTHORITY FOR COMMITTEE TO REPORT LEGISLATION REGARDING SPECIAL COMMITTEE ON WHITEWATER

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Rules have until the hour of 5 p.m. today in order to report legislation regarding the special committee on Whitewater.

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

## MESSAGES FROM THE HOUSE

At 1:01 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the amendments of the Senate to the bill (H.R. 2196) to amend the Stevenson-Wydler technology cooperative research and development agreements, and for other purposes.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 1494. An act to provide an extension for fiscal year 1996 for certain programs administered by the Secretary of Housing and Urban Development and the Secretary of Agriculture, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bill:

H.R. 2196. An act to amend the Stevenson-Wydler Technology Innovation Act of 1980 with respect to inventions made under cooperative research and development agreements, and for other purposes.

## ADDITIONAL COSPONSORS

S. 520

At the request of Mr. SHELBY, the name of the Senator from North Carolina [Mr. FAIRCLOTH] was added as a cosponsor of S. 520, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit for adoption expenses.

S. 607

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 607, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify the liability of certain recycling transactions, and for other purposes.

S. 722

At the request of Mr. ASHCROFT, his name was withdrawn as a cosponsor of S. 722, a bill to amend the Internal Revenue Code of 1986 to restructure and replace the income tax system of the United States to meet national priorities, and for other purposes.

S. 774

At the request of Mr. MACK, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 774, a bill to place restrictions on the promotion by the Department of Labor and other Federal agencies and instrumentalities of economically targeted investments in connection with employee benefit plans.

S. 837

At the request of Mr. WARNER, the names of the Senator from Minnesota [Mr. WELLSTONE], the Senator from Georgia [Mr. NUNN], the Senator from New Jersey [Mr. LAUTENBERG], and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of S. 837, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the birth of James Madison.

SENATE RESOLUTION 215

At the request of Mr. LAUTENBERG, the name of the Senator from Michigan [Mr. ABRAHAM] was added as a cosponsor of Senate Resolution 215, a resolution to designate June 19, 1996, as ''National Baseball Day.''

SENATE RESOLUTION 224

At the request of Mr. D'AMATO, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of Senate Resolution 224, a resolution to designate September 23, 1996, as ''National Baseball Heritage Day.''

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DOMENICI (for himself, Mr. NUNN, Mr. DODD, Mr. COCHRAN, Ms. MIKULSKI, Mr. BENNETT, Mr. LIEBERMAN, Mr. KEMPTHORNE, Mr. DORGAN, and Mr. FRIST):

S. Res. 226. A resolution to proclaim the week of October 13 through October 19, 1996, as ''National Character Counts Week''; to the Committee on the Judiciary.

By Mr. D'AMATO:

S. Res. 227. An original resolution to authorize the use of additional funds for salaries and expenses of the Special Committee to Investigate Whitewater Development Corporation and Related Matters, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; to the Committee on Rules and Administration.

## SENATE RESOLUTION 226—RELATIVE TO NATIONAL CHARACTER COUNTS WEEK

Mr. DOMENICI (for himself, Mr. NUNN, Mr. DODD, Mr. COCHRAN, Ms. MIKULSKI, Mr. BENNETT, Mr. LIEBERMAN, Mr. KEMPTHORNE, Mr. DORGAN, and Mr. FRIST) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 226

Whereas young people will be the stewards of our communities, nation, and world in critical times, and the present and future well-being of our society requires an involved, caring citizenry with good character;

Whereas concerns about the character training of children have taken on a new sense of urgency as violence by and against youth threatens the physical and psychological well-being of the nation;

Whereas, more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character, and that character counts in

personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and, therefore, conscientious efforts must be made by youth-influencing institutions and individuals to help young people develop the essential traits and characteristics that comprise good character;

Whereas character development is, first and foremost, an obligation of families, efforts by faith communities, schools, and youth, civic and human service organizations also play a very important role in supporting family efforts by fostering and promoting good character;

Whereas the Senate encourages students, teachers, parents, youth and community leaders to recognize the valuable role our youth play in the present and future of our nation, and to recognize that character is an important part of that future;

Whereas, in July 1992, the Aspen Declaration was written by an eminent group of educators, youth leaders and ethics scholars for the purpose of articulating a coherent framework for character education appropriate to a diverse and pluralistic society;

Whereas the Aspen Declaration states that ''Effective character education is based on core ethical values which form the foundation of democratic society'';

Whereas the core ethical values identified by the Aspen Declaration constitute the 6 core elements of character;

Whereas the 6 core elements of character are trustworthiness, respect, responsibility, justice and fairness, caring, civic virtue and citizenship;

Whereas the 6 core elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the Aspen Declaration states that ''The character and conduct of our youth reflect the character and conduct of society; therefore, every adult has the responsibility to teach and model the core ethical values and every social institution has the responsibility to promote the development of good character.'';

Whereas the Senate encourages individuals and organizations, especially those who have an interest in the education and training of our youth, to adopt the 6 core elements of character as intrinsic to the well-being of individuals, communities, and society as a whole; and

Whereas the Senate encourages communities, especially schools and youth organizations, to integrate the 6 core elements of character into programs serving students and children: Now, therefore, be it

*Resolved*, That the Senate proclaims the week of October 13 through October 19, 1996, as National Character Counts Week, and requests the President to issue a proclamation calling upon the people of the United States and interested groups to embrace the 6 core elements of character and to observe the week with appropriate ceremonies and activities.

Mr. DOMENICI. Mr. President, let me open this by sending a resolution to the desk and asking that it be appropriately referred. It is now sponsored by 10 Senators. It will have the requisite 50 or 60 signatures within a month and thus can get reported out of the Judiciary Committee.

The original cosponsors of this resolution have been consistent supporters of this resolution.

I am very pleased that Senators NUNN, DODD, COCHRAN, MIKULSKI, BENNETT, LIEBERMAN, KEMPTHORNE, DORGAN, and FRIST, as members of the Senate Character Counts Working Group, are again joining me as original cosponsors of this resolution.

This resolution requests that the President of the United States proclaim the week of October 13 through 19 as ''National Character Counts Week.'' I want to discuss with the Senate and those interested in what we say here what Character Counts is all about in our country and what the movement for Character Counts is all about.

I send the resolution to the desk as previously requested, and I ask for its referral to the appropriate committee.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

Mr. DOMENICI. Many exciting and unique character education programs have taken place over this past year. As important, thousands of young people, local and national organizations, schools, parents and citizens have participated in efforts to make their communities aware of the positive benefits of character education.

One example is 12-year-old Carrie Beeman from the Roswell, NM Mountain View Middle School. Carrie will be coming to Washington, DC as 1 of 104 young Americans to be recognized for their service to their communities in the national Prudential Spirit of Community youth volunteer awards program. She received a $1,000 for her work in the Chain of Character contest by helping organize and selling 14,000 chain links to raise funds for the local character education efforts in Roswell. By calling businesses and other interested citizens, she helped raise $400 for her school's student council and $2,000 for her town's local Character Counts program.

Carrie's effort personifies the great national grassroots movement to support character programs: No matter the age, everyone can participate at the local level to help promote good character in their schools and in their communities. All of us in New Mexico who are working at the local and State level to promote character education programs are very proud of Carrie and are deeply appreciative that the selection committee for the Prudential awards recognized her fine efforts.

There are many reasons why the character education movement is gaining such momentum, and let me mention just a few that bear attention.

First let me talk about violence on television and a recent study of that. Let me take a couple of moments of time to talk about this to the Senate.

A recent comprehensive study commissioned by the National Cable Television Association—National Television Violence Study—articulates some disturbing statistics. Among the study's finding were that: Perpetrators of violent acts on TV go unpunished 73 percent of the time; 47 percent of all violent interactions show no harm to victim, and 58 percent depict no pain. Longer term consequences—such as financial or emotional harm—were shown only 16 percent of the time; few programs containing violence, just 4 percent, emphasize nonviolent alternatives in solving problems.

As depicted on television, violence inflicts little pain and minimal consequences for actions that hurt, maim, and kill. Such actions glamorize abhorrent behavior that shouts ''it's OK'' to be irresponsible, dishonest, and violent. Responsibility, respect, or caring apparently do not have enough public appeal to ensure high viewer ratings.

Another example of why so many are concerned about the values of America is the findings of a 3-year study just completed by the Josephson Institute of Ethics for their 1996 Report Card on American Integrity. Anonymous, written surveys were administered nationally in schools and during various programs conducted by the institute that included responses from 5,740 high school students, 2,289 college students, and 3,190 adults not in school. Basically, the survey revealed that very high percentages of young people, as well as adults over 25, have fallen into such habits as lying, cheating and stealing. For example: 42 percent of high school male respondents and 31 percent of high school females said they had stolen something from a store within the previous 12 months; nearly half the high school males and one-third of the high school females—41 percent of high-schoolers overall—said they would lie if they thought it necessary to get or keep a job; 1 in 4 adult respondents, 2 of 5 collegiate respondents, and over half the high schoolers said they would or probably would lie about their debts to get a badly needed loan; and more than half the males and one-third the females said it is sometimes justified to respond to an insult or verbal abuse with physical force, with nearly half of all high school respondents saying they had struck another person or used physical force within the previous year.

And, adding another dimension to these findings, it is likely that the real percentage of those actually engaging in dishonest conduct is higher than that reflected in the Josephson Institute's study. Why? Because 41 percent of high school respondents, 37 percent of collegiate respondents, and 25 percent of those respondents not in school admitted to giving a dishonest answer to at least one or two survey questions.

Just these two studies alone suggest that good character habits are not being emphasized or practiced by significant numbers of young and adult Americans. At the same time, the Josephson Institute's survey showed that 96 percent of not-in-school adults said that being ethical in all aspects of their lives is very important, but only 64 percent of the high schoolers said they place such a high value on ethics. I would suggest that while the high schoolers numbers are not nearly as high as they should be, at least there is acknowledgment that being ethical is desirable and important.

I do not believe that America is made up of liars, cheats and thieves. In fact, I believe that most Americans want to do well by their fellow citizen. At the same time, exemplary behavior is not a genetic trait—it needs to be taught. Being responsible, caring, honest, or trustworthy needs to be reinforced by parents, schools, community organizations, and adults. This is what we mean by character education. And, it takes everyone's participation to make it work.

Mr. President, about 3½ or 4 years ago, as I stated here on the floor before, a group of Americans from all walks of life—from various religions, from commerce, from labor organizations, housewives—met in Aspen, CO. They issued a declaration, which is now known in some parts as the Aspen Declaration. The Aspen Declaration is the result of 3½ days of intensive evaluation by this broad spectrum of Americans.

The conclusion that they reached is that there was a serious shortage and diminution of basic character among the American people which was frightening, and in particular they were frightened about what was happening to young people, who did not seem to have any values nor any idea of what character was all about.

The conclusion of the declaration was that we should promote across America what is now known as ''the six pillars of character.'' There are many organizations and many institutions who are looking at character building.

We chose here in the Senate to pass a resolution 2 years ago—and it has been done 2 years in a row—asking Americans to recognize for 1 week in October a week promoting Character Counts. While for many of us we have gone further, there are no laws to be passed. This is not a legislative function. But many of us have chosen to exercise our leadership in conjunction with others to establish in our communities, or our States, the idea that a community and the schools should be part of promoting Character Counts.

There are six pillars of character, the six words that are being used across this land, in our schools, in businesses, in institutions like the YMCA, and myriad organizations: ''Trustworthiness,'' that is a root word that carries with it such things as honesty, integrity, living up to your commitments; and the words respect, responsibility, fairness, caring, and citizenship.

While the ultimate goal of these six principles is being celebrated in parts of America, it is catching on and taking hold more than anywhere else in the schools of America. I will just tell you, Mr. President, in New Mexico, on a volunteer basis, without a mandate, we now have 11 communities and 2 counties that have adopted Character Counts as community goals with an emphasis on the six pillars.

I say to my friend who will speak soon, who is an advocate of Character Counts, there are now scores of public schools in New Mexico. You can tell whether they are a Character Counts school because if you drive by and if they have anything out front that indicates messages about the school, you will find on that message board the character of the month, and you will see up there ''responsibility.'' You can then find out and be assured that if you attended that public school for that month in all the classes, be it math, English, geography, or whatever it is in the grade schools, you will find teachers have been empowered to insert into the classroom that word ''responsibility.''

It is a marvel to observe, to go to a school and talk with the teachers who have been empowered on a volunteer basis to promote as part of their education mission character and the six pillars of character. There are innovative ways of involvement that are occurring, but let me suggest that we have not yet received in my State and a few States I have visited, any objections from the adult community to promoting these six pillars of character.

Now, is there going to be an objection raised to trying to define ''trustworthiness'' and get it across to our young people? Is there going to be an adult objection to ''respect,'' to ''responsibility,'' to ''fairness,'' to ''caring,'' to ''citizenship''? We have found nothing.

So what we have done by using the Aspen Declaration and the current idea of six pillars of character is to open the window and let into our public schools, if they want to, on a volunteer basis, principal by principal, empower our teachers to bring into the classroom some very fundamental things that most Americans are excited to think about. There is much being said about anxiety in the current political campaign, and I submit there may very well be the anxiety spoken of about jobs and whether or not jobs are in jeopardy because of a changing American economy, but there is another anxiety that is very big and very powerful, and it is the anxiety of adults over what is going to happen to our children if somehow or another values or pillars of character are not brought into their lives to compete with the bombardment of ideas coming from whatever source young people are currently subject to, from television to what they see and what they read. And ultimately in a State like mine, we have concluded that you need to bring adults and kids together and you need to have adults concerned about the same six pillars of character which I have repeated now several times in this Chamber.

In our State, it is contagious. Teachers have gone to classes to get the basic principles of how you promote these in the classroom. They have been given that education free by various groups that have raised money. They have all committed to teach another teacher. And the work, how they put this together, is beginning to evolve with little direction from the national organization which is more like an umbrella. This is all going to be done locally by schoolteachers and principals and boards of education and business leaders who want to change the character of the community. It is exciting. It is not the answer to everything, but it is a start. I am certain the Senate and the House will once again declare the week as Character Counts Week, but it is more interesting to note that from that seed a few years ago, a number of Senators and Congressmen have decided to work with mayors and Governors to begin to promote not 1 week but all year long, not 1 day but every day in the classrooms of our schools one of these pillars of character to be brought into the common language of the children and their daily experience. The innovativeness of teachers who are empowered to do this is absolutely magnificent. They are out there with new and better ideas on how to instill such a thing as responsibility in young people, or such a character trait as fairness, or such a quality as trustworthiness. It is truly exciting.

Actually, in our State, in the city of Albuquerque and its public school system, the largest in the State by far, it has been approved by the board of education and they say any principal and school that wants to do it, do it. We have gone down to two other areas next in size, the county where the principal city is Las Cruces and they are starting it, in the county of Dona Ana. The adults get together from all walks of life under our format and start a council. The schools are then involved, the churches are involved, and other organizations.

I do not want to overstate the case because this is a complicated world that our young people are being raised in. It is a fearsome and frightening world for young people. Some around here know I raised a very large number of children. I have eight, the youngest of which, twins, are 28. I am quick to say to groups that they would have a very difficult time today, much more difficult today than even 15 years ago. The pressures are enormous.

This Character Counts idea, this idea of promoting the six pillars and getting them out there as a buttress to the disorder that is around our children, is exciting. There are many comparable things occurring, and by these comments I do not mean to belittle any others. But it works. Character Counts education works.

As experience has shown in my home state, New Mexico, character education can be embraced by the young and old and the public and private sectors in a way that transcends political, cultural, religious, and socioeconomic differences. Because like our Federal deficit, what I would call a national ''character deficit,'' transcends all differences. And, as I know we can and must bring our Federal books into balance, we can and should work to end

our national character deficit, especially among our younger citizens.

In New Mexico, I am proud to say that Character Counts is growing by leaps and bounds. The State of New Mexico received one of the four grants from the Department of Education to States to develop character education pilot programs. This pilot program came about as a result of an amendment we offered last year to the Elementary and Secondary Education Act, and I thank my good friend and colleague Senator DODD for his assistance in helping pass this amendment. The communities of New Mexico want character education and they have brought it into their schools, local social and civic organizations, city governments, churches, and parent-teacher organizations to develop Character Counts community programs.

There are 11 cities and 2 entire counties who have adopted the program, with 3 more on-line to start-up in a few months. These efforts consist of leadership councils that develop programs that encompass every aspect of community life to reinforce the Character Counts message. The schools develop their curriculums to accommodate character training in each class; there are billboards on the streets that proclaim the support and importance of the program; there are public events to raise money to support the programs; and there are media events to publicize the programs. Let me cite just a few examples of activities in New Mexico. I just received a letter from the University of New Mexico's Department of Intercollegiate Athletics. I ask unanimous consent that a copy of their letter be printed at the end of my remarks.

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

(See exhibit 1.)

Mr. DOMENICI. The Department has many plans to emphasize the Character Counts Program by promoting the messages on the university arena message boards for the men's and women's basketball games, putting the message on marquee boards on our major highways, and through public address announcements at the basketball, baseball, and softball games.

A letter from Janice Argabright, the teaching principal of the San Antonio Elementary School, who said:

> We stress a family atmosphere at our school where we all help each other. Many of our students are farm/ranch kids, who have many chores to do after school. We would like to continue to instill these values. We recently began the Character Counts Program in our school. The parents and students applauded this action. Our Social Studies teacher has been going over the six fundamental core elements of good character. In fact, the students do character analysis on certain prominent people and TV role models. They found out that Bart Simpson isn't so cool after all.

Moreover, the San Antonio Elementary School incorporated this Character Counts in the DARE program and as the principal said, the students saw the words every day and practiced them and they came to ''understand the meanings and the traits that show a person of character.'' As an attachment to the letter, the students signed an invitation to come visit their Character Counts Program, even though they knew I was very busy in Washington, DC. I ask unanimous consent that a copy of this letter be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. DOMENICI. The ethics officer for the Sandia Laboratory in New Mexico, John Dickey, sent out a message to the employees seeking volunteers who are interested in introducing Character Counts to kids ages 2 to 12 in their churches, social clubs, and community activities. Within 48 hours, Mr. Dickey received 36 responses from employees who offered their help.

The Association for Supervision and Curriculum Development held its State conference for educators in Las Cruces. The theme of the meeting was ''Character Education for Entire Communities.'' And, the New Mexico State Education Department is conducting character education and Character Counts in a series of four 1-day workshops throughout the State.

The Albuquerque public school system is instituting middle school athletic programs. Character Counts is being used as the underlying basis for this citywide athletic program as coaches and referees are hired and players recruited. The Character Counts logo will be displayed on the sports uniforms.

Terry Linton of the State Referees Association instituted a ''Character Counts Code of Conduct'' for players, parents, coaches, and referees. This code will be instituted into the local soccer and little leagues.

Last year, Character Counts in Chavez County, NM, was featured on a nationally televised program with Peter Jennings entitled ''Children First—Real Solutions for Real Problems.'' As a result of the outstanding success of the Roswell and Chavez County efforts, over 1,000 telephone calls flooded into my local office from all over the country and Canada about how to set up a communitywide Character Counts Program.

Mr. President, Character Counts in New Mexico is a statewide and communitywide effort. This is a program that has unbelievable energy because everyone that hears about it believes in it and wants to make it work. This is a program for our children with thousands of committed adults working to make it a reality. This is the best example of grassroots dedication and participation I have seen in many years.

As in the past years, I urge my colleagues to join us in cosponsoring and passing National Character Counts Week. It supports America's children, families, and the entire community. It is one of the best things we can do to encourage and promote something that is good and right.

EXHIBIT 1

LOBOS,
THE UNIVERSITY OF NEW MEXICO,
*Albuquerque, NM, February 21, 1996.*

MARTY WILSON,
*APS Coordinator for Character Education, Albuquerque Public Schools, Albuquerque, NM.*

DEAR MARTY: I am pleased to inform you that the University of New Mexico Department of Athletics is extremely excited and willing to help promote the Character Counts program. In response to your request for our participation, the Department of Athletics, as of February 13, 1996, is supporting this program by running messages on the following advertising/promotional vehicles:

(1) University Arena Message Boards (UNM Men's & Women's basketball games).

(2) Marquee Board on University & Stadium Boulevards.

We are also mentioning this program through public address announcements at:

(1) UNM Men's basketball games.
(2) UNM Women's basketball games.
(3) UNM Men's baseball games.
(4) UNM Women's softball games.

This is a tremendous program that we are pleased to support and we hope our efforts will help to communicate the message of the Character Counts program within our community. Please contact me if there is any way we can help to further promote this program.

Sincerely,

SEAN JOHNSON,
*Assistant Marketing Director,*
*UNM Athletic Department.*

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EXHIBIT 2

SAN ANTONIO ELEMENTARY SCHOOL,
*San Antonio, NM.*

Senator PETE DOMENICI,
*Sunbelt Plaza Complex,*
*Las Cruces, NM.*

DEAR SENATOR DOMENICI: San Antonio Elementary is a small rural school located in San Antonio, New Mexico, about 75 miles South of Albuquerque, New Mexico. The population of our school averages about 80 students, Kindergarten thru Fifth Grade. We stress a family atmosphere at our school, where we all help each other. (You visited our school about 8 or 9 years ago). Many of our students are farm/ranch kids, who have many chores to do after school. The community of San Antonio still believes in the ''family''. We would like to continue to instill these values. We recently began the Character Counts Programs in our school. The parents and students applauded this action. Our Social Studies teacher has been going over the six fundamental core elements of good character. In fact, the students do character analysis on certain prominent people and T.V. role models. (They found out that Bart Simpson isn't so cool after all).

Our school emphasizes the good in all. We try to build self-esteem in each student. We do this through different programs, like the D.A.R.E. (Drug Abuse Resistance Education) program. The students have even painted pillars with the 6 core elements—Trustworthiness, Respect, Responsibility, Fairness, Caring and Citizenship in our hallway. The students thought that if they saw the words everyday, they would practice them. They have come to understand the meanings and the traits that show a person of character.

We would very much like to have you visit our school in the near future to foster Character Development in our students. It would

mean so much to them to have someone in your position visit. It would also be nice to have a representative from the Character Counts Coalition visit. I read a while back that Tom Selleck visited an Albuquerque Elementary school with you. San Antonio Elementary School is just as important!

Sincerely,

JANICE ARGABRIGHT.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I commend the Senator from New Mexico for the substantial amount of leadership he has provided on Character Counts for some long while now.

I had a friend ask me, ''What province is it of the Senate to be teaching about pillars of character? That is not the job of the Senate.'' I said, ''No, that is not the job of the Senate. It is the job of everyone in this country. Every single American, especially every single American parent, ought to be preaching the pillars of good character.''

I have a couple of young children, so I know firsthand how difficult it is for children to navigate through the influences of today's popular culture, trying to understand what is right and what is wrong. And there is nothing that is more important to children than example, the example set by their parents, the example of their neighbors, their community, their churches, and so on. Sadly, the evidence is all around us that our children apparently do not have the good examples they need. There is coarser language. There is more violence. There is more truancy. There seems to be less respect.

I am not going to describe all of the villains that cause that. Much of it is, I assume, caused by a lack of attention at home and a lack of good example. George Will wrote a column this past Sunday, titled ''With 'Friends' Like These . . .'', in which he described the dialog on the popular Thursday evening show ''Friends,'' which is shown at a time when children are watching. I ask you, look at the language in this television show and then ask yourself, what is a 12-year-old or 14-year-old to make of popular culture that sends them these messages?

I wrote a letter in October to the president of a television network in America. I was prompted to write because, the night before, our television had been tuned in to the most popular sitcom. During that television program, which showed at 9 o'clock here in Washington, but at 8 o'clock in my home State of North Dakota, when presumably a lot of children would be watching, they used the full word that is abbreviated by SOB 12 times during the half-hour program.

I was so angry about this that I wrote to the president of the network and received a letter back from him; I wrote back and received another letter, and I have since talked to the president twice at various meetings. I asked him, by what standard do you decide to send this into living rooms across the country at a time when children are watching television? What has happened that says to us that it is all right to entertain adults even if it hurts our kids?

I have been more interested in television violence and in fact, I have introduced legislation along with the Senator from Texas, Senator KAY BAILEY HUTCHISON, to address this problem. But I am also concerned about language and other things, especially on television, that say to our children that it is all right to be a smart aleck and all right not to be respectful and all right to use this kind of language.

I worry a lot about that. So I simply say what all of us are saying with this resolution, that character does count. Those organizations that are involved in the Character Counts effort have taken the Aspen Declaration and said, here are the pillars of character that should be valued in our country. We want everyone in our country—parents, teachers, churches, business leaders—to be working to try to teach these pillars of good character.

Those who say that this is not the Government's job are right, this is everybody's job. This effort is not about legislation. It is not about creating rules. It is not about saying to anyone, ''Here is what the Government thinks.'' It is about encouraging the teaching by everyone of the pillars of good character.

The Senator from New Mexico described what those pillars of good character are. But let me just mention them again because I do not think we can mention them often enough—trustworthiness, respect, responsibility, fairness, caring, and citizenship.

Over the last 30, 40, 50 years things have changed a lot. Kids in America used to watch ''Leave It To Beaver'' on television. Now it is ''Beavis and Butthead.'' Compare the contents of these two programs and ask yourself, what are our children listening to? What kinds of things are they seeing? What are they learning about the way adults act and think and behave? And then ask yourself, is there not a reason for all of us to want to support and welcome the efforts of the Senator from New Mexico and the many groups that are promoting the teaching of the pillars of good character?

This effort asks parents and teachers and everyone in this country to care a little more about what our kids are hearing and seeing and to suggest to school leaders and others that teaching the pillars of good character will build a better country.

Mr. President, I know there are others who want to cosponsor this resolution. And I will end as I began by thanking the Senator from New Mexico for providing leadership on this issue here in Congress. But the issue did not start here. The issue started with some thinkers and some concerned people around this country who got together and evaluated the problem, and developed a solution in which we to try to create and nurture an environment for teaching the pillars of good character. Let me congratulate all of these leaders and pledge my support and continued work to further their efforts.

Mr. DODD. Mr. President, I am pleased to join with the distinguished Senator from New Mexico and a bipartisan group of my colleagues in cosponsoring this Senate resolution designating October 13–19 as National Character Counts Week.

This morning, like every morning before it and every morning to come, young Americans are headed off to learn their three R's—reading, writing, and arithmetic—in our Nation's schools. But as we know, the school day involves more than just the transmission of facts or the relaying of concepts. It's also about character. In the best classrooms in America our children are given the opportunity to learn and practice basic character traits such as sharing, cooperation, and respect.

The Character Counts initiative calls on all Americans to embrace the development of six attributes—trustworthiness, respect, responsibility, fairness, caring, citizenship—as a fundamental aspect of our children's education and as a critically important means of strengthening our Nation. The lessons our young people learn as children are the ones that will stay with them the rest of their lives. As Eleanor Roosevelt once said: ''Character building begins in our infancy, and continues until death.''

We live in a time when teenage pregnancy and juvenile crime are spiraling out of control. A recent poll suggests that two-thirds of Americans believe most people can't be trusted, half say most people would cheat others if they could and in the end are only looking out for themselves. These statistics and the seeming erosion in the basic norms of civility, even among our Nation's children, are ample evidence of the need for programs that promote character development.

No one would argue that Character Counts is a panacea for these complex problems. First and foremost, we need better education, stronger families, and healthy doses of individual responsibility.

Clearly the primary obligation for the building of our children's values and belief systems lies with our Nation's families. There is only so much government can do. But, with parents being forced to spend more and more time out of the house, our Nation's schools can and should play a positive role in helping to build character among America's children.

There is nothing inappropriate or heavy-handed about teaching character in our schools. These programs don't impose morality or any one group's world view. These programs teach honesty, courage, respect, responsibility, caring, citizenship, and loyalty, attributes that I believe all Americans agree upon.

These principles transcend religion, race, philosophy, and even political affiliation. For those Americans who

share the goal of energizing our democracy and strengthening our Nation's character these initiatives are simply common sense.

What's more, these programs garner tangible benefits. In Connecticut, the Southwest Elementary School in Torrington implemented a character education program in September and has already seen positive results from its students. Attendance is up, students are more respectful toward their teachers and school administrators are convinced that Character Counts is responsible. The school engages parents in the effort, who along with educators and the students themselves, love the program.

While character education may not be a magical solution to all America's problems, it represents a positive effort to make a real difference in our children's lives. Character development programs for our children strengthen our lives, our communities, and our Nation as a whole.

I commend my friend and colleague from New Mexico for all of his work in this area. And I invite all my colleagues from both sides of the aisle to join us in supporting character education as a vital means of molding better individuals, strengthening families, and creating a responsible American citizenry.

Mr. FRIST. Mr. President, I rise today to join my colleagues, both Republican and Democrat—and especially Senator DOMENICI—in submitting this year's resolution to designate the week of October 13 through 19 as Character Counts Week.

The Character Counts Coalition is gaining momentum across the country, and I am proud to be a part of that effort.

With core members such as the American Red Cross and the Boys and Girls Clubs of America, Character Counts now includes over 80 member organizations whose efforts are reaching more than 40 million children, educators, and youth development professionals.

Mr. President, the Character Counts movement—which emphasizes trustworthiness, respect, responsibility, fairness, caring, and citizenship—seeks to teach the core elements of good character to our Nation's young people.

In today's world of widespread abortion, rape, divorce, illegitimate births, and violent crime, such a movement has never been more timely.

In my home State of Tennessee, many citizens have joined the call for character renewal.

In the Franklin and Bradley County school systems, my friend, Mr. Skeet Rymer, has responded the Lessons of Life essay program, based on a model developed by Mr. John Templeton of the Templeton Foundation.

In that program, students write essays examining their own lessons of life, and develop values that will lead them to fulfilled and productive lives.

Reactions from teachers and school board members, such as Lois Taylor, show just how important this program is. She tells us that through the essay contest, students learn to identify their own values and to lay the foundation for good choices throughout their lives.

Another teacher, Janis Collins says, ''I just can't sing the program's praises enough.'' The Templeton Lessons of Life Essay Scholarship contest is just one example of the conscientious effort Tennesseeans are making to educate young people on the importance of moral decisionmaking and conduct.

Mr. President, I also want to commend the city of Greeneville, TN, which has put together a character education program featuring 10 community virtues: self-respect, respect for others, perseverance, courtesy, fairness and justice, responsibility, honesty, kindness, self-discipline, and courage.

Greeneville's character education team—concerned teachers, principals, parents, ministers, school psychologists, and education board members—asked themselves what kind of qualities they would like their students to have, and they have volunteered their time to make sure these characteristics are nourished.

I think that the good people of Greeneville have shown the kind of character—the kind of selfless giving—of which America needs so much more.

Mr. President, Tennesseeans have joined the national effort to save our children from the moral decay we see all around us because they recognize that the only way to preserve this great democracy—this system that requires so much from each of us—and our American way of life, is to instill virtue and moral fortitude in the next generation of Americans.

This will not happen without our effort, and without the incredible leadership of movements like Character Counts. Again, I commend Senator DOMENICI, and all those who are working so hard, to make character count once again in the United States of America.

## SENATE RESOLUTION 227—ORIGINAL RESOLUTION REPORTED FROM THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. D'AMATO, from the Committee on Banking, Housing, and Urban Affairs, reported the following original resolution; which was referred to the Committee on Rules and Administration.

S. RES. 227

*Resolved,*

**SECTION 1. FUNDS FOR SALARIES AND EXPENSES OF SPECIAL COMMITTEE.**

There shall be made available from the contingent fund of the Senate out of the Account for Expenses for Inquiries and Investigations, for use before, on, or after February 29, 1996, by the Special Committee to Investigate Whitewater Development Corporation and Related Matters (hereafter in this Resolution referred to as the ''Special Committee''), established by Senate Resolution 120, 104th Congress, agreed to May 17, 1995 (as amended by Senate Resolution 153, 104th Congress, agreed to July 17, 1995) to carry out the investigation, study, and hearings authorized by that Senate Resolution—

(1) a sum equal to not more than $600,000—

(A) for payment of salaries and other expenses of the Special Committee; and

(B) not more than $475,000 of which may be used by the Special Committee for the procurement of the services of individual consultants or organizations thereof; and

(2) such additional sums as may be necessary for agency contributions related to the compensation of employees of the Special Committee.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 9:30 a.m. on Wednesday, February 28, 1996, in open session, to review the role of the Department of Defense Joint Requirements Oversight Council [JROC].

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

COMMITTEE ON FINANCE

Mr. SPECTER. Mr. President, the Finance Committee requests unanimous consent to hold a hearing on the administration's views on the bipartisan proposal of the Governors' on welfare and Medicaid on Wednesday, February 28, 1996, beginning at 10 a.m. in room SD–215.

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

COMMITTEE ON THE JUDICIARY

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, February 28, 1996, at 2:15 p.m. in SD–226 to hold a nominations hearing.

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

COMMITTEE ON THE JUDICIARY

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Wednesday, February 28, 1996.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet in executive session during the session of the Senate on Wednesday, February 28, 1996, at 9 a.m.

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

COMMITTEE ON SMALL BUSINESS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate for a hearing on Wednesday, February 28, 1996, at 9:30 a.m., in room 428A of

the Russell Senate Office Building, to conduct a hearing focusing on S. 917 and S. 942—White House Conference on Small Business: Paperwork Reduction and Regulatory Reform Recommendations.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. SPECTER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, February 28, 1996, at 9:30 a.m. to hold an open hearing on intelligence matters.

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

SPECIAL COMMITTEE ON AGING

Mr. SPECTER. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on Wednesday, February 28 at 9:30 a.m. to hold a hearing to discuss mental illness and the elderly.

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

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY AND GOVERNMENT INFORMATION

Mr. SPECTER. Mr. President, I ask unanimous consent that the Subcommittee on Terrorism, Technology and Government Information of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Wednesday, February 28, 1996, at 9:30 a.m., in the Senate Dirksen Building room 106 to hold a hearing on legislation to combat economic espionage.

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

SUBCOMMITTEE ON YOUTH VIOLENCE

Mr. SPECTER. Mr. President, I ask unanimous consent that the Subcommittee on Youth Violence of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Wednesday, February 28, 1996, at 10 a.m., in the Senate Dirksen Building room 226 to hold a hearing on ''the changing nature of youth violence.''

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

## ADDITIONAL STATEMENTS

### NATIONAL AUTISM AWARENESS MONTH

● Mr. DOMENICI. Mr. President, I have long been active in issues of importance for individuals suffering from a mental illness or disability. Through my efforts in this area, I have become familiar with the vast spectrum of these disorders, and I have found that we as a society have much to learn about both the causes and cures for these illnesses. Knowledge of the medical conditions underpinning these disorders has only recently begun to make progress by leaps and bounds, and I fear that public awareness and knowledge has not grown in step. Because society is still unfamiliar with these advances, an aura of fear and suspicion persists with regard to any one of the illnesses or disorders which afflict so many Americans. It is because of this widespread lack of knowledge and understanding that I rise today in recognition of the Autism Society of America's designation of January as ''National Autism Awareness Month.''

Autism is a neurological disorder that interrupts the brain's ability to process and understand information. Nearly 400,000 Americans suffer from this disorder, making it more prevalent than Down's syndrome or muscular dystrophy.

Autism is a complex, spectrum disorder that manifests itself in many ways. Symptoms and characteristics present themselves in a variety of combinations, and no two children or adults are affected in the same way.

Autism is not curable, but it is treatable. Many types of treatments have proven effective in combating this disorder, and improvements are being discovered every day.

A generation ago, nearly 90 percent of those suffering from autism were placed in an institution. Today, group homes, assisted living arrangements, and home care are much more common. Thanks to the Individuals With Disabilities Education Act, many children with autism receive appropriate education and go on to become contributing members of the work force.

In April 1995, in response to direction from Congress, the National Institutes of Health [NIH] held a State-of-the-Sciences Conference on Autism. Conference participants included scientists, clinicians, and parents. The conference highlighted how far we have come in diagnosing and treating autism, but also illuminated how far we have yet to go. National Autism Awareness Month is designed to bring attention to these issues, and seeks to further the Nation's understanding of this complicated and debilitating disorder. I fully support the Autism Society of America's designation of January as National Autism Awareness Month, I share their goal of teaching America more about this disorder, and I welcome my colleagues' support as well.●

### AID'S INTERNATIONAL FAMILY PLANNING PROGRAM

● Mr. LEAHY. Mr. President, about a month ago when we passed the last continuing resolution, I spoke about the damage a provision included in the CR by the House of Representatives would cause to our international family planning programs. Senator HATFIELD, the chairman of the Appropriations Committee, also spoke at that time. We both expressed real concerns about what the House had done, and the effect it would have on the lives of millions of couples around the world especially women.

We also pointed out that the House had essentially handed us a fait accompli, since it recessed immediately thereafter and our only alternative to passing what they sent us in the form they sent it was to close down the Federal Government again. We passed the CR under protest, and I have been very encouraged by the strong stand the chairman of the Appropriations Committee has taken on this issue. He has always been a strong opponent of abortion, but he has also supported family planning and has made the point as eloquently as anyone that the way to reduce the number of abortions is to give couples the means to avoid unwanted pregnancies.

I am not going to repeat all that I said back then. Suffice it to say that as a result of the House action, millions of couples will be denied family planning services, including contraceptives, who want them, need them, and have no other access to them. It does not take a genius to realize that the result will be many more unwanted pregnancies, and many more abortions. In the countries where these family planning programs are carried out, abortion is often unsafe and the incidence of maternal death is alarmingly high.

I cannot believe that was the intent of the authors of the House provision, but how they could have failed to anticipate that result is beyond me. I can only conclude that they do not want the U.S. Government to provide assistance to couples who want to limit their number of children, even though these people want the assistance and many of them live in countries where millions of people go hungry each day.

A February 16, 1996, article in the Baltimore Sun made this same point. Not only does it discuss the steps AID Administrator Atwood has taken to improve efficiency at his agency, it notes that Congress rewarded him by cutting several hundreds of millions of dollars in AID's budget, cuts that I opposed. It cites the example of AID's family planning program, and points out that what the House has done will not only hurt mothers and infants, it will increase the very redtape Congress has been urging AID to cut.

As the article indicates, once again ideology won out over common sense. That seems to be a recurring theme around here.

Mr. President, I ask that the article be printed in the RECORD.

The article follows:

[From the Baltimore Sun, Feb. 16, 1996]

AID LEARNS THAT GOOD DEEDS DO NOT GO UNPUNISHED

(By Sara Engram)

When the Clinton Administration preached ''reinvention'' of government the State Department's Agency for International Development (AID) heeded the call.

Along with the Federal Emergency Management Agency, AID became one of two federal ''reinvention laboratories'' where all the talk about more efficient more effective and less costly management turned into reality.

AID has shed some 70 senior level positions, each paying about $100,000 a year. It

has slimmed total staffing levels by 16 percent—from 10,800 people to 9,050. It has cut regulations by 55 percent, cut the time it takes to award competitive contracts from a year to 150 days, cut project-design time by 75 percent and overhauled its program operations, procurement, accounting and budget procedures.

VIRTUE IS ITS OWN REWARD

And what thanks does it get for doing more with less?

A whopping budget cut, along with potentially devastating restrictions on some programs.

The saga of the 1996 AID budget is one of the grimmer tales of the budget stand-off. The agency never expected an easy ride, given the Republican-controlled Congress' zeal for slashing the budget and the difficulty of defending aid to other countries when we have plenty of poor, homeless and hungry people right here at home.

But the fact is that foreign aid is crucial to advancing U.S. interests around the globe and to making the world a safer place. From nurturing economic activity that raises living standards and slows the rate of illegal immigration, to helping emerging democracies set up a system of law, to providing medical care and family-planning assistance to countries with burgeoning birth rates and high rates of infant and maternal mortality—the agency's programs plant seeds that, eventually, can help forestall political unrest or hostilities that spill over into wider wars.

TINY SHARE

Foreign aid is a tiny share of the budget—less than 3 percent (1.2%), and AID gets only a sixth of that. But a recent poll showed an alarming number of Americans assumed that the government spent more on foreign aid than on Medicare.

Under the compromise finally reached by the Congress and the White House, the agency's budget will be cut 11 percent. Since some aid programs, such as assistance to Egypt and Israel, must hold relatively steady, other programs took an especially hard hit.

None, however, got the shabby treatment reserved for family planning assistance. Those programs, a favorite target of a small House group of zealous opponents of abortion and family-planning, were cut 35 percent, a loss of more than $200 million from 1995 funding levels. Even worse, these opponents succeeded in requiring that no funds for 1996 be spent before July 1—and then that the allocation be dribbled out in 15 monthly increments, most of which would come, absurdly, after the end of the year for which the money is appropriated.

Since the budget impasse had blocked expenditures after October 1, that requirement creates a nine-month gap—an ironic length—in U.S. aid for family-planning services for some of the poorest families in the world. Clearly, the restrictions are aimed at interrupting these programs, many of which are administered by private, non-profit organizations in countries receiving the aid.

DEFEAT FOR FAMILIES

The victory for ideology is a clear defeat for tens of thousands of families who, as a consequence, will experience higher rates of unplanned pregnancies and more deaths among mothers and infants. Pregnancy is a high-risk undertaking in countries where nutrition is poor and health care is unaccessible or primitive.

It's also a defeat for efficient government—and an illustration of how Congress can talk one game and play another. Despite its calls for effective government, Congress can't resist an ideological power play. What else explains a requirement that must have been dreamed up in red-tape heaven?

Instead of one, clean transaction, we'll now have 15 checks and 15 contracts for a program that is underfunded to begin with. Reinventing government? The bureaucrats are hearing the message. It's the ideologues who, it seems, couldn't care less.●

## SECRETARY PERRY'S WEHRKUNDE ADDRESS

● Mr. COHEN. Mr. President, earlier this month, I again had the honor of leading the U.S. delegation to the annual Wehrkunde conference on security policy in Munich. This conference serves as a valuable opportunity for policymakers, security analysts, and defense industry leaders from both sides of the Atlantic to exchange views on pressing European security issues and to build the relationships that are the sinews of an alliance.

This year's conference was notable both because it was held as NATO forces were breaking new ground with the IFOR mission in Bosnia and for the participation of senior officials from Central Europe and Russia, including the Russian Deputy Defense Minister, which provided for productive, if sometimes heated, dialog on NATO enlargement.

The conference thus offered an appropriate setting for a speech by Secretary of Defense Perry in which he outlined a vision for the future of the Atlantic alliance and its relationship with Russia, based on the accomplishments of the past and the current cooperation in Bosnia. Secretary Perry is to be commended for laying out a thoughtful and challenging agenda for addressing the issues currently facing the Alliance. I also want to commend him for not only weaving the words of T.S. Eliot into his remarks, but for ferreting out the little known fact that Eliot was on the stage half a century ago when George Marshall gave the speech that became the Marshall plan.

Mr. President, I think all Senators would benefit from reading Secretary Perry's Wehrkunde address and ask that it be printed in the RECORD.

The address follows:

REMARKS BY SECRETARY OF DEFENSE WILLIAM J. PERRY

Behind my desk at the Pentagon hangs a portrait of the great statesman, George C. Marshall. Marshall, who was the third Secretary of Defense in the United States, is a role model of mine. He had a great vision for Europe—a Europe which from the Atlantic to the Urals was united in peace, freedom and democracy; and a strong trans-Atlantic partnership sustained by bipartisan political support in the United States.

Marshall not only had this vision, he also had a plan to make this vision a reality in post-war Europe. And in a famous speech at Harvard University in 1947, he outlined what came to be called the Marshall Plan.

A little known fact is that joining Marshall on the dais that day was the famous poet, T.S. Eliot, who 10 years earlier had written:

Footfalls echo in the memory
Down the passage we did not take
Towards the door we never opened.

These words by T.S. Eliot foreshadowed the fate of Marshall's plan in Eastern and Central Europe. Because on that day, 50 years ago, as the footfalls of World War II still echoed across a shattered continent, the Marshall Plan offered Europe a new passage toward reconstruction and renewal. Half of Europe took this passage, and opened the door to prosperity and freedom. Half of Europe was denied this passage when Joseph Stalin slammed the door on Marshall's offer. And for 50 years, the footfalls of what might have been echoed in our memories.

Today, as the Cold War becomes an echo in our memory, we have a second chance to make Marshall's vision a reality: To go down the passage we did not take 50 years ago, towards the door we never opened. Behind that door lies George Marshall's Europe. To open this door, we do not need a second Marshall Plan, but we do need to draw on Marshall's vision.

Marshall recognized that peace, democracy and prosperity were ultimately inseparable. And Marshall understood that if you identify what people desire most, and provide them with a path to reach it, then they will do the hard work necessary to achieve their goals.

In the late 1940s what Western European countries desired most was to rebuild their societies and economies. And the Marshall Plan provided a path for achieving this goal. By taking this passage, the nations of Western Europe built an economic powerhouse. And along the way, they built strong democracies and a strong security institution called NATO.

Today, countries in the other half of Europe are struggling to rebuild their societies and economies, and the one thing they all desire is greater security. NATO's challenge is to provide these Europeans a path for achieving their security goal. And along the way, we want them very much to develop strong democracies and strong economies.

This other half of Europe includes the nations of Central and Eastern Europe and the Newly Independent States. It includes Russia. And it includes the nations of the former Yugoslavia. Today, NATO is reaching out to all three areas and providing a path to Marshall's Europe.

The primary path NATO has provided is the Partnership for Peace. Just as the Marshall Plan worked because it was rooted firmly in the self-interest of both the United States and Europe, so too does the Partnership for Peace work because it is rooted firmly in the self-interest of both NATO and the Partner nations.

PFP is bringing the newly free nations of Europe and the former Soviet Union into the security architecture of Europe as a whole. Our nations are working and training together in military joint exercises. But make no mistake, the Partnership for Peace is more than just joint exercises. Just as the Marshall Plan had an impact well beyond the economies of Western Europe, PFP is echoing beyond the security realm in Central and Eastern Europe, and into the political and economic realms as well.

Just as the Marshall Plan used economic revival as the catalyst for political stabilization—and ultimately the development of the modern Europe—the PFP uses security cooperation as a catalyst for political and economic reform.

PFP members are working to uphold democracy, tolerate diversity, respect the rights of minorities and respect freedom of expression. They are working to build market economies. They are working hard to develop democratic control of their military forces, to be good neighbors and respect the sovereign rights outside their borders. And they are working hard to make their military forces compatible with NATO.

For those Partner countries that are embracing PFP as a passage to NATO membership, these actions are a key to opening that door. For many of these nations, aspiration to NATO membership has become the rock on which all major political parties base their platforms. It is providing the same overlapping consensus that NATO membership engenders in NATO countries, making compromise and reconciliation possible.

In Hungary, all six major political parties in the Parliament united to pass a resolution in support of IFOR, the Bosnia peace implementation force, by a vote of 300 to 1. In Poland, the new President—a former member of the former communist party—re-affirmed Poland's NATO aspirations. In Slovakia, Hungary and Rumania, governments are quietly resolving border disputes, and putting into place protection for ethnic minorities. For these countries, the Partnership for Peace is becoming a passage to democracy and market reform, as well as a passage to security cooperation with the West.

But even those countries that do not aspire to NATO membership are realizing many of the same political and social gains from active participation in the PFP. Moreover, PFP is providing them the tools and the opportunities to develop closer ties to NATO, and learn from NATO—even as they choose to remain outside the Alliance. And PFP is building bonds among the Partner nations—even outside the framework of cooperation with NATO.

That is why defense ministers from many Partner nations have said to me that even if, or when, they eventually join NATO, they want to sustain their active participation in PFP. In short, by creating the Partnership For Peace, NATO is doing more than just building the basis for enlargement. It, is in fact, creating a new zone of security and stability throughout Europe.

That is why I believe that the creation of the Partnership for Peace has been one of the most significant events of the post-Cold War era. By forging networks of people and institutions working together to preserve freedom, promote democracy and build free markets, the PFP today is a catalyst for transforming Central and Eastern Europe, much as Marshall Plan transformed Western Europe in the '40s and '50s. It is the passage this half of Europe did not take in 1947; it is the door that we never opened.

To lock in the gains of reform, NATO must ensure that the ties we are creating in PFP continue to deepen and that we actually proceed with the gradual and deliberate, but steady, process of outreach and enlargement to the East. NATO enlargement is inevitable. And if NATO enlargement is a carrot encouraging reforms, then we cannot keep that carrot continually out of reach. So it is critical that we implement the second phase of NATO enlargement agreed upon at the NAC Ministerial Meeting in December.

And even as some countries join NATO, it will be important to keep the door open for others down the road. We must make sure that PFP continues to provide a place in the security architecture of Europe so that we keep the door open to Marshall's Europe even for those nations that do not aspire to become NATO members.

For Marshall's vision to be truly fulfilled, one of the nations that must walk through this door is Russia. Russia has been a key player in Europe's security for over 300 years. It will remain a key player in the coming decades, for better or for worse. Our job is to make it for the better.

Unlike with the Marshall Plan 50 years ago, Russia today has chosen to participate in the Partnership for Peace. And in the spirit of Marshall, we welcome Russia's participation, and hope that over time it will take on a leading role in PFP commensurate with its importance as a great power.

But for Russia to join us as a full and active partner in completing Marshall's vision, NATO and Russia need to build on our common ground, even when we don't agree with each other's conclusions. It is fair to say that most members of Russia's political establishment do not welcome or even accept NATO's plans for enlargement. Anybody that doubted that yesterday, if you heard Mr. Kokoshin's speech, realized the extent of the opposition to NATO enlargement in Russia.

When I was in Russia last June, I had a number of conversations with Russian government leaders and Duma members about the future of European security. I offered them a series of postulates about that future. I told them if I were in Russia's shoes, I would want the future security picture in Europe to have the following characteristics:

First, I said, if I were a Russian leader, I would want the United States to be involved in the security of Europe. They agreed with that postulate.

Then, I said, if I were a Russian leader, I would want to see Germany an integrated part of the European security structure. And they agreed with that postulate.

And third, I said, if I were a Russian leader, I would want Russia to be in the security architecture of Europe, not isolated outside of it. They agreed with this postulate also.

Finally, I asked them how could a Russian leader best achieve these goals?

I concluded they could only be achieved through a healthy and vibrant NATO. That is NATO, far from being a threat to Russia, actually contributes to the security of Russia, as well as to the security of its own members.

When I reached that conclusion most of the Russians I talked to fell off the cliff. They agreed with each of my premises—but they did not agree with my conclusion. But in the absence of NATO and its partnership arrangements, I do not see any way of achieving those goals—our shared goals—of a safe and peaceful Europe.

I have to tell you that I did not persuade my Russian colleagues with my argument. But, I do believe that as Russia deepens its involvement with NATO, it will come to believe in the truth of my conclusion, as well as my premises. And I believe that Russia will want to have a cooperative relation with NATO and a leading role in the Partnership for Peace. And that Russia will come to understand that enlargement means enlarging a zone of security and stability that is very much in Russia's interest, not a threat to Russia.

But the way for this new understanding to occur is for NATO to continue to reach out to Russia not only from the top down but from the bottom up. Last year at Wehrkunde, I proposed that NATO and Russia begin a separate plan of activities, outside the Partnership for Peace. Since then, we have all discussed and even agreed upon this proposal in principle, but we have not yet put it on paper. We must do so. We cannot let disagreements over the ''theology'' of building NATO-Russia relations get in the way of ''here and now'' opportunities to work together where our interests clearly overlap. Instead of letting theology dictate our practice, we should let our practice shape our theology.

One example of where the United States is already doing this is with our program of bilateral training exercises with Russia. We have held four such exercises in the last year, each a great success, and each conducted in a spirit of trust and goodwill. This summer, the United States and Russia will move beyond the bilateral and jointly participate in a major regional Partnership For Peace exercise with forces from Ukraine, Russia, United States and other regional powers.

Our bilateral contact program with Russia is not confined to joint exercises or even to just the security field. Through the Gore-Chernomyrdin Commission, it extends to the fields of science and technology, space, defense conversion, business development, the environment, health care and agriculture.

Just this past week the Commission met in Washington, and Mr. Kokoshin and I both participated in the defense conversion program of this Commission. I urge all NATO nations to build on this model. These contacts provide important exchanges of information. They help break down years of distrust and suspicion. They weave the Russians into the kind of personal and professional networks that have long characterized relations among all of the Allies. These are the kind of activities that will build trust between Russia and NATO. And these are the kind of activities that will keep Russia on the passage toward integration with Europe, to pass through that open door.

Mr. Grachev and I attended the joint U.S. exercise in Kansas last October. And we met after the exercise with the American and the Russian soldiers conducting that exercise, and talked to them. He told the Russian soldiers what they were doing was very important, that they should extend their friendship and cooperation with the American soldiers, and that this was the basis for creating a peaceful world for their children. The American soldiers were as much interested in what he was saying as the Russians were, I can assure you.

Ironically, the place where a distinct NATO-Russia relationship is occurring in practice is in Bosnia. Today, as we speak, a Russian brigade is serving in the American Multinational Division of IFOR. It took an enormous amount of work to make this happen. Minister Grachev and I met four times over a two month period to iron out the details. Generals Joulwan and Nash work closely every day with their counterparts, General Shevtsov and Colonel Lentsov. NATO and Russia *do* have a special relationship today in Bosnia, and Russia is demonstrating its commitment to participating in the future security architecture of Europe.

The reason we are all working so hard to make this relationship successful is not just because of the additional troops Russia brings to Bosnia, but because Russia's participation in Bosnia casts a very long shadow that will have an impact on the security of Europe for years to come. When we deal with the most important security problem which Europe has faced since the Cold War was over, we want to have Russia inside the circle, working with us, not outside the circle, throwing rocks at us.

Indeed, the more you think about what NATO and Russia are doing together in Bosnia, the more amazing it becomes. I can only imagine what General Eisenhower, the first SACEUR, would think if he saw a General from Russia sitting with General Joulwan, today's SACEUR, at the SHAPE compound reviewing a secret NATO OPLAN. We need to build on this model, to institutionalize it, and expand it to cover the entire range of NATO and Russia's overlapping security interests. By so doing, NATO and Russia can move forward as full partners in completing Marshall's version.

Just as the NATO-Russia relationship is being forged in Bosnia, so too is the future of NATO itself. I was in Bosnia several weeks ago. I was struck by the dedication and professionalism of every unit from every country that is participating. I was also struck by the stark contrast between the devastation and suffering I saw in Sarajevo, and the

rebirth and renewal I have seen in the other capitals of Central and Eastern Europe.

Bosnia is what happens when newly independent nations focus on old hatreds instead of new challenges. Four years ago, some people in the former Yugoslavia chose not to join Marshall's Europe. And the death and bloodshed that resulted will long echo in our memory. But today the door to Marshall's Europe is open again for them—and holding that door open are NATO, Russia and the newly free peoples of Central and Eastern Europe.

The success or failure of IFOR is crucial to whether or not we will complete Marshall's vision. It is in Bosnia where we are sending the message that NATO is the bedrock on which the future security and stability of Europe will be built. It is in Bosnia where NATO is first reaping the benefits of joint peacekeeping training with our new Peace Partners. It is in Bosnia where future NATO members are showing themselves ready and able to shoulder the burdens of membership. And it is in Bosnia where we are showing that we can work as partners with Russian forces. Bosnia is not a peacekeeping exercise. It is the real thing.

Bosnia is also teaching us important lessons about the kind of NATO that Marshall's Europe will require. Ever since the end of the Cold War, NATO has struggled to develop a mechanism for executing the new missions using NATO assets with the voluntary participation of NATO members.

In the conference room, we have so far failed to come up with an agreement on a Combined Joint Task Force, CJTF. But in the field, we have cut through these theological arguments and put together IFOR, which is CJTF. As with the NATO-Russia relationship, we need to take the practical lessons learned in putting IFOR together and extrapolate back until we have a CJTF that works.

Bosnia also casts in sharp relief something we have suspected for some time: that it is time for NATO to adapt itself internally to deal with the new challenges of this new era. NATO was not well structured for the Bosnia mission. At a time when our political and geostrategic thinking has been completely reoriented, symbolized by our partnership in peacekeeping with former adversaries, and at a time when our individual military forces have streamlined and modernized for the battlefield of the future, NATO's command and decision-making structure is still geared for the challenges and the battlefields of the past. The time has come to streamline and modernize NATO, recognizing that our challenge is no longer simply to execute a known plan with already designated forces, as it was during the Cold War.

We must make NATO's command structure more responsive and more flexible, and streamline the planning and force preparation process, and simplify and speed-up the entire decision-making process. And we must complete the task of giving NATO's European members a stronger identity within the alliance. These kinds of internal changes will ready NATO for enlargement, and will allow us to better respond to the future challenges to European security and stability.

It is in this context that we welcome the French decision to participate more fully in NATO's military bodies. And we look forward to working with France as we transform the Alliance and realize Marshall's vision of a Europe united in peace, freedom and democracy.

In 1947, Marshall told America that it must ''face up to the responsibility which history has placed upon our country.'' Today, it is not only America, but also Russia; is not only NATO nations, but all of Europe—all of us must face up to the responsibility which history has placed upon us. This means reaching out to each other not only in the spirit of friendship, but also in the spirit of self-interest. This means working towards our goals not only from the top-down, but also the ground-up. And it means recognizing that when the outside world changes, we must look inside our institutions and see what changes are needed there.

If we do these things, then next year, when we commemorate the 50th Anniversary of the Marshall Plan, we will be able to say that we made Marshall's vision our own. That Partnership for Peace is a strong, permanent pillar of Europe's security architecture. That NATO and Russia have a relationship where trust, understanding and cooperation are givens, not goals. That all the nations of the former Yugoslavia are adding, not detracting, from Europe's security. And that we have taken the passage to a new Europe and opened the door to a new era of peace, freedom and democracy.

Thank you very much.●

## PROGRAM

Mr. LOTT. Mr. President, for the information of all Senators, immediately following morning business tomorrow, the Senate will begin 30 minutes of debate on the motion to invoke cloture on the D.C. appropriations conference report.

Senators should be aware that the cloture vote on the conference report will occur at 12:30 p.m. on Thursday.

## RECESS UNTIL 11 A.M. TOMORROW

The PRESIDING OFFICER. Mr. President, if there be no further business to come before the Senate, I ask that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 1:35 p.m., recessed until Thursday, February 29, 1996, at 11 a.m.

# EXTENSIONS OF REMARKS

## THE 100TH ANNIVERSARY OF CORRUGATED STEEL PIPE

### HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. BOEHNER. Mr. Speaker, I congratulate the National Corrugated Steel Pipe Association [NCSPA], on the occasion of the 100th anniversary of the patent for corrugated steel pipe.

Under a submission prepared by James H. Watson, corrugated steel pipe was granted patent No. 559,642 on May 5, 1896. Today, corrugated steel pipe is extensively used in private and public drainage structures throughout the country and the world. Though its effectiveness was widely doubted in 1896, corrugated steel pipe has proven itself able to withstand the stress of dead loads, heavy traffic, unstable foundations, cantilever extensions, hillside installations, and sewer freezing and thawing conditions. This sturdy, durable product has earned its place as a mainstay within the construction industry, properly gained by its effectiveness, durability, and cost efficiency.

I congratulate NCSPA and the corrugated steel pipe industry on this milestone and I thank my colleagues for joining me in recognizing this important occasion.

## EAST TIMOR ABUSES CANNOT BE IGNORED

### HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. UNDERWOOD. Mr. Speaker, over a decade ago, Indonesia invaded and annexed East Timor. While this issue is usually only discussed in this body during the anniversary of the annexation or invasion, I would like to take this opportunity to point out recent reports which uncover the nature of Indonesian rule over East Timor in recent years.

Since the invasion, it is estimated that over 200,000 people have died out of a population of 700,000. To maintain order in the territory, Indonesia stations 5,000 troops in East Timor. These troops have been used to intimidate the local population into an illegal occupation, one which the United Nations has refused to recognize.

The Indonesian Government has consistently been cited by human rights groups such as Asia Watch and Amnesty International for their abuses in East Timor. In their annual report last year, Amnesty International pointed to the fact that at least 350 political prisoners, many of them prisoners of conscience, were held, including some 40 sentenced during the year. Hundreds of people were arrested and held without charge or trial. Torture of political detainees and criminal suspects was common, in some cases resulting in death. Several people were extrajudicially executed, and scores of criminal suspects were shot and killed by police in suspicious circumstances. The fate of possible hundreds of Achnese and East Timorese who ''disappeared'' in previous years remained unknown.

The political dynamics in East Timor seem to be shifting with a younger generation emerging, many of whom were born after the invasion and annexation, and social and economic strains taking their toll. Media reports indicate that the nature of their dispute with Indonesia has become more emotional and protests have become more spontaneous. In a recent news report from the Sydney Morning Herald, rioting last fall has taken East Timor into a new phase. Local people and diplomats said previous unrest in East Timor had been largely politically organized, but recent disorder has been more widespread and spontaneous, reflecting the anger of Timorese buckling under economic and social strains.

Mr. Speaker, while this issue has faded from the headlines and is not a hot topic in Congress, I believe we should be mindful of the abuses in East Timor and the changing political environment.

## TRIBUTE TO DEWITT BUSSEY

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. MILLER of California. Mr. Speaker, this past Saturday I had the privilege of participating in the memorial services for Mr. DeWitt Bussey II at Solomon Temple Baptist Church in Pittsburg, CA.

DeWitt Bussey was a remarkable man. He gave his entire life to his country and to his community, first in the Armed Forces of this Nation and then later as a community activist and volunteer. Mr. Bussey gave his time to his family and to the children of our community where he counseled and inspired them to achieve high levels of performance as individuals in their daily lives.

Mr. Speaker, DeWitt Bussey was a warrior against the evils of racism and bigotry. He fought them wherever these evils raised their ugly heads in our community or in our State. DeWitt Bussey was there to fight back as a founder of the NAACP Racial Intolerance Task Force.

DeWitt Bussey II was born on January 22, 1934, in Columbus, GA, the youngest of three children born to DeWitt T. Bussey, Sr., and Narcissus Burke Threatt. In 1948, at the age of 15, he enlisted in the U.S. Army shortly before the military became integrated. For the next 22 years, Mr. Bussey served in the Army with distinction, graduating from the military intelligence branch of Officer's Candidate School and attending the Defense Language Institute in Monterey, CA, where he became fluent in Russian. He also fought in the Korean war and the Vietnam conflict. In 1970, Mr. Bussey retired from the military at the rank of captain. Shortly thereafter, he moved to Pittsburg, CA, with his wife and children in 1971.

Mr. Bussey graduated from Laney College in Oakland, CA, and earned a bachelor's degree in public administration from Golden Gate University in San Francisco, CA. He also completed several courses at Los Medanos College in Pittsburg. Mr. Bussey worked in a number of occupations following his military retirement, including salesman, circulation manager at the Pittsburg Post Dispatch, director of the First Baptist Church Head Start Program and part-time instructor at Los Medanos College. In addition, he worked for the Federal Government in the General Services Administration and the Youth Authority Conservation Corps. For the past 10 years, Mr. Bussey was self-employed as a consultant.

Active in State and local politics, Mr. Bussey was a member of the Rainbow Coalition and the East County Democratic Club and twice ran for a seat on the Pittsburg City Council. A passionate advocate for civil rights and a unwavering voice against injustice and racial intolerance, Mr. Bussey was a life member of the NAACP, a member of the Racial Intolerance Task Force, the African-American Resource Center, the Los Medanos Community Hospital Affirmative Action Committee and the Pittsburg Unified School District Affirmative Action Committee. From his arrival in Pittsburg until recently, Mr. Bussey actively participated in a number of community and educational organizations, including the Pittsburg Unified School District Student Attendance Review Board, the Pittsburg Model City Program, the Economic Opportunity Council, the First Neighborhood Council, the Pittsburg Area Council, and the Youth Connection. He also helped to establish the El Pueblo Track Club. At the time of his death, Mr. Bussey was serving as the district advisory chairperson for the Pittsburg Unified School District.

In 1990, Mr. Bussey joined Stewart Memorial C.M.E. Church in Pittsburg under the leadership of the late Reverend Willie Mays. He served on the board of trustees, taught Sunday School and served as an instructor for Project Spirit, an after-school program established by the church.

Mr. Bussey is survived by his beloved wife of 40 years, Edna, of Pittsburg; sons, DeWitt III and Jaimie of Pittsburg; daughters Carol and Deja of Pittsburg and Donna of Atlanta, GA; granddaughter Danielle; sisters, Lenora Bussey Tubbs and Verna Kay Bussey Miles of Pittsburg; brother, Robert Threatt of Pittsburg and numerous relatives and friends.

Mr. Speaker, our community lost a champion with the passing of DeWitt Bussey, but we are fortunate that he left us such a wonderful family with his values to carry on his work with our children to teach them excellence.

My family and our entire community extend our prayers to the Bussey family.

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

## TRIBUTE TO DETECTIVE NICHOLAS SALERNO, BERWYN, IL POLICE DEPARTMENT

### HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to a law enforcement officer who had been recognized for his community involvement—Detective Nicholas Salerno of the Berwyn, Illinois Police Department.

Detective Salerno, an 18-year veteran of the force, was honored with the Cook County Sheriff's Award for Merit in recognition of his involvement with his community. A member of the Department's Juvenile Unit, Detective Salerno has been active with the Drug Abuse Resistance Education [DARE] program in the city.

Mr. Speaker, I commend Detective Salerno and all the other law enforcement officers who go above and beyond the call of duty to help the young people of their communities.

## HONORING DR. LINDA MILLER

### HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. DAVIS. Mr. Speaker, I rise today to pay tribute to one of Fairfax County's finest teachers. Dr. Linda Miller is being honored by the Organization of American Historians as cowinner of the 1996 Mary K. Bonsteel Tachau Pre-Collegiate Teaching Award. This award recognizes the contributions made by pre-collegiate teachers to improve history education and is given for activities which enhance the intellectual development of other history teachers and/or students. The award named for the late Mary K. Bonsteel Tachau of the University of Louisville, memorializes her career, especially her pathbreaking efforts to build bridges between university and pre-collegiate history teachers.

Dr. Miller has been teaching in the Fairfax County Public School System since 1972. She started as a substitute teacher at various schools throughout the County. In 1973 she was a reading aide at Lake Braddock Secondary School. From 1974 to 1978 she taught social studies—civics—at Mark Twain Intermediate and Herndon Intermediate School served on summer curriculum committees developing map skills.

From 1978 to the present Dr. Miller has been teaching at Fairfax High School where her classes include American Government, Political Science, gifted and talented world cultures, gifted and talented American Government, Advanced Placement European history, and world cultures.

Dr. Miller's love of teaching is reflected not only by her receiving this award, but by instilling in her students an enthusiasm for government. At a time when public opinion of government and politics is low, Dr. Miller's dedication and success in educating her students and making American Government come alive, is a welcome addition.

Dr. Miller's education is extensive she holds a Bachelor of Science in Education and Social Studies from the University of Kansas. She received a Master of Arts in Education in 1978. She received a Doctorate in Education from the University of Virginia in 1991.

Mr. Speaker, I know my colleagues join me in congratulating Dr. Miller for her honor and thanking her for her many years of dedicated service teaching in Fairfax County. We wish her much success in the future.

## TRIBUTE TO REV. JOSE DA SILVA FERREIRA

### HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. KENNEDY of Massachusetts. Mr. Speaker, today I rise to pay tribute to an outstanding individual, Rev. Jose da Silva Ferreira on the occasion of the 40th anniversary of his ordination to the priesthood.

Father Ferreira was ordained on February 25, 1956, in the Vila Real Cathedral and began his religious life as an assistant pastor. His leadership qualities became apparent when he was appointed pastor Vilela do Támega, Chaves 1 year later. After 16 years as pastor, he emigrated to the United States. During his tenure as administrator of St. Anthony's Church in Cambridge, MA, Father Ferreira played a critical role in the planning and construction of a new rectory and parish center. After serving as pastor in both Lawrence and Lowell, MA, he was appointed pastor of St. Anthony's Church on August 10, 1995.

Throughout his lifetime of service to his church and community, Father Ferreira has displayed outstanding compassion and dedication to others. As pastor, Father Ferreira has gained the admiration of his parishioners by providing spiritual leadership for his neighbors and community. He is a man of humility, dedication, and hard work. I am pleased to have this opportunity to honor the outstanding life and career of such an inspirational individual.

## PRESERVE ONE NATION, INDIVISIBLE

### HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Ms. LOFGREN. Mr. Speaker, on occasions too numerous to count during my first year in Congress I have heard Members of Congress suggest that many of the activities of the Federal Government should be eliminated or pushed back to the States. As a Californian, I have listened with some incredulity to the opinion that our 50 Governors now seem to be viewed by some as the repository of governmental wisdom. This astonishing view seems to be that State bureaucracies are somehow preferable to Federal ones.

Aside from this viewpoint, however, there are fundamental questions posed by the helter-skelter rush to defederalize. I would like to share the view of Dr. John Collins, as printed in the Bakersfield Californian. Dr. Collins, a combat veteran of World War II and the retired chancellor of the Kern County Community College points out that while it is popular to bash government, we are the premier country in the world and that is not an accident, but the product of doing something right.

Dr. Collins is not only a respected member of his community, he is my father-in-law. I know him as someone not only who is a loved family member, but the kind of American who those of us in Congress should listen to. Like the rest of his generation, he suffered the poverty of America in the Depression; he helped save our country and the world from totalitarianism during World War II; he achieved professional success through education and then dedicated his life not only to raising a good family, but to helping his community have educational opportunities. His wisdom is gained through experience and we should listed carefully to his admonition that we are the United States, not these United States.

The remarks of Dr. John Collins follow, as they appeared in the Community Voices section of the January 22, 1996 edition of the Bakersfield Californian:

PRESERVE ''ONE NATION, INDIVISIBLE''

The history of the United States has its roots in the British colonies, which though of themselves as semi-autonomous little nations. When these colonies became states with the adoption of the Constitution in 1789, they continued to view themselves as part of a loose union of separate entities. This view was held in spite of the disastrous experience with the Articles of Confederation, which provided for no strong central government.

For 200 years we have been torn between those who want the states to be ascendant and those who see the need for a dominant central government. Before the Civil War, the term ''these United States'' was in common usage. When in 1861 Robert E. Lee, a colonel in the United States Army, was offered the position of general-in-chief of the Union armies, he said he could not turn his back on his country. By that he meant Virginia, not the United States.

Prior to the Civil War, there had been a serious governmental crisis over nullification wherein one state, South Carolina, took the position that a state could nullify a federal law (tariff in this instance). Andrew Jackson stood firm and the central government prevailed.

Also, in the early days of our history as a nation there were a number of Supreme Court rulings which gave precedence to the central government. However, the issue of ''states' rights'' seemed never to get settled.

When Lincoln was elected as the first Republican president, his election precipitated the secession of 11 Southern states from the Union. This formation of the Confederate States of America was the extreme position with regard to ''state rights.''

The South argued that states had the right to authority of what they viewed as a hostile central government.

A great civil war ensued that lasted four years, with more than 1 million causalities. Lincoln steadfastly and successfully conducted the Civil War to save the Union—to preserve the country as one nation, indivisible. His enormous and enduring contribution was and is that we have one country, not two, or four, or even 50.

However, in time the old dispute over ''state rights'' surfaced again, and again, and again, right up to 1996. We see now the spectacle of people who represent their states or districts serving in the United States Congress preaching ''states' rights.''

They want to turn over to the states responsibilities that have resided with the central government for many years. This

isn't a new argument, but it is startling coming at this late date, when we can see the terrible effects of parochialism and tribalism around the world.

Lincoln saved us from Balkanization. He made sure that it is ''the United States,'' not ''these United States.'' Our debt to Lincoln is huge, and we should not be persuaded easily that it is better to have 50 different policies on the environment, civil rights, Social Security, health services and many other central government functions.

It is popular now to bash the government. But over the long haul of history the government has served us well. It isn't an accident that we are the premier country in the world, the only superpower. We achieved that status because we have a good system of government. Democracy isn't an easy system. There are all kinds of tugging and pulling as we continue to give everyone a voice.

Let's not kill the goose that laid the golden egg. Let's not turn the future of this country over to 50 state legislatures. Let's keep one nation, indivisible.

## TRIBUTE TO RALPH MRAZ, FORMER BERWYN, IL, ALDERMAN

### HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. LINPINSKI. Mr. Speaker, I rise today to pay tribute to a dedicated former public servant from my district who recently passed away—Mr. Ralph Mraz.

Mr. Mraz served as an alderman in Berwyn, IL, as well as a market auditor for the U.S. Department of Agriculture for 35 years before his retirement. He also was co-founder of the Life and Savings and Loan Association of America.

However, he was best known for obtaining Mraz Park in Berwyn, which was named in honor of his father, Fred.

Mr. Speaker, I extend my condolences to Mr. Mraz's widow, Lucille, his children, grandchildren, and all his friends.

## HONORING DANIEL J. O'CONNOR

### HON. BILL BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. BAKER of California. Mr. Speaker, when I was growing up in Oakland, CA, crime was something I only read about in the papers. Yet in our day, the grim realities of lawbreaking are all too commonplace in each of our communities.

That is why I am especially pleased to recognize the contributions of one of California's finest to making the bay area's streets and neighborhoods safer. Sergeant Daniel J. O'Connor began his law enforcement career in 1962 when he joined the Concord, CA police department. He was appointed to the Bay Area Rapid Transit [BART] Police Department in 1973, and achieved the rank of sergeant in 1976. His 34 years of service have been a testimony to his devotion to duty and his commitment to the people of California.

As he prepares to retire in March, it is my hope that he will be encouraged by many good memories of his years of faithful service. His friends on the force will miss him, and his example of fidelity and dedication will continue to remind those who have worked with him of the vital importance of service in the public interest.

I wish Sergeant O'Connor the very best for many years of productive and enjoyable retirement, and am pleased to recognize this fine public servant in the CONGRESSIONAL RECORD.

## COMMENDING THE VETERANS OF UNDERAGE MILITARY SERVICE INC.

### HON. OWEN B. PICKETT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. PICKETT. Mr. Speaker, I rise today to pay tribute to an often unacknowledged group of veterans that deserves recognition. Each of the members of this group joined the military and fought to defend this country before they were of legal age to do so. These brave and courageous young men have been represented in every war in which the United States has been involved. Most of the current members fought in World War II.

These veterans have established an organization of their own, entitled ''Veterans of Underage Military Service, Inc.'' which is recognized as a nonprofit organization by the IRS and U.S. Postal Service. They have recently honored Adm. J.M. ''Mike'' Boorda, USN, the highest ranking underage enlistee on active duty, who joined the Navy when he was 16 years old.

The Second District of Virginia which I represent, is fortunate to be the home of one of the officers of the Virginia chapter of the Veterans of Underage Military Service, Inc., Mr. Thomas C. Hise. Tom Hise's work on behalf of this organization has contributed to the recognition it has received by obtaining laudatory proclamations from Virginia municipal and State governments.

Mr. Speaker, I request permission to insert into the CONGRESSIONAL RECORD the House joint resolution adopted by the Virginia General Assembly commending members of the Veterans of Underage Military Service, Inc.

All Americans applaud the determination and patriotism shown by these underage enlistees and express gratitude and appreciation for their honorable service to our country.

COMMONWEALTH OF VIRGINIA GENERAL ASSEMBLY; HOUSE JOINT RESOLUTION NO. 327

Whereas, throughout history, nations have called upon their youth to fight their wars, and it is inevitable that some young men and women under the age of 17, usually driven by strong patriotism, have enlisted in the armed forces; and

Whereas, in some instances, these youths were discovered and separated from the service, sometimes after they had already seen action and performed heroically; and

Whereas, the Veterans of Underage Military Service, Inc., was formed in 1990 to help such individuals who were frequently discharged from the service and stripped of their awards and their military benefits; and

Whereas, the primary goals of the organization are to contact all veterans who served in any branch of the United States armed forces when they were under 17 years of age and to advise and assist them in obtaining a proper discharge and their veteran's benefits; and

Whereas, a secondary goal is to establish a historical record of underage veterans by publishing their names, their deeds, and their stories; and

Whereas, the organization currently consists of over 600 veterans who served in the armed forces before they were 17; and

Whereas, three Medal of Honor winners who enlisted before they were 17 have been identified; and

Whereas, the officers of the Virginia chapter of the Veterans of Underage Military Service, Inc., Bobby Lee Pettit and Thomas C. Hise, both served in the armed forces before they were old enough to enlist, legally; now, therefore, be it

*Resolved by the House of Delegates, the Senate concurring,* That the General Assembly commend the Veterans of Underage Military Service, Inc., for their attempts to locate and assist all underage veterans of America's armed forces; and, be it

*Resolved further,* That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Bobby Lee Pettit, Commander of the Virginia chapter of the Veterans of Underage Military Service, Inc., as an expression of the support of the General Assembly for the worthy goals of this organization.

## BRODER REBUTS EXCESSIVE CYNICISM

### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. FRANK of Massachusetts. Mr. Speaker, I have long felt that the most damaging form of naivete is excessive cynicism. No where is that better illustrated than in the current grossly distorted discussion of the influence of campaign contributions on public policy. The view that campaign contributions dominate most policy outcomes is a dangerously mistaken one. It is a complete lack of sophistication about the political process masquerading as the ultimate tough mindedness. And it is not only gravely wrong to argue that campaign contributions are the major factor in most policy outcomes, it is self-defeating. To the extent that citizens do believe that elected officials care little about votes and public opinion, not to mention the merits of the issues, and instead are driven largely by campaign contributions in making decisions, those citizens will be discouraged from voicing the opinions which are in fact the single greatest influence in our public policy deliberations.

In his column in the Washington Post for Wednesday, January 31, David Broder very effectively makes this point with a trenchant and cogent analysis of the recent PBS ''Frontline'' program on campaign financing.

That program, entitled ''So You Want To Buy A President'' seems to have perpetuated the mythic view that campaign finance is all important in deciding public policy debates. David Broder who knows better, demonstrates the fallacy of this reasoning in his column. Because it is important that citizens not be encouraged to fall into the trap of believing that their efforts will have no influence in the face of campaign contributions, I ask that David Broder's very important article be printed here.

[From the Washington Post, Jan. 31, 1996]

''FRONTLINE'S'' EXERCISE IN EXAGGERATION

(By David S. Broder)

As if the cynicism about politics were not deep enough already, PBS's ''Frontline'' last

night presented a documentary called ''So You Want To Buy A President?''whose thesis seems to be that campaigns are a charade, policy debates are a deceit and only money talks.

The narrow point, made by Sen. Arlen Specter (R–Pa.), an early dropout from the 1996 presidential race, about millionaire publisher Malcolm S. (Steve) Forbes Jr., is that ''somebody is trying to buy the White House, and apparently it is for sale.''

The broader indictment, made by correspondent/narrator Robert Krulwich, is that Washington is gripped by a ''barter culture'' in which politicians are for sale and public policy is purchased by campaign contributions.

The program rested heavily on a newly published paperback, ''The Buying of the President.'' Author Charles Lewis, the head of the modestly titled Center for Public Integrity, was a principal witness, and Kevin Phillips, the conservative populist author who wrote the book's introduction, was also a major figure in the documentary.

It dramatized the view asserted by Lewis in the conclusion of his book: ''Simply stated, the wealthiest interests bankroll and, in effect, help to preselect the specific major candidates months and months before a single vote is cast anywhere. . . .

We the people have become a mere afterthought of those we put in office, a prop in our own play.''

Viewers saw a number of corporate executives—no labor leaders, no religious leaders, no activists of any kind, for some reason—who have raised and contributed money for presidents and presidential candidates and thereafter been given access at dinners, private meetings or overseas trade missions.

It is implied—but never shown—that policies changed because of these connections. As Krulwich said in the transcript of a media interview distributed, along with an advance tape, with the publicity kit for the broadcast, ''We don't really know whether these are bad guys or good guys. . . . I'm not really sure we've been able to prove, in too many cases, that a dollar spent bought a particular favor. All we've been able to show is that over and over again, people who do give a lot of money to politicians get a chance to talk to those politicians face to face, at parties, on planes, on missions, in private lunches, and you and I don't.''

If that is the substance of the charge, the innuendo is much heavier. At one point, Krulwich asked Lewis, in his most disingenuous manner, ''Do you come out convinced that elections are in huge part favors for sale, or in tiny part?''

And Lewis replied that while ''there are a lot of wealthy people that do want to express broad philosophical issues,'' the ''vested interests that have very narrow agendas that they want pursued see these candidates as their handmaidens or their puppets. The presidential campaign is not a horse race or a beauty contest. It's a giant auction.''

That is an oversimplified distortion that can do nothing but further alienate a cynical electorate. Of course, money is an important ingredient in our elections and its use deserves scrutiny. But ideas are important too, and grass-roots activism even more so. The Democratic Leadership Council's Al From and the Heritage Foundation's Robert Rector have had more influence in the last decade than any fund-raisers or contributors, because candidates have turned to them for policy advice.

John Rother of the American Association of Retired Persons and Ralph Reed of the Christian Coalition work for organizations that are nominally nonpartisan and make no campaign contributions at all. But their membership votes—so they have power.

The American political system is much more complex—and more open to influence by any who choose to engage in it—than the proponents of the ''auction'' theory of democracy understand, or choose to admit.

By exaggerating the influence of money, they send a clear message to citizens that the game is rigged, so there's no point in playing. That is deceitful, and it's dangerously wrong to feel that cynicism.

Especially when they have nothing to suggest when it comes to changing the rules for the money game.

At one point, Phillips said that the post-Watergate reforms succeeded only in having ''forced them [the contributors and politicians] to be more devious.'' That is untrue. Those reforms, which mandated the disclosure of all the financial connections on which the program was based, also created publicity which, even Krulwich and Co. admitted, foiled the ''plots'' of some contributors.

And Krulwich, for his part, suggested very helpfully that ''every high-profile politician agrees that some things have got to change. Change the limits. Change the rules. Change the primaries. Change the ads. Change enforcement. You gotta change something.''

How about changing the kind of journalism that tells people that politicians are bought-and-paid-for puppets and you're a sucker if you think there's a damn thing you can do to make your voice heard?

## A TRIBUTE TO MR. AND MRS. JAMES ADAMS ON THEIR 50TH ANNIVERSARY

### HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to two constituents who are an inspiration to all those who say ''I do''—James and Helen Adams.

Mr. and Mrs. Adams of Riverside, IL recently celebrated their 50th anniversary with a large party with dozens of their friends and family members.

However, the real celebration should be for a young sailor and his 20 year old fiance from Brookfield, IL who would not let even a world war from keeping them apart. With conflict still raging in the Pacific in June 1945, Jim Adams had planned to take advantage of a short leave to marry his sweetheart, Helen Jean Bennett. But, as is often the case in wartime, his leave was canceled and he was not able to get back home until December of that year, a few days before Christmas. Not only were there no churches available during the holidays for a wedding ceremony, there were no priests or preachers either. Finally, on New Year's Eve, a clergyman was found and the wedding took place in the bride's house.

Mr. Speaker, I congratulate Mr. and Mrs. Adams on not only their 50th anniversary, but also their perseverance and devotion 50 years ago that prevented even a world war from keeping them apart.

## TRIBUTE TO AUTHUR R. NASH, JR.

### HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. EHLERS. Mr. Speaker, it is with great delight that I take this opportunity to honor Art Nash for his many contributions to the State of Michigan through his work with the Department of State Police and the Department of Natural Resources. Art is retiring after 26 years of dedicated and loyal service to the Great Lakes State. His professionalism and exceptional work ethic will be sorely missed by those who have had the pleasure of working with him.

Art grew up in Dearborn, MI, and graduated from Fordson High School. He went on to Western Michigan University in Kalamazoo, MI, where he obtained a bachelor of science degree in psychology and sociology in 1970. In addition to his academic pursuits, Art also participated on the varsity swim team and served as an officer of the Pi Kappa Alpha fraternity. He would later return to his alma mater to earn a master's degree in public administration in 1980.

Art's professional career began in 1970 when he took the oath as a trooper with the Michigan State Police. He served until 1977 in the department's uniform and criminal investigation division enforcing traffic laws, investigating criminal and civil complaints, and serving as an undercover officer for drug traffic investigations.

In 1977, Art's career path took him to another division within the Michigan State Police. For the next 17 years, Art was an integral member of the department's fire marshal division, playing an important role in the division's growth. As a member of the fire marshal division, Art rose through the ranks from detective sergeant in the First District Office to first lieutenant commander of the hazardous materials section. As first lieutenant commander, Art was responsible for administering the division's Hazardous Materials Enforcement Program. This also included the task of developing and implementing division policies and procedures.

In May 1994, Art said goodbye to the Michigan State Police and took his talents to the Department of Natural Resources where he served as chief of the Department's underground storage tank division. Though his work with the DNR was less than 2 years, his accomplishments were monumental. I am extremely appreciative of his efforts in the development of the underground storage tank regulatory program and his role in the creation of the risk-based corrective action plan for leaking underground storage tank sites. Michigan residents are fortunate to have had the expertise and knowledge that Art has to offer.

Art's commitments also extend beyond the workplace. He is a member of the St. Luke Lutheran Church in Haslett where he once served as president of the church council. In addition to support from his church Art has also been blessed with the love and support of his wife, Jennifer, and son, Kirk.

Mr. Speaker, there are some people you meet in life that you feel very privileged to know. Art Nash is one of those people. I am extremely thankful that I had the opportunity to work with this man of great character while I

served in the Michigan Legislature. It is with great delight that I offer this tribute to salute Art Nash, an outstanding and dedicated employee and citizen of the State of Michigan.

## DR. RICHARD HOVANNISSIAN, ARMENIAN NATIONAL COMMITTEEMAN OF THE YEAR

### HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. RADANOVICH. Mr. Speaker, on March 10, 1996, the central California chapter of the Armenian National Committee of America will be honoring Dr. Richard Hovanissian as Man of the Year.

Dr. Hovanissian is a professor of Armenian and Near Eastern History, and Associate Director of the G.E. von Gruenebaum Center for Near Eastern Studies at the University of California at Los Angeles [UCLA]. As a member of the UCLA faculty since 1962, Dr. Hovanissian has played a major role in international forums relating to the study of genocide and Armenian history. As a Guggenheim Fellow, he has published more than 40 scholarly articles. Dr. Hovanissian has given more than 1,500 speeches and lectures to university, community, television, and radio audiences on a variety of topics. He has been a guest lecturer in more than 25 countries. In 1990, Dr. Hovanissian was elected to the Armenian Academy of Social Sciences, becoming the first social scientist living abroad to be so honored.

Recently, at the invitation of the U.S. Holocaust Memorial Museum, he took part in a lecture series on ''Genocide and Mass Murder in the Twentieth Century.'' His presentation, ''The Armenian Genocide: An Eighty-year Perspective,'' reflected on the meaning of the Armenian experience today and its similarities and differences with other mass killings of this century.

I wish to add my personal congratulations to Dr. Hovanissian on being selected as the Armenian National Committee's, Man of the Year. Dr. Hovanissian's accomplishments and work for the Armenian community deserve special commendation. I wish him my best for continued success.

## IN HONOR OF CARROLL BROWN

### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Ms. DELAURO. Mr. Speaker, I would like to congratulate Carroll Brown on the 10th anniversary of her founding of the West Haven Black Coalition.

For the past decade, the West Haven Black Coalition has improved the lives of African-Americans and strengthened the West Haven community. By joining forces, African-Americans in West Haven have made their voices heard and have assumed leading roles in all walks of life. The West Haven Black Coalition has spurred efforts to register voters, improve parks, and educate our future leaders through its scholarship program.

The West Haven Black Coalition's mission to encourage African-Americans to get involved in their community is a reflection of the organization's founder and president, Carroll Brown. Carroll's selfless devotion to helping others has improved Connecticut at both the State and local levels. She helped working people across Connecticut when she served as a labor committee staff member at the Statehouse in Hartford.

It is in her own community, however, that Carroll has truly set herself apart and shown others not only the way, but their responsibility to better their neighborhoods and surroundings. Her dedication can be seen in many ways, including her pioneering service as the first African-American woman on the West Haven Board of Education. She has fostered this community spirit in her husband and three sons.

Carroll realized the potential for greater community participation by African-Americans in West Haven and had the vision to create the West Haven Black Coalition. In the 10 years since, the coalition has unified West Haven's black community and given rise to true grass roots community involvement. Her oft-repeated words capture her commitment to a cohesive community: ''In unity there is strength. Together we stand, divided we fall.''

I have had the pleasure of working with Carroll Brown for many years and am pleased to take this opportunity to thank her and congratulate her on the 10th anniversary of the West Haven Black Coalition she has founded and nurtured over the years.

## TRIBUTE TO RUTHANN VIHON

### HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to an outstanding community servant in my Congressional District, Ms. Ruthann Vihon, of Western Springs, IL, on the occasion of her being honored with the Hinsdale/Gateway Rotary Club's Paul Harris Fellow Award on March 2, 1996.

The award recognizes her commitment to community service and volunteerism and will provide a $1,000 donation in her name to the Rotary Foundation. This truly tireless activist sits on the elected Lyons Township High School Board of Education. In addition, Ms. Vihon is a volunteer with the Community Support Service, Respite House, and the Hindsdale/Gateway Rotary Club Special Needs Scholarship Advisory Board, which assists special education students pursue higher education.

Mr. Speaker, I congratulate Ms. Vihon on this honor, and extend to her my best wishes on continued success in her service to her community.

## HONORING THE LIFE AND WORK OF MORTON GOULD

### HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. NADLER. Mr. Speaker, on February 21st, this country lost a truly outstanding individual when composer and conductor Morton Gould died at the age of 82.

Born in Richmond Hill, NY, Morton Gould's creativity was recognized just last year, when he won the Pulitzer Prize for Stringmusic. He composed for Broadway and for the ballet; his music was commissioned by symphony orchestras throughout the United States. His style integrated jazz, blues, gospel, country-and-western, and folk elements into compositions that were instantly recognizable as American, and which led to his receiving three commissions for the U.S. Bicentennial.

As a conductor, Morton Gould led many of the major American orchestras as well as those of Canada, Mexico, Europe, Japan, and Australia.

But as accomplished as he was as composer and conductor, Morton Gould's true genius was that he became what he called a ''musical citizen'': composer, conductor, arranger, educator, mentor. He loved and appreciated all kinds of music and did much to advance the protection of songwriters, including serving as president of the American Society of Composers, Authors, and Publishers [ASCAP].

Morton Gould received a 1994 Kennedy Center Honor in recognition of his lifetime contribution to American Culture.

Mr. Speaker, it is fitting that this man, who contributed so much of lasting value to America, should be remembered and honored.

## TRIBUTE TO SENATOR HENRY J. MELLO

### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. FARR of California. Mr. Speaker, I rise today in tribute to one of California's great leaders and legislators, State Senator Henry J. Mello. The Senator retires this year after more than three decades of continuous service to the people of California's Central Coast, located in my district. As he closes this chapter of his public life, I want to take this time to salute a man who epitomizes the best in public service.

A native of Watsonville, CA, Senator Mello has spent most of his adult life working tirelessly on behalf of his constituents. Rising through the ranks of local government, the Senator served first as a Santa Cruz County supervisor for 8 years, then was elected to serve as assemblyman for both Santa Cruz and Monterey Counties in 1976. In 1980, Senator Mello was elected to the State senate and, in a tribute to his talent, he was quickly named that body's majority whip. Senator Mello was subsequently elected majority leader in 1992 and successfully chaired the Subcommittee on Aging, the Subcommittee on Economic Problems Facing Agriculture, the Senate Select Committee on Bilingual Education, the Joint Committees on the Arts, the 1992 Quincentenial, and served as vice chair of the Senate Select Committee on California's Wine Industry and Water Resources.

I have had the honor of working with Senator Mello on many occasions and I have always been touched by both his skill and his concern for the community. You just won't find a better citizen's advocate for education, the environment, or especially, the elderly. Senator Mello authored legislation to enact the

first programs focusing on Alzheimers-Respite Care, Adult Day Health care and the Multipurpose Senior Services Programs. He founded the Senior Legislature and passed legislation to combat elder abuse. In the 20 years that Senator Mello has served in the legislature, he has authored more than 120 bills on aging and long-term care that have become law of the land in California.

Senator Mello's commitment to our senior citizens, and indeed to all citizens, was particularly impressive when their need was greatest, after the Loma Prieta earthquake of 1989. Senator Mello's work was key in maintaining vital lines of communication and in ensuring that our area received millions of dollars to aid in the region's rebuilding. I am certain that had it not been for Senator Mello's initiative and hard work our area's recovery would have been far less easy. Helping the area recuperate from the earthquake was just one of many highlights in his distinguished legislative career.

For many years to come, tangible evidence of Senator Mello's labors will be obvious to all California residents, especially his interest in education and the arts. During his tenure as chairman of the Fort Ord Task Force, Senator Mello helped establish the California State University at Monterey Bay, the University of California, Santa Cruz research center at Fort Ord and authored the legislation creating the Fort Ord Reuse Authority. Senator Mello also acquired essential funding for Santa Cruz County libraries preventing their closure and, in perhaps the greatest tribute to his work, was honored in 1994 with the naming of the Henry J. Mello Center for Performing Arts in Watsonville. One could literally fill books with Senator Mello's many other wonderful accomplishments.

As he retires this year because of State term-limits, one thing is positively certain: Senator Mello will be sorely missed. For my part, I will miss working with a member of the Democratic team who has so successfully governed the Central Coast for more than a generation. As for the people of his district, they will no doubt miss something much more profound. In the Senator, they will miss a man who has lived his life to serve, who has led with levels of compassion and commitment not normally found in our public servants these days. But then again, Senator Mello has been no ordinary public servant.

## TRIBUTE TO AMATO L. BERARDI

### HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. BORSKI. Mr. Speaker, I rise today in recognition of my close personal friend Amato L. Berardi, who will have the title ''Cavaliere dell'Ordine al merito della Republica Italiana'' bestowed upon him on March 17, 1996.

Amato L. Berardi was born on October 14, 1958 in Longano, a province of Isbernia, Italy. His parents, Carmine Berardi and Carmela Ditri, were married in Italy where they had four sons. In 1970 they emigrated to the United States.

Upon arriving in Philadelphia, Amato attended Mater Dolorosa grade school, followed by North East Catholic High School. In 1975, while still in high school, he and his brothers owned and operated a restaurant in Philadelphia. Amato graduated from high school in 1978, and then went on to attend Philadelphia College of Textiles and Business for 2 years. During Amato's 2-year tenure, he majored in business management.

On January 4, 1983, Amato joined New York Life where he became the No. 1 agent in his class in 1983. He became the Executive Council agent in 1986, achieved Presidents Council status in 1987, and Chairman's Council in 1993. Mr. Berardi gained membership in the Million Dollar Round Table, and has received the National Quality and National Sales Achievement awards.

Amato has also been recognized for his service to his community. He has received the Italian-American Knights Legion's Knight of Goodness Award, and has been honored with a Humanitarian Citation from the City Council of Philadelphia and the State Senate of Pennsylvania. Amato is also president of the National Italian American Political Action Committee and the Federation of Italian American Businesses. He is also actively involved in numerous social organizations, including the Overbrook Italo-American Democratic Club, the Sons of Italy, the Columbus Association of America, and the American Heart Association.

Today, Amato resides in Huntington Valley with his wife of 13 years, Maddalena Caranci, and their two children Carmelina and Carmine.

Mr. Speaker, I join Amato Berardi's family and friends in congratulating him for a lifetime of hard work and devotion to the Italian-American community and congregation.

## TRIBUTE TO MELVIN EGGERT

### HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. LIPINSKI. Mr. Speaker, I rise today to express my sympathy to the family and many friends of Melvin Eggert, the former mayor of Countryside, IL, a community in my district.

Mr. Eggert was a true pioneer in the community, which was incorporated in 1959. From 1960 to 1963, he served on the city council and then was Countryside's mayor from 1963 to 1967. He helped guide the city through its infancy, providing the foundation for its growth into one of the most prosperous suburbs in the Chicago area. He was also a successful restaurant owner in the area.

Mr. Speaker, I extend my condolences to Mr. Eggert's wife, Martha, and his entire family and his many friends on his passing.

## THE PATIENT RIGHT TO KNOW ACT OF 1996

### HON. GREG GANSKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. GANSKE. Mr. Speaker, I am pleased to join with my colleague from Massachusetts, [Mr. MARKEY] and numerous original cosponsors in introducing legislation to ensure that doctors remain free to provide critical health care information to patients.

There is nothing more central to the doctor-patient relationship than trust. Patients and their families rely on doctors to fully inform them about the course of a disease and the various ways it can be treated. They deserve to know the risks and benefits, the costs, and the chances of success of the treatments that will be inflicted on their own bodies or their loved ones. And they don't want information withheld because of an insurance company restriction.

Unfortunately, that essential doctor-patient trust is being undermined by some health plans that attempt to limit the content of discussions between patients and providers. Physicians are increasingly being offered contracts by insurance companies that contain restrictive clauses preventing the physician from using sound medical judgment and undermine the essential notion of informed consent.

Sometimes, these contracts explicitly seek to limit the information a doctor can provide to a patient, preventing doctors from discussing proposed treatments until the plan has agreed to pay for it. How can we expect patients to make informed decisions about their own health if doctors can only inform them of options that the plan is willing to pay for?

Other plans achieve the same result more subtly. Some place a general disparagement clause in their contracts, forbidding providers from saying anything that might undermine patient confidence in the plan. The danger of this clause is very real. Patients rely on their physician to tell them which doctors or hospitals are better than others. But in plans with general disparagement clauses, a doctor could not tell a patient that 7 of the last 11 patients he referred to the plan's heart surgeon have died. That is precisely the sort of information doctors should give to patients and is precisely the kind of communication that general disparagement clauses prevent.

Sometimes, contracts contain no explicit restrictions on communications between doctors and patients, but physicians can still find the content of their medical advice restricted. A former neurologist from a large HMO indicated that ''I was told it was a mistake to tell the patient about a procedure before checking to see whether it was covered.'' Whether explicit in a contract or communicated to doctors orally, such restrictions on communication deny patients access to critical information and make a farce out of the notion of informed consent.

Today, because of market concentration, for a physician to buck a ''gag clause'' and be terminated from one of two dominant HMO's in a community, may mean whether that physician stays in practice. There is genuine fear among providers that if they act too often or too vigorously as a patient advocate, their contract won't be renewed. Under these circumstances, it takes a hero to be a patient advocate. And as we know far too well, heroes are rare.

This legislation is a balanced approach to a growing problem. While I understand the importance of the free market, Congress must protect patients who are unaware that some doctors are no longer able to communicate their best judgment. These restrictions are unethical. They violate the Hippocratic Oath. They undermine the quality of care. And, as far as I'm concerned, they have no place in the health care market.

I hope that my colleagues on both sides of the aisle will see the importance of this issue

and help us enact the Patient Right to Know Act.

## INTRODUCTION OF THE PATIENT RIGHT TO KNOW ACT OF 1996

### HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. MARKEY. Mr. Speaker, I am pleased to join Dr. GANSKE today in introducing the Patient Right to Know Act of 1996.

When I was a boy, my mother told me, ''if you don't have anything nice to say, don't say anything at all.'' Now when my mother said that, she was not talking about protecting the feelings of health plans. She was talking about people, who sometimes, unfortunately, become patients. So she would be quite surprised to see this dangerous twist on her advice in some of the contracts between doctors and health plans we see today. Today, to protect the feelings of health plans, doctors are being asked to restrict what they say to their patients. This is wrong, just plain wrong. No doctor can practice good medicine in a muzzle.

The fact is, when you're a patient, what you don't know can hurt you. That's why Congressman GANSKE and I are introducing the Patient Right to Know Act. The Patient Right to Know Act will prohibit health plans from restricting communications between doctors and their patients about treatment options, their benefits and risks, and other issues related to quality of care. It will ensure that doctors are allowed to tell their patients why a plan decides to pay for, or deny, a treatment. Finally, it will bar plans from restricting doctors from talking to their patients about financial arrangements they have with the plans which might affect those patients' access to care.

The impetus for our bill was the increasingly frequent reports of health plans trying to keep doctors from talking freely to their patients about their health care needs, or forcing doctors to sign contracts that include clauses restricting doctor-patient communications. I was deeply disturbed by these reports, because I am a great believer in the principle of informed consent and restrictions on communications between doctors and their patients make informed consent impossible. Attacks on informed consent—which is the most basic patient protection—simply cannot be tolerated in our society.

I have worked on consumer protection issues for a lot of years now, and I look at it this way: Patients are really just consumers of health care. Like any other kind of consumer, patients need complete and accurate information about the products or services available if they're going to make good decisions about the health care they consume. The only difference is, we are not talking about toasters or washing machines here, we are talking about people's health and lives.

Now Dr. GANSKE here has an advantage, because while I was at law school, learning about the rule against perpetuities, he was in med school, learning how to make sick people well. So when Dr. GANSKE is feeling a little under the weather, and he goes to see his family doctor, he's on a pretty level playing field. He knows what questions to ask. He's probably already read about the latest treatment for whatever is it that ails him.

But the ordinary Joe is at a disadvantage. He does not get the New England Journal of Medicine at home. He places enormous trust in his doctor, and depends on his doctor to tell it to him straight. When a health plan tries to control or censor communications between its doctors and their patients, that critical bond of trust is broken.

Silence isn't always golden. Although he who has the gold sometimes tries to demand silence—the fact is, in today's world, knowledge and information are the coins of the realm. Nowhere is this truer than in the realm of health care.

Hippocrates said ''Health is the greatest of human blessings.'' Surely, it is the most precious although many of us do not realize this until we ourselves or someone we love becomes seriously ill. Then, we would give away anything we have—all of our worldly treasures—to make them well again. At that moment, our greatest ally is our doctor, and our most valuable asset is the information he can give us. That is why passing the Patient Right to Know Act is so important.

## IN HONOR OF AFRICAN-AMERICAN WOMEN

### HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. FROST. Mr. Speaker, in honor of this year's theme of African-American women, I wish to recognize the passing of former Congresswomen Barbara Jordan, one of Texas' greatest political figures. She died at the age of 59 from pneumonia, one of the many illnesses which she suffered from in the last years of her life. But the life that she led was extraordinary, and she left a mark that few will ever match, and that none will ever forget.

Mr. Speaker, Congresswoman Jordan distinguished herself from an early age. With her family's encouragement she worked hard to rise above the poverty of her childhood in Houston. She graduated magna cum laude from Texas Southern University. It was there that she first displayed her powerful oratorical skills as a member of the debate team. In 1959 she received her law degree from Boston University.

Mr. Speaker, Barbara Jordan made history by setting a number of firsts. She was the first black State Senator in Texas history, elected in 1966. In 1972 she was accorded the high honor of being elected president pro tempore of the Texas Senate, another first for an African-American. Eight years later she recorded another first, becoming the first black from Texas to be elected to Congress. Although she only served for 6 years in the House of Representatives, her impact was monumental.

It was as a freshman Congresswoman, Mr. Speaker, that the Nation first came to know Barbara Jordan. As a member of the House Judiciary Committee she made one of the defining speeches of the Richard Nixon impeachment hearings. Rising above the political rhetoric, she told the world, ''My faith in the Constitution is whole, it is complete, it is total, and I am not going to sit here and be an idle spectator to the diminution, the subversion, the destruction of the Constitution.'' Indeed, her statements reminded America of what was truly great about this country.

On a more personal note, Mr. Speaker, Barbara Jordan served as one of my earliest political role models. I had a chance to see Congresswoman Jordan speak at the 1976 Democratic National Convention. Like everyone else that heard her speech I was moved not only by her eloquence, but by her definition of public service. ''More is required of public officials than slogans and handshakes and press releases,'' she said. ''We must hold ourselves strictly accountable. We must provide the people with a vision of the future.'' These words continue to guide and inspire me 20 years later.

I wish in the coming days that all Texans would join me in reflecting upon the legacy of Barbara Jordan. She stood for honesty, integrity, and an unswerving commitment to the principles on which this country was founded. Her legacy will endure as we continue to honor these ideals.

## PHILADELPHIA GAY NEWS CELEBRATES 20 YEARS OF SERVICE TO COMMUNITY

### HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. FOGLIETTA. Mr. Speaker, I rise today to recognize the 20 year anniversary of publishing for the Philadelphia Gay News, one of the oldest newspapers serving the gay and lesbian community in America.

I met a young activist named Mark Segal when I was a Republican member of the Philadelphia City Council many years ago. When Mark started the newspaper in 1975, he was a pioneer. In 1975, very few communities had any means for gays and lesbians to know about what was going on in terms of politics, government, health or social events. They had to depend on leaflets and word of mouth. Through the energy of people like Mark Segal throughout the country, that has changed. Lesbian and gay journalism helped that community become more cohesive, politically aware and active. Indeed, trailblazers like Mark Segal helped put the community in the gay and lesbian community. Now, Mark is respected as an elder statesman in gay and lesbian independent journalism in America, though he is anything but an elder. Nationally, Mark was deeply involved in the establishment of gay and lesbian journalists' and publishers' organizations, as well as putting some of their newspapers onto the internet.

Through credible and independent journalism, the Philadelphia Gay News promoted pride in gay and lesbian self identity and educated the community about violence and HIV, AIDS, and other health concerns. The paper helped promote empowerment by giving an advertising avenue for burgeoning gay and lesbian business interests. It gave force to gays and lesbians in Philadelphia government and politics.

I congratulate Mark Segal, his partner Tony Lombardo, who acts as the paper's business manager, and the paper's editor Al Patrick for their commitment to adding to the vitality and diversity of the Greater Philadelphia community.

## TRIBUTE TO LAKELAND ELEMENTARY SCHOOL

### HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. TORRES. Mr. Speaker, I rise today to pay tribute to Lakeland Elementary School in Norwalk, CA. Lakeland has been selected for the 1996 Program of Excellence Award by the California Council for the Social Studies. Only one school or district is selected each year throughout California to receive this prestigious award.

With the leadership and support of principal Tom Noesen, the creative and imaginative staff at Lakeland have used social studies as the core of an exciting resource-based instructional program, which has attracted the attention of an increasing number of educators. Lakeland School has also developed a remarkable relationship with its students, families, and with its primarily minority community. The staff at Lakeland Elementary are to be commended for achieving such positive educational results and for boosting its role within the community.

In this era of dwindling resources and support for public education, it is encouraging to see enthusiastic and caring teachers that are committed to providing our children the high quality education to which they are entitled. Lakeland School is a prime example of a team effort. Because of the cooperation that exists on the part of the administration to the students, Lakeland School has proved itself to be a pioneer in the effort to prepare our young people for success in the challenging world of tomorrow.

Mr. Speaker, it is with tremendous pride and appreciation that I ask my colleagues to join me in acknowledging the positive contribution that Lakeland School is making toward the future of America.

## TRIBUTE TO WEST SUBURBAN CHAMBER OF COMMERCE 1996 AWARDS HONOREES

### HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to five outstanding individuals and three organizations in my district who were recently honored for public service and volunteerism by the West Suburban Chamber of Commerce (WSCC).

Mr. Lawrence Kinports of LaGrange, IL, was named as the WSCC's Citizen of the Year. Mr. Kinports, a retired business executive and current LaGrange trustee, is renowned in the community for his volunteer work. He serves as an active member of the boards of numerous organizations, including the Southwest Suburban Center of Aging and the Community Extension Project, which serves the youth of his community. In addition, Mr. Kinports has been previously recognized by this Member with my Senior Citizen of the Year Award.

WSCC Man of the Year Ronald Henrickson of LaGrange is another individual who can't say no when it comes to giving of his time and talents. He is a member of LaGrange's Economic Development/Redevelopment Commission, sits of the board of directors of the Richport YMCA, and volunteers with Mainstreet LaGrange, a redevelopment group in the community.

Ms. Linda Johnson of Western Springs, IL, the Chamber's Woman of the Year, is a successful small-business owner who also finds time for her community. She has been especially active in expanding opportunities for girls and young women, serving as board member of the Whispering Oaks Girl Scout Council and is a past president of the LaGrange Business and Professional Women's Organization. Ms. Johnson also sits on the Western Springs Economic Development Commission and the WSCC Board of Directors, and is the immediate past president of the Western Springs Business Association.

Mayor Carl LeGant of Countryside, IL, the WSCC's Public Servant of the Year, represents all that is good about government service. Mayor LeGant is a true pioneer in his community. He was active in Countryside's incorporation in 1959 and has served in city government since 1963. His honesty and devotion to his community are unquestioned, and after scandal rocked Countryside's government nearly 20 years ago, Carl LeGant was elected Mayor and helped restore the people's faith in their municipal leaders.

Mr. James Durkan of Indian Head Park, IL was recognized with the Outstanding Community Service by an Individual Award. Mr. Durkan serves as president of the Community Memorial Fund, which distributes funds for health and wellness projects throughout the community. He is also active in the LaGrange Kiwanis Club and received the LaGrange Community Nurse Service Association's Outstanding Service Award in 1993 and currently serves on the Chamber's board of directors.

Other WSCC award winners include the Rich Port YMCA as the Outstanding Community Service Organization. The Y, a true landmark in LaGrange, recently celebrated its 50th anniversary of serving 15 area communities. More than 200,000 people utilize the Rich Port YMCA each year.

Winners of the Chamber's Beautification Award include Burcor Properties of LaGrange and Courtright's Restaurant of Willow Springs, IL. Burcor and its owner, Jerry Burjan, a former WSCC Man of the Year, have done much to improve downtown LaGrange, including renovating a number of commercial buildings. William and Rebecca Courtright, owners of Courtright's, painstakingly preserved the surrounding natural beauty of a sweeping, wooded hill when they constructed their restaurant in Willow Springs.

Mr. Speaker, I congratulate the West Suburban Chamber of Commerce honorees on their contributions to the community and wish them and the WSCC much success in the future.

## AGRICULTURE REGULATORY RELIEF AND TRADE ACT

### HON. PAT ROBERTS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. ROBERTS. Mr. Speaker, today we are introducing what some have called Farm Bill II. More accurately we are calling it the Agriculture Regulatory Relief and Trade Act of 1996. This is a small step toward providing American farmers with the regulatory relief that will enable them to compete in a very competitive global environment.

Many of my colleagues have seen the Agriculture Policy Ledger. The Agriculture Committee has told farmers that there will be less money in the future but in return we have also promised less Government involvement in their lives. The Contract With America contained many of those promises. The Clean Water Act adopted by this House and awaiting action in the Senate would go a long way in addressing a wetlands regulatory nightmare.

I am firmly committed that we should consider many of the policy issues impacting farmers in a calm and careful manner. This bill will lay the cornerstone for the Agriculture Committee's effort to provide some regulatory relief to producers in the agricultural policy area. This bill reflects our commitment to a two-track approach. The first track, the Agricultural Market Transition Act, contains the major spending items in the agriculture budget. The second track, the one that we are embarking on today, deals with many of the policy issues under the House Agriculture Committee's jurisdiction.

I firmly believe rolling all of the budget and policy issues into one huge farm bill is a mistake. The Senate chose to pursue this approach and in that process ended up spending at least $800 million above the December CBO baseline. In fact, when you compare the Agriculture Market Transition Act to the Senate bill, we save over $5.4 billion more than they do.

REGULATORY RELIEF AND REAUTHORIZING THE CRP

The conservation title of the Agriculture Regulatory Relief and Trade Act fulfills a promise we made to our producers during the 1994 elections and the budget debate—in return for reduced Government support, we reduce the Government's involvement in their lives. The 1985 farm bill established a partnership between the Federal Government and the farmers. That agreement in essence said we will provide income support payments in return for compliance with government regulations.

However, since that time we have reduced payments by nearly two-thirds. At the same time Government regulations have increased exponentially. This is the first step towards stopping increased Government regulation on producers and making the regulations that remain meet the common sense tests that all regulations should have to meet—technical and economic feasibility and a focus on results, not on process.

The bill that I am introducing today with my subcommittee chairmen meets these tests. It protects the environment and allows producers to use their own innovation to meet environmental goals instead of forcing them to use the innovations of Government bureaucrats. This legislation will also halt several instances of regulatory overkill that have plagued producers since these laws were passed. This legislation goes a long way toward ending this overkill and putting producers back in charge of their land.

Specifically, this legislation will expedite procedures that producers must go through when requesting variances from conservation compliance due to circumstances beyond their control. Conservation systems and plans are

clearly defined so that they are technically and economically achievable, are based on local resource conditions and can be met in a cost effective manner. Penalties will remain in place for producers who violate compliance, but will be tempered when producers unknowingly violate compliance. This legislation also encourages producers to request technical assistance from NRCS without fear of being found out of compliance and then penalized.

We also move forward in reducing the paperwork burden on producers by consolidating cost-share programs that producers use to meet environmental goals. Through consolidation we allow producers to fill out one set of paperwork to access cost share programs, instead of the current system that requires producers to identify their needs then identify which government program they can access and then filling out duplicative government forms. This is common sense and should expedite the process. Finally, this legislation authorizes a new program for livestock produces to improve water quality. This is a mandatory program that is fully paid for and should help livestock operations improve the quality of rural areas.

In addition, this bill provides for the reauthorization of the Conservation Reserve Program up to 36.4 million acres. This program has been a very valuable program that has been enormously popular with farmers, environmentalists, sportsmen and conservationists. Our provision is a simple reauthorization of the program, without modifications to the criteria for enrollment in the CRP.

Mr. Speaker, this is common sense reform that both sides of the aisle should be able to support.

GOVERNMENT CREDIT REFORM

Farmers and ranchers learned the hard way in the late 1970's and 1980's that they could not borrow their way to prosperity. All of us here in Washington concerned with Federal farm policy know that American taxpayers are increasingly unwilling to pay for a continuation of status quo farm policy. USDA farm credit programs that have resulted in billions and billions of dollars going uncollected are high on that list of benefits we can no longer afford.

The bill introduced today seeks to realign Federal lending policies that have been patched together during the last two decades in response to the farm problems in the 1970's and 1980's. Statutory prescriptions that read like regulations are eliminated or streamlined by this bill. USDA farm loans should be used for income generating purposes to enhance our farmers survivability, not support environmental policies that are contained in regulatory activities under other laws. In that regard, the local Farm Service Agency credit office should not be a procurement agency for the U.S. Fish and Wildlife Service. The bill strikes this law.

We all have heard the stories about the farm and home borrower who got his debt written down one day and bought a new pickup the next. Or, farmers, who are always the last to plant in the spring and leave their crops in the fields all winter, are first in line at the county office when it comes time to get their debt forgiven. Of course, a lot of this is coffee shop talk but, on the other hand, the General Accounting Office [GAO] has spent a number of years examining USDA lending practices and has found USDA to be lax or deliberately permissive in response to congressional wishes. There have been nearly a dozen of these GAO reports over the years.

As a 1992 report says, ''Lenient loan-making policies, some congressionally directed, have further increased the government's exposure to direct loan losses.'' The GAO says the old FmHA provided $38 million in new loans to some 700 borrowers who had already defaulted on loans resulting in losses of $108 million. Half of these borrowers became deliquent on their second round of loans. This is nothing but throwing good money after bad, and I might add it has done nothing for the farmers but delay the inevitable. This kind of policy cannot continue.

GAO looks at one borrower who ''* * * received a $132,000 direct farm operating loan from the Farmers Home Administration (FmHA) even though, just 2 months earlier, he had received about $428,000 in debt relief. By March 1991, he was $28,000 past due on payments.'' This may be a single instance but is not likely to be unrepresentative when you consider the aggregate losses of billions.

Unfortunately, the disposition of inventory property, including provisions that make otherwise viable farming units into easements for environmental purposes—all at taxpayers' expense—has been just as irresponsible. This legislation is designed to change those policies as well.

TRADE

Farmers know that there will be less money to spend on production agriculture in the future. The money we do spend must be spent wisely. Farmers must be prepared to respond to agriculture trade in a post NAFTA and GATT world. GATT and NAFTA opened up the world markets. We still must be competitive and fight for market share. That is the goal of this trade title, to give farmers and ranchers the tools necessary to respond to the exploding world demand we see in the Pacific Rim countries, China, and Latin America.

In the 70's exports were largely bulk grains. Today we are seeing more grain than ever move overseas, but it is in the form of processed products, beef, pork, and poultry. Red meat exports are three times the 1986 level. Poultry exports are six times the 1986 level.

The bill we are introducing today continues and fully funds the Market Promotion Program. While the MPP program has come under attack, I remind my colleagues that farmers and ranchers produce a commodity. By the very definition a commodity is just that—nondifferentiated. One bushel of wheat pretty much looks like another bushel of wheat.

Any economist will tell you that the way to move more of a commodity is turn it into a value added product. Differentiate the product and you will add value. Convince the overseas consumer that U.S. poultry or beef is better and you have sewn up market share. That is the goal of the MPP program and we need to retain the MPP program. Exports are moving toward value added products and MPP will facilitate that movement.

Specifically, the trade title allows credit guarantees for high value and value-added products with at least 90 percent U.S. content by weight.

Next, it provides protection to producers of any agriculture commodity who suffers a loss due to an embargo imposed for reasons of national security, foreign policy, or limited domestic supply.

The Secretary is given the flexibility to use the funds of the various export programs in ways that better accomplish the programs' objectives and to ultimately increase U.S. agriculture exports.

The Secretary is given the responsibility to monitor compliance with the agriculture provisions and sanitary and phytosanitary measures of the Uruguay Round Agreement. The Secretary will report any country failing to meet its commitments under the Uruguay Round Agreement to the U.S. Trade Representative for appropriate action.

RURAL DEVELOPMENT

The committee considered three important objectives when developing the rural development title: flexibility, local planning and decisionmaking, and sustainability. The rural development reforms included in this package meet all three.

In regards to flexibility, GAO issued a number of reports concerning the cumbersome and counterproductive regulations associated with present rural development programs. The programs are small and narrowly focused and each is equipped with its own rules and regulations. Many communities do not bother applying for funding due to the time and money involved in completing an application. And, since every rural development dollar is designated for a particular use, applicants often apply for available, instead of needed, funding. The Senate bill makes some improvements in terms of how rural development money can be spent. However, all the regulations, limitations, and restrictions would still apply. Our bill provides maximum flexibility by consolidating all rural development funding and including precious few regulations. The regulations are essentially two-fold. First, the money must be used for rural development activities currently eligible for funding. And, second, the money must be used to the benefit of small towns, particularly those with 10,000 people or less. That's it. This kind of flexibility cuts costs and confusion, saves time and energy, and allows rural America to get down to the business of rural development rather than bogged down in the business of bureaucracy.

A theme that dominated one GAO report is the need for local leadership and long-range planning in rural development. According to the report, ''each area has unique qualities that require customized, rather than off-the-shelf, solutions to its economic problems.''

The report continues, ''While the effectiveness of Federal programs may be uncertain, their inefficiency in delivering benefits is self-evident.'' Finally, the report concludes by recommending ''* * * exploring alternatives to the current set of Federal rural development programs, not merely better ways to coordinate them.'' While the Senate bill does throw a bone or two at State and local government, it jealously holds control of rural development programs in Washington—settling for off-the-shelf solutions to local problems. Our reform bill promotes local solutions to local problems by distributing consolidated rural development funds to the States. In turn, each State may administer its own rural development programs in close consultation with local government and the private sector. It is worth noting that State and regional governments already administer 4 out of the 5 major sources of Federal funding for water and waste projects. The States will gain one more if Senators CHAFEE and KEMPTHORNE's safe drinking water amendments become law. It just makes sense to turn these rural development programs—which include water and waste—over

the States to maximize coordination and get the job done.

Finally, in regard to sustainability, we all know that Federal funding for rural development is shrinking, In a single year—from fiscal year 1995 to fiscal year 1996—funding for rural development will be cut anywhere from 25 to 43 percent, depending on how USDA arranges its portfolio—ratio of grants to loans and loan guarantees. With the possibility of even deeper cuts coming in order to balance the budget and to provide increased funding for some programs that usually see annual increases, rural development programs may be sacrificed. What will rural towns, hospitals, and water districts do when the money runs out?

The Senate bill would wait and see. Our reform bill preempts the problem. It transfers administration of rural development to the States and requires each State to establish a revolving fund to be used for rural development. By capitalizing State revolving loan funds, which grown in size and operate in perpetuity, States can continue to provide rural development financing long after Federal funding comes to an end. In addition to sustainability, there's also efficiency in the State revolving fund. Even EPA Administrator Browner agrees that States—through State revolving funds—can actually provide more money at lower interest rates than traditional Federal programs—and do it all faster.

One final point in regard to rural development. I asked the administration and many Democrats on the committee who had concerns about this title to work with me to achieve flexibility, State, and local planning and decisionmaking, and sustainability. But, all I ever heard was the status quo. In light of GAO's criticism of current programs, I think we owe rural America better than that.

RESEARCH

The bill provides for a simple 2-year reauthorization of the research, education, and extension functions of USDA. Research should be the cornerstone of our farmers ability to compete in world market places. A simple extension of authorities will allow the committee to finish the work we have begun on an extensive review of the Federal research programs.

The Agriculture Committee has embarked on an extensive review of the Federal research effort. Last summer, I along with Representatives ALLARD, DE LA GARZA, and JOHNSON sent out a comprehensive questionnaire. We asked researchers and research users what can be done better and how can we spend the $1.7 billion annual commitment to agricultural research and extension to make sure producers and consumers will have a competitive and safe food supply in the 21st century.

In addition to the survey which I just discussed, the House Agriculture Committee has had the General Accounting Office conduct the first accounting of our Federal agricultural research investment since 1981. This report will be delivered to the committee by the end of next month.

Finally, we have scheduled a series of hearings this March and plan on producing a comprehensive rewrite of our Federal Research Program. Unfortunately, the other body has chosen to simply clean around the edges leaving in place research policies that fail to meet the needs of the agricultural sector as we transition into the free market. That is unacceptable and I urge my colleagues to support the Agriculture Committee in our effort to modernize USDA's research program.

This is a board overview of the Agriculture Regulatory Relief and Trade Act. Taken together, it's a strong package that will relieve the regulatory burden in rural America, reduce redtape and provide a consistent and dependable export policy.

## RUSSIA AND THE NEW INDEPENDENT STATES [NIS]: PROMOTING U.S. INTERESTS

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 1996*

Mr. COX of California. Mr. Speaker, at a recent executive session of the House Republican Policy Committee, which I chair, the Salvatori Fellow in Russian and Eurasian Studies at the Heritage Foundation, Dr. Ariel Cohen, made a presentation on the state of affairs in Russia and implications for American foreign policy. He offered an analysis of the December 1995 legislative elections and the presidential elections scheduled for next June, focusing on the growing influence of Communists and ultranationalists. His observations about Russia's stalled economic liberalization, military onslaught against the citizens of Chechnya, and sale of nuclear reactors to Iran force one to reconsider American economic assistance programs for Russia. His briefing report follows.

RUSSIA AND THE NEW INDEPENDENT STATES [NIS]: PROMOTING U.S. INTERESTS

Briefing to the House Republican Policy Committee, Hon. Christopher Cox, (R–CA), Chairman

THE ISSUES

The Future of U.S.-Russian Relations Remains Uncertain. The future of U.S.-Russian relations is uncertain. Much depends upon the outcome of the presidential elections in Russia, currently scheduled for the summer of 1996. In December 1995, elections communists, nationalists and their allies captured over 50 per cent of the popular vote to the Duma (the lower house of the Russian parliament). Currently, President Yeltsin is trailing the pack of presidential candidates, with his popular support in single digits. The most popular candidate is Vladimir Zhirinovsky, an anti-American ultra-nationalist. Another dangerous contender is Gennady Zyuganov, leader of the unreformed communist party. He, too, could win the presidency of the second largest nuclear power on earth. Victory for either Zhirinovsky or Zyuganov would gravely endanger Russia's young democracy and market reforms. A communist or a nationalist at Russia's helm could eventually place that country, with its considerable military power, on a collision course with the United States in Central Europe or the Middle East.

Yeltsin's Presidency Faltering. President Yeltsin's own prospects look grim. He has all but announced that he is about to run for the presidency, but his health is failing, and Russia's internal economic and political crisis continues unabated. The war in the breakaway republic of Chechnya, and economic difficulties are eroding the popularity of Yeltsin's administration.

No one knows who will rule in Moscow by the end of 1996, but the period of romantic partnership with the U.S. and the West is over. Russia is striking out on its own, taking a path that has already led toward confrontation with the West. In fact, Russia is in the midst of a political turbulence fraught with dangers for the West. The chances are good that the next American president will have to deal with a new set of players in Moscow, different from the current team. The U.S. cannot afford to appear partisan. Washington should be firm in expressing American support for democracy, elections, free markets and the support of individual rights in Russia. But the continuous and unquestionable support that the Clinton administration is providing Boris Yeltsin makes less and less sense. Questions about how closely and for how much longer Yeltsin should be embraced need to be addressed.

From Sphere of Influence to Empire? Anti-Western, anti-American, and xenophobic sentiments are growing in Russia. Moscow is attempting to re-establish its influence in neighboring regions that were once a part of the Soviet Union. The Kremlin is employing combination of economic, diplomatic and military means to achieve a sphere of economic and military influence in what Moscow calls its ''near abroad.'' Yeltsin's newly appointed foreign minister, Yevguenii Primakov, and other influential policy makers insist that the West scale down relations with former Soviet states, including Ukraine, and conduct these ties via Moscow. But in fact, preventing the emergence of a Russian empire in the lands of the former Soviet Union should be a top Western priority. Nothing less than Russian democracy and a future threat to vital Western interests are at stake. Moreover, an anti-Western policy may lead Russia to forge alliances with anti-Western forces in Iran, Iraq, China and Lybia.

The War in Chechnya. One of the main goals of the Russian attack on the quasi-independent republic of Chechnya in December of 1994 was to ensure control of a vital oil pipeline and stem illegal activities, such as drug-trafficking and smuggling, that were being conducted or condoned by the former administration in the Chechen capital of Grozny led by President Jokhar Dudayev. Russia launched massive but covert military actions to support Dudayev's opponents. In 1994, Dudayev turned to radical Islamic elements in the Middle East and Central Asia for support. This exacerbated the religious aspect of the conflict between the Muslim Chechens and Christian Orthodox Russians. Overt Russian military action began on December 12, 1994, when the army marched on Grozny. The city was destroyed by a brutal aerial, tank and artillery assault. Since the start of the campaign, over 30,000 people have been killed, and more than 300,000 became refugees. Hostilities continue, with hostage taking crises having erupted in July of 1995 and January of 1996. The southern border region of the Russian Federation increasingly resembles Lebanon or Yugoslavia, replete with hostages, refugees and vendettas.

The sale of nuclear reactors to Iran. The Islamic regime in Teheran has launched a bid to acquire nuclear weapons. It is buying two Russian-made nuclear reactors that will produce radioactive plutonium which can be enriched to become weapons-grade raw material for the manufacture of atomic bombs. The Russian Ministry of Foreign Affairs itself does not support this sale, which could endanger both Russian and Western security. Iran, with its formidable oil and gas resources, does not need nuclear power. If Teheran wants an additional source of electricity, Russia could sell electrical power from its own ample resources. In addition, to compensate Russia for the lost reactor sales, the U.S. could increase its Russian uranium quota, or cooperate in building safer nuclear reactors on Russian soil.

Aid to Russia. The Bush and the Clinton administrations have provided over $4 billion dollars in aid to Russia since 1992. Over $20 billion has been provided by the International Monetary Fund, the World Bank, Western governments and multilateral organizations, such as the European Bank for Reconstruction and Development. Combined aid monies and loans to the USSR and Russia for the period 1985–1995 amounted to over $100 billion. The results of these aid programs have been mixed. The primary agency which implements aid is the U.S. Agency for International Development (US AID), which often disregards Russia's real needs and pushes its own ''development'' agenda, utilizing personnel with expertise gained in Third World countries. The AID approach is hardly appropriate for Russia.

Technical assistance in the transition to free markets and democracy is vital. It should be administered by an independent board of U.S. policy makers, Russian area experts, and U.S. business representatives, and with guidance from the U.S. Department of State. The Russians need training in Western-style finance, accounting, management, law, and many other issues. They also need support in the development of the democratic institutions of an emerging civil society, as well as student and scientist exchanges.

ARMS CONTROL TREATIES WITH RUSSIA

Four treaties were signed by the USSR and the Russian Federation that require improvement, revision, rethinking. These are:

Strategic Arms Reduction Treaty (START II). This treaty, limiting the number of strategic nuclear weapons on both sides, was signed between President George Bush and the last leader of the USSR, Mikhail Gorbachev, in 1990, and has not yet been ratified by the U.S. Senate or the Russian Duma. In the U.S., START II is facing a challenge in the Senate. The senators understand that START II makes sense in Washington only if the treaty is compatible with a sound and rational policy that includes missile defense. But the main obstacles to START II ratification are not in Washington. They are in Moscow, where a majority of deputies in the newly elected Duma will probably refuse to ratify. While raising objections based on American intentions to build a missile defense, the real reason for the Russian intransigence lies elsewhere. The Russian military establishment wants to keep large, land-based multiple warhead missiles, such as the SS–18, SS–19 and especially the mobile SS–24. The reason for that is twofold. First and foremost, the Russian elite mistakenly thinks that these are the attributes of a superpower, and that with these tools of destruction Russia will retain the place of its predecessor, the USSR. Secondly, the Ministry of Defense wants to retain the level of investments that were made during the Soviet era. Such old thinking indicates that the lessons of the past have not been learned. Russia cannot become a superpower through such a muscle-bound strategy. Only a democratic Russia with freedom, prosperity and opportunity for all can build wealth and strength commensurate with superpower status.

Ballistic Missile Defense/Anti-Ballistic Missile (ABM) Treaty. In an era of nuclear proliferation, the American mainland needs to be defended from accidental or terrorist missile launches. This is especially pertinent with Russia selling nuclear reactors and China selling ballistic missiles and technology to the extremist regime in Teheran. The efforts of Saddam Houssein to develop a nuclear ballistic missile capability are also well documented.

Ballistic Missile Defense is a limited and achievable goal for the U.S. It should not be thwarted by the obsolete 1972 ABM Treaty signed with the USSR, a country that no longer exists. Russia today claims to be heir to the now-defunct Soviet Union, and is demanding that the U.S. abide by the 1972 treaty.

Senators James Inhofe (R-OK) and Robert Smith (R-NH) have informed Majority Leader Robert Dole that they will ''object to any unanimous consent agreement that would call up START II for final Senate action'' if either the treaty or the Clinton administration prevent the U.S. from deploying a ballistic missile defense system.

Despite what critics in Moscow and Washington say, a BMD will not cause a new upward spiraling arms race. The deployment of a defense system will lessen reliance on offensive missiles and will allow the U.S. to achieve lower levels of strategic arms as delineated in START I and II. The limited National Missile Defense will not be aimed against Russia. It is a purely defensive system, and, as President Reagan envisaged, America can cooperate with Russia and its Western allies on developing and deploying such a system.

Chemical Weapons Convention (CWC). Russia joined the CWC and expects the U.S. to do the same. America should support the creation of an arms control regime in the area of chemical weapons. However, such a regime needs to be enforceable and verifiable. Unfortunately, this is not the case with the current CWC, and therefore, the Congress should oppose it and refuse to ratify. The CWC is not verifiable because of the nature of chemical weapons. The ease of secret production, low tech equipment—all make verification extremely difficult. Secondly, the convention is unenforceable, as it places this authority in the hands of the U.N. Security Council, which would be hampered from doing an effective job as all of its permanent members have veto power. It is easy to foresee this body becoming deadlocked precisely when incidents of serious violation arise. Instead, the U.S. should propose a different regime, similar to the NPT, which will divide countries (including the permanent members of the Security Council) into weapon states and non-weapon states. Such a regime would circumvent the issue to veto power in the Security Council.

Conventional Forces in Europe (CFE). This treaty places limits on the numbers of conventional weapons, such as tanks and cannon, permitted in the European theaters of operation. It was signed with the now-defunct USSR in 1990, after more than two decades of negotiations. In the fall of 1995, the U.S. agreed to Russia's unilateral revision upwards of the limits imposed by the CFE on the northern and southern flanks of Russia. However, the threat to Russia used to justify these revisions is far from obvious. Beefing up the numbers of tanks and cannon on the borders of Russia's neighbors, be it the Baltics or in the Caucasus, raises questions about Moscow's intentions. This is especially relevant with all the rhetoric currently circulating in Moscow about reconstituting the Soviet Union and denunciations of the accords which led to the dissolution of the USSR. Moreover, Russia is far behind on meeting the weapons system destruction targets stipulated by the CFE.

OTHER ISSUES ON THE U.S.-RUSSIAN AGENDA

Peacekeeping in Bosnia. Many conservatives have misgivings about sending American troops to enforce peace in Bosnia. But if the U.S. has to do it, it is better to keep Russia in than out. The Russian military will gain experience interacting with NATO in Bosnia. This is a positive development. Peace in the region is in the interests of both the U.S. and Russia. However, this peacekeeping mission has to have clearly defined goals and objectives. It must neither exacerbate differences on the ground between NATO and Russian commanders nor magnify them into a political confrontation. It is important to guarantee that the command and control system in Bosnia ensure a close interaction between NATO and Russia. Such a structure should be able to withstand the stresses and strains of a ''worst case scenario,'' and keep tactical disagreements in check.

The Partnership for Peace (PFP). This is a gateway for NATO-Russian cooperation. Through the PFP, Russia and NATO can learn to work together, and learn about each other. It goes without saying that after the end of the Cold War the security architecture in Europe is going to be redesigned, and that a democratic and peaceful Russia should have a place of honor at the European table. NATO will feel more comfortable with a Russia that is not entangled in a bloody war in Chechnya, with a more democratic military without the hazing of recruits, and with a strong professional component.

U.S.-Russian security cooperation and NATO Enlargement. The issue of NATO enlargement to include Poland, Hungary, and the Czech Republic has become a bone of contention in U.S.-Russian relations. NATO expansion does not threaten Russia and is not a move toward encirclement. It is not a new cordon sanitaire. Simply stated, Central and Eastern Europe is that area of the European continent where bitter confrontations between the Slavs and the Germans have taken place over the last several hundred years. Two world wars have started there. If NATO is not expanded, Russia and Germany will find themselves locked in a new race aimed at dominating this key area. In this century the West abandoned the Poles, the Czechs and the Hungarians, first, to Hitler's aggression, and next, to Stalin's tyranny. This should not and must not happen again. These sovereign countries have the right to apply for membership in NATO, and NATO members should decide when and how new members will be accepted. Moscow cannot have veto power over this decision. The Republican Party has decided to include NATO expansion in its Contract with America, which was enthusiastically endorsed by the American people in the elections of 1994. There will be support in the U.S. Congress for NATO enlargement. And in the future, when the time is right, Russia, too, can explore the possibility of full membership in NATO.

The alleged promise that the Clinton administration gave to Russia not to expand NATO in order to secure Russian military cooperation in Bosnia is a mistake. If a hardliner comes to power in Russia or the Bosnian operation concludes, the U.S. should work to accept the three Central European states into NATO and keep the doors open for others if and when they are ready.

Crime and Corruption. Russia and other New Independent States (NIS) have become leading ''exporters of crime,'' together with Columbia, Southeast Asia, Afghanistan, Iran, and others. Law and order in Russia has collapsed; organized crime is merging with ''legal'' government structures, and it is difficult to say where the mafiosi end the government begins.

The main export items are weapons, drugs, and illegally obtained raw materials, such as oil, gasoline, timber and lumber, and precious metals. Today, organized crime syndicates are taking over whole manufacturing companies with tens of millions of dollars in sales. The total criminal exports from the NIS is in the billions of dollars.

Many Russian and Eurasian criminal organizations operate internationally, including

in the United States and Western Europe. Russian organized criminals and corrupt officials have access to weapons and technology of mass destruction, including uranium, chemical and biological weapons and the raw materials and components for their manufacture, as well as scientists with specific weapons-related expertise.

FACTS

On August 17, 1991, hardline elements of the Communist Party of the Soviet Union, the Russian army, and the KGB attempted a coup against Soviet President Mikhail Gorbachev. The coup was repelled by the Russian people under the leadership of Boris Yeltsin, President of the Russian Federation, who had been elected only two months earlier. The coup leaders were put on trial and jailed—but were released in 1993. Yeltsin emerged as the strongest political leader in the USSR.

The Soviet Union dissolved on December 25, 1991. Russia, Ukraine, Kazakhstan and other Newly Independent States (NIS) appeared on the map instead of the USSR.

On September 21, 1993, Boris Yeltsin disbanded the Supreme Soviet of the Russian Federation (the Soviet-era parliament). The recalcitrant Supreme Soviet became the site of intense opposition to Yeltsin and his market reforms. After a week-long standoff, Yeltsin ordered the Russian to shoot at the parliament building (the ''White House''). At least 130 people were killed. The new parliament (the Duma) was elected on December 12, 1993.

Today, Boris Yeltsin's health is failing. He has had two heart attacks in four months. His behavior is sometimes erratic; and intelligence services report that he has a heavy drinking problem.

Presidential elections are scheduled for June, 1996, but it is not certain whether they will take place. Hard-line nationalist and communist forces are on the rise, and the democratic reformers are retreating. The main contenders include President Boris Yeltsin; ultra-nationalist leader Vladimir Zhirinovsky; economist Grigory Yavlinsky (a moderate reformer); retired General Alexander Lebed (an authoritarian and charismatic nationalist); and Gennady Ziuganov (leader of the communist party).

During the Bush and Clinton administrations, Russia received over $4 billion in direct US aid, over $20 billion total in Western aid, and over $50 billion in loans from the G–7 countries and multilateral financial organizations, such as the IMF, the World Bank and EBRD. Together with the Soviet debt, Russia owes just under $130 billion.

In 1994, Russia started a war in the breakaway republic of Chechnya, that has to date killed over 30,000 people, made over 300,000 others refugees, and cost over $6 billion.

In the spring of 1995, Russia joined the Partnership for Peace (PFP), a ''halfway house for some to join NATO.'' However, today there is little likelihood that Russia will join in any time soon. Russia's reaction to NATO expansion East has been shrill and hostile. Most Russian politicians are erroneously claiming that NATO has aggressive designs against Russia and are using the NATO expansion issue to build up nationalism and anti-Western sentiments at home.

Russia agreed to cooperate with NATO in a peacekeeping mission in Bosnia, allegedly in exchange for a Clinton administration promise not to expand NATO, acquiescence to an increase in the number of conventional weapons in place on Russia's northern and southern flanks in violation of the CFE treaty, and freedom of action in the former Soviet area. Russia has over 2,000 peacekeepers in Bosnia.

Russia's unilateral violation of the CFE treaty, signed in 1990, threatens other former Soviet states, such as Ukraine, the Baltic countries, Azerbaijan, Armenia and Georgia. The build-up also jeopardizes the oil resources of the Caspian Sea.

Russia has signed agreements to supply at least two nuclear power reactors to the militant Islamic regime in Iran, which is implementing a nuclear weapons program.

Trafficking in radioactive materials and chemical weapons by corrupt Russian officials is well documented. Germany alone has made over 100 arrests related to nuclear material components exported from the NIS. General Anatoly Kuntsevich, head of the Russian Presidency's Chemical Weapons Department, illegally sold over 1600 pounds of chemical weapons components to a Middle Eastern country. Kuntsevich was subsequently fired and is currently under investigation.

One of the top Russian mafiosi, nicknamed ''Yaponets,'' is in U.S. custody on racketeering charges.

Russian organized crime in the U.S. netted over $1,000,000 in medical insurance fraud and hundreds of millions in gasoline tax fraud from 1992–1995. A large portion of these illegal proceeds is invested in Western and offshore banks and real estate in California, Florida, and other locations.

The Russian mob is successfully building ties to the Chinese ''triad'' gangs, Japan's Yakuza, the Sicilian La Cosa Nostra and Central Asian mafias. The strategic airlift capabilities of the former Soviet army are often used for illicit transactions, such as drug smuggling and stolen car transportation.

THE RECORD

President Clinton has made relations with Boris Yeltsin too personal. As Yeltsin's popularity plummeted, Clinton fed the flames of Russian resentment toward the U.S. with his unequivocal support of the Russian president, especially after the dramatic shooting at the Parliament building in October of 1993 and the beginning of the Chechen war. As a result, the U.S. is now perceived by many in the Russian political elite as partisan and uncritically supportive of Yeltsin's faltering policies, such as the Chechen war. The Clinton policy has endangered the ability of the U.S. to maintain relationship with segments of the Russian society that oppose President Yeltsin.

The Clinton administration has also been too slow to recognize the importance of countries other than Russia. For example, without Ukraine, the Russian empire cannot be recreated and will have only limited access to the heart of Europe. Azerbaijan controls vital oil and gas reserves, while Georgia is situated in a strategically crucial location in the Caucasus. Nevertheless, the Clinton administration has often neglected these countries, promoting a ''Russia-first'' policy.

The Clinton administration failed to prevent the sale of nuclear reactors to Iran, despite America's share in the massive financial aid provided to Moscow by the International Monetary Fund, The World Bank, and other multilateral financial institutions. The reactors are a vital component in the Iranian bid to acquire ''Islamic'' nuclear weapons.

U.S. assistance to the reform efforts in Russia and other former Soviet states has been poorly executed. Much of the $4.1 billion dollars in U.S. assistance allocated to date has been wasted. The Bush and Clinton administrations made an error in choosing the U.S. Agency for International Development as the main implementing agency for assistance. AID has its expertise in the developing world, not in post-communist transitional economies.

The organized crime from the former Soviet Union is becoming a global threat. In FY 1995, Congress funded and the FBI established a law enforcement academy in Budapest, Hungary where law enforcement officials from the region will train. There is now a small FBI liaison office in Moscow. The FBI is allocating more resources towards countering the Russian *mafia* than previously.

WHAT TO DO IN 1997

To promote democracy and the interests of the United States in Russia, The U.S. should:

Develop a Russian policy based on the support ideas and interests, not on the fate of individual politicians. The U.S. should support democracy and free markets, as well as political forces advocating these ideas, not controversial individual politicians such as Boris Yeltsin. Yeltsin is the elected president of Russia and was a key figure in bringing about the collapse of the Soviet communism. However, today some of his policies and his personal style are controversial, and his popularity is plummeting. Moreover, there are other reform-oriented politicians in Russia with whom a dialogue should be maintained.

Advocate broad-based cooperation with Russia and other NIS members to ensure their integration into global markets and the democratic community of nations. The U.S. should continue selective and targeted technical assistance programs and provide support to prodemocracy forces and nascent market institutions in the NIS. The U.S. must design and implement trade, investment and assistance programs for Russia and the NIS that reduce inflation, lower market barriers and stimulate growth. Congress should support these programs. Thriving Russian and Eurasian markets would create jobs and export opportunities for American businesses. U.S. assistance programs should be taken away from AID and given to an independent board of policy makers, area specialists and business representatives. Such a board can be jointly appointed by the president and Congress.

Condemn Russia's interference in the affairs of its neighbors. The survival, sovereignty and territorial integrity of all NIS countries are important to future peace and prosperity in Eurasia. The U.S. should support the independence of Ukraine, Azerbaijan, Georgia, and the Central Asian states, many of which are being drawn into the Russian orbit against their will. Washington should intensify its ties with Ukraine, the Baltic states, and countries in the Caucasus and Central Asia. The West should provide them with support in developing foreign and domestic policy decision making bodies and mechanisms, training their bureaucracies, and increasing security cooperation. Technical assistance in privatization of industry and agriculture should also be provided.

Make clear to Moscow that the use of brutal force against states or areas of the former Soviet Union, based on the model of Chechnya, is unacceptable and will trigger Western retaliation against Russian economic and political interests. While the U.S. should support the territorial integrity of the Russian Federation, the West should oppose the brutal methods of the Russian military in handling internal dissent, such as in Chechnya. The Clinton administration should cease issuing declarations of support for Russia's actions in Chechnya and boost OSCE efforts to resolve the Chechen crisis peacefully. A high profile OSCE mission to Chechnya and Russia, followed by a mediation effort, is in order.

Maintain Dialog with Moscow over NATO Expansion. The U.S. should maintain a constant dialog with Russia on this topic, pointing out possibilities for Russian-NATO cooperation and stressing that NATO is not a

threat to Russian security. While NATO enlargement will occur, Russian participation in the Partnership for Peace and the dialogue with Brussels should be expanded simultaneously. A secure Western border is in the interests of Russia, Belorus and other Eastern European countries.

Oppose Russian moves, such as sale of nuclear reactors to Iran, that threaten international security and the interests of U.S. allies in Eurasia. The U.S. should take all the steps at its disposal to prevent Iran, Iraq and other rogue states from gaining nuclear and chemical weapons capabilities. For example, voluntary export controls, similar to the COCOM regime during the Cold War, on technology sales to these countries should be put in place. Pressure should be applied against the governments arming rogue states, up to and including the imposition of selective economic sanctions. At the same time, other options, such as an increase in Russian uranium sales and civilian space launches, should be explored with Moscow, that may bring about a voluntary cancellation of the reactor deal. The U.S. should also cooperate with pro-Western circles in Turkey and Azerbaijan to promote democracy and oppose radical Islam in Eurasia.

Assist Russia and other NIS countries in fighting against organized crime and corruption. This can include help with writing comprehensive criminal and criminal procedure codes. Some of the old Soviet legislation lacks important legal concepts, such as conspiracy to commit a crime. In addition, U.S. law enforcement agencies should cooperate, to the degree possible, with trustworthy and reliable law enforcement personnel in the East. In particular, they can assist in developing a witness relocation program. They should strive to track and penetrate Russian and NIS criminal rings dealing in weapons of mass destruction and narcotics. American law enforcement agencies should monitor East-West financial transactions more closely. Deposits that originate in the NIS should be carefully screened and the legitimacy of earnings established.

QUESTIONS AND ANSWERS:

Why should we provide aid to Russia?

The window of opportunity for the West in Russia may be closing. While there is still time, we should provide aid that strengthens free markets and free minds. Communism destroyed both of these for seventy years. Many Russians still want to learn about democracy and capitalism, and we should provide them with a fighting chance before it is too late.

What if hard-liners take Yeltsin's place?

We should act now to strengthen relations with all countries in the region, which will be under even more threat than the West if hardliners come to power in Moscow. We should expand NATO to include Poland, the Czech republic and Hungary, and prevent any U.S. or international assistance to an aggressive, anti-American or anti-Western government in Moscow, should one emerge. We should still maintain a dialogue with Moscow, explaining what we will see as unacceptable policies and clarifying what price Russia may pay if ''red lines'' are crossed. Eventually, if the need arises, we may need to plan for military contingencies.

Doesn't NATO expansion endanger Russia?

No, it does not. NATO enlargement is aimed at creating a zone of stability and security in Eastern and Central Europe, and to hasten the integration of the Czech Republic, Poland and Hungary into the West. NATO expansion is also aimed at preventing competition between Germany and Russia in the area which triggered the two world wars. NATO is a defensive alliance, and its posture in Central Europe should remain defensive.

Why shouldn't we be more cooperative with Russia? After all, the cold war is over; Russia is a democracy and a great power, too. Why shouldn't we allow Moscow a greater role in policing unstable regions, such as the Caucasus or Central Asia?

We can cooperate with those in Russia who are interested in building a market economy and democratic polity. Democracy is still struggling for survival in Russia. More time needs to pass before we are sure that it is there to stay. As for Russia's role in the region, it will always be considerable due to Russia's sheer size and economic, political and cultural weight. However, there are forces in Russia that dream of re-establishing the Soviet Union or the Russian Empire. These circles are anti-Western and anti-American. They cannot be ignored. We should oppose Russia's heavy-handed interference into the affairs of its neighbors and attempts to violate their sovereignty and territorial integrity.

In view of Chechnya, what should the U.S. do to prevent Russia from invading its neighbors?

We should boost our relations with Ukraine, the Baltic States, and countries in the Caucasus and Central Asia. There are as many people there as there are in Russia. We should draw ''lines in the sand'' and stick to them. For example, we should tell Moscow that we will block all IMF and World Bank assistance if an NIS country is invaded. We should clarify to Russia that the U.S. will lead the international diplomatic campaign to restore the independence of a violated country. If Russia crosses these lines, we should consider imposing restrictions on exchanges and economic and trade sanctions against Russia. We should also demand from Moscow that the war in Chechnya stop.

What about organized crime in Russia?

There is wide-spread crime and corruption in Russia. Crime undermines reforms. People mistakenly think that the cause of crime is free market capitalism, but this is, of course, not true. Crime is rampant because there is no rule of law in Russia. Moreover, real democracy barely exists there, and the country still has a long way to go before a free market system is fully established.

Is Russian organized crime a threat to U.S. and Western security?

Yes, it is, because Russian criminals are very sophisticated, well-educated, and well-connected world-wide. They often boast advanced college degrees, KGB and special forces training. There is great potential danger in the merger of former communist, KGB and criminal elements in that part of the world. In particular, access of organized criminals to weapons of mass destruction and technology to produce those makes this threat particularly acute.

How can we stop the Russian ''mafia?''

The Russian government will have to deal with its own criminal organizations one day, but many in the current Russian government, including law enforcement officials, are themselves corrupt. Until such time as NIS governments are able to effectively combat criminal organizations, the West has to apprehend and prosecute criminals from Russia and the NIS affecting its interests.

Are all people from the former Soviet Union criminals?

No, because many of them travel for legitimate business, education and tourism purposes.

## STAND BY THE AMERICAN FLAG

HON. GERALD B.H. SOLOMON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. SOLOMON. Mr. Speaker, last year this Congress came so close to restoring the American flag to its rightful position of honor and glory. You might remember that an overwhelming majority of my colleagues in the House agreed with the overwhelming majority of the American people and voted in favor of my proposed constitutional amendment allowing States and the Federal Government to prohibit the despicable destruction of Old Glory. Unfortunately, just three Senators couldn't find it in their heart to stand up for the Stars and Stripes and provide the constitutional protection that is necessary.

Mr. Speaker, let me tell you, this fight isn't over yet and it won't be over until we win. Just to demonstrate the support behind that statement, allow me to submit the following piece from the American Legion's National Commander Daniel Ludwig for the RECORD as evidence of that organization's resolve to correct this gross injustice. It was the American Legion and the Citizens Flag Alliance who carried the flag and the flag amendment to within three votes of this ultimate protection. Well, Mr. Speaker, just like you might expect out of a crew of old warriors, they're not going to surrender.

WE WILL CONTINUE TO STAND BY OUR FLAG
(By Daniel A. Ludwig)

By the time you read this, the postmortems on the Senate vote on the flag amendment will largely have subsided. The media may finally have stopped smirking their smirks of (supposed) intellectual superiority. The constitutional scholars who were thrust into an unaccustomed limelight will have gone back to their universities to continue the debate in quieter fashion. The public-interest groups who took sides against us—and, we always believed, against the public interest—will have turned their attention to other cherished aspects of traditional American life that need to be ''modernized,'' which is to say, cheapened or twisted or gutted altogether.

Observers have suggested that we, too, should give up the fight. Enough is enough, they say. ''You gave it your best, now it's time to pack it in.'' Those people don't understand what the past six years, since the 1989 Supreme Court decision, have really been about.

From the beginning of our efforts, debate centered on the issue of free speech and whether the proposed amendment infringes on it. But whether flag desecration is free speech, or an abuse of free speech, as Orrin Hatch suggests (and we agree), there is a larger point here that explains why we can't—shouldn't—just fold up our tents and go quietly.

Our adversaries have long argued that opposition to the amendment is not the same as opposition to the flag itself, that it's possible to love the flag and yet vote against protecting it. Perhaps in the best of all possible worlds we could accept such muddled thinking.

Sadly, we do not live in the best of all possible worlds.

In the best of all possible worlds it would not be necessary to install metal detectors in public schools, or have drunk-driving checkpoints on our highways, or give mandatory drug tests to prospective airline employees. Indeed, in the best of all possible

worlds, the Pope would not have to make his rounds in a bulletproof vehicle. In all of these cases, we have willingly made certain sacrifices in freedom because we recognize that there are larger interests at stake. In the case of the metal detectors, for example, the safety of our children, and our teachers, and the establishment of a stable climate for instruction to take place, is paramount.

If the flag amendment is about anything, it's about holding the line on respect, on the values that you and I risked our lives to preserve. We live in a society that respects little and honors still less. Most, if not all, of today's ills can be traced to a breakdown in respect—for laws, for traditions, for people, for the things held sacred by the great bulk of us.

Just as the godless are succeeding at removing God from everyday life, growing numbers of people have come to feel they're not answerable to anything larger than themselves. The message seems to be that nothing takes priority over the needs and desires and ''rights'' of the individual. Nothing is forbidden. Everything is permissible, from the shockingly vulgar music that urges kids to go out and shoot cops, to ''art'' that depicts Christ plunging into a vat of urine—to the desecration of a cherished symbol like the U.S. Flag.

Are these really the freedoms our forefathers envisioned when they drafted the Bill of Rights? Thomas Jefferson himself did not regard liberty as a no-strings proposition. His concept of democracy presupposed a nation of honorable citizens. Remove the honorable motives from a free society and what you have left is not democracy, but anarchy. What you have left, eventually, is ''Lord of the Flies.''

Amid all this, the flag stands for something. If respect for the flag were institutionalized, and children were brought up to understand the unique collection of principles it represents, there would be inevitable benefits to society, benefits that would help turn the tide of today's chaos and disrespect. For no one who takes such principles to heart—no one who sees the flag as an untouchable symbol of democracy, of decency—could possibly do the things that some people do, these days, in the name of freedom.

The flag stands for something miraculous that took life upon these shores more than two centuries ago and, if we only let it, will live on for centuries more. It stands for a glorious idea that has survived every challenge, that has persevered in the face of external forces who promised to ''bury'' us and internal forces which promised to tear us apart. Let us never forget this.

And let us not forget that 63 out of 99 senators voted with us, or that we won over 375 legislators in total. Our efforts were no more wasted than were the efforts to take remote outposts in the Pacific a half-century ago. Those efforts, too, failed at first, but eventually we prevailed.

We undertook a noble fight in trying to save our flag, and the fact that we have suffered a temporary setback does not diminish the nobility of what we fought for. This is not over by a long shot. They will hear from us again.

## TRIBUTE TO ELIZABETH DOUPHNER

### HON. ANTHONY BEILENSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. BEILENSON. Mr. Speaker, I rise today to pay tribute to one of Topanga, California's most dedicated and admired citizens, Elizabeth Douphner, who passed away recently.

Betty Douphner served as executive officer-clerk of the Board of Resource Conservation District of the Santa Monica Mountains, formerly of Topanga-Las Virgenes Resource Conservation District, which carries out environmental education and restoration projects. During the 34 years Betty was employed by the district, she watched it grow from an operation with one employee, herself, to the 50-employee agency it is today.

In her position with the district, Betty worked tirelessly for our community. She helped secure conservation services for landowners in the area, wrote the district's quarterly newsletter, coordinated the annual plant sale, hired personnel, maintained all the district's records, and helped establish and maintain the district's Vance Hoyt Memorial Library. She became an expert on the law governing the operation of resource conservation districts in order to properly advise the district board.

Betty was also responsible for writing and obtaining the first grants that expanded the district's education program. The large number of awards to the district for conservation and education are a testimony to the effectiveness of her work, for which she was twice honored with a distinguished service award by the Employee Association of the California Association of Resource Conservation Districts.

Betty contributed much to the community in other ways as well. For her volunteer work with schools, the Women's Club, and the Strawberry Festival, the Topanga Chamber of Commerce recognized her as the 1979 ''Citizen of the Year.'' She was also a volunteer with Share International, where she helped publish its monthly magazine.

Betty Douphner's warmth, enthusiasm, and dedication are greatly missed by all of her colleagues at the district, and by everyone else who knew her. The entire Topanga community joins me in expressing our deep sorrow to her family and friends, and our heartfelt appreciation for her many years of outstanding public service.

## IN RECOGNITION OF LAWRENCE G. REUTER, METRO GENERAL MANAGER

### HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. HOYER. Mr. Speaker, I rise to take this opportunity to recognize the many accomplishments of the general manager of the Washington Metropolitan Area Transit System [WMATA], Mr. Lawrence G. Reuter. It is indeed the Washington area's loss that Mr. Reuter has chosen to accept the position of president of New York City's transit system.

Mr. Reuter, as general manager of WMATA for the past 2 years, has consistently proven that he knows how to run a railroad. His administrative skills have been evident as he has kept the fast-track program, designed to complete the planned 103-mile metrorail system in an accelerated time period, on schedule and within budget. Under his stewardship, WMATA now has the remaining four rail segments under construction. Completion will finally provide a complete network linking all of the suburban communities to all of the District of Columbia.

Perhaps the most difficult issues Mr. Reuter has addressed during his tenure at Metro are the fiscal challenges faced by all jurisdictions throughout this region. He has had to be resourceful in order to preserve quality Metro service at a time when State and local response to these budgets are lean, and Federal transit assistance has been diminishing.

Mr. Reuter has provided the kind of leadership necessary to run a public service organization in these tight fiscal times. He has consistently encouraged private sector partnerships in order to fully capitalize on the public investment in Metro. He was instrumental in the negotiation of an agreement with the RF&P Corp. to construct, entirely with private funds, a Metrorail station at Potomac Yard in Alexandria, VA. This is the first agreement of this type ever executed in the United States. His commitment to public-private partnerships has enabled Metro to streamline its joint development program making it easier for the private sector to invest in properties near Metrorail stations. His efforts to bring private sector investment to locations in proximity to Metro reflects his firm view that this region must fully utilize our investment in Metrorail. Mr. Reuter recognizes that the Metro system provides economic opportunity to all of the communities along its lines as well as environmental benefits to the entire region.

Larry Reuter has demonstrated his extraordinary ability to lead during one of the most challenging times for the transit authority. This region owes Mr. Reuter our gratitude for preserving our investment in the Metro system and for continuing to provide quality public transit service to the entire National Capital region.

## TRIBUTE TO JONATHAN NEWTON

### HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. CASTLE. Mr. Speaker, the volunteer fire service community and the entire State of Delaware suffered a tragic loss recently with the death of Jonathan Newton. Mr. Newton, at the young age of 31, was the consummate volunteer firefighter. At the time of the accident, he was en route to a fire safety program at a local middle school. It was not uncommon for Mr. Newton to volunteer his time and energy to programs that heightened public awareness about fire safety. In fact, his community education work earned him recognition as Firefighter of the Year for the Hockessin Fire Company.

When a firefighter in Delaware suffers a tragedy, it is felt by the entire fire service community. They are like a family, a unique group of individuals who take great pride in their heritage of volunteer service. Friends and family members alike spoke of Mr. Newton's altruism, and fondness toward children, as he devoted so much of his time to educating them about fire safety.

What is most tragic about Mr. Newton's death is that he leaves behind a family. He has a wife who is 7 months pregnant and two children—all of whom will always have a special place in the Delaware volunteer fire service family.

Mr. Newton's legacy of commitment and dedication as a volunteer firefighter will find a permanent place in the Delaware volunteer fire service mantra, reminding future volunteer firefighters of the importance of their mission. On behalf of the citizens of Delaware, I offer my condolences to Sharon Newton and the entire family on the untimely and tragic death of a true American hero, Mr. Jonathan Newton.

## HONORING MICHAEL EAKIN

### HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. GOODLING. Mr. Speaker, I rise today to pay special tribute to J. Michael Eakin who was recently elected as Pennsylvania Superior Court Judge and is ending his tenure as Cumberland Country District Attorney. For over 20 years he has served the citizens of Pennsylvania's 19th Congressional District by dedicating his career to protecting those who live in Cumberland County and ensuring the laws of the Commonwealth are upheld.

Mr. Eakin's accomplishments in both enforcement and prevention are numerous. He is responsible for establishing the first multicounty drug task force in Pennsylvania's history. He has also dedicated much of his time to working with at-risk youth through programs such as drug abuse resistance education. In addition, Mr. Eakin has led efforts to reduce Cumberland County's alcohol-related fatalities by developing innovative programs which work to expeditiously apprehend and process drunk drivers. Several community service groups including Mother's Against Drunk Drivers and the Cumberland-Perry Drug and Alcohol Council have recognized Mr. Eakin for these achievements.

Mr. Eakin has contributed a great deal to the professional development of attorneys and law enforcement personnel. Currently recognized by the Pennsylvania District Attorney's Association and Pennsylvania Bar Association as an authority on law enforcement, he has developed and led training sessions for new district attorneys throughout the State.

Mr. Speaker, by working hand in hand with the community, Michael Eakin has exemplified the true definition of public service. On behalf of the people of Pennsylvania's 19th Congressional District, I thank him for his years of dedication and wish him continued success as superior court judge.

## SRI LANKA'S NATIONAL DAY

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. HAMILTON. Mr. Speaker, Sunday, February 4, 1996, marked the 48th anniversary of the independence of Sri Lanka. I know my colleagues will want to join me in saluting our good friends in Sri Lanka on this momentous occasion.

Sri Lanka and the United States have much in common. Both are committed to political pluralism, and both believe in the efficacy of free markets and private enterprise. In addition, Sri Lanka has been a good friend to the United States for many years. We work together on regional issues and in the United Nations. We collaborate on a range of critical transnational issues such as population, food security, and the environment. The United States is Sri Lanka's largest trading partner. Sri Lanka has long hosted an important Voice of America facility on its territory.

Sadly, what should have been a day of celebration for our friends in Sri Lanka was instead a time of mourning. Several days before National Day, Colombo, the Sri Lankan capital, was rocked by a terrorist explosion that claimed nearly 100 lives; 1,400 other men, women, and children were injured in the blast.

Sri Lankan officials have blamed the Liberation Tigers of Tamil Eelam [LTTE] for this despicable act of terrorism, which, if true, would make the Colombo attack merely the latest in a long line of cowardly terrorist acts the LTTE has taken. The world community should be forthright in its denunciations of this group. let there be no doubt on this score: Genuine freedom fighters do not wantonly take the lives of the very people they claim to be liberating.

Mr. Speaker, I wish to conclude by reiterating my congratulations to the brave people of Sri Lanka on the occasion of their National Day, as well as my deepest condolences for this horrid act of terrorism that struck down so many innocent people.

## CONGRESS MISSES THE MAGIC SHOW

### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. FRANK of Massachusetts. Mr. Speaker, in passing a Defense authorization bill which includes a cruel and wholly unjustified provision requiring the discharge of all service members who are HIV-positive, Congress served itself and the Nation very badly. Our former colleague, who is now the junior Senator from California [Ms. BOXER] recently illustrated how unwise and unfair this new policy is with an article in the Los Angeles Times for February 6. Because we still have a chance to redeem ourselves by repealing this provision before it goes into effect, it is very important that all Members reflect on the truth of what our former colleague has written and so I ask that the article entitled ''Congress Misses the Magic Show'' by BARBARA BOXER, in the February 6, Los Angeles Times be reprinted here.

[From the Los Angeles Times, Feb. 6, 1996]

CONGRESS MISSES THE 'MAGIC' SHOW

(By Barbara Boxer)

Americans cheered last week as Earvin ''Magic'' Johnson triumphantly returned to the Los Angeles Lakers. In just 27 minutes, he scored 19 points and dispelled any remaining doubt about his ability to compete at the highest level.

To their credit, Magic's fans, coaches, teammates and even his NBA opponents welcomed him back with open arms. Imagine how absurd it would be if Congress, just as Magic demonstrated his Hall of Fame talent, passed a law requiring the NBA to fire all basketball players who have the HIV virus.

This past week, Congress did something just that absurd.

A little-noticed provision of the annual military spending bill requires the Pentagon to fire all soldiers, sailors and Marines who test positive for the HIV virus, even if they perform their duties as skillfully as Magic Johnson makes a no-look pass. The military strongly objected to this provision, but Congress did not care. The president has called the new policy unfair, but because it is part of a larger bill that includes urgently needed funding for our troops in Bosnia, he will sign it into law.

Under current policy, military personnel with the HIV virus are permitted to remain in the services as long as they are able to perform their duties. If their health deteriorates, the military initiates separation procedures and provides disability benefits and continued health insurance coverage for them and their dependents. So they can remain near health care providers, military personnel with HIV are placed on ''worldwide nondeployable status,'' which means that they cannot be sent on overseas missions. Soldiers with other serious chronic illnesses, such as severe asthma, cancer and diabetes are also nondeployable. In fact, only about 20% of the more than 5,000 nondeployable personnel are infected with HIV.

The congressional authors of the new policy, led by Rep. Robert K. Dornan of Orange County, argue that nondeployable personnel degrade military readiness because they cannot be sent overseas. However, their true motive appears to be less lofty than protecting the readiness of our forces. The new policy irrationally singles out military personnel with HIV. If backers truly believe that nondeployable personnel harmed readiness, why wouldn't they seek to oust soldiers with diabetes and asthma? The only conceivable answer is that readiness is not their real motivation. Their motivation is discrimination, pure and simple.

Can anyone seriously contend that 1,059 HIV-positive soldiers—less than 0.1% of the total force—can meaningfully affect readiness? The Pentagon doesn't think so. Its top personnel policy expert, Assistant Defense Secretary Fred Pang, recently wrote that ''as long as these members can perform their required duties, we see no prudent reason to separate and replace them. . . . The proposed provision would not improve military readiness or the personnel policies of the department.''

If Magic Johnson can run and leap with the best of them, why can't a military clerk file with the best of them, or a military driver drive with the best of them?

Perhaps the worst aspect of the new policy is its total rejection of the compassion and camaraderie for which the armed forces are rightfully praised. The United States of America does not kick its soldiers when they are down. We have a proud tradition of standing by those courageous enough to dedicate their careers to the defense of our nation. That tradition will end the day this new policy is enacted.

Military personnel discharged under the new policy will lose their jobs even if they exhibit no signs of illness. They will lose their right to disability benefits and their spouses and children will lose their health care coverage. This policy is worse than wrong, it is un-American.

The same day that President Clinton signs the bill that includes this new policy, a bipartisan group of senators will introduce legislation to repeal it. The president and our senior military leaders support repeal. Despite their strong support, the odds are unclear. But I am certain about one thing:

Those who vote ''no'' should take a good look in the mirror.

## IN MEMORY OF THE HONORABLE WILLARD CURTIN

### HON. JAMES C. GREENWOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. GREENWOOD. Mr. Speaker, Henry David Thoreau wrote in 1849:

Even the death of friends will inspire us as much as their lives. . . . Their memories will be encrusted over with sublime and pleasing thoughts, as monuments of other men are overgrown with moss, for our friends have no place in the graveyard.

I am here today to honor the memory of Willard Curtin, who served in this esteemed body as the Representative from my district from 1957 until his retirement in 1967.

Mr. Curtin's life was dedicated to public service and his memory should inspire us all.

Before running for Congress, Mr. Curtin served as Bucks County's district attorney from 1949 to 1953. Prior to that, he was Bucks County's first assistant district attorney.

He ran for Congress in 1956 to succeed retiring Representative Karl C. King. His campaign theme was based on his belief that President Eisenhower's policies were sound and should be continued. He served Bucks and Lehigh Counties during the Eisenhower, Kennedy, and Johnson administrations.

Mr. Curtin retired to Florida where he continued to lead an active life. His grandson will always remember him as the energetic, active, sharp minded man that he was, even to the end of his life. He also will share with his grandchildren this story: One of Mr. Curtin's most prized possessions was his grandfather clock. When he would go away, Mr. Curtin would stop the clock's pendulum so it would not disturb the other residents in his building. Even though he had not traveled in a long time, the clock was stopped 6 minutes after 1 o'clock. The coroner later estimated the time of his death to be at 1:10 a.m.

I ask you all to join me in remembering the hard work and dedication that Mr. Curtin gave to this country so generously.

## TRIBUTE TO HARVEY D. KERN

### HON. ANTHONY BEILENSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. BEILENSON. Mr. Speaker, I am honored to pay tribute today to Harvey D. Kern, who is retiring as director of public affairs for the Los Angeles County-University of Southern California [LAC-UCS] Medical Center.

In addition to serving as director of public affairs for over 9 years, Mr. Kern oversees volunteer and chaplain services and serves as a government relations representative for the medical center, which is the largest acute care hospital in the United States and provides a variety of patient care services, teaching and research opportunities, and includes the largest HIV/AIDS outpatient center in the country.

Mr. Kern is a native of Los Angeles and received his bachelor of science degree in public health from UCLA and his master of health science degree from Cal State University, Northridge [CSUN]. His long and distinguished career in the health care field includes 32 years with the Los Angeles County Department of Health Sciences, as a faculty member of CSUN for 23 years, and as an assistant professor at USC. He is a fellow in the American Public Health Association, past president of the Los Angeles County Health Services Management Forum, and serves on the joint public affairs committee of the California Healthcare Association.

Mr. Speaker, we ask our colleagues to join us today in saluting Harvey D. Kern for his many years of dedicated service in the health care field. We send our warmest congratulations on his many contributions and accomplishments, and our very best wishes for the future.

## HARD BARGAIN FARM—ALICE FERGUSON FOUNDATION

### HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. HOYER. Mr. Speaker, it is with great pleasure that I rise today to recognize the Alice Ferguson Foundation and the Hard Bargain Farm Environmental Center located in Accokeek, MD. On January 23, Hard Bargain Farm was named the winner of Renew America's National Environmental Award. This award is part of the 6th annual Renew America National Awards for Environmental Sustainability. The awards are given each year to programs throughout the Nation that demonstrate leadership and excellence in environmental sustainability.

I have long been a supporter of the educational programs offered by Hard Bargain Farm and commend them on this selection from a pool of over 1600 applicants in 24 categories. I have been honored to work hand in hand with them throughout the Fifth Congressional District to protect the Potomac River through education efforts, environmental stewardship, and conservation action projects.

Mr. Speaker, this recognition of Hard Bargain's achievement and dedication to the environment marks two important firsts. Not only is this the first time that Renew America has honored a Maryland organization in the institutional education category, but it is also the first time that a National Park Program has received such recognition.

For the past 25 years, Mr. Speaker, Hard Bargain Farm has worked in a unique and highly effective partnership with the National Park Service to develop quality environmental education programs. I commend the leadership and experience of the Alice Ferguson Foundation and am very proud to rise today with my colleagues in recognition of this very special award.

## THE PUBLIC'S TRUST

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. HAMILTON of Indiana. Mr. Speaker, I would like to insert my Washington Report for Wednesday, February 21, 1996, into the CONGRESSIONAL RECORD.

IMPROVING PUBLIC TRUST IN GOVERNMENT

It is no longer news that Americans have lost confidence in the federal government. Anger at the government and disgust with elected officials have increased, causing voters to jump in different directions. Americans believe government fails to deal adequately with crime, economic insecurity, and other of the country's biggest problems. They have concluded that government either makes things worse or in incapable of making them better.

It has always been true that people in this country have been skeptical of power and have cherished the right to beat up on their leaders, and in many respects that attitude is healthy. The Constitution of the United States is based on assumptions of wariness of government and each other. That's what checks and balances are all about.

But most elected officials, including me, believe today that public cynicism is severe, intense and stronger than it once was. Restoring confidence in government actions is a daunting task.

CAUSES

Most agree that the distrust of government and elected officials reflects a broader loss of reliance on each other, a civic breakdown in which divorce, crime, and economic anxiety all play important roles. Many Americans are frustrated by an increasingly impersonal economy. Their anxieties are fostered by a changing economy and the highly partisan nature of current politics. People wonder whether there's anything they can depend on. More fundamentally, the experts think that the mistrust of government is part of a larger problem. Americans just don't trust one another as much as they used to.

The media bear some responsibility for the mistrust of government as well. They tend to emphasize and encourage conflict and to downplay consensus. They encourage people to think things are worse than they are. You cannot be very upbeat after watching the evening news. It certainly exaggerates the violent and the sensational, and reduces complexity to a 15 second sound bite. The impact of television often is to isolate people; prevent sustained engagement with other people; and, because of its emphasis on violence and the dark side of human nature, increase pessimism about our fellow human beings.

Elected officials, of course, share much of the blame. It has become easier to lead people by dividing them than by finding areas of agreement. Running against the government in order to serve in it has been the standard practice in American politics for a long time. Elected officials take great delight in attacking the very institutions they serve in and are responsible for. They also create high expectations by promising quick-fix solutions but rarely delivering on them.

SOLUTIONS

So how do we deal with these problems of distrust? It's very clear that political rhetoric will not help much. The credibility of all elected officials is simply too low.

It is important that elected officials try to connect with people through town meetings and face-to-face contact. In the end there's really no substitute for an elected official to spend time with his or her constituents. People want their representatives to listen and be accountable. They have to see some connection between themselves and the government. But there are limits to public meetings. After all, elected officials have been holding them for years without putting the brakes on public distrust of government.

Elected officials have to learn to promise less and produce more. They can help by not

promising anything they cannot deliver. They have to make people comfortable with government, and that means producing what the citizens want. In more specific terms it means ongoing efforts to balance the budget and reform education, welfare, and other areas of public dissatisfaction. But there are limitations even to government reform. Reforms always fall short of their goals and the standard political reform agenda, while it may be worthwhile, does not solve all the problems.

Elected officials also have to do a better job of giving people basic facts. One recent poll showed that most Americans can't name their member of Congress or the Vice President, or believe, incorrectly, that more federal money is spent on foreign aid than on Medicare. In a time when there is an explosion of information, data and statistics, it's important to try to identify those facts which are more important than others. Each of us has to take seriously our responsibilities to make ourselves well-informed citizens.

I also happen to think that elected officials need to pay less attention to public opinion polls which now dominate American politics. The idea that elected officials listen to the pros and cons and then make judgments and go back and explain them is still a pretty good basic approach to government. Restoring civility in political debate can help too. No matter how much elected officials disagree with one another at the end of the day they have to sit down with each other and try to reach an agreement.

There also has to be a lot more emphasis on the many good things that are happening in our families, communities, and states. People everywhere every day act in such ways to restore trust, but it often gets little attention. This is not a time for handwringing, but a time to point out the good things, and build upon our successes.

CONCLUSION

It's important to remember in the end that we as a nation cannot thrive or survive without public faith in our institutions, our economic destiny, and our own values.

Three decades ago a majority of Americans believed that most people could be trusted. Today two out of three believe the opposite. We have to ask ourselves what happened to a nation of endless optimism, opportunity, and good heartedness. Many things have set us back: job layoffs and economic insecurity, crime and drugs, government scandals and policy failures. This will not be quickly turned around, but we must make the effort.

The other day I ran into a constituent who said to me he did not know the names of any of his elected officials. He could not name the Vice President or identify the majority party in Congress. He said to me, ''I don't care. I just don't have time for it.'' I strongly suspect that gentleman does not have the right solution to our problems.

## TRIBUTE TO STEVE JOHNSON

### HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. CHAMBLISS. Mr. Speaker, I rise today to pay tribute to Steve Johnson who is celebrating 30 years of faithful service to the Baptist Church. Having served as the pastor of Mabel White Memorial Baptist Church, in Macon, GA, since 1984, Steve Johnson is a man who is loved by the members of his church and all those who know him. Through his commitment to serving God and the church, Steve has touched and changed the lives of many special people.

Steve Johnson also deserves to be recognized for his outstanding service to the community of Macon. Serving on the board of directors for the Cherry Blossom Festival and the First Presbyterian Day School, Steve is working with others to make our communities happier and safer places to live and raise our families. I am fortunate to have had the opportunity to know Steve and his wife Connie for many years, and I am proud to call them friends. I hope you will join me in congratulating Steve during this special time in his life and for 30 years of unparalleled service to the Baptist Church.

## THE ENTREPRENEURIAL INVESTMENT ACT

### HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. BAKER of Louisiana. Mr. Speaker, today I have introduced legislation that will be known as the Entrepreneurial Investment Act. The legislation will make it possible for roughly 5,000 of the Nation's 5,300 bank holding companies to make equity investments in the customers of their community-based banks.

Business often needs equity capital to create new or retain existing jobs. This legislation acknowledges that a community banker knows his customer and is well positioned to invest some of his excess holding company capital in equity investments. Passage of the Entrepreneurial Investment Act will mean that communities will be better served by facilitating private sector economic development and job growth.

This legislation has been drafted in consultation with the Federal Reserve.

## EFFORTS TO PREVENT POACHING

### HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. ROHRABACHER. Mr. Speaker, wildlife poaching in Africa has reached such proportions that elephant and endangered rhinoceros populations have been decimated in several countries. The poaching goes on because of the demand for ivory and animal parts used in traditional medicine in Asia. At one time, wildlife conservation groups criticized the Republic of China on Taiwan for not doing enough to stop this traffic into Taiwan. The Government there has long since cracked down with strict enforcement and stiff penalties for offenders.

Now, they have opened a new front in the war on wildlife poaching. The Government of the Republic of China on Taiwan has just announced a grant to the nonprofit United States-based Wilderness Conservancy to purchase a special spotter airplane that will be used in Kruger National Park in South Africa, where game rangers will patrol with it to locate poachers before they do their dirty work. The airborne spotters will radio the location of potential poachers to rangers on the ground who will apprehend them. Kruger is one of the world's great game reserves and has only recently begun to feel the threat of poaching. The Wilderness Conservancy is experienced in assisting antipoaching forces throughout Southern Africa, with spotter aircraft and a range of supplies and support services for game rangers and their families.

Saving the rhinoceros and elephant from extinction is dangerous, round-the-clock work. This generous gift makes possible a unique three-way cooperative effort between the people of Taiwan, a conservation-minded American organization and the men and women on the antipoaching front lines in South Africa.

## THE LONG ISLAND ADVANCE'S 125TH ANNIVERSARY—PURCHASED FOR $500 IN 1871

### HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. FORBES. Mr. Speaker, I rise today to pay tribute and to congratulate the Long Island Advance for 125 years of dedicated service to the people of Suffolk County.

''The Policy of Honesty—The Might of Right and The Expediency of Principle,'' were words that appeared in large type across the top of the first page of the Advance when it was first published in September 1871.

Now, reaching the century and a quarter mark with its 125th anniversary edition scheduled for the first issue in September 1996, many changes have taken place in printing, personnel, and location, but the spirit expressed then continues today.

The Advance was the third newspaper to be established in Patchogue, Long Island, NY. The pioneer weekly was the Suffolk Herald founded by a Mr. Van Zandt and discontinued in 1865. In 1870, the Long Island Star was brought to Patchogue by John S. Evans from Port Jefferson. After a few issues it collapsed.

Timothy J. Dyson, a former newspaper correspondent and printer from Brooklyn, purchased $500 worth of equipment that Auston Roe, a member of one of Patchogue's oldest families, had bought from what was left of the short-lived Star. Mr. Dyson, with this equipment from the remnants of the old Star, founded and renamed the paper the Advance. He set about keeping pace with the village of Patchogue, the town of Brookhaven, the County of Suffolk, and even Long Island as a whole, with bits and pieces of the entire world thrown in.

Communications then, not being what they are today, often left much to be desired. Editors were hard-pressed to get news, and sermons often took up a great deal of space on the front pages, because in effect, villages in those days revolved around the church.

Although the Advance suffered many ups and downs, and rapid changes of proprietorship in its earliest days, its course was firmly charted and for the past 103 years, under the ownership of one family, it has weathered many storms to sail a true course, constantly gaining in circulation. After 125 years of serving the community at large, it is one of Long Island's better known weekly newspapers.

Thomas S. Heatley purchased the Advance in 1876 but sold it in 1885 to Rev. S. Fielder

Palmer, a former pastor of the Patchogue Congregational Church, and H. Judson Overton. It was renamed the Patchogue Advance. Reverend Palmer stayed for only a few issues and sold out to Mr. Overton, who became its sole proprietor and editor.

On May 18, 1888, he sold out to Martin Van Deusen, who continued its policies and increased its circulation to the four-figure mark. He operated the paper until June 25, 1892, when James A. Canfield, of Hudson, MI, took over the helm. Since then it has remained in his family for 103 years. Under his proprietorship, the newspaper grew and prospered, playing a larger part in community affairs, and sometimes even leading many issues of the town.

In 1924, John T. Tuthill, Jr., Mr. Canfield's son-in-law, became publisher upon the death of Mr. Canfield. He was publisher for 48 years, except for a stint in the Navy during World War II where he rose to the rank of captain. In the post-war years, the Advance was one of three of the largest and most influential weekly newspapers in Suffolk County. The other two being the News-Review of Riverhead, published by Frank C. Forbes, my own uncle, and the Long Islander of Huntington. In 1972, Captain Tuthill's son, John T. Tuthill III, became publisher upon Captain Tuthill's death. Today, he remains the Advance's publisher.

Congratulations to the Long Island Advance. May it continue to serve the community for hundreds of years to come.

## TRADE AND JOBS

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. HAMILTON of Indiana. Mr. Speaker, I would like to insert my Washington Report for Wednesday, February 7, 1996, into the CONGRESSIONAL RECORD.

TRADE AND JOBS

Hoosiers have different perspectives on foreign trade. Some are concerned that imports of cheap goods and services and the relocation of U.S. companies to other countries help keep U.S. wages down and eliminate good jobs. They want the U.S. to take steps to limit foreign competition. Others think trade creates jobs and boosts growth by opening new markets for our goods and services. They want the United States to take better advantage of export opportunities in other countries.

Both perspectives have some merit. Trade has a number of benefits for jobs and the economy, while trade and plant relocation can also suppress wages and cost jobs. But regardless of where they stand on trade, most Hoosiers would agree that our goal should be to minimize the harm of trade and maximize the benefits. The private sector and governments must work together to help firms take advantage of opportunities created by trade while assisting workers who are adversely affected by it.

BENEFITS AND COSTS OF TRADE

Exporting to other countries supports jobs at home—several million, by most estimates. Imports of goods and services expand choices for consumers and help keep domestic prices down. But workers are sometimes innocent victims of trade developments and other economic forces over which they have little control. While some plants in Indiana have added jobs due to increased exports in recent years, others have liad off workers because of competition from lower-wage countries in Latin America and Asia.

Although the primary responsibility rests with the private sector, I do think federal, state and local governments can help firms and workers respond to both the opportunities and the challenges of trade.

HELPING FIRMS

When U.S. firms sell more goods and services in foreign markets, the job security and wages of their workers generally increase. The State of Indiana and the federal government each manage a variety of programs that help firms identify and take advantage of export opportunities.

The Indiana Department of Commerce gives Hoosier businesses specialized advice on how to crack key export markets. It also helps firms participate in international trade shows where they can pitch Indiana products to new foreign customers. The federal government runs several cost-effective export-promotion programs. Every dollar spent promoting exports of manufactured goods contributes to sales that produce an estimated $10 in tax revenues for the Treasury.

U.S. export-promotion programs were streamlined in 1993 and 1994. Overlap among programs was reduced, coordination was improved, and services to small businesses were upgraded. These changes saved operating expenses. And, as Hoosier executives have told me, they also made the programs more effective in generating export sales.

Last year I opposed the unsuccessful effort in Congress to abolish certain export-promotion programs and to cut the budgets of those that survived by 25%. Most other exporting nations already spend more proportionally than we do on export promotion. These short-sighted cuts would have amounted to unilateral disarmament by the U.S. in the international competition for export sales. I will continue to oppose measures that could reduce our ability to expand our share of world markets and create new opportunities for U.S. workers.

HELPING WORKERS

Job training, vocational education, and income assistance can help workers in several ways. By upgrading job skills, training can boost the wages and job security of U.S. workers who compete with foreign workers. For workers whose jobs have already been lost, training can open the door to careers in industries that are flourishing. Temporary income assistance can help laid-off workers make ends meet while they pursue job training and education.

The State of Indiana and the federal government both run programs designed to help workers respond to the challenges and opportunities of trade. In addition to backing a range of vocational education efforts, the state provides special job training services to workers confronting serious foreign competition. These programs are often run through Ivy Tech vocational schools, which work closely with companies to identify worker skills most in demand.

The federal Trade Adjustment Assistance (TAA) program offers three kinds of help to workers whose jobs are lost due to imports: training, job-search counseling, and income assistance for six to twelve months beyond the expiration of state unemployment benefits. In 1995 TAA provided $212 million in income assistance for 39,000 workers and $130 million in training for 33,000 workers.

We need to do a better job of helping American workers get a leg up on foreign competition. Most of the world's other major economic powers provide more help to trade-impacted workers than we do. TAA only helps workers after their jobs have been lost due to imports, and it doesn't help workers laid off because jobs were shifted to other countries. The track record of TAA is also mixed. Many recipients of TAA benefits do not land jobs that pay better than the ones they lost.

Responding to these concerns, the President in 1994 proposed in overhaul of dozens of federal job training programs, including TAA. The idea was to create a single, streamlined program that would help any worker whose job was jeopardized or lost due to trade or other changes in the economy. Workers would be given vouchers worth several thousand dollars that they could use to help pay the cost of the job training or vocational education program of their choice.

Unfortunately, improving U.S. worker training programs has not been a priority of the Gingrich-led House, which has sometimes been willing to let workers fend for themselves in the face of stiff international competition. Work on the President's proposal ground to a halt in 1995. Instead of trying to work with the President to strengthen TAA and other worker training initiatives, congressional leaders have tried to cut funding.

CONCLUSION

With foreign competition growing, we should be increasing, not decreasing, our investment in workers. Improving the skills of our workforce is among the most important things we can do as a nation. Working with the private sector, Congress and the President must take steps to help U.S. workers retain jobs and wages before they are lost, and prepare for the new jobs that our economy creates.

## TRIBUTE TO DICK FIFIELD

### HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. BEVILL. Mr. Speaker, I rise today to pay tribute to Dick Fifield who is retiring after 22 years of dedicated service with the Alabama Farmers Federation. I have known Dick for many years and I consider him to be one of the strongest advocates of farm programs in the country. He has fought for the small family farmer and his leadership on behalf of Alabama farmers will be missed.

Dick is a native of Wisconsin who began his career in agriculture with a degree from Beloit College in 1951, followed by an MS in horticulture from the University of Illinois in 1972. He served his country as a member of the U.S. Army Counter Intelligence Corps as a special agent from 1951 to 1954, and taught at the University of Illinois from 1971 to 1974 as an assistant horticulturist before moving to Alabama and joining the Alabama Farmers Federation in 1974.

As director of horticulture, poultry and forestry, Dick designed the federation's monthly food price survey and began annual farm market days in Birmingham, Huntsville, and Montgomery. He established and operated a producer-farmer market inside a shopping mall in Birmingham, a new and innovative idea at the time. Dick played a leading role in the design and construction of the Alabama State Farmers' Market, built in 1984.

As director of natural and environmental resources at the Farmers Federation, Dick Fifield worked with farmers to promote optimum employment of their land resources.

He helped farmers to understand and implement State and Federal regulations affecting family farming operations.

As director of national affairs, Dick has served as the organization's liaison with the U.S. Congress since 1980.

In this role, Dick has helped formulate national agricultural policy since the 1981 farm bill. He served as a member of the National Peanut Grower Group's Technical Advisory Committee and was actively involved in the formulation of GATT and NAFTA legislation related to peanuts and other commodities of interest to Alabama.

Dick will continue to operate his family farm in Chilton County, AL, as well as his family-owned nursery in Montgomery. And I'm sure he will continue to be a strong voice for agriculture. I doubt he will miss living out of a suitcase, since he has spent the better part of the past 15 years traveling every week between Montgomery and Washington. His retirement is certainly well-deserved.

In honor of his lifetime of dedicated service to Alabama farmers, Dick recently received the Alabama Farmers Federation's Special Service to Agriculture Award. I join his many friends and colleagues in congratulating Dick on a job well done.

## SELF-INSURANCE IS WORKING

### HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. FAWELL. Mr. Speaker, I wish to call my colleague's attention to an article from ''The Self-Insurer'' summarizing the 1994 National Survey of Employer-Sponsored Health Plans showing the continued growth of self-insured plans. The Foster-Higgins study indicates that 74 percent of large employers now chose to self-fund their plans, up 16 percent from the previous year. Not surprisingly, the study reveals that the larger the employer, the more likely it is to self-insure: 91 percent of companies with 20,000 or more workers self-insure, 82 percent of those with 5,000 to 9,999 workers, but only 44 percent of those with 200 to 499, and dropping down to just 13 percent for businesses with fewer than 50 employees.

Today, there is a revolution in the delivery of private health care in America. Self-insured employer plans under the Employee Retirement Income Security Act [ERISA] are in the thick of that revolution. And these plans are working. These ERISA group health plans are now the primary provider of care in the private market. They cover 70 percent of all employees—70 million workers—and represent a distinct success story in modern American private health care.

Mr. Speaker, by paying their claims directly, rather than purchasing an insurance policy, self-insured employers have escaped excessive regulation and been able to keep their health care costs down during health costs' upward spiral of the past several years. Self-insured employers have the flexibility to design coverage that fit their workers' needs, at a price they can afford. Self-insurance is keeping costs down and can be expected to continue to be part of the health care solution.

[From the Self-Insurer, July 1995]

The 1994 National Survey of Employer-Sponsored Health Plans, an annual report analyzing employee health benefits statistics, bases its finding on data collected from 2,097 employers throughout the United States. This study, released in June, is the research firm's ninth report on the subject.

Although the survey included large employers (those with 500+ employees) and small employers (those with 1–499 employees), many of the results provided in the report summary are geared toward the large-employer market. According to Frank DiBernardino, a principal at A. Foster Higgins, the reason for this is that overall statistics are often skewed when small employer data is included.

''We split the data between large and small employers because so many small employers were included in the survey that [their data would] distort the results,'' DiBernardino said.

SELF-INSURANCE

Last year's growth was most pronounced in the small and medium-sized markets, according to the report.

With respect to large employers and traditional indemnity plans, 74 percent of the companies surveyed chose to self-fund their plans, up from 64 percent a year before. Of that 74 percent, 82 percent purchased some from of stop-loss coverage.

For large employers utilizing PPO plans, the statistics show that 77 percent chose to self-insure those plans in 1994, compared with 62 percent in 1993. Of the self-insurers, 83 percent used some form of stop-loss coverage with their self-funded plans.

DiBernardino points out that, while the stop-loss data was not broken down into large and small employer groups, the 12-percent to 13 percent of employers who do not purchase stop-loss are most likely those with 10,000 or more employees.

According to the survey, half of all point-of-service (POS) plans were self-funded in 1994. For DiBernardino, this proves that it is possible to marry capitated and non-capitated services in one plan and make them fundamental with respect to a self-funded environment.

THIRD PARTY ADMINISTRATORS

The study also shows that more large employers are using TPAs. Thirty-nine percent of all the large employers with indemnity plans in the survey used TPAs; the percentage was even higher (45 percent) when only companies with 500 to 999 employees were considered. For large employers choosing PPO benefit plans, the figures indicated that 33 percent used TPA services, a substantial increase from 17 percent in 1993.

TPAs have also continued the trend of low administrative costs, with 7 percent of all claims costs being attributed to the administration of self-funded benefits, versus 15 percent of paid claims costs on administration for fully insured benefit plans. TPAs are a popular choice for self-funded employers, DiBernardino said, because they are more sensitive to the needs of their clients.

''TPAs tend to be more responsive to the needs of their customer than the commercial insurance companies or the Blue Cross/Blue Shield companies. TPAs tend to process claims more quickly and with a lower error rate than commercial carriers, plus they tend to be more connected to the market,'' he said.

MANAGED CARE ENROLLMENT ON THE RISE

The figures also indicate that an increasing number of employers are utilizing managed care to help control rising health care costs. In 1994, 23 percent of all employees covered were enrolled in HMOs, compared with 19 percent in 1993. POS plans showed the greatest increase, however, with the number of participating employees at 15 percent in 1994—more than double the 7 percent enrolled in 1993.

Fifty-five percent of all employers surveyed in 1994 offered HMO plans, a 9 percent rise from 1993. That percentage is even higher among larger employers, with 87 percent of the companies that employ more than 20,000 workers offering one or more HMOs in their health plans.

DROP IN TOTAL COSTS SHORT-TERM

Glancing at the report, it may seem that 1994 was a landmark year for health care costs in the United States, as it was the first year that costs actually declined from the previous year. But according to DiBernardino, the drop indicated by the survey results was influenced by short-term factors and does not represent real savings for the industry. He attributed this disparity to three major causes.

The first is the massive shift from indemnity plans to managed care plans that occurred last year. The second: an increase of more than 100 percent in the use of carve-out plans to cover areas such as prescription drug or mental health benefits (where costs are growing).

DiBernardino estimates that the number of carve-out plans more than doubled in 1994. Third, actions to stem the growth of retiree benefits caused health care costs to drop, he said, but he predicts those savings will be a one-time-only occurrence.

''These are the reasons why costs decreased last year. It was, in a sense, a lie. A statistical anomaly,'' said DiBernardino.

''Does it mean the problem is behind us? No. It was a one-time advantage.''

## MARY RODRIGUEZ HONORED BY DALLAS LIGHTHOUSE

### HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. BRYANT of Texas. Mr. Speaker, this past December, one of my constituents, Ms. Mary Rodriguez, received an outstanding honor. She earned the Dallas Lighthouse for the Blind's Ronald Pearce 1995 Blind Employee of the Year Award. Ms. Rodriguez achieved this status by demonstrating outstanding job performance and exemplary work practices.

Mary, who is totally blind, assembles certificate binders for the vinyl fabrication department of the Dallas Lighthouse, where she has been an employee for 8 years. Mary's dedication to her work is apparent in the amount of time she spends on the clock. For the past several months, Mary had been working a shift and a half, which breaks down to 12 hour days. She is now pursuing her GED.

Because of this award, she is eligible for the Peter J. Salmon National Blind Employee of the Year Award, selected by National Industries for the Blind [NIB]. NIB is the central nonprofit agency for industrial centers employing people with vision impairments under the Javits-Wagner-O'Day Act of 1938.

I commend Ms. Rodriguez for her motivation to succeed, learn, and grow in the workplace—all of which have contributed to her achievements this year.

## TRIBUTE TO MARY EVA GOMEZ

### HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. TORRES. Mr. Speaker, I rise today to pay tribute to Mary Eva Gomez, a special woman who has spent much of her life working for the betterment of her community.

Mary Eva was born to Juan and Laura Gutierrez on February 28, 1931, in Hanover, NM. Her early education was spent in the Grant County schools until she moved on to St. Mary's Academy, where she graduated from high school. While in New Mexico, Mary Eva began her community involvement. She became an accomplished violinist, which earned her a seat with the Grant County Symphony in 1951 and 1952. She also served as organist and choir master for Holy Family Catholic Church in Hanover.

Mary Eva and her husband Ramon, whom she married in 1949, moved to California in 1957, settling in Pico Rivera in 1964. She and her husband have 6 children and 11 grandchildren.

Mary Eva has served as a strong advocate for the children of the El Rancho Unified School District. From 1964 to the present, she has taken an interest in the education that the children of Pico Rivera receive. From attending countless Parent Teacher Association meetings to serving as a distinguished member of the district board of education, Mary Eva has demonstrated her genuine concern for the children of the community.

Mary Eva has served her community in many other ways. She is an active member in the Pio Pico Women's Club, a member of Auxiliary V.F.W. Post 7734, and an educator and minister at St. Hilary's Catholic Church for which she raised $1,500 for its food for the homeless project. This is only a fraction of her community involvement.

Although her accomplishments are many, her work on the El Rancho Unified School District Board of Education from 1981 through 1995 is what most deserves notice, and commendation. Her presence will be sorely missed but her deeds will be dearly remembered.

Mr. Speaker, it is with great pride and honor that I ask my colleagues to join me in paying tribute to Mary Eva Gomez, a special friend, energetic public servant and community leader, an individual who has given so generously to so many.

## THE TELECOMMUNICATIONS BILL

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, February 14, 1996, into the CONGRESSIONAL RECORD.

THE TELECOMMUNICATIONS BILL

With my support, Congress this month enacted into law a sweeping telecommunications reform bill, the most far-reaching measure passed by this Congress. It affects services that virtually every American uses and which generate hundreds of billions of dollars annually. The bill, which President Clinton has signed into law, is the culmination of several years of efforts to reform the nation's telecommunication laws, which were last comprehensively rewritten in 1934. There has long been broad consensus that those laws were outdated, failing to take into account rapidly advancing technology, but often vast disagreement about how best to change them.

WHAT DOES THE LAW DO?

Many telecommunications services are currently provided by highly regulated monopolies. Often, competition has been expressly prohibited: for example, local phone companies cannot provide cable TV, and vice versa. The purpose of the new law is to create one giant marketplace for telecommunications services. It aims to end monopolies, allowing largely deregulated competition. The goal is to expand consumers' choices while lowering their costs, spurring innovation along the way.

Phone service: The breakup of the Bell system in 1984 generally prohibited one company from offering both local and long-distance service to the same customers. The new law eliminates those barriers, requiring local phone companies to open up their networks to competitors, including long-distance companies. Once there is competition, local phone companies could offer long-distance services to their subscribers. In addition, public utilities, like electric companies, will now be permitted to provide telecommunications services through a separate subsidiary.

The bill contains protections for rural communities, which may see less competition because of the high cost of providing service to these areas. The law allows the Federal Communications Commission (FCC) and states to order carriers to provide quality phone service at reasonable rates in rural areas, and exempts small phone companies from some requirements if they prove economically burdensome. In addition, the bill prohibits ''slamming''—the practice of duping customers into unwittingly switching their long-distance carrier.

Television: The new law permits phone companies to offer cable service and allows television networks to own cable systems. It also deregulates cable television rates over the next three years, except for basic service. Some current restrictions on the number of radio and television stations that one company may own are relaxed.

Congress deferred final action on the contentious issue of advanced television services, such as high-definition TV. Broadcasters argue that they need additional broadcast spectrum in order to make the transition to high-definition TV, while phone companies and cable operators argue that broadcasters should have to pay for any additional spectrum.

V-chip: The law requires all newly manufactured TVs with 13-inch or larger screens to include a ''v-chip.'' Broadcasters have one year to voluntarily establish rules for rating video programming that contains sexual, violent, or indecent material and to transmit such ratings during broadcasts. The v-chip would then enable parents to block objectionable programming from their TV sets.

Computing: The new law bars the transmission of obscene materials to minors over a computer network. Violators could be punished with up to two years in jail and fines as high as $250,000 for an individual and $500,000 for a company. The law protects providers of on-line service, like America Online, from prosecution if their systems are merely the means by which someone transmits the indecent material. The law also endorses efforts by software companies to design programs that parents and others can use to block objectionable material.

OUTLOOK

The new law is a watershed in U.S. telecommunications policy. The transition from highly controlled monopolies to competition is likely to be bumpy at times, and the effects will not be the same for all consumers. Some companies are better positioned to take advantage of the new opportunities, and some industries and regions of the country are likely to see fiercer competition than others. In the short term we may see more joint ventures and mergers, as companies that were previously barred from entering each other's business are now able to cooperate. The end result may be a handful of industry giants, each of which offers the customer a wide range of information and entertainment services.

The new laws breaks down barriers that have existed for decades and sets off a competitive free-for-all. Consumers who find themselves annoyed by frequent solicitations to change their long-distance carriers are in for more of the same, as expanded choices become available in cable and local phone service. But greater competition is likely to drive prices down over time, and companies will have to innovate in order to compete.

The law, of course, does not please everyone. Many computer users and advocates of free speech protest that it places unconstitutional restrictions on speech. Consumer groups warn that cable and telephone services could be more expensive.

The challenge Congress faced in writing this law was to establish a level playing field for all providers of telecommunication services, ensuring that no one provider would become so dominant as to establish a new, and unregulated, monopoly. I am optimistic that the new law will do that, but I also agree with those who say that none of us can predict precisely how it will play out. While the bill goes far to break down barriers to competition, and junks volumes of regulations, the final product leaves many issues to the FCC. My strong suspicion is that the bill does not deregulate the industry as much as some proponents claim. I believe that Congress must keep a close watch to ensure that the promise of the new law is realized, and be prepared to take action if consumers are adversely affected.

In the end, this bill was finally pushed forward because the congressional leadership desperately wanted a major legislative achievement to point to. And it was accomplished through a genuinely bipartisan effort, involving congressional leaders on both sides of the aisle and the Clinton Administration. The lesson we should learn is that fostering consensus across party lines is the way to get things done. I hope that we see more of that in the days ahead.

## HONORING AFRICAN-AMERICANS

### HON. OWEN B. PICKETT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. PICKETT. Mr. Speaker, as we again celebrate Black History Month, it is important to take note of the profound influence that African-Americans have had on American history and American society.

From the early days of our Republic when much of our country's economy rested on the backs of slave labor, to the complex commercialism of modern America the thread of black history has steadily grown and expanded.

While much remains to be done to achieve equal opportunity that is more than just a phrase or slogan we can still take pride in the stunning achievements made by so many African-Americans that has often been overlooked in our recorded history.

These contributions have covered the spectrum of cultural, economic, political, and scientific advances that are widely heralded and well known, but many others, less publicized, have equal significance to society.

African-Americans comprise about 12 percent of our population and are our largest minority group. We need but look around us, in our workplace, in entertainment, sports, politics, religion, sciences, education, and throughout our daily lives to understand the importance of their accomplishments.

I realize that the celebration of Black History Month has origins that go back much farther than the formal program we celebrate today which originated in 1976. It was Dr. Carter G. Woodson, who in 1926 first began setting aside a period of time in February to recall the now voluminous heritage, achievements, and contributions of African-Americans.

Singling out any one person or achievement without also giving equal acknowledgment to the many others of equal fame or public acknowledgment would not do justice to the rich history of one of our Nation's most important minority groups.

I join all Americans in saluting Black History Month 1996.

## TRIBUTE TO RODNEY SLATER

### HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. HILLIARD. Mr. Speaker, I rise today to commend Mr. Rodney Slater, President Clinton's Federal Highway Administrator. Recently, Mr. Slater was of great assistance to the small rural community of Gee's-Bend, AL, in authorizing a new ferryboat to replace the one dismantled by segregationists in 1962 in order to keep many civil rights protesters from easily crossing the Alabama River to march in the streets of Camden for their freedom.

Mr. Slater and his staff at the Federal Highway Administration actually understood the need of these citizens to help transport their families across the Alabama River to the county seat of Wilcox County in Camden, AL, in a timely manner. Rather than acting like an impersonal bureaucratic machine, Mr. Slater's office responded with kindness and understanding.

Since 1962, the predominately African-American citizens of Gee's-Bend have had to travel over 1 hour, each way, to visit their doctor, hospital, bank, and for their children to attend the public schools of the county due to the closing of the ferryboat.

However, the arduous journey of these good people will soon be shortened from over 1 hour each way, to only 10 minutes each way, due to the wisdom of Administrator Slater. Mr. Slater took such an interest as to personally visit the proposed site of the new ferry to ensure that the project was needed and worthy of our taxpayers' support.

President Clinton should be commended in selecting such an upstanding man of honor, integrity, and fairplay as Mr. Slater. He is a friend of all lovers of freedom, democracy, and equality.

## TRIBUTE TO OCEAN COUNTY FREEHOLDER JAMES J. MANCINI

### HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. SAXTON. It is an honor and a privilege to pay tribute to my good friend, Ocean County Freeholder and long-time mayor of Long Beach Township, James J. Mancini.

Freeholder Jim Mancini, as chairman of the Ocean County Office on Aging, serves the largest senior population in the State of New Jersey. Ocean County's nutrition sites, transportation programs for the elderly, and senior outreach programs are considered among the finest in our State. Freeholder Mancini has worked closely with me through the years in our effort to preserve and protect such programs as Social Security, Medicare, and Medicaid. His support has been invaluable.

As liaison to the Ocean County Library Commission, Freeholder Mancini has worked tirelessly to expand the system to 17 branches throughout the county.

A former member of New Jersey's General Assembly, he continues to serve as mayor of Long Beach Township, a position he has held for 28 years. This dedicated public servant also serves as chairman of the board of Southern Ocean County Hospital and as vice president of the Long Beach Island, St. Francis Community Center. The civic associations to which he has devoted many hours are too numerous to mention.

All these associations and activities were carried out while always putting his wife, Madeline, and their nine children first.

The residents of Long Beach Township pay him a great tribute by dedicating their municipal facility in his honor and name.

Jim Mancini represents what is so very good about our country—he is an honorable man, a family man, a man who is willing to go the extra mile for what is right. He has proven the point of the old saying, ''If you want something done, give the job to a busy person.''

I offer him my personal thanks and the gratitude of all those he has so faithfully served throughout the years.

As he celebrates his 70th birthday among family and friends, I wish him all the best that life can offer.

## TRIBUTE TO WILLIAM D. SHAW

### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. KILDEE. Mr. Speaker, I stand before you today to ask that you and my colleagues in the U.S. House of Representatives join me in paying tribute to Dr. William D. Shaw.

Dr. Shaw is being honored by his many family members and friends on March 2, 1996, for his 33 years of service and dedication to the field of education. Dr. Shaw began his career in 1962 as a teacher in the Concord Public School District of Michigan. He continued in numerous teaching and administrative positions in Concord before moving on to East Lansing, MI, where he became a instructor at Michigan State University. In 1974 he joined the staff of Bedford Public Schools as director of instruction. Fortunately, in 1978 he moved to the Swartz Creek community schools. During his years of serving the students of Swartz Creek he held the positions of assistant superintendent for instruction and assistant superintendent for instruction and business operations. Dr. Shaw has maintained an involvement in his profession through membership in numerous county and State associations. Additionally, he has served as a adjunct lecturer at both Michigan State University and Central Michigan University.

Mr. Speaker, I ask you and all my colleagues in the U.S. House of Representatives to join me in congratulating Dr. William D. Shaw on his retirement from 33 years to the field of education and wish he and his wife Mary the very best in retirement.

## SPECIAL TRIBUTE TO GERALD ''JERRY'' PROPHET

### HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. BARCIA. Mr. Speaker, I would like to recognize one of Michigan's most distinguished and devoted police officers. Sgt. Gerald ''Jerry'' Prophet is retiring from the Michigan State Police on February 29, 1996, after 24 years of commitment to preserve the safety of the citizens of Michigan. He is being honored for his exceptional service on March 2, 1996, at the Candlelight Banquet Center in Bridgeport, MI.

Sergeant Prophet was born in Heflin, AL, on July 31, 1947. His family moved to Michigan when he was a young boy and he graduated from Ferndale High School in 1965. Jerry joined the Michigan State Police in 1972 and rose to the rank of sergeant. He always places protecting the citizens of Michigan over himself which is a tribute to his honorable service. His dedication to the needs of the people of Michigan and his fellow officers earned him the thanks and respect he so much deserves.

An example of his dedication and one of the most notable aspects of his career was when he received a life saving award from the Michigan State Police. Jerry responded to an urgent call and rushed to the home of a Michigan citizen who stopped breathing. He performed CPR and ultimately saved her life.

Despite his demanding schedule, Jerry is also committed to the spirituality of his community. He serves on the usher board and is a member of the men's club and the courtesy committee at Bethel AME Church in Saginaw.

Sergeant Prophet not only served the people of Michigan, but served his country as well. Before joining the Michigan State Police, he served in the Navy and was stationed in China Lake, CA, and Guantanamo Bay, Cuba. He was honorably discharged from the Navy in 1970 with the rank of yeoman 2d class.

Never losing sight of the importance of education and learning, Sergeant Prophet received an associate degree from Delta College in 1978 and is expected to graduate with

a bachelor's degree from Saginaw Valley State College in 1997.

Jerry could not have achieved these great accomplishments without the support of his loving family and including his mother Vanilla Prophet and his brothers and sisters, Graylon, Calvin Conrad, and Sharon Prophet, Sandra Jean Foster, Tonia Hickman, and Teri Atkins.

Although he is leaving the police force, I am confident that he will continue to serve and protect his community, I request that my colleagues join me in wishing Sergeant Prophet and his family best wishes as he enters a new phase of his life.

## IN HONOR OF 32-YEAR CAREER OF MORRIE TURNER

### HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. DELLUMS. Mr. Speaker, I rise today to join the African American Advocate in celebration of Mr. Morrie Turner's dedication to art and education, and to chronicle his 32-year career as a prominent cartoonist and creator of the nationally syndicated cartoon strip ''Wee Pals.'' Morrie Turner is the first African-American to be a syndicated cartoonist and to publish a cartoon strip in a mainstream, metropolitan newspaper. He uses his skills and talents to educate children—and adults—about black history, community issues and services, health and safety.

For four decades, Morrie has produced ''Wee Pals.'' The multiethnic cast of characters are reflections of his childhood neighborhood. He highlights the cultural and historical accomplishments of African-Americans through ''Soul Corner.''

Morrie Turner is a native and resident of Oakland—San Francisco Bay Area, CA, born on December 11, 1923, one of four brothers to James Edward and Nora C. Turner. He attended Cole Elementary and McClymonds High School in Oakland; and graduate from Berkely High School in 1942. In 1943, he was drafted into the U.S. Army.

Morrie began to draw at an early age which provided him with joy and satisfaction. With the support of his family, wife Letha and son Morrie, Jr., he began to pursue a cartoon career. Though it was difficult to break into cartooning with black characters, Morrier's ''Wee Pals'' was syndicated in 1964. He began to receive fan mail from across the country. Many of his fans did not know he was black. One letter asked, ''Do you really know some Black people?'' Morrie responded, ''Just my mother, father, wife, and son, for starters.''

Morrie actively participates in the life of the community. In 1960, he was a delegate to the White House Conference on Children. In 1967, he entertained troops in Vietnam. He spends much of his time sharing with young people about cartooning and black history in schools across the country. He assists many nonprofit organizations and public agencies by producing books, T-shirts, and educational materials.

On February 24, 1996, at the Oakland Museum, Morrie Turner was honored by the African American Advocate and the bay area community for his significant contributions in promoting harmony, understanding, and acceptance of cultural diversity. The vision that ''Wee Pals'' characters may be used in classrooms and on the streets to promote cultural understanding and to provide our youth with role models will ensure ''Wee Pals'' as Morrie Turner's legacy to our children and our children's children.

## CASTRO'S RUTHLESS ACT OF VIOLENCE

### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to express my outrage over Fidel Castro's act of violence by shooting down two small unarmed civilian planes last Saturday.

Shooting down unarmed civilian planes is a flagrant violation of international law and a horribly inhumane act. There are legitimate ways for a country to protect their national borders, but the Cuban Government ignored every one of them last Saturday by shooting down these planes. International law dictates that civilian planes should not be fired upon even if they do fly into forbidden airspace. It requires warning off the approaching aircraft. But the Castro government decided to react in the most brutal way by ignoring American urgings to stay on a peaceful and legal path.

Mr. Speaker, Since Castro's rise to power, Cuba has surpassed every other Nation in the Western Hemisphere in human rights violations. Because we cannot rest in the face of the oppression of the Cuban people, I fully support the steps taken by the Clinton administration as well as the Helms-Burton legislation which imposes tighter sanctions on Cuba.

Mr. Speaker, we cannot allow these acts of violence to be perpetuated against any person, Cuban or American. Fidel Castro has no respect for the dignity of human life. Maybe the passage of Helms-Burton as well as additional steps taken by the administration will teach him, if not the value of human life, then the repercussions he faces when he kills unarmed American civilians.

## THE NATIONAL MEDIA

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, February 28, 1996, into the CONGRESSIONAL RECORD.

THE NATIONAL MEDIA

Public respect for the national media has fallen in recent years. As the power of the media has shifted from local and state newspapers to national networks, I find people increasingly mistrustful of the media. Constituents ask whether they can believe what they read or see. Or, as one constituent asked, how can we know the truth? That's the most fundamental question of all.

American journalists have long had a reputation for independence and integrity combined with hardnosed reporting and sharp investigative skills. Americans have traditionally looked to the media, particularly the national media, to get basic factual information on national events. The national media often put the spotlight on difficult problems and can be an important force for change.

That pattern is changing. There are still many outstanding journalists today, and, at its best, American journalism can be very good indeed. Nonetheless, I am impressed by how many Americans are tuning out the national media, getting their information instead from non-traditional sources, such as talk radio and TV talk shows, tabloid newspapers or television shows, or special interest publications. They simply don't trust the national media anymore to give them basic facts or unbiased reporting. They find alternative media more accessible and more responsive to their concerns.

WHAT HAS CHANGED

It is hard to say why the national press is held in lower esteem today, but my suspicion is that many of its wounds have been self-inflicted. Some journalists appear to have trouble sorting out what's hot news and what's meaningful, what's topical and what really has consequences for the nation. My sense is that the press now seeks to shape public attitudes more than it questions, examines and describes the real world to the fullest extent possible.

Journalists are trained to seek out facts, but increasingly blur fact and opinion and infuse their stories with their opinions rather than objective facts. It often seems there are no reporters in Washington. That's an exaggeration, of course, but it makes a point that many in the media today seek to shape policy, rather than report the news. Many Washington journalists are striving to be colorful personalities. They want to get on the television talk shows. They will often make bombastic arguments and predictions and outrageous statements. What they do not exhibit is professional detachment.

Washington reporting has also become much more speculative, less factual. There is just too much careless reporting, too much cynicism, too much reliance on unnamed sources, too much instant analysis, too much of an effort to entertain, not enough effort to inform objectively.

I am astonished at the number of times I have found that journalists do not check facts, but simply write what they first hear. I wonder whether reporters are scrupulously accurate or whether they try to reshape a quote or ignore a fact or concoct a source in order to make the point they want to make. I have often had the experience of being interviewed only to discover that the journalist had already made up his mind about what to say in the piece, and was only searching for a quote to buttress his view; or have attended an event covered by the press, but find later what appears in print or on television is not the way it was.

The Washington media also show limited interest in promoting informed debate on important issues. In so many of the talk shows, squabbling and shouting matches replace dialogue and discussion. There seems to be a premium on fostering conflict rather than consensus, in encouraging extremes and discouraging moderation. The press also loves to report the misdeeds and the personal failings of public figures.

REPORTING ON POLITICS

Constituents ask overwhelmingly about the ''what'' of politics: what are we going to do about the health care system, what are we going to do to reform welfare. The national media, in contrast, often seem to think of politics as just a big game filled with players whose motive is to win, and picking the winners and the losers becomes their primary preoccupation. They see politics as a contest between political leaders, not as a clash of

ideas and proposals. They appear to have less to say about the substance and little interest in the impact of legislation on people's lives.

My impression is the Washington press corps often shows a lack of diligence, a follow-the-leader mentality. If one journalist writes about a topic, everybody writes about it. If one talks about it, everybody talks about it. If one states a ''fact,'' others accept it without checking. I often ask myself how many journalists out there think for themselves.

What worries me in all this (and other critics of the media) is that the media suggest that politics is little more than the struggle between ambitious politicians for power and has less to do with how we as a country deal with the serious problems confronting us. There are excellent members of the national press corps, but there just seems to be a very large gap between the way many journalists approach a story and the way other people do.

CONCLUSION

One important role of journalism in this country is to try to provide a common ground of knowledge and analysis, an effort to clarify the national debate and link it to people and their lives. The media in our society have a high mission and bear the responsibility to carry it out.

Fortunately, there is a self-correcting process in the media. The competitive instinct is very strong among the multiple sources of information and that sometimes leads to excess and inaccuracies, but also contributes to a corrective process whereby the facts eventually get out straight. If one news outlet reports a story badly, other rival organizations will try to set the record straight.

The proliferation of alternative news sources may also be a positive development. Some argue that the national press is responding to competitive pressures from the tabloid media by trying to imitate them, and this is certainly a concern. Competition, however, may also force the mainstream media to get back to basics—to do what they do best, namely solid beat reporting and in-depth investigative pieces. There has certainly been a trend in the regional press toward issue-oriented coverage of politics and news, and the national media could learn from this positive development.

## MEMORANDUM ON THE BALLISTIC MISSILE THREAT

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. SPENCE. Mr. Speaker, as you know, the President vetoed the defense authorization bill last December due primarily to the legislation's direction that a national defense system be deployed by the year 2003. As I commented during the veto override debate, on a political level, the veto did serve to more clearly define the stark differences between the Clinton administration and this Congress on key national security issues such as ballistic missile defense. It is unfortunate that an issue as fundamentally important as whether or not the American people should be defended against the threat of ballistic missiles in the decade ahead has become so controversial—but it is where we find ourselves.

Adding further to the controversy, the Department of Defense announced last week that they do not intend to spend all of the funding appropriated for national missile defense programs this fiscal year, as well as the surprising decision to delay several of the most promising theater missile defense programs—an area in which I did not believe there was much controversy until now. The combination of the President's strong opposition to deploying a national missile defense and now, an apparently conscious decision to scale back theater missile programs leaves us plenty to begin sorting through.

The National Security Committee has a responsibility to raise the visibility of important security issues and through discussion, debate and even disagreement, to hopefully inform and educate the citizens of this country. Today, we started that effort with the first in a series of full committee and subcommittee hearings on ballistic missile defense. In addition to hearings, I have prepared a short paper, ''Memorandum on the Ballistic Missile Threat,'' which I distributed to the members of the National Security Committee yesterday.

The text of the memorandum is as follows:

MEMORANDUM ON THE BALLISTIC MISSILE THREAT

(By HNSC Chairman Floyd Spence)

INTRODUCTION

As last year's debate and veto of the FT 96 National Defense Authorization Act (H.R. 1530) demonstrated, Ballistic Missile Defense (BMD) has become a defining national security issue. Today, the United States has no defense against even a single ballistic missile. According to polls, this fact is not appreciated by the American people, who continue to believe that we have the means today to protect ourselves against ballistic missile attack. Although the technology exists to develop and field a limited defense against such threats, the American people remain hostage to a national strategy of conscious vulnerability, codified by the 1972 anti-Ballistic Missile (ABM) Treaty and reinforced by Cold War notions of strategic stability.

The debate over whether deployment of a national missile defense is warranted ought to pivot in large part on forward looking assessments of the ballistic missile threat to the United States. In his December 28 veto message, the President stated that H.R. 1530's call for a national missile defense system addresses a long-range missile threat ''that our Intelligence Community does not foresee in the coming decade.'' The purpose of this memorandum is to address this issue and to provide a better understanding of the missile threats facing the United States now and in the future.

A CLEAR AND PRESENT DANGER

The Clinton Administration has acknowledged that the shorter-range, or theater, ballistic missile threat is real and growing. Secretary of Defense William Perry has stated that ballistic missiles ''are clearly becoming a common battlefield weapon.''[1] More than 15 countries currently possess ballistic missiles. Most are based on Soviet-derived designs like the SCUD, which was used by Iraq during the 1991 Gulf War. However, the types of theater missiles being sought and acquired by third countries today are of increasing range, lethality, and sophistication.

In addition, more than 25 countries currently possess, or are seeking to acquire, weapons of mass destruction (WMD), including nuclear, chemical, and biological weapons. According to unclassified estimates, some 24 countries currently have ongoing chemical weapons programs.[2] Ten countries are reportedly pursuing biological weapons research.[3] At least as many are reported to be interested in developing nuclear weapons.[4] The trend toward proliferation of weapons of mass destruction and the missiles that can carry them is ''decidedly negative,'' with ''no limits on the ambitions of unstable actors to acquire the most advanced and deadly weapons available, either through internal or external sources.[5]

The Administration is less convinced, however, of the threat posed by longer-range missiles. In particular, a recently completed National Intelligence Estimate (NIE), prepared by the intelligence community, concludes that the threat to the United States posed by long-range ballistic missiles is lower than previously believed.[6] A letter by the CIA's Director of Congressional Affairs to Senators Levin and Bumpers, written on behalf of the Director of Central Intelligence (DCI), John Deutch, asserts that the previous intelligence community estimate of the missile threat to the United States, as reflected in the language of H.R. 1530, ''overstates what we currently believe to be the future threat.'' The letter states that it is ''extremely unlikely'' any nation with intercontinental ballistic missiles (ICBMs) would be willing to sell them; declares that the U.S. early warning capability is ''sufficient to provide many years in advance of indigenous development''; and judges the prospect of an operational North Korean ICBM within the next five years to be ''very low.''[7]

The Administration's conclusions on these issues are seemingly at odds with previous intelligence community estimates; are at variance with the view of other responsible experts within and outside the intelligence community; and have raised troubling questions concerning the politicization of intelligence.[8]

THE ALLURE OF BALLISTIC MISSILES

There are numerous reasons why a growing number of nations seek to acquire ballistic missiles and weapons of mass destruction. Such weapons provide a military edge against regional adversaries and serve as symbols of national power and prestige. Ballistic missiles offer small and medium powers—for the first time—a strategic weapon potentially capable of deterring great powers militarily and politically. An adversary armed with ballistic missiles and WMD may deter the United States from undertaking certain actions for fear of retaliation against U.S. regional assets of allies. Long-range ICBMs are even more attractive assets for hostile powers wishing to deter the United States from exercising its power projection capabilities by placing U.S. territory directly at risk and threatening our most valued asset: the American people. Importantly, the lack of any effective defenses against ballistic missiles may actually serve to encourage hostile states to acquire missile capabilities and makes them the weapon of choice for nations seeking to threaten others. As the International Institute for Strategic Studies in London has concluded, ''the ballistic missile, mainly on account of its range, speed and cost relative to that of a manned aircraft, is a favored delivery means for proliferating states and is likely to remain so until a proven anti-ballistic missile defense system has been deployed.''[9]

The proliferation of these weapons heightens the risk that adversaries will seek to use them or threaten their use against the U.S. or American allies and interests. For instance, in the Gulf War, Iraq used SCUD missiles against Israel as political weapons in an attempt to draw Israel into the conflict and fracture the allied coalition. Libya recently declared its willingness to fire ballistic missiles at Naples, Italy, the home of the U.S.

Footnotes at the end of article.

Sixth Fleet.[10] In fact, Libya launched ballistic missiles against a NATO base in Italy in 1986. Libyan leader Muammar Qaddafi has spoken of his desire to acquire ''a deterrent—missiles that can reach New York,'' and has stated, ''We should build this force so that they [the U.S.] and others will no longer think about an attack.''[11] Palestine Liberation Front leader Abu Abbas warned ominously in 1990 that ''some day we will have missiles that can reach New York.''[12] And Iranian President Hashemi Rafsanjani has called missiles ''the most important and the most essential weapons of the world.[13] Clearly, the incentive to develop or otherwise acquire these weapons is enhanced by the lack of defenses against them.

INTELLIGENCE COMMUNITY ANALYSIS

The conclusions expressed in the CIA letter referred to above have required the intelligence community to adopt a number of benign assumptions about the ballistic missile threat to the United States that are not supported by previous intelligence estimates or independent analyses.[14] For example:

An assumption that nations will be limited to their indigenous industrial and technological base when developing ICBMs and that foreign assistance will be minimal or nonexistent. By discounting the likelihood that ICBM components or entire missiles may be purchased from more advanced nations, the intelligence community appears to place faith in a universal adherence to the Missile Technology Control Regime (MTCR) or in self-imposed restraints on trade of such items. However, the MTCR, which establishes guidelines for controlling the transfer of missile equipment and technology, is a voluntary effort, lacks the force of international law, contains no enforcement mechanisms, and has been repeatedly violated. For example, Russia has transferred critical missile components, in contravention of MTCR guidelines, to India and Brazil.[15] More recently, missile guidance components capable of being used in an ICBM were intercepted in Jordan in transit from Russia to Iraq.[16] Regardless of whether this particular transfer was sanctioned by the Russian government or was a ''rogue operation,'' the incident is troubling and demonstrates that the MTCR provides no guarantee against the transfer of ICBM technology.

In addition, several known proliferant states—such as China and North Korea—are not members of the MTCR. Chinese sales of intermediate-range missiles to Saudi Arabia and North Korean exports of SCUD missiles and production technology to Iran and Syria are clear indicators that arms control regimes like the MTCR cannot halt potentially dangerous transfers of missile technology.

Furthermore, the assertion in the December 1995 CIA letter that sales of ICBMs are ''extremely unlikely'' is seemingly at odds with the assessment by Larry Gershwin, former National Intelligence Officer for Strategic Programs at the CIA, who stated in 1993, ''We also remain concerned that hostile nations will try to purchase from other states ballistic missiles capable of striking the United States.''[17] Indeed, Russia has aggressively marketed variants of the SS–25 and SS–19 ICBMs for space launch purposes.[18] A recent change in the START I Treaty would allow Russia to transfer a missile to any other country as long as it is called a ''space launch vehicle'' and it remains under Russian control.[19] However, as a practical matter, the United States has no ability to verify that such a missile will be used to launch a satellite (as compared to a warhead), or that Russians ''control'' it.

The intelligence community's focus on indigenous production also discounts the possibility that the ''import'' of scientific expertise acquired from other nations may accelerate the indigenous development of potentially hostile states of long-range missile capabilities. Former DCI James Woolsey has testified that ''the acquisition of key production technologies and technical expertise would speed up ICBM development.''[20] Given Russia's dire economic situation, the prospect that Russian scientific and technical talent will seek work elsewhere (the ''brain drain'' factor) is troubling.

In short, the compliance problems and loopholes intrinsic to arms control agreements, the increasing availability of foreign expertise, the strong incentives that exist for missile and component sales by states in need of hard currency, and the geopolitical desirability of long-range missiles, justify a more sober assessment of the likely future missile threat to the United States.

An assumption that countries with the capability to develop ICBMs will not do so. The recent intelligence community assessment reflects an apparent and questionable conclusion that those nations most technically competent to develop ICBMs, such as Japan, Ukraine, and India, have little motive to acquire ICBM acquisition could easily and rapidly change, and it is prudent to assume relations and attitudes among nations will be relatively constant in the international order in the coming decade. Indeed, few predicted the monumental changes in the strategic environment that have occurred over the past 5–10 years. At a minimum, any analysis that assumes continuity must be balanced with an equity valid analysis that postulates alternative futures.

It is conceivable, for example, that India might want ICBMs to deter the United States or other powers from becoming involved in any future India-Pakistan conflict. Ukraine might want ICBMs if it finds, once Keiv is bereft of all nuclear weapons now based on its territory, that the United States loses interest in Ukraine's future, or if Ukraine wishes to increase its leverage in future dealings with Moscow. And Japan may look at some future point to acquire long-range missile capabilities for deterrence purposes if it no longer has faith in U.S. security assurances, or if China or Russia assumes more aggressive international or regional stances.

It is important to note that existing SLVs in these and other countries could be transformed into ICBMs in reasonably short order. In fact, there is no practical ability to distinguish between an ICBM and SLV for verification purposes—thereby denying the United States ''timely warning'' of a new missile threat. A report of the Proliferation Study Team, chaired by former National Security Agent Director LTG Williams Odom (USA, Ret.), noted in 1993 that ''[t]he conclusion that the probability is quite low for the emergence of new ballistic missile threat to the United States during this decade or early in the next decade can be sustained only if plausible but unpredicted developments, such as the transfer and conversion of SLVs, are dismissed or considered of negligible consequence.''[21] Moreover, according to the study team's report, the transfer and conversion of SLVs would require ''relatively modest effort.''[22]

The System Planning Corporation found in a 1992 report that conversion of SLVs to military ballistic missiles would be ''fairly straightforward'' and that extending the range of missiles has already been achieved by China, North Korea, Iraq, and Israel.[23] Additionally, a report prepared in 1992 by Science International Corporation concluded: ''The increasing availability of space launch vehicles and space launch services could result in the ability of certain Third World countries to threaten the continental U.S. with United States with ICBMs carrying nuclear, chemical, or biological payloads in the mid- to late-1990s.''[24]

An assumption that there is a low risk of deliberate, unauthorized, or accidental missile launch by Russia or China. According to Russian sources and U.S. experts, the Russian General Staff may have operational control of the strategic nuclear forces and could launch those forces without President Yeltsin's permission. Given the elevated emphasis being placed on nuclear weapons in Russia's new military doctrine, this is a particularly worrisome prospect. Russian General Geliy Batenin, former commander of an SS–18 ICBM division and a military advisor to President Yeltsin, has warned that the General Staff and even individual ICBM flight crews could execute an unauthorized missile launch. Batenin has also warned that Russian nuclear submarines may carry launch codes that would allow a submarine commander to conduct an unauthorized launch of SLBMs.[25]

Russian political instability, the erosion of Russian military discipline, and the deterioration of technical infrastructure, including radar and early warning systems, are conditions that increase the possibility of unauthorized or accidental nuclear use.[26] Brookings Institution analyst Bruce Blair has testified that ''The world remains unsafe as long as there are thousands of launch-ready nuclear weapons at the fingertips of a Russian command system that is tottering on the edge of civil collapse.''[27] The Russian General Staff's unauthorized nuclear alert during the August 1991 coup attempt, the October 1993 Parliamentary crisis, the January 1995 nuclear alert in reaction to Norway's launch of a meteorological rocket, and recent nuclear sabre rattling against proposed NATO expansion, should cause more than a little concern about the Russian nuclear threat.[28] It is disturbing the extent to which knowledgeable Russians are apparently more worried about the possibility of unauthorized or accidental use of Russian nuclear weapons than the US intelligence community.[29]

The solidity of China's command and control system is also in question. Based on admittedly limited knowledge, it appears that technical control over China's ICBM force is significantly less structured than that of either Russia or the United States. Also, China's willingness to use ballistic missiles for political purposes was evident in the recent series of Chinese missile launches against ''targets'' off the coast of Taiwan. And the reported Chinese warnings to the United States that it would consider nuclear strikes against American cities to deter U.S. involvement in a possible future conflict with Taiwan reinforce the conclusion that China believes ballistic missiles carry both political and military utility.[30]

SUMMARY CONCLUSIONS

The desire of nations to acquire ballistic missiles that can threaten the United States or U.S. and allied interests has not abated. In fact, the absence of ballistic missile defenses may actually encourage other states to acquire such weapons. Perhaps the only way Third World nations can directly challenge the United States in the next ten to twenty years given overall U.S. military capabilities is by developing or acquiring missiles capable of deterring U.S. action or making the ''price'' of such action exceedingly high.

The ability of other nations to acquire ballistic missile capabilities will expand and under any circumstances is unlikely to be halted by arms control regimes like the MTCR. The countries of greatest proliferation concern are either not members of these regimes or have failed to abide by their

international nonproliferation obligations under them.

Indigenous development of ICBM capabilities is one way, but not the only or even most probable way, for other nations to acquire long-range missile capabilities. Given the willingness of regimes such as North Korea to trade in missiles and components, and Russia's refusal or inability to control the flow of missile components as well as scientific and engineering talent to Third World countries, the trend is clearly in the direction of more proliferation rather than less.

The Russian military is not immune to the tremendous societal strains currently underway in Russia. These strains, along with changes in military doctrine that increase reliance on nuclear weapons, call into question the sanguine assessment that the risk of a deliberate, accidental, or unauthorized ballistic missile launch from Russia remains low. Likewise, Chinese threats to use ballistic missiles raise troubling political and military concerns.

The intelligence community's recent downgrading of the long-range missile threat is premised on assumptions that are highly questionable. The latest intelligence community estimate of the long-range missile threat to the United States is at variance with previous intelligence estimates, the public testimonies and statements of acting and former U.S. intelligence officials, and the analysis of respected non-governmental experts.

The American people remain entirely vulnerable to a ballistic missile attack. As recent focus groups have reaffirmed, Americans are surprised and angered when presented with the knowledge that they remain unprotected against this threat.

FOOTNOTES

[1] Secretary of Defense, ''Annual Report to the President and the Congress,'' February 1995, p. 241.

[2] Testimony of R. James Woolsey, Director of Central Intelligence, before the Senate Governmental Affairs Committee, 24 February 1993.

[3] Cited in ''Proliferation, Potential TMD Roles, Demarcation and ABM Treaty Compatibility,'' report prepared by the National Institute for Public Policy, September 1994, p. 7.

[4] U.S. Congress, Office of Technology Assessment, ''Proliferation of Weapons of Mass Destruction: Assessing the Risks,'' August 1993, p. 64.

[5] Institute for National Strategic Studies, ''Strategic Assessment 1995: U.S. Security Challenges in Transition,'' National Defense University, 1995, p. 116.

[6] Director of Central Intelligence, ''Emerging Missile Threats to North America During the Next 15 Years,'' NIE 95-19, November 1995.

[7] Letter dated 1 December 1995. In a similar vein, the former Deputy Director of the Ballistic Missile Defense Organization (BMDO), William Evers, has described the view of the intelligence community this way: ''Russia, the former Soviet states, and China will not use [ICBMs] intentionally, will not launch them accidentally, and will not sell them.'' (Comments at a conference sponsored by the Institute for Foreign Policy Analysis, Inc., 28 April 1995, reported in John Donnelly, ''House Panel to Examine Russian Command and Control Issues,'' Defense Week, 26 June 1995, p. 1+.)

[8] Because NIEs are classified, a detailed discussion of their findings is not possible here. However, a comparative analysis of past and present NIEs indicates that the official assessment of the ballistic missile threat to the United States has been downgraded. The issue of politicization of intelligence is highlighted in Rowen Scarborough and Bill Gertz, ''Missile-Threat Report 'Politicized,' GOP Says,'' Washington Times, 30 January 1996, p. A1+.

[9] International Institute for Strategic Studies, ''The Military Balance 1995-1996, p. 281.

[10] ''Libya: Gadhafi Ready to Use Missiles,'' Minneapolis Star Tribune, 1 January 1996, p. 4.

[11] Speech on 18 April 1990, reported by Tripoli Television Service, 19 April 1990, and translated in Foreign Broadcast Information Service, Daily Report: Near East and South Asia, FBIS-NES-90-078, 23 April 1990, p. 8.

[12] Cited in ''A Terrorist Talks About Life, Warns of More Deaths,'' The Wall Street Journal, 10 September 1990, p. 1.

[13] Cited in Thomas L. McNaughter, ''Ballistic Missiles and Chemical Weapons: The Legacy of the Iran-Iraq War, International Security, Fall 1990, p. 6.

[14] See footnote 8.

[15] See, for example, R. Jeffrey Smith, ''U.S. Waives Objection to Russian Missile Technology Sale to Brazil,'' Washington Post, 8 June 1995, p, A23; Fred Hiatt, ''Russian Rocket Sale Strains U.S. Ties,'' Washington Post, 24 June 1993, p. A29.

[16] See R. Jeffrey Smith, ''U.N. Is Said to Find Russian Markings on Iraq-Bound Military Equipment,'' Washington Post, 15 December 1995, p. A30. According to a U.S. official, Iraq's missile program ''poses a threat to all of Europe.'' A U.N. official, noting that Iraq is seeking to develop a longer-range missile, stated, ''Should Saddam build such a missile, it could easily reach London or Moscow.'' See Stewart Stogel, ''Missile Plans by Iraq May Aim at Europe,'' Washington Times, 16 February 1996, p. A1+.

[17] Speech before the American Defense Preparedness Association, 18 May 1993.

[18] See, for examply, Anna Bakina, ''Strategic Missile Under Conversion Into Space Booster,'' ITAR–TASS, 17 July 1995, cited in Foreign Broadcast Information Service , ''FBIS Report: Arms Control and Proliferation Issues,'' FBIS–TAC–95–004, 8 August 1995, pp. 38–39 ''RSA To Turn Swords Into Plowshares,'' Kommersant Daily, 7 July 1995, p. 9, cited in Foreign Broadcast Information Service, ''SS–19s To Be Converted into Rokot Space Carrier Rockets'', FBIS Report: ''Arms Control and Proliferation,'' FBIS–TAC–95–014–L, 4 August 1995, p. 97; Vitaly Chukseyev ''Russia to Supply Boosters For U.S. Missiles,'' ITAR–TASS, 13 October 1995, cited in Foreign Broadcast Information Service, ''Daily Report: Central Eurasia,'' FBIS–SOV–95–198, 13 October 1995. p.30.

[19] See Bill Gertz, ''U.S. Relaxes START, Raising Missile Fears,'' Washington Times, 9 November 1995, p. A1+.

[20] Testimony before the House Foreign Affairs Committee, Subcommittee on International Security, International Organizations, and Human Rights, 28 July 1993.

[21] The Emerging Ballistic Missile Threat to the United States'' February 1993, p.1.

[22] ibid, p.1.

[23] Ballistic Missile Proliferation: An Emerging Threat,'' 1992, pp. 26–28

[24] Sidney Graybeal and Patricia McFate. ''GPALs and Fforeign Space Launch Vehicle Capabilities,'' SAIC February 1992, p. 18.

[25] See Allen Levine's interview of Russian General Batenin, in ''Soviet General Says Unrest May Spark Nuclear Terror,'' Atlanta Constitution, 16 October 1991, p. 2.

[26] See Kurt Campbell, Ashton Carter, Steven Miller, and Charles Zraket, ''*Soviet Fission: Control of the Nuclear Arsenal in a Disintegrating Soviet Union*,'' Center for Strategic and International Affairs, John F. Kennedy School of Government, Harvard University, November 1991.

[27] Testimony before the Senate Foreign Relations Committee, Subcommittee on European Affairs, reported in Rowen Scarborough, ''Russia Losing Nuke Control, Senators Told,'' Washington Times, 23 August 1995, p. A1+.

[28] On the Russian nuclear alert in January 1995, see ''Norwegian Science Rocket Puts Russian Defense On Alert,'' Washington Times, 26 January 1995, p. 16; ''Russian Radars Alert Moscow After Detecting Missile Launch,'' Agence France-Presse, 25 January 1995; Vasiliy Kononenko, ''Yeltsin Leaves Chechnya Behind in Lipetsk, But Takes the 'Black Attache Case' With Him,'' Izvestiya, 27 January 1995, p. 1; Nikolay Devyanin, ''Football: All That Has Happened, Alas, Had to Happen,'' Moskovskiye Novosti, No. 7, 29 January-5 February 1995, pp. 1, 12.

[29] See, for example, Alexei Arbatov, ''The Mysteries of the Nuclear Button,'' Moscow New Times, No. 4, January 1992, pp. 20-23.

[30] See Patrick E. Tyler, ''As China Threatens Tawian, It Makes Sure U.S. Listens,'' New York Times, 24 January 1996, p. 1+.

## BELMAR ST. PATRICK'S DAY PARADE

### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. PALLONE. Mr. Speaker, on the afternoon of Sunday, March 3, 1995, the 23d Annual St. Patrick's Day Parade will move through the streets of Belmar, NJ.

Mr. Speaker, from its modest beginnings little more than two decades ago, the Belmar event has become the biggest and best-attended St. Patrick's Day Parade in the State of New Jersey, and one of the finest in the Nation. While not quite as big as the New York City parade, the Belmar event has steadily been attracting crowds of more than 100,000 people, drawn from the Jersey Shore area and throughout our State, surrounding States and other nations, including Ireland itself. Thousands of marchers are expected this year, including members of community organizations, elected officials, marching bands, floats, bagpipers, and leaders of Irish-American organizations. Both the participants and the many spectators always have a wonderful time.

The grand marshal this year is Mr. John F. Kelly of Sea Girt, NJ, a retired Elizabeth, NJ, police officer and a member of numerous community organizations. The deputy grand marshal is Rosemarie Plunkett Reilly of Belmar, the director of the Reilly Funeral Home. A previous grand marshal, Monmouth County Freeholder Thomas J. Powers, will again serve as parade commentator.

The Belmar St. Patrick's Day Parade was established in 1973 by members of the Jerry Lynch Social & Athletic Club. Mr. Lynch is credited with being the parade founder. The first parade, held in 1974, had club members marching in top hats and tails, followed by four marching bands, and numerous fire engines. That year, the crowd of spectators was not much bigger than the contingent of marchers. The first grand marshal was my predecessor, and a name well-known to many of the Members of this body: the late Congressman James J. Howard, a life-long resident of the Jersey Shore who took great pride in his Irish heritage. For their tireless efforts to ensure that the 1996 parade will be another memorable experience, I wish to pay tribute to all of the members of the Belmar St. Patrick's Day Committee, particularly the chairman, Dave Stanley.

Mr. Speaker, it is a great honor for me to pay tribute to the Belmar St. Patrick's Day Parade, a great and proud tradition of the Jersey Shore for Irish-Americans and people of all backgrounds.

## TRIBUTE TO LOIS MCDANIEL

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. TOWNS. Mr. Speaker, Lois McDaniel is a native of Batesburg, SC and embodies the philosophy that hard work pays big dividends. Lois attended South Carolina State College and Pace University's evening program. She currently serves as the calendar information officer for the Department of City Planning and secretary to the New York City Planning Commission for land use and zoning matters. In her capacity she conducts televised public hearings at city hall for the N.Y.C. Planning Commission.

Prior to joining the Department of City Planning, Ms. McDaniel served as executive secretary to the president of the Bedford-

Stuyvesant Restoration Corp. A homeowner in east New York since 1969, Lois has been involved in numerous civic activities within the Community Board 5 area. Her efforts have supported senior citizens, block associations, the Democratic Club of East New York and Union 1180.

Ms. McDaniel is actively involved in food drives for City Harvest's food distribution program for the homeless, and is also involved in numerous other charitable efforts. I am proud to acknowledge her efforts to serve the people of Brooklyn.

## IN SUPPORT OF BLACK HISTORY MONTH

### HON. MARTIN OLAV SABO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. SABO. Mr. Speaker, I rise today to express my strong support for Black History Month. This year, we are celebrating African-American women of yesterday, today, and tomorrow. In Minnesota, we are fortunate to have a fine tradition of civic leaders who have dedicated their lives to enriching the lives of others through their selfless contributions. Today, I'd like to recognize three, among many, of the African-American women in Minnesota who have become shining role models for us all.

In this brief history, the State of Minnesota has had many gifted leaders who were also African-American women. In 1923, Ethel Ray Nance (1899–1992) was the first black woman hired by the Minnesota Legislature and was the first black policewoman in Minnesota. During her long life, Ms. Nance was an activist in several civil rights organizations, including the National Association for the Advancement of Colored People [NAACP]. She also served as the director of research for the National Urban League.

In more recent years, Nellie Stone Johnson, who celebrated her 90th birthday in December, 1995, has been one of the most outspoken and thoughtful leaders in Minnesota's African-American community. Generations of Minnesotans owe Nellie a great deal for her dedication to community-building, to civil rights, and to economic fairness. In the tradition of Hubert Humphrey and Walter Mondale, Nellie Stone Johnson has been rock solid in her commitment to the most vulnerable in our society.

Finally, representing a new generation of African-American women leaders, Minneapolis Mayor Sharon Sayles Belton, elected in 1993, is the first African-American and the first female mayor of Minneapolis. Mayor Sayles Belton began her public service career immediately after college—when as a civil rights worker she traveled to Jackson, MS, to register voters. She later became the first African-American president of the Minneapolis City Council. As mayor, she has continued her efforts to strengthen families and children by focusing on education, crime prevention, and the economic development of neighborhoods in the city.

I am proud to say that these women, and many other African-Americans, have had an important impact on my life and the lives of many Minnesotans. I wish to thank them for their service to the community, the women's movement, and the United States of America. All citizens should be grateful for their accomplishments and endeavors. Mr. Speaker, as we observe Black History Month, I commend Ethel Ray Nance, Nellie Stone Johnson, Mayor Sayles Belton, and all African-Americans for their contributions to our society.

## TRIBUTE TO MERLE BAGLEY

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. TOWNS. Mr. Speaker, I am pleased to recognize Mrs. Merle Bagley for her contribution to the Brooklyn community. Mrs. Bagley migrated to New York from North Carolina in the 1960's. Her life's work has revolved around her dedication to children, not only her own, but society's children. She has successfully raised 10 children, a major accomplishment in itself. But equally important is the community work she has done on behalf of the Bedford-Stuyvesant Youth and Action Board, where she serves as the vice president of the Pacific Street Block Association, and is a member of the Earnestine Grena Senior Citizen Center.

Mrs. Bagley has been involved in community work since her retirement, and has lived in the East New York section of Brooklyn since 1973. She is active in the Linden Houses Tenant Association, and is an appointed member of Planning Board 5 and Area Policy Board 5. Merle Bagley's efforts have enriched the community she lives in and loves, and I am pleased to bring her to the attention of my colleagues.

## 51ST ANNIVERSARY OF THE FLAG RAISING ON MOUNT SURIBACHI

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. GILMAN. Mr. Speaker, last week our Nation commemorated one of the most significant events in our history. The capture of Iwo Jima was not only one of the bloodiest military confrontations in which our Nation was ever involved, but it was also one of the most necessary. This barren island was crucial to ensure the success of our bombing missions into the heart of the Japanese Empire, and was key to the military maneuvers which led to our victory in the Pacific theater of World War II.

Most historians agree that the photograph of six marines raising the American flag on top of Mount Suribachi is the most duplicated photograph ever taken. To this day, no American can remain unmoved by the simple message of heroism and grim determination which that photograph so eloquently portrayed.

Last week, the New York Vets organization conducted solemn ceremonies in Rockland County, NY, commemorating the 51st anniversary of that significant event. I was honored to have been asked to share my thoughts at this ceremony, and would like to share them with our colleagues at this time:

Thank you for inviting me to join with you on this solemn occasion.

Back in 1936, President Roosevelt Franklin D. Roosevelt, in his acceptance speech for his second nomination for President, told his audience that our generation ''has a rendezvous with destiny.'' President Roosevelt foresaw the war clouds accumulating throughout the world, and knew what we would be facing. And, he was correct in his analysis of the burdens with which our generation so uniquely had to cope.

When you think about it, no generation in recorded history was saddled with responsibilities as awesome as those with which we had to grapple. Not only did our generation have to endure the depths of the Great Depression—the greatest economic crisis of all time—but it also fell to our watch to fight World War II, the most stupendous and complex conflict in all of history before or since. World War II was the only war in our Nation's history fought on two major and widely diverse fronts: the European theater and the Pacific. Very few nations ever had successfully tackled the massive burden of a two front war and emerged victorious.

It is befitting that we meet today to commemorate what symbolized that war for all people. The capture of Iwo Jima was a pivotal event in our efforts. I can personally attest that, on the B–29 bombing missions over Japan in which I participated, we thanked God that Iwo Jima was in our hands, for several of our missions would not have returned had we not had Iwo Jima available for emergency landings.

It is important that we bring to mind the photograph of the flag raising on Mount Suribachi, which most historians contend is the most frequently reproduced photograph in all history. It is important because it symbolized for the whole world the burdens and the sacrifice which our generation had to make.

Now, despite all of the trials and tribulations of our generation's life time, we are being called upon one last time for one last sacrifice. We have one last important responsibility to perform for all humankind.

Today the world is replete with revisionist historians: people who contend they know more than we do about what we lived through, what we witnessed, and what we sacrificed. We have lived to witness the phenomenon of our own Smithsonian Institution attempting to assemble a display which inform people that we, the United States, were the aggressors in our war against Japan, and that we were motivated solely by racial considerations. The Smithsonian Museum went so far as to assemble a display which, believe it or not, portrayed the sufferings of the Japanese people, without once mentioning the cruel Bataan death march, or the inhumanity of Japan's POW camps, or their racial degradation and enslavement of the Asian and Pacific peoples who Japan had temporarily conquered. It did not portray the cruelty of the Japanese Government, which demanded not just obedience from their people, but actual worship. It did not tell of the dreaded Kamikaze pilots, whose eagerness for self-sacrifice struck terror into the hearts of many brave Americans.

It is only through the strong protests of many of our own generation that this display was never opened to the public, but that victory was only one battle. We have much further to go to win the war.

We have been reading almost daily of commentators and self-appointed historians who contend that the Holocaust never took place. In fact, the lack of knowledge of generations

younger than our own is appalling. In Orange County, NY a few years ago, the death of a World War II veteran was recorded in the daily newspaper with this incredible line: ''He was a survivor of when the Japanese dropped the atomic bomb on Pearl Harbor * * *''

Our generation has one last task before it. The Great Depression, World War II, and the subsequent cold war are topped by one final burden: it is our responsibility to bear witness to what we have seen and what we have lived through.

It is important that we tell our youth, our grandchildren, our families, and any journalists we encounter of the goals, the ideals, and the vision of World War II. It is up to us to bear witness that the inhumanity of the Nazi and Imperialist Japanese war machines were not just in our imaginations.

It is incumbent upon us to leave permanent records of the sacrifices we made. We know that we cannot depend upon future generations to do this.

Accordingly, we are burdened with this final responsibility.

## TRIBUTE TO JACQUELINE BERGMAN

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. TOWNS. Mr. Speaker, Ms. Jacqueline Bergman has distinguished herself as the first female member president of the International Association of Lions Clubs, and I think it is important to recognize this landmark achievement. In 1987 she was installed as the first woman member of the Brooklyn Downtown Lions Club. This is indeed significant because it demonstrates that barriers to advancement for women are being overcome.

Ms. Bergman has served the Lions organization well. She has chaired major fundraisers, been the recipient of the organization's highest award by being designated as a Melvin Jones Fellow, and edited the club's newsletter. Jacqueline has also served as a delegate to numerous district, State, and international conventions. Jacqueline lives in Brooklyn Heights, has two children, Andrew and Mona, and adores her grandson Andre. Her commitment to service is only exceeded by her desire to do the best job possible. I am honored to recognize her dedicated efforts.

## TRIBUTE TO ROSA LIVERPOOL

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. TOWNS. Mr. Speaker, the Borough of Brooklyn is fortunate to have Rosa Liverpool as a citizen. Rosa has been an achiever in spite of adversity. She was the first African American graduate from the Slovak Girls Academy, and subsequently earned her undergraduate degree from Mercy College, and her master's degree in counseling from Manhattan College.

After receiving her degrees, Rosa began working for the city of New York. She has particular expertise in early identification and reporting of abuse and neglect of children. In 1979 Rosa began working with patients and their families who were addicted to opiates. Presently, Ms. Liverpool is the district guidance counselor for Community School District 19. She is also the child abuse and neglect liaison as well as the suicide prevention specialist for district 19. Rosa has been actively involved in the East New York community of Brooklyn.

Ms. Liverpool chairs the education committee for the Rosetta Gaston Foundation, and is also a member of Community Board No. 5. She has worked with local store owners to provide donations for block activities, and coordinated job fairs for East New York residents. Rosa leads by her example, and is destined to leave a lasting legacy.

## TRIBUTE TO AGENTS PETER HARGRAVES, CHRIS REILLY, AND LARRY SALMON

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. GILMAN. Mr. Speaker, I rise today to congratulate three special agents of the State Department's Bureau of Diplomatic Security, Peter Hargraves, Chris Reilly, and Larry Salmon, who received Valor Awards at the U.S. Department of State on February 15. I was pleased to have a member of my staff represent me at this very moving awards ceremony where Secretary Warren Christopher presided. The Valor Award is one of the Department of State's highest awards and is given to those employees who demonstrate exceptional bravery in the face of life-threatening danger. Special Agents Hargraves, Reilly, and Salmon exhibited particular noteworthy courage in 1995 in their efforts to ensure the safe and secure conduct of U.S. foreign policy abroad. I am pleased to take this opportunity to recognize these three courageous public servants. At a June 29, 1995, oversight hearing on the Diplomatic Security Bureau, our House International Relations Committee heard about the details of some of the courage of these agents and their sacrifices in the service of their Nation. I am pleased to see they have been further honored by the Secretary of State.

Special Agent Peter Hargraves was the former Regional Security Officer assigned to the U.S. Embassy in Sarajevo. On August 19, 1995, Special Agent Hargraves was accompanying a United States peacekeeping delegation to Sarajevo for a meeting with the Bosnian Government. During the trek to Sarajevo over the dangerous Mt. Igman Road, one vehicle in the convoy, its weight too much for the road's shoulder, began a fatal spin down the mountain. The vehicle stopped 500 meters later. Special Agent Hargraves, who managed to get out of the vehicle, disregarded his own severe personal injuries and repeatedly returned to the burning vehicle in an effort to save others. After pulling one individual from the wreckage, his efforts were halted when the vehicle exploded. Special Agent Hargraves is still recovering from injuries suffered in this accident, which claimed the lives of three U.S. peace negotiators. Special Agent Hargraves is a true American hero. The citation on his award reads, ''For exceptional bravery and heroic devotion to your colleagues, in support of efforts to bring peace to the peoples of Bosnia.''

Special Agency Chris Reilly was the former Regional Security Officer assigned to the United States Embassy in Bujumbura. On June 14, 1995, Special Agency Reilly accompanied United States Ambassador to Burundi Robert Krueger and former Burundian Foreign Minister Jean Marie Ngendahayo, on a fact-finding mission to the province of Cibitoke in northwestern Burundi. Late in the afternoon, during the return trip to Bujumbura, the eight vehicle motorcade came under heavy automatic weapons fire from at least two unidentified gunman. Special Agent Reilly immediately instructed the Burundian driver to leave the area. The driver froze. Special Agent Reilly, sitting in the front passenger's seat, reached over and shifted the car into reverse and stepped on the accelerator. After backing up, he shifted the car to drive and managed to get the driver to put his foot on the accelerator and leave the area. Our Ambassador, and the Foreign Minister escaped injury as a result of the heroic actions of Special Agent Reilly. Special Agent Reilly's citation reads,

For valor during an attack on an official motorcade in Cibitoke province, Burundi, on June 14, 1995. While the Ambassador's vehicle came under heavy automatic weapons fire, your rapid and effective response contributed directly to saving the lives of the Ambassador and the Burundi Foreign Minister. Your actions reflect the highest credit upon you and the Diplomatic Security Service.

Special Agent Larry Salmon, the Regional Security Officer at the United States Embassy in Windhoek, was on temporary assignment in Bujumbura, and had accompanied Special Agency Reilly on the trip in which the Ambassador's motorcade was attacked on June 14, 1995. Special Agent Salmon was driving the unarmored follow car directly behind Ambassador Krueger's car. When the attack began, Special Agent Salmon's vehicle was peppered with bullets. A Burundian bodyguard sitting in the backseat was injured by gunfire, and Special Agent Salmon was hit in the right shoulder by shell fragments. Special Agent Salmon spotted one of the assailants firing an AK–47 at the convoy. Without hesitation, he drew his Smith and Wesson and proceeded to fire six rounds at the attacker through the shot-out right rear window. Once Special Agent Salmon fired his weapon, the assault stopped. The Ambassador's vehicle and the follow car escaped. Special Agent Salmon's quick reaction to this attack saved the lives of the two people in his vehicle, and contributed to the safe escape of the Ambassador and Foreign Minister. His heroic response to such a life threatening situation demands our utmost respect. Special Agent Salmon's citation reads,

For valor during an attack on an official motorcade in Cibitoke province, Burundi, on June 14 1995. While the Ambassador's vehicle came under heavy automatic weapons fire, your rapid and effective response contributed directly to saving the lives of the Ambassador and the Burundi Foreign Minister. Your actions reflect the highest credit upon you and the Diplomatic Security Service.

Mr. Speaker, I take this opportunity to further recognize and share with my colleagues some of the details of the exceptionally courageous efforts by these special agents who

risked their lives to protect American personnel carrying out our foreign policy broad. Their actions set the standard for valor in the line of duty. These American heroes are a credit to the Bureau of Diplomatic Security, the Department of State, and the people of the United States of America.

We must do all we can to protect American personnel abroad who we ask to carry out U.S. foreign policy, often in far away, and often dangerous places. The Diplomatic Security Bureau and agents like Hargraves, Reilly, and Salmon deserve our full support and understanding, as they carry out this difficult, and often dangerous task.

## TRIBUTE TO JO ANNE SIMON

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. TOWNS. Mr. Speaker, Jo Anne Simon is an outstanding community activist who represents the brownstone community of Boerum Hill in downtown Brooklyn. Ms. Simon is the president of the Boerum Hill Association. The association serves the historic community that has thriving merchant businesses.

Jo Anne works closely with local community board and public officials to ensure that critical issues such as education, crime prevention, historical preservation and quality of life issues are responsibly addressed on behalf of community and neighborhood members. Ms. Simon recognizes that her efforts must be special because Boerum Hill is a very special Brooklyn enclave.

An attorney and former teacher of the blind, Jo Anne has been very active in the disability rights movement. She is a founding member of the Association of Higher Education and Disability, a national organization which advocates for equal access to higher education. She currently serves on its board of directors. I am pleased to bring Jo Anne Simon's community activism to the attention of my colleagues.

## TRIBUTE TO ROBERT E. DOYLE

### HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. HOUGHTON. Mr. Speaker, Robert E. Doyle recently passed away at his home in Schenectady, NY. Robert was known as the ''Commish''. He served longer than any other State Liquor Authority Commissioner in the United States. He was considered by his colleagues as the dean of liquor administration.

Robert was born in Thendara, NY. This is in Herkimer County. He was a 1952 graduate of Siena College, and he served during World War II in the Pacific campaign as a Pfc. in the U.S. Marine Corps.

Robert began his tenure with the State Liquor Authority in 1959 as a deputy commissioner. His advice and counsel were sought by public administrators, elected officials, industry executives, and community leaders. He was a warm and caring man willing to help virtually anyone with a problem.

He retired from his post as commissioner in 1995. Mr. Doyle's wife Geraldine Fitzgerald Doyle passed away in 1990. He had five children and eleven grandchildren. He also had a brother, the Very Reverend Mathias Doyle, and three sisters Mary Lou Provost, Gayle Michon, and Joanne Dee.

Robert Doyle had made numerous contributions to his Nation, his State, and his Family. He was truly a good man.

Many including the family, the State of New York, and others mourn his loss. The ''Commish'' passed away on February 14, in the year of our Lord 1996.

## TRIBUTE TO LETICIA P. JOHNSON

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. TOWNS. Mr. Speaker, there is no greater calling than attending to the education and nurturing of our children. For the past 20 years Leticia P. Johnson has been performing that very vital task. Leticia is a graduate of Brooklyn College and received a master's degree in supervision and administration.

Leticia believes that early childhood learning sets the stage for positive human development. Leticia has dedicated herself to getting society and educators to focus on the total needs of our children.

Leticia's participation in various organizations reflects her commitment to children. She is a member of the National Black Child Development Institute, and is the cochair of the Early Childhood Task Force. Leticia is also a member of the Bedford-Stuyvesant Community Conference Inc. For the past 10 years she has served as the director of Young Minds Day Care Center, sponsored by Fort Greene Citizens Council Inc. Brooklyn sees the fruits of Leticia's efforts each time a child is nurtured and educated in her institution. I am happy to acknowledge her selfless efforts.

## OFFICER ROBERT ALLMOND HONORED AT POLICE CEREMONY AWARDS

### HON. JON D. FOX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. FOX of Pennsylvania. Mr. Speaker, I rise today to honor a resident of the 13th Congressional district who recently was named one of the best law enforcement officers in the Nation.

Abington Township, Montgomery county, Police Officer Robert Allmond was recognized as one of 10 honorable mentions during the Police Officer of the Year ceremony. Officer Allmond received the distinction from the International Association of Chiefs of Police and Parade magazine after his name was submitted for consideration by Abington Police Chief William J. Kelly and Edie Richards, director of community development for the Township of Abington.

Mr. Speaker, there are 604,000 police officers in the United States and many past winners have been picked for single outstanding incidents involving a shooting incident or dangerous rescues. Officer Allmond's award is based on a long-term commitment to community policy work which has reduced crime, brought community support for police officers and raised neighborhood esteem.

Officer Allmond began his assignment in 1992 as community policing officer in the Crestmont area where crime, violence, and drug abuse were the highest in the township, according to Chief Kelly. Eighteen months later, a survey showed that overall fear of crime in the neighborhood had dropped by 12.75 percent, community support for police had increased 63 percent and neighborhood esteem was up by 4 percent.

Officer Allmond initiated several programs in Crestmont including organizing trips for youngsters to the New Jersey State Aquarium at Camden, the Franklin Institute Science Museum, the Philadelphia Zoo and the Academy of Natural Sciences. He has also taken children to Philadelphia Eagles, Phillies and 76ers games and arranged for weeks of free bowling so youngsters could participate in a league-like environment.

Almost as important as the outings was the fact that community leaders like Chief Kelly, the township commissioners, police officers, dispatchers, township staff and parents went along as chaperones and got involved with the children.

Officer Allmond organized a program to bring doctors and nurses into the neighborhood using a community policing vehicle as a mini-medical office to do free blood-pressure screenings and other tests for low and moderate income residents. The Lions Club used the vehicle to provide free vision screenings.

Allmond helped coordinate a Citizen's Police Academy to create better understanding between police and residents. Citizens were invited to participate in a 30-hour course about police duties and many Abington police officers volunteered to teach the courses and became involved in the interaction between police and citizens.

Officer Allmond also worked with Abington Memorial Hospital, a leader in community health services, to take information about the outstanding Children's Health Insurance Program [CHIPS] to the community, again using the specially equipped van. CHIPS officers subsidized health insurance for children based on family income.

Officer Allmond's work with the Crestmont Community Policing Program was recognized earlier this year when the program was one of six national winners of the Audrey Nelson Community Development Achievement Award and was honored by the National Community Development Association ''for exemplary and creative uses of community development block grant funds which best address the needs of families, homes and neighborhoods of low and moderate income.''

Officer Allmond's boss, Chief Kelly, has said of this outstanding citizen: ''Bob's initiative, energy, and willingness to try new approaches are greatly responsible for his success, but at the same time, I know that he would be the first to point out that area residents and local beat officers are the keys to the long-term success of these programs in this neighborhood.''

Mr. Speaker, that is high praise for the 34-year-old officer who joined this outstanding police department in 1986. Office Allmond has

shown that what lies at the heart of a troubled neighborhood is complex and unique to that community and cannot be fixed, necessarily, with a brick and mortar approach to community development, or with a cops and robbers approach to law enforcement.

Prior to the implementation of this outstanding community policing program under Officer Allmond, we had been treating the symptoms without diagnosing the illness. It took Officer Robert Allmond and a very courageous community to show us what and where the problems really were.

This is the heart of community policing and I urge all my fellow Members to investigate this program and help create similar models in their own districts.

Mr. Speaker, I am proud to have Office Robert Allmond as a member of one of Montgomery county's finest police departments. His service to the people of Abington Township have made that community one of the finest places on earth to live, work and raise our families.

## CORRECTION OF VOTES IN COMMITTEE REPORT

### HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. SOLOMON. Mr. Speaker, the Rules Committee's report, House Report 104–463 on H. Res. 366, the rule for the consideration of H.R. 2854, the Agricultural Marketing Transition Act contains one erroneously reported rollcall vote due to a typographical error during the printing process. The vote was correctly reported in the original report filed with the Clerk.

Below is a correct version of that vote as contained in the Rules Committee report as filed with the House.

The amendment number referred to in the motion is to amendments filed with the Rules Committee.

The corrected rollcall vote for rollcall No. 290 is as follows.

RULES COMMITTEE ROLLCALL NO. 290

Date: February 27, 1996.

Measure: Rule for consideration of H.R. 2854, Agriculture Market Transition Act.

Motion By: Mr. Hall.

Summary of Motion: Make in order Volkmer Amendment No. 12, retain permanent law.

Results: Rejected, 3 to 7.

Vote by Member: Dreier, ''nay,'' Goss, ''nay,'' Linder, ''nay,'' Pryce, ''nay,'' McInnis, ''nay,'' Waldholtz, ''nay,'' Moakley, ''yea,'' Frost ''yea,'' Hall, ''yea,'' and Solomon, ''nay.''

## TRIBUTE TO TUSHIA N. FISHER

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. TOWNS. Mr. Speaker, I want to recognize Ms. Tushia N. Fisher who is employed as a special assistant to the New York State Senate Minority Leader, Martin Connor. She is a student enrolled in the State University of New York, Empire State College, in a combined master's degree program in political science.

Tushia is a remarkable example of a 1990's woman, dedicated to her family, striving to improve herself as a single parent, and dedicated to improving and empowering her community. Tushia believes that children are our future. She has embarked on a campaign, starting with her 6-year-old son Jamere Jamison, to improve the plight of African-American youth. Her efforts include volunteering at the Interfaith Hospital holiday drive, as well as the City Kids Foundation. Additionally, Tushia is an active member of Concord Baptist Church. She provides a wonderful example for single and dedicated parents about how to pursue personal and professional development while providing volunteer service to her community. I am happy to cite this wonderful community success story.

## PUBLIC BROADCASTING SELF-SUFFICIENCY ACT OF 1996

### HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. FIELDS of Texas. Mr. Speaker, today I am introducing a bill that will start public broadcasting on the road to self-sufficiency. This bill is certainly not the total solution to the challenge that faces us. Rather, it is a first step in the process.

Last year, the House leadership, recognizing the need to cut Government spending and balance the budget, challenged public broadcasting to find alternative sources of funding for their operations. After some initial misgivings the industry responded to this challenge with enormous enthusiasm, seeing this not as a threat but rather as an opportunity. I have been very impressed with the thoughtful and insightful response, and while I cannot agree with all of the proposals, it is obvious that there is strong sentiment for innovation and change.

My bill can help to accomplish this move away from Government support and ensure that public broadcasting continues to serve the educational and entertainment needs of the American public, the purposes for which it was established. I believe that the overarching goal of reorganizing public broadcasting should be to return to the original concept of local, community stations, and funding for these stations should come from sources other than the Federal Government. It should come from local public subscription, city and State appropriations, sponsorship by educational institutions, regional foundations, mergers or local marketing agreements with profitable commercial stations, and flexible use of spectrum. It should also depend, now more than ever before, on the pursuit of innovative ideas and entrepreneurial activities.

It is now time for public broadcasting to become self-sufficient and prepared to compete in the dynamic marketplace of the 21st century. We are, therefore, embarking on a historic change from our Government's policy, the origins of which date back several decades. Public broadcasting, with the help of Federal and State governments, has evolved in its 30-year history into a mature industry providing quality programming to American viewers. We want a healthy and independent future for public television and radio, and it is our responsibility to ensure that public broadcasting continues to serve the educational and entertainment needs of the public. It is our obligation not only because of its inherent value but also because we have decades of Government investment to protect.

Government support for public broadcasting began with Federal matching grants to construct educational television facilities in 1962. That 5-year program, although helpful, did not address the need for long-term financing. It was this financing problem that resulted in the establishment of the Carnegie Commission on Educational Television in 1965, which was also funded by private money, this time from the Carnegie Foundation. The Carnegie Commission was the immediate catalyst for enactment of the Public Broadcasting Act of 1967. In addition to providing needed financing for public television and radio, the act created the Corporation for Public Broadcasting [CPB]. The act attempted to ensure CPB's role in developing an independent educational broadcasting system that provided high quality objective and balanced services to the local community.

As the industry has matured, it has been at the forefront of exciting innovation, including such things as distance learning, which combines television satellite, computer, video disk, and telephone to bring greater educational opportunities to students regardless of their geographic or economic situation. I believe most people would agree that over the years public television has consistently provided high quality programming to the American public. From historical series such as ''The Civil War'' and ''Baseball'' to the excellent children's programming such a ''Barney and Friends'' and ''Sesame Street,'' public television has offered interesting, educational, and entertaining programs for just about everyone.

However, public broadcasting is not without its faults or its critics. Last Congress, the Subcommittee on Telecommunications and Finance held a hearing that was invaluable in revealing the gross inefficiencies of the system. Even some of the system's strongest supporters say that it is mismanaged and should realize new operating efficiencies through consolidations, automation, joint operating agreements, mergers, and other forms of partnerships. Others say that the industry has failed to take advantage of revenue sources through licensing and merchandising agreements.

This bill is designed to address many of these failings and correct many of the problems. It does so in several ways. First, it gives public broadcasting stations additional flexibility and offers new and innovative earned income options. For example, in markets where there are two overlapping stations, a licensee would be allowed to operate one as a commercial station and one as a ''pure'' public broadcasting station. The profits from the commercial station would be used to fund the second public broadcasting station. Neither station would be eligible for grants from CPB. In the case of duopolies, the licensee could elect to sell one station, as long as the proceeds from the sale go to the retained public broadcasting station. This station would not be eligible for CPB grants.

The bill would also allow VHF and UHF channel swaps. It further provides that stations

voluntarily surrendering their licenses for auction by the FCC would be allowed to keep 50 percent of the proceeds. The remainder would go to the U.S. Treasury. Under the bill, stations would now be allowed to accept compensation for broadcasting programs produced by, at the expense of, or furnished by persons other than the station licensee. This would allow partnerships with commercial entities. Finally, the bill expands the definition of underwriting.

Second, the bill has as one of its key purposes the elimination of redundancies within the entire public broadcasting system, including duplicative stations and burdensome bureaucracies. Consequently, CPB is prohibited from issuing more than one grant per market to television licensees, but is allowed more discretion for radio grants.

Third, it relieves the Corporation for Public Broadcasting of most of the congressionally imposed mandates that have limited CPB's ability to function in a sound, business-like manner. The bill eliminates most of the congressionally imposed mandates on CPB, including set-asides and unnecessary reporting requirements. The intent is to allow CPB to use good business judgment in its decision-making process and to prepare for its eventual privatization. Even after the transition to private non-profit corporation, CPB would still be required to report to Congress annually on the status of the trust fund.

The bill also changes the way that members of the board of the Corporation for Public Broadcasting would be selected. Presently, the President appoints the members. The bill establishes a selection committee composed of the Speaker and minority leader of the House and the majority and minority leaders in the Senate to nominate individuals, after consultation with the public broadcasting industry, with expertise in investment management, corporate finance, telecommunications, education, and public broadcasting. The President would appoint from this list. Afterward, the board would be appointed in accordance with the bylaws of the Corporation.

Finally, it establishes a public broadcasting national trust fund, using revenue to be derived from a now fallow resource, thereby ensuring that Government funding will cease. The bill directs the Federal Communications Commission to auction vacant noncommercial channels and to transfer the proceeds to the trust fund. The bill also directs the FCC to ensure that the auction brings in as much revenue as possible by moving the cities of licenses, if necessary, while avoiding harmful interference. Before transferring auction proceeds to the trust fund, the Secretary of the Treasury is required to verify that the fund has been established in accordance with the law. CPB would manage the trust fund and distribute the income from the corpus. If CPB substantially violates the purposes of the law, the corpus would revert to the United States. The bill authorizes $250 million in fiscal years 1998, 1999, and 2000, after which the trust fund would begin to dispense income from the corpus to fund public broadcasting.

This legislation would get the Federal Government out of the business of financing public television, but that goal cannot be achieved overnight without adversely affecting public radio and television. In view of the decades of Federal tax dollars that have been spent to ensure a public broadcasting system, the Government has a stake in ensuring that public broadcasting survives. I, for one, would not like to see decades of Federal funding for public broadcasting go to waste.

One thing is clear: reforming public broadcasting is a daunting task. First, it is a controversial and very emotional issue. Second, it is complex. Public broadcasting is composed of different and unique components and the solution for one may not necessarily be appropriate for the other. Third, the public and those of us in Congress have differing views about how to change the current system.

Despite the difficulty of the job that lies before us, and regardless of our views on public radio and television, we can all agree that Government money is scarce. The American people expect us to be fiscally responsible and examine all federally funded programs. They expect us to make the difficult choices about where to cut Federal spending. That is what good Government is all about. The American public deserves to have the highest quality television and radio programs. The approach taken in this bill will allow that fine tradition to continue, but this time, without Government funds.

## RETIREMENT OF DAVID R. LAMBERT, AMERICAN SEED TRADE ASSOCIATION

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 28, 1996*

Mr. LATHAM. Mr. Speaker, David R. Lambert was appointed as executive vice president of the American Seed Trade Association [ASTA] on June 29, 1990, by the board of directors. ASTA, one of the Nation's oldest trade associations, will acknowledge the achievements of its executive vice president on Wednesday, February 28, 1996, at a retirement celebration. As a long-time member and supporter of the ASTA, I am pleased to add my personal congratulations and hearty wishes for a happy and fruitful retirement.

During the course of Dave's tenure, many noteworthy accomplishments come to mind. One, though, that is particularly significant is his leadership when Congress considered and ultimately approved the Plant Variety Protection Act Amendments of 1994. An important intellectual property rights issue for seedsmen and farmers, these amendments went a long way in providing the real protection and ready assurance American farmers have come to know and expect from the seed industry. In shepherding these amendments, Dave effectively brought together the agricultural community and united the Congress in an issue that will surely affect America's agriculture for decades to come.

To list Dave's good deeds and successes would likely take several volumes. It would be more expedient perhaps to just itemize issues and areas like crop insurance reform, biotechnology, international trade, and export opportunities. The list would continue just like Dave's tenacity and dedication to the American seed industry.

Dave will no doubt continue to play a role in America's agriculture. Undoubtedly, after a distinguished 16-year career at the ASTA, Dave's 23 years of experience and service in Washington, DC, will be remembered by many. His work prior to joining the ASTA included a 7-year association with the National Grange. Prior to working in agricultural organizations, Dave was with the U.S. Army and retired as a lieutenant colonel.

ASTA will long remember Dave's outstanding leadership and vision. I will always recall how the ASTA helped position and support America's foundation to agriculture—the seed. I will also recall, with great fondness, how a small seed company in Iowa, Latham Seed Co., benefited from his dedication and insight.

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 29, 1996, may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

### MARCH 5

9:30 a.m.

Energy and Natural Resources

To hold hearings on the nominations of Thomas Paul Grumbly, of Virginia, to be Under Secretary of Energy, Alvin L. Alm, of Virginia, to be an Assistant Secretary of Energy (Environmental Management), and Charles William Burton, of Texas, to be a Member of the Board of Directors of the United States Enrichment Corporation.

SD–366

Governmental Affairs

To hold hearings on S. 1376, to terminate unnecessary and inequitable Federal corporate subsidies.

SD–342

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Veterans of Foreign Wars.

344 Cannon Building

10:00 a.m.

Judiciary

To hold oversight hearings on the implementation of the Drug Price Competition and Patent Term Restoration Act.

SD–226

### MARCH 6

9:30 a.m.

Energy and Natural Resources

To hold oversight hearings on issues relating to competitive change in the electric power industry.

SD–366

Governmental Affairs

To hold joint hearings with the House Government Reform Committee to examine the implementation of the Government Performance and Results Act.

2154 Rayburn Building

Select on Intelligence

To hold hearings to examine the role and mission of U.S. intelligence.

SD–106

Special on Aging

To hold hearings to examine telemarketing scams that target the elderly.

SD–562

10:00 a.m.

Judiciary

To hold hearings to examine the interstate transportation of human pathogens.

SD–2226

Commission on Security and Cooperation in Europe

To hold hearings on the Chechen conflict and Russian democratic development.

2200 Rayburn Building

### MARCH 7

9:30 a.m.

Energy and Natural Resources

Parks, Historic Preservation and Recreation Subcommittee

To hold hearings on S. 745, to require the National Park Service to eradicate brucellosis afflicting the bison in Yellowstone National Park, S. 796 and H.R. 238, bills to provide for the protection of wild horses within the Ozark National Scenic Riverways, Missouri, and prohibit the removal of such horses, and S. 1451, to authorize an agreement between the Secretary of the Interior and a State providing for the continued operation by State employees of national parks in the State during any period in which the National Park Service is unable to maintain the normal level of park operations.

SD–366

Governmental Affairs

To resume hearings on S. 356, to declare English as the official language of the Government of the United States.

SD–342

### MARCH 8

9:30 a.m.

Governmental Affairs

Oversight of Government Management and The District of Columbia Subcommittee

To hold hearings to examine the oversight of government-wide travel management.

SD–342

### MARCH 13

10:00 a.m.

Veterans' Affairs

To hold hearings to examine the reform of health care priorities.

SR–418

### MARCH 14

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Paralyzed Veterans of America, the Jewish War Veterans, the Retired Officers Association, the Association of the U.S. Army, the Non-Commissioned Officers Association, and the Blinded Veterans Association.

345 Cannon Building

### MARCH 19

10:00 a.m.

Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to examine the asset forfeiture program, focusing on issues relating to the Bicycle Club Casino.

SD–342

### MARCH 20

10:00 a.m.

Veterans' Affairs

To resume hearings to examine the reform of health care priorities.

SR–418

### MARCH 27

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Veterans of World War I, AMVETS, the American Ex-Prisoners of War, the Vietnam Veterans of America, and the Military Order of the Purple Heart.

345 Cannon Building

### SEPTEMBER 17

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the American Legion.

335 Cannon Building

# Daily Digest

# Senate

## Chamber Action

*Routine Proceedings, pages S1379–S1397*

Measures Introduced: Two resolutions were introduced, as follows: S. Res. 226 and S. Res. 227.

**Page S1388**

Measures Reported: Reports were made as follows:

S. Res. 227, to authorize the use of additional funds for salaries and expenses of the Special Committee to Investigate Whitewater Development Corporation and Related Matters.

**Page S1388**

D.C. APPROPRIATIONS CONFERENCE REPORT—CLOTURE VOTE AGREEMENT: A unanimous-consent agreement was reached providing for the vote on the motion to invoke cloture on the conference report on H.R. 2546, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1996, to occur at 12:30 p.m., on Thursday, February 29, 1996.

**Page S1380**

Messages From the House: **Page S1388**

Additional Cosponsors: **Page S1388**

Authority for Committees: **Pages S1393–94**

Additional Statements: **Pages S1394–97**

Recess: Senate convened at 11:30 a.m., and recessed at 1:35 p.m., until 11 a.m., on Thursday, February 29, 1996. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1397.)

## Committee Meetings

*(Committees not listed did not meet)*

### DEPARTMENT OF DEFENSE JOINT REQUIREMENTS OVERSIGHT COUNCIL

*Committee on Armed Services:* Committee concluded hearings to review the role of the Department of Defense Joint Requirements Oversight Council (JROC), after receiving testimony from Adm. William A. Owens, Vice Chairman, Joint Chiefs of Staff.

### WHITEWATER

*Committee on Banking, Housing, and Urban Development:* Committee ordered favorably reported an original resolution (S. Res. 227) to authorize the use of additional funds for salaries and expenses of the Special Committee to Investigate the Whitewater Development Corporation and Related Matters.

### GOVERNORS PROPOSAL ON WELFARE AND MEDICAID

*Committee on Finance:* Committee resumed hearings on the bipartisan National Governors' Association proposals to reform the Federal Medicaid and welfare programs, focusing on the Administration's views, receiving testimony from Donna E. Shalala, Secretary of Health and Human Services.

Hearings continue tomorrow.

### NOMINATIONS

*Committee on Finance:* Committee ordered favorably reported the nominations of James E. Johnson, of New Jersey, to be Assistant Secretary of the Treasury for Enforcement, and Stuart E. Eizenstat, of Maryland, to be Under Secretary of Commerce for International Trade.

Prior to this action, committee concluded hearings on the nomination of Mr. Johnson, after the nominee testified and answered questions in his own behalf.

### UNITED STATES-EURATOM AGREEMENT FOR PEACEFUL NUCLEAR COOPERATION

*Committee on Governmental Affairs:* Committee held hearings to review the proposed United States-European Atomic Energy Community (EURATOM) Agreement for peaceful nuclear cooperation, and to examine the ability of the United States to track exported U.S. nuclear materials, receiving testimony from Victor S. Rezendes, Director, Energy, Resources, and Science Issues, Resources, Community and Economic Development Division, General Accounting Office; Fred McGoldrick, Principal Deputy Director, Office of Nuclear Energy Affairs, Bureau of Political/Military Affairs, Department of State; Terry R. Lash, Director, Office of Nuclear Energy, Science

and Technology, Department of Energy; Norman A. Wulf, Deputy Assistant Director, Non-Proliferation and Regional Arms Control Bureau, United States Arms Control and Disarmament Agency; James Schlesinger, former Secretary of Energy; and Marvin S. Fertel, Nuclear Energy Institute, and Paul Leventhal, Nuclear Control Institute, both of Washington, D.C.

Hearings were recessed subject to call.

## NOMINATIONS

*Committee on the Judiciary:* Committee concluded hearings on the nominations of Charles R. Stack, of Florida, to be United States Circuit Judge for the Eleventh Circuit, Joseph A. Greenaway, to be United States District Judge for New Jersey, Ann D. Montgomery, to be United States District Judge for Minnesota, James P. Jones, to be United States District Judge for the Western District of Virginia, and Gary A. Fenner, to be United States District Judge for the Western District of Missouri, after the nominees testified and answered questions in their own behalf. Mr. Stack was introduced by Senator Graham and Representative Meek, Mr. Greenaway was introduced by Senator Lautenberg, Ms. Montgomery was introduced by Senators Grams and Wellstone, Mr. Jones was introduced by Senator Robb and Representatives Boucher and Scott, and Mr. Fenner was introduced by Senators Bond and Ashcroft and Representatives Danner and McCarthy.

## YOUTH VIOLENCE

*Committee on the Judiciary:* Subcommittee on Youth Violence concluded hearings to examine the current state of youth violence, focusing on its changing nature and juvenile intervention programs designed to prevent increased violence, after receiving testimony from James Alan Fox, Northeastern University, and Eugene F. Rivers, III, Harvard Divinity School, both of Boston, Massachusetts; Alfred Blumstein, Carnegie Mellon University, Pittsburgh, Pennsylvania; John J. DiIulio, Jr., Brookings Institution, Washington, D.C.; Illinois Circuit Court Judge Carol Kelly, Chicago; Tennessee Juvenile Court Judge C. Van Deacon, Jr., Cleveland; Stephen Hare, Faith City Baptist Church, Bear, Delaware; and Thomas P. Gordon, New Castle, Delaware.

## BUSINESS MEETING

*Committee on Labor and Human Resources:* Committee began consideration of S. 1423, to amend the Occupational Safety and Health Act of 1970 to make modifications to certain provisions, but did not complete action thereon, and recessed subject to call.

## SMALL BUSINESS ADVOCACY ACT/SMALL BUSINESS REGULATORY FAIRNESS ACT

*Committee on Small Business:* Committee concluded hearings on S. 917, to facilitate small business involvement in the regulatory development processes of the Environmental Protection Agency and the Occupational Safety and Health Administration, and S. 942, to promote increased understanding of Federal regulations and increased voluntary compliance with such regulations by oversight boards to monitor the enforcement practices of certain Federal agencies with respect to small business concerns, and to provide relief from excessive and arbitrary regulatory enforcement actions against small entities, after receiving testimony from Senator Feingold; Rosemary Reed, Double R Productions, Washington, D.C., J. Scott George, Mid America Dental, Hearing, and Vision Center, Mount Vernon, Missouri, and Scott Holman, Bay Cast, Inc., Bay City, Michigan, on behalf of the U.S. Chamber of Commerce, all on behalf of the White House Conference on Small Business; Kent P. Swanson, Nurses Available, Inc., Towson, Maryland, on behalf of the National Federation of Independent Business; Victor N. Tucci, Three Rivers Health and Safety, Inc., Pittsburgh, Pennsylvania, on behalf of National Small Business United; H. Daniel Pincus, HDP Industries, Hilton Head, South Carolina, on behalf of the National Association of Home Builders; Wendy Lechner, Printing Industries of America, Alexandria, Virginia, on behalf of the Small Business Legislative Council; and James W. Morrison, National Association for the Self-Employed, Washington, D.C.

## ECONOMIC ESPIONAGE

*Select Committee on Intelligence:* Committee concluded joint hearings with the Committee on the Judiciary's Subcommittee on Terrorism, Technology, and Government Information on proposed legislation to combat economic espionage, after receiving testimony from Louis J. Freeh, Director, Federal Bureau of Investigation, Department of Justice; Geoffrey S.L. Shaw, Global Commerce Link, Boulder, Colorado; and Raymond Damadian, Fonar Corporation, Melville, New York.

## MENTAL DISORDERS IN THE ELDERLY

*Special Committee on Aging:* Committee concluded hearings to examine mental illness among the elderly and the potential savings to the overall health care system that can result from prompt, accurate diagnosis and treatment of mental diseases, after receiving testimony from Barry D. Lebowitz, Chief, Mental Disorders of the Aging Research Branch, National Institute of Mental Health (Rockville, Maryland), Department of Health and Human Services;

Gene D. Cohen and Frederick Goodwin, both of the George Washington University Medical Center, and June Silverberg, all of Washington, D.C.; Ira R. Katz and Gary L. Gottlieb, both of the University of Pennsylvania School of Medicine, Philadelphia; Dorothy P. Rice, University of California at San Francisco; Mike Wallace, New York, New York; and Anne O. Emery, Baltimore, Maryland.

# House of Representatives

## *Chamber Action*

Bills Introduced: 12 public bills, H.R. 2979–2990; and 2 resolutions, H.J. Res. 161, and H. Res. 367 were introduced. **Page H1507**

Committees to Sit: The following committees and their subcommittees received permission to sit today during proceedings of the House under the five-minute rule: Banking and Financial Services, Commerce, Government Reform and Oversight, International Relations, Judiciary, National Security, Resources, Science, Small Business, Transportation and Infrastructure, and Veterans Affairs. **Page H1403**

Measures Tabled: It was made in order that the following resolutions be tabled:

H. Res. 352, authorizing the Speaker to declare recesses subject to the call of the Chair from February 2 through February 26, 1996; and **Page H1403**

H. Res. 323, providing for the consideration of H.R. 2677, the National Parks and National Wildlife Refuge Systems Freedom Act of 1995. **Page H1403**

Committee Resignations: Read a letter from Representative Taylor of Mississippi wherein he resigns as a member of the Committee on Government Reform and Oversight; and **Page H1414**

Read a letter from Representative McKinney wherein she resigns as a member of the Committee on Agriculture. **Pages H1414–15**

Committee Elections: House agreed to H. Res. 367, electing Members to certain standing committees of the House of Representatives. **Page H1415**

Agriculture Market Transition Act: House completed all general debate and began consideration of amendments on H.R. 2854, to modify the operation of certain agricultural programs. Consideration of amendments will resume on Thursday, February 29. **Pages H1415–90**

Agreed to the committee amendment in the nature of a substitute made in order by the rule.

Agreed To:

The Roberts technical amendment; and **Pages H1447–49**

The Solomon amendment that deletes dairy programs provisions and replaces them with provisions that phase out over five years price supports for butter, powdered milk and cheese with the authorization for dairy price support to expire in the year 2001; that require current Federal milk marketing orders to be consolidated into 10 to 14 orders by December 31, 2000; that allow the State of California to maintain its own fluid milk standards; and that repeal the Federal milk manufacturing allowance restriction on States that was contained in the 1990 farm bill (agreed to by a recorded vote of 258 ayes to 164 noes, with 1 voting ''present'', Roll no. 36). **Pages H1479–88**

Rejected:

The Frank of Massachusetts amendment that sought to strike provisions that would authorize fixed annual cash payments to farmers that would decline for each of the next seven years; to phase out the current Federal commodity support programs for major crops over five years, while keeping the current price support system during the five-year transition period; and to set a support price for each commodity in 1996, to be decreased by 4 percent each year and eliminated entirely for the 2001 year crop; **Pages H1449–55**

The Chabot amendment that sought to terminate the marketing loan program for cotton producers beginning in 1999 and to require farmers who currently hold government marketing loans to repay their loans by the end of 1998 (rejected by a recorded vote of 167 ayes to 253 noes, Roll No. 33); **Pages H1455–60**

The Shays amendment that sought to phase out the peanut program over seven years, and provide diminishing loan rates each year for the program by $610 per ton in 1996; $550 per ton in 1997; $490 per ton in 1998; $430 per ton in 1999; $370 per ton in 2000, and $310 per ton in 2001 and repealing the entire quota system in the year 2002 (rejected by a recorded vote of 209 ayes to 212 noes, Roll No. 34); and **Pages H1460–67**

The Miller of Florida amendment that sought to phase out the sugar program over five years by establishing loan rates for cane and beet sugar through 1999, then prohibiting any Federal loans to sugar

producers in the year 2000 or beyond (rejected by a recorded vote of 208 ayes to 217 noes, with 1 voting "present", Roll No. 35). **Pages H1467–79**

H. Res. 366, the rule providing for the consideration of the bill, was agreed to by a recorded vote of 244 ayes to 168 noes, Roll No. 32. Earlier, agreed to order the previous question on the resolution by a yea-and-nay vote to 228 yeas to 182 nays, Roll No. 31. **Pages H1403–14**

Senate Messages: Message received from the Senate today appears on page H1399.

Amendments Ordered Printed: Amendment ordered printed pursuant to the rule appears on page H1508.

Quorum Calls—Votes: One yea-and-nay vote and five recorded votes developed during the proceedings of the House today and appear on pages H1413–14, H1414, H1459–60, H1466–67, H1479, and H1487–88.

There were no quorum calls.

Adjournment: Met at 11 a.m. and adjourned at 11:40 p.m.

## *Committee Meetings*

### ENERGY AND WATER APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Energy and Water continued appropriation hearings. Testimony was heard from Congressional and public witnesses.

### INTERIOR APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Interior held a hearing on Indian Programs. Testimony was heard from public witnesses.

### LABOR-HHS-EDUCATION APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, and Education continued appropriation hearings. Testimony was heard from public witnesses.

### LEGISLATIVE APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Legislative held a hearing on the Joint Economic Committee, the Capitol Police Board, the CBO, the Architect of the Capitol and the Botanic Garden. Testimony was heard from Senator Mack; Representative Saxton; Wilson S. Livingood, Sergeant at Arms, House of Representatives; Howard Greene, Sergeant at Arms, Senate; the following officials of CBO: June O'Neill, Director; and James Blume, Deputy Director; William Ensign, Acting Architect of the Capitol; and Gary Abrecht, Chief, Capitol Police.

### MILITARY CONSTRUCTION APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Military Construction held a hearing on Marsh Task Force. Testimony was heard from John Marsh, former Secretary of the Army.

### TRANSPORTATION APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Transportation continued appropriation hearings. Testimony was heard from Congressional and public witnesses.

### ORGANIZED CRIME AND BANKING; COMMITTEE BUSINESS

*Committee on Banking and Financial Services:* Held a hearing on the Threat that Organized Criminal Groups Pose to the International Banking System. Testimony was heard from JayEtta Hecker, Director, International Trade, Finance, and Competitiveness, GAO; Edward W. Kelley, Jr., member, Board of Governors, Federal Reserve System; the following officials of the Department of the Treasury: Stanley E. Morris, Director, Financial Crimes Enforcement Network; and Robert Rasor, Deputy Assistant Director, U.S. Secret Service; the following officials of the Department of Justice: Harold D. Wankel, Chief of Operations, DEA; Mark Richards, Deputy Assistant Attorney General, Criminal Division; and Chuck Owens, Section Chief, Criminal Investigations Division, Financial Crimes Section, FBI; Robert Sims, Special Advisor on International Criminal Justice to the Assistant Secretary, International Narcotics and Law Enforcement Affairs, Department of State; Richard A. Brown, District Attorney, Queens County, State of New York; and public witnesses.

The Committee also approved pending Committee business.

### URANIUM MILL TAILINGS RADIATION CONTROL ACT AUTHORIZATION

*Committee on Commerce:* Subcommittee on Energy and Power held a hearing on H.R. 2967, to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978. Testimony was heard from James Owendoff, Deputy Assistant Secretary, Environmental Restoration, Department of Energy; Bernice Steinhardt, Associate Director, Resources, Community, and Economic Development Division, GAO; Howard A. Roitman, Division Director, Hazardous Materials and Waste Management Division, Department of Public Health and Environment, State of Colorado; and public witnesses.

SEC AUTHORIZATION ACT

*Committee on Commerce:* Subcommittee on Telecommunications and Finance approved for full Committee action H.R. 2972, Securities and Exchange Commission Authorization Act of 1996.

Prior to this action, the Subcommittee held a hearing on this legislation. Testimony was heard from Arthur Leavitt, Jr., Chairman, SEC.

POSTMARK PROMPT PAYMENT ACT

*Committee on Government Reform and Oversight:* Subcommittee on the Postal Service held a hearing on H.R. 1963, Postmark Prompt Payment Act of 1995. Testimony was heard from public witnesses.

HAITI—AFTER UNITED STATES DEPARTURE

*Committee on International Relations:* Subcommittee on Western Hemisphere Affairs held a hearing on Haiti: After The Departure of the U.S. Contingent from UNMIH. Testimony was heard from the following officials of the Department of Defense: John Christiansen, Director, Haiti Task Force; and Col. Richard H. Coffin, USA Western Hemisphere Division, J–3, Joint Staff; John P. Leonard, Director, Haiti Working Group, Department of State; and public witnesses.

HEALTH CARE REFORM ISSUES

*Committee on the Judiciary:* Concluded hearings on Health Care Reform Issues: Antitrust, Medical Malpractice Liability, and Volunteer Liability; including discussion of the following measures: H.R. 2925, Antitrust Health Care Advancement Act of 1996; H.R. 911, Volunteer Protection Act; and H.R. 2938, Charitable Medical Care Act of 1996. Testimony was heard from Senator McConnell; Representatives Archer, Goodlatte and Stark; and public witnesses.

BALLISTIC MISSILE DEFENSE

*Committee on National Security:* Held a hearing on Ballistic Missile Defense. Testimony was heard from Richard N. Cooper, Chairman, National Intelligence Council; and public witnesses.

OIL AND GAS ROYALTY SIMPLIFICATION ACT

*Committee on Resources:* Subcommittee on Energy and Mineral Resource approved for full Committee action H.R. 1975, Federal Oil and Gas Royalty Simplification Act of 1995.

ALLOCATING FUNDS—SCIENCE AND TECHNOLOGY

*Committee on Science:* Held a hearing on Allocating Federal Funds for Science and Technology. Testimony was heard from Frank Press, President Emeritus, National Academy of Sciences.

SMALL BUSINESS' ACCESS TO CAPITAL

*Committee on Small Business:* Held a hearing on small business' access to capital. Testimony was heard from public witnesses.

WATER RESOURCES DEVELOPMENT ACT

*Committee on Transportation and Infrastructure:* Subcommittee on Water Resources and Environment continued hearings on the Water Resources Development Act of 1996. Testimony was heard from H. Martin Lancaster, Assistant Secretary, Civil Works, Department of the Army; George Williamson, Managing Director, Port of Houston, Texas; W. Don Welch, Executive Director, State Ports Authority, South Carolina; the following officials of the State of Oregon: Mike Thorne, Executive Director, Port of Portland; and Keith A. Leavitt, Manager of Ports and Transportation Development; David N. Kennedy, Director, Department of Water Resources, California; Randy Horiuchi, Commissioner, City of Salt Lake, Utah; Jay L. Kimble, Mayor, Stillwater, Minnesota; and public witnesses.

MISCELLANEOUS MEASURES

*Committee on Ways and Means:* Ordered reported the following bills: H.R. 2778, amended, to provide that members of the Armed Forces peacekeeping effort in the Republic of Bosnia and Herzegovina be entitled to certain tax benefits; H.R. 2853, to authorize the extension of nondiscriminatory treatment to the products of Bulgaria; and H.R. 2969, Federal Tea Tasters Repeal Act of 1996.

## *Joint Meetings*

VETERANS PROGRAMS

*Joint Hearing:* Senate Committee on Veterans' Affairs concluded joint hearings with the House Committee on Veterans' Affairs on the legislative recommendations of the Disabled American Veterans, after receiving testimony from Thomas A. McMasters, III, on behalf of the Disabled American Veterans, Washington, D.C., who was accompanied by several of his associates.

CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY ACT

*Conferees* met to resolve the differences between the Senate- and House-passed versions of H.R. 927, to seek international sanctions against the Castro Government in Cuba, and to plan for support of a transition government leading to a democratically elected government in Cuba.

## COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 29, 1996

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Appropriations,* Subcommittee on VA, HUD, and Independent Agencies, to hold hearings to examine the status of recommendations made by the National Academy of Public Administration on reforming the Environmental Protection Agency, 10 a.m., SD–138.

*Committee on Finance,* to continue hearings on the bipartisan National Governors' Association proposals to reform the Federal Medicaid and welfare programs, 10 a.m., SD–215.

*Committee on the Judiciary,* business meeting, to consider pending calendar business, 10 a.m., SD–226.

*Committee on Rules and Administration,* to hold hearings to review the fiscal year 1997 budget and operations of the Secretary of the Senate, Sergeant at Arms, and Architect of the Capitol, 9:30 a.m., SR–301.

*Full Committee,* to continue hearings to review the fiscal year 1997 budget and operations of the Secretary of the Senate, Sergeant at Arms, and Architect of the Capitol, 2 p.m., SR–301.

### NOTICE

For a listing of Senate Committee Meetings scheduled ahead, see page E249 in today's Record.

### House

*Committee on Appropriations,* Subcommittee on Energy and Water, to continue on Congressional and public witnesses, 10 a.m. and 2 p.m., 2362B Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, to continue on public witnesses, 10 a.m. and 2 p.m., 2358 Rayburn.

Subcommittee on Legislative, on Joint Committee on Taxation and GAO, 9:30 a.m., H–144 Capitol.

Subcommittee on Military Construction, on Quality of Life in the Military, 9:30 a.m., B–300 Rayburn.

Subcommittee on Transportation, to continue on Congressional and public witnesses, 10 a.m., H–309 Capitol.

*Committee on Banking and Financial Services,* Subcommittee on Capital Markets, Securities and Government Sponsored Enterprises, hearing on Rural Credit, 10 a.m., 2128 Rayburn.

*Committee on Commerce,* Subcommittee on Oversight and Investigations, hearing on Cancer Patient Access to Unapproved Treatments, 10 a.m., 2123 Rayburn.

Subcommittee on Telecommunications and Finance, hearing on the Public Broadcasting Self-Sufficiency Act of 1996, 10 a.m., 2322 Rayburn.

*Committee on Economic and Educational Opportunities,* February 29, Subcommittee on Employer-Employee Relations, hearing on the Office of Federal Contract Compliance Programs and H.R. 2128, Equal Opportunity Act of 1995, 10:30 a.m., 2175 Rayburn.

*Committee on Government Reform and Oversight,* hearing on Census 2000: Putting Our Money Where it Counts, 9 a.m., 2154 Rayburn.

Subcommittee on Human Resources and Intergovernmental Relations, hearing on HUD's Management and Tenant Initiative Programs, 2 p.m., 2247 Rayburn.

*Committee on International Relations,* hearing on the Shoot Down of U.S. Civilian Aircraft by Castro Regime, 10 a.m., 2172 Rayburn.

*Committee on the Judiciary,* Subcommittee on Commercial and Administrative Law, hearing and markup of H.J. Res. 129, granting consent of Congress to the Vermont-New Hampshire Interstate Public Water Supply Compact; and to mark up the following: H.R. 2604, Bankruptcy Judgeship Act of 1995, and a measure to reauthorize the Administrative Dispute Resolution Act, 10 a.m., 2237 Rayburn.

Subcommittee on Crime, hearing on the Independent Counsel Statute and H.R. 892, Independent Counsel Accountability and Reform Act of 1995, 9:30 a.m., 2141 Rayburn.

Subcommittee on Immigration and Claims, to mark up H.R. 2937, for the reimbursement of legal expenses and related fees incurred by former employees of the White House Travel Office with respect to the termination of their employment in that Office on May 19, 1993, 9:30 a.m., B–352 Rayburn.

*Committee on National Security,* Subcommittee on Military Research and Development, hearing on Ballistic Missile Defense, 10 a.m., 2118 Rayburn.

*Committee on Resources,* Subcommittee on Fisheries, Wildlife and Oceans, hearing on H.R. 2823, International Dolphin Conservation Act and H.R. 2856, International Dolphin Protection and Consumer Information Act of 1995, 10 a.m., 1334 Longworth.

Subcommittee on National Parks, Forests and Lands, oversight hearing on the Forest Service's Draft 1995 Renewable Resources Planning Act Program, 10 a.m., 1324 Longworth.

*Committee on Rules,* to consider H.R. 994, Regulatory Sunset and Review Act of 1995, 2 p.m., H–313 Capitol.

*Committee on Science,* Subcommittee on Energy and Environment, hearing on National Weather Service Modernization Program Status, 10 a.m., 2318 Rayburn.

*Committee on Standards of Official Conduct,* executive, to consider pending business, 2 p.m., HT–2M Capitol.

*Committee on Transportation and Infrastructure,* Subcommittee on Aviation, hearing on Airport Improvement Program, with emphasis on Airport Privatization, 9:30 a.m., 2167 Rayburn.

*Committee on Ways and Means,* hearing to review the current financial condition of the Federal Hospital Insurance Trust Fund, 10 a.m., 1100 Longworth.

*Next Meeting of the* SENATE

11 a.m., Thursday, February 29

Senate Chamber

Program for Thursday: After the recognition of two Senators for speeches and the transaction of any morning business (not to extend beyond 12 noon), Senate will resume consideration of the conference report H.R. 2546, D.C. Appropriations, with a cloture vote to occur thereon.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

9 a.m., Thursday, February 29

House Chamber

Program for Thursday: Complete consideration of H.R. 2854, Agriculture Market Transition Act.

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