

to recognize that the Congress has in the past provided funding to contain the Asian Longhorned Beetle, and I would hope that the chairman's leadership can secure funding again this time around.

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

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

Mr. SKEEN. Mr. Chairman, I thank the gentleman from New York and the gentleman from Illinois for their comments and would like to take a moment to recognize them for their work on behalf of their constituents to address the problem of the Asian Longhorned Beetle and work for its eradication. That is why the gentlewoman from Ohio (Ms. KAPTUR) and I have included language, both this year and last year, stating the destructive nature of the Asian Longhorned Beetle, as well as directing the Secretary to use CCC emergency and Emerging Plant Pest funds to address this situation.

I will make my best effort in conference for the inclusion of additional resources for the Animal and Plant Health Inspection Service, known as APHIS, as they have done good work in addressing not only the problem of the Asian Longhorned Beetles but with a variety of other invasive species as well.

Additionally, I will work for increased resources to assist the Asian Longhorned Beetles project at APHIS. I recognize that if left unchecked the destruction of our Nation's trees, parks, and forests by the Asian Longhorned Beetle could cost tens of billions of dollars. Furthermore, I will continue the work the committee began to seek redress in the procedures used by the Office of Management and Budget in releasing emergency CCC funds requested by the Secretary.

Again, I thank the gentleman from New York and the gentleman from Illinois for their comments.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word, and want to continue a bit on this colloquy on the Asian Longhorned Beetle.

I, too, would like to join with the chairman of our subcommittee, the gentleman from New Mexico (Mr. SKEEN), and state that I will work in conference for increased funding for the Animal and Plant Health Inspection Service so it has the resources to effectively battle such invasive species as the Asian Longhorned Beetle, the citrus canker, and the Glassy-Winged Sharpshooter, among others.

And I want to say to our colleagues, the gentleman from New York (Mr. CROWLEY) and the gentleman from Illinois (Mr. BLAGOJEVICH), that we know what leadership they have taken here in the Congress in bringing our attention to the problems that their home communities are facing. I hear that in New York City this week there have been additional sightings of the beetles near Central Park. And having traveled

to New York and Chicago, I can only imagine your park directors and what they are going through, because we have no known predator for this creature. The only solution we have is to basically cut down the trees and burn them.

Of course, we know that these creatures came in in packing crates from China, both in the wood and in the cardboard inside, unfortunately; and we are now trying to take more precautions to fumigate those crates when they come in here, but this is a very, very serious problem. And because there is no known predator, adjacent States that have agricultural production, for example in maple sugar and maple syrup, those forests are threatened, those groves and stands of trees are threatened by this very same insect.

So we hear the concerns of both the gentleman from New York (Mr. CROWLEY) and the gentleman from Illinois (Mr. BLAGOJEVICH), and we will absolutely be bringing this to the attention of the conferees.

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

Ms. KAPTUR. I yield to the gentleman from New York.

Mr. CROWLEY. Mr. Chairman, the one thing I would like to say, and the gentlewoman just made reference to it, I would like to put in people's minds the picture of Central Park. It is one of the treasures of not only New York City, New York State, but really of this country. It is probably one of the most famous parks in all the world. Imagine what it would look like without any hard wood trees. Unimaginable.

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But the threat does exist and it is there.

I want to thank the gentlewoman and the gentleman for their work and I want to thank them in advance for their efforts very, very much.

Ms. KAPTUR. Mr. Chairman, reclaiming my time, we thank both the gentlemen for coming down and leading the entire Congress and country in trying to resolve a problem that may have started in their community but is spreading just as the gypsy moth did many, many years ago.

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

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. HASTINGS of Washington) assumed the Chair.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 4762. An act to amend the Internal Revenue Code of 1986 to require 527 organizations to disclose their political activities.

The SPEAKER pro tempore. The Committee will resume its sitting.

#### AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The Committee resumed its sitting.

AMENDMENT NO. 14 OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Ms. KAPTUR:

Page 21, after line 4, insert the following new paragraph:

For an additional amount to prevent, control, and eradicate pests and plant and animal diseases, \$53,100,000, to remain available until expended: *Provided*, That the entire amount under this paragraph shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount under this paragraph is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Mr. SKEEN. Mr. Chairman, I reserve a point of order.

Ms. KAPTUR. Mr. Chairman, the amendment we are proposing today would provide an additional \$53.1 million in emergency appropriations to the Department of Agriculture's Animal and Plant Health Inspection Service to deal with emergency situations we have been talking about today dealing with pests and diseases.

The additional amounts would bring total funding up to what the President's 2001 budget request had asked for in four critical lines within what we call APHIS, the Animal and Plant Health Inspection Service, budget. These include emerging plant pests, invasive species, fruitfly exclusion and detection, and the contingency fund itself.

The bill, as reported by the subcommittee, provides \$57.1 million less than requested for the first items listed and very partially offsets this shortfall by providing \$4 million more than requested for the contingency fund. Our amendment eliminates the \$53.1 million shortfall in this very, very important account.

Now, these budget items are used by the Department of Agriculture to combat serious outbreaks of pests and diseases. People should think about their communities and some of the little green and yellow boxes that are put up on trees to detect what is happening across this country. We have just heard from two very distinguished Members from Illinois and from New York on the Asian longhorned beetle infestation

which started in New York City and Chicago, Illinois.

We have heard other Members this morning, including the gentleman from Florida (Mr. BOYD), a member of our committee from Florida, talking about citrus canker and the removal of entire groves of limes and of orange trees in Florida.

We heard from the Members of the Pennsylvania delegation about plum pox in Pennsylvania and the impact on fruit trees and the spread of that pox across the fruit regions of our country.

Members from California have spoken with us about Pierce's disease, which affects grapes in California and threatens our entire wine industry. Though these creatures may be small and we can hold them in our hands and some of the viruses and cankers we cannot even see but under a microscope, their economic devastation is gigantic, mounting to billions and billions of dollars annually.

In the State of Michigan, the unfortunate incidence of bovine tuberculosis which can spread across that State and has spread to where now animals cannot leave that State unless inspected also would be covered by these accounts.

Mediterranean fruitflies that threaten agriculture in wide sections of the South.

These truly are emergencies. The report references the fact that these are situations that create havoc across the country. We believe they are important enough in a multibillion-dollar bill that we should restore the full account to the \$53.1 million net additional dollars needed to truly meet the national need.

Now the subcommittee's report acknowledges that the administration, by using its powers under the Commodity Credit Corporation, might be able to deal with some of these emergencies. But the administration maintains that the use of these powers is not appropriate for the kind of ongoing remediation that these difficulties cause.

So this amendment simply provides the emergency funding that everyone agrees is necessary, and we should certainly restore these dollars in the bill as will be finally reported out of the House, hopefully today.

Mr. Chairman, I ask the membership for a favorable vote on this. I would hope that the objection might be withdrawn and that we could include these dollars that are so much, very much needed to help preserve our production and our ecosystems across our Nation coast to coast.

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

The CHAIRMAN. Does the gentleman from New Mexico (Mr. SKEEN) insist on his point of order?

Mr. SKEEN. Mr. Chairman, I reserve my point of order.

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

Mr. Chairman, I rise in strong support of the Kaptur amendment. This language will increase the funding for the Animal and Plant Health Inspection Service, otherwise known as APHIS, by \$53 million.

I believe the gentlewoman from Ohio (Ms. KAPTUR), the ranking member, has been extremely eloquent on why we need these funds and why they should be designated as emergency funds.

This Congress repeatedly spends billions of taxpayer dollars overseas and abroad to foreign nations and certifies those expenditures as emergencies so that no offsets are needed to be found to fund those expenditures. But whenever we have a real crisis here in the U.S., we always need to find offsets. This Congress can never seem to find the resources we need to help Americans when Americans need that help.

We have a crisis evolving with invasive species. These are real emergencies. The Citrus Canker is destroying the Florida orange crop. The Glassy-Winged Sharpshooter is ruining our domestic wine stocks. And the Asian longhorned beetle is downing thousands of hardwood trees throughout New York City, Chicago, and now in Vermont.

Let us help Americans today and provide these emergency funds to APHIS to eradicate these invasive species in our country. This is an emergency, and this Congress should recognize it as such.

I want to thank the gentlewoman from Ohio (Ms. KAPTUR) for all her efforts on behalf of this emergency funding.

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

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

Mr. Chairman, first of all I want to again compliment my friend, the gentleman from New Mexico (Mr. SKEEN) in the way that he handles the committee. He and the gentlewoman from Ohio (Ms. KAPTUR), the ranking member, do a wonderful job of trying to address the issues and deal with the priorities that the Federal Government and this specific subcommittee should deal with.

I want the Members, Mr. Chairman, to understand where our priorities should be in terms of the work of this subcommittee.

The people of this Nation and the businesses of this Nation, specifically the agriculture business, expect the Federal Government to protect its borders. That is a basic criteria or basic function of the Federal Government, to protect its borders.

These invasive species that we have been talking about this morning, we need to understand they are called invasive species because they come from other places, they are not indigenous to this country. They come into this country through the ports. They might be brought in in a commercial business transaction, or they might be brought in by a tourist that is visiting

from another country or somebody who has left this country to go and then comes back.

The species that we have heard about, the Asian longhorned beetle, the Glassy-Winged Sharpshooter, plum pox, Citrus Canker, the African hard-water tick all have come from other countries through our borders, through our ports. It is the obligation, the responsibility, of this Federal Government to protect those borders; and we are not doing a very good job of it right now. That is what the amendment of the gentlewoman attempts to do is to find more money so we could do a better job.

We just dealt with the research side. We know that we have to continue to do the research to find preventive measures or cures for these problems. But right now we are working on the APHIS part, the Animal and Plant Health Inspection Service.

So I would encourage the body to let us find this additional money. I know it is not the wish of the gentleman from New Mexico (Mr. SKEEN), the kind chairman, that we do not have more money here. It was not his decision. But that was the allocation that he was given, and so he is having to work with what he has. But I think this body can express its will and come up with more money to protect its borders, and that is very important.

Again, Mr. Chairman, the American people and its businesses, particularly the agricultural industry, we expect a good and clean and safe food supply; and it is under attack right now.

I know more about the Citrus Canker issue than I do about any others. We have an \$8 billion industry in Florida that is being threatened. It just so happens that the lime industry has already been wiped out, 3,000 acres of limes in Florida. There is a very small number of lime trees in California. But if we eat a lime or use a lime wedge in our martini from now on, we will get it from some other country because the lime industry in this country has been wiped out by Citrus Canker. And we have allowed that to happen because we have not protected our borders.

That is what the amendment of the gentlewoman is trying to do, provide the funds and resources to protect our borders. I would encourage the body, this House of Representatives, to recognize that and find the money to do what she is trying to do.

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

The CHAIRMAN. Does the gentleman from New Mexico (Mr. SKEEN) insist on his point of order?

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

Mr. Chairman, in the past week, USDA has announced the release of more than \$70 million in CCC funds to combat plant and pest infestations.

OMB had tried to shift funding for these large programs into appropriated accounts this year. But given the dimensions of the problem, there is no

way that we can afford to use the appropriated dollars.

I believe OMB has finally come to its senses with the release of the CCC funds this past week. This is how it should be done.

I would ask the gentlewoman from Ohio (Ms. KAPTUR) to withdraw her amendment. And if she cannot, I regret I must insist on my point of order.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. SKEEN. Mr. Chairman, I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I would hope that as we move toward conference we might try to find an accommodation. I hesitate to withdraw the amendment because I think it speaks for itself. But I respect the opinion of the gentleman and would hope that as we move forward we might be able to meet these needs across our country.

Mr. CROWLEY. Mr. Chairman, I rise in strong support of the Kaptur amendment and would like to thank her for offering this language today.

This language will increase funding for the Animal and Plant Health Inspection Service (APHIS) by \$53 million.

Congresswoman KAPTUR was very eloquent in her remarks on our nation's need for these funds and the importance of designating them as an emergency appropriation.

Time and time again, this Congress has sent billions of taxpayer dollars abroad and certifies it as emergency spending, requiring no offsets for these expenditures.

But whenever we have a real crisis in America, Congress always demands the need to find offsets—this Congress can never seem to find the resources to help Americans when we need it.

We have a crisis involving invasive species and it is a real emergency.

The citrus canker is destroying the Florida orange and lime crop; the glassy-winged sharp-shooter is ruining our domestic wine stocks and the Asian Longhorned Beetle is downing thousands of hardwood trees throughout NYC, Chicago and threatening the maple syrup industry in Vermont.

Let us help Americans today and provide these emergency funds to APHIS to eradicate these invasive species in our country.

This is an emergency and this Congress should recognize it.

I thank the Gentle Lady from Ohio for her steadfast dedication to the people of this country who are concerned about plant and pest diseases.

You are a true leader and a representative for all of the people.

The CHAIRMAN. Does the gentlewoman from Ohio (Ms. KAPTUR) ask unanimous consent to withdraw her amendment?

Ms. KAPTUR. Mr. Chairman, I did not ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Does the gentleman from New Mexico (Mr. SKEEN) insist on his point of order?

#### POINT OF ORDER

Mr. SKEEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an

appropriation bill and therefore violates clause 2 of Rule XXI.

The Rule states in pertinent part:

"An amendment to a general appropriation bill shall not be in order if changing existing law. . ."

The CHAIRMAN. Does the gentlewoman from Ohio (Ms. KAPTUR) wish to be heard on the point of order?

Ms. KAPTUR. Mr. Chairman, yes, I would like to be heard.

Mr. Chairman, I point out again how our country is currently dealing with a number of very serious new or resurgent agricultural pest and disease problems that threaten crops and trees and animals in many different parts of our country. We seem to be able to find funds to do many things in this legislation, as well as in the supplement, to fund counternarcotics programs in Colombia. Well, I would very much like to be able to fund needs in our country, especially those that threaten so very much damage.

Just to summarize, in Florida, Citrus Canker is threatening Florida citrus groves. In Chicago and New York and in those States of New York and Illinois the Asian longhorned beetle, with no known predator. Bovine tuberculosis, which was thought to be eradicated in our country but is now spreading in Michigan, imposing heavy costs on that State's dairy and cattle industries.

□ 1430

Plum pox, a disease of peaches and plums and cherries and other stone fruits normally found only in Europe and Asia first detected in Pennsylvania last year and now threatening fruit growers in that State and likely to spread. Mediterranean fruit flies which appear only sporadically in our country but when they do they cause great damage; and should that infestation reach the southern United States, we would experience disastrous losses to fruit and vegetable industries.

Now, I think that the appropriate way to handle this is to directly place the dollars in the account, not expect that an ongoing eradication program should be done through the Commodity Credit Corporation, which is generally used for emergencies only.

So I would just say that it is vital we stop these pests and disease outbreaks from spreading and failure to do so is extremely costly. I do not think we should be burdening USDA's Commodity Credit Corporation authority with having these ongoing responsibilities.

I think it is far more reasonable to provide the resources needed to stop these pests, and I would urge the membership to pay attention to this particular debate.

I am sorry that the gentleman has to exercise his point of order.

I would be pleased to yield to the gentlewoman from New York (Mrs. MALONEY) if she seeks time on the issue.

The CHAIRMAN. The Chair is prepared to rule on the point of order and

would ask that the comments be directed toward the question of whether or not this amendment is in order.

Ms. KAPTUR. Would I be able to yield time to the gentlewoman from New York (Mrs. MALONEY) on the point of order?

The CHAIRMAN. Not on the point of order.

Does the gentlewoman from New York (Mrs. MALONEY) wish to be heard on the point of order?

Mrs. MALONEY of New York. I really feel that there is not a point of order to this because it really is an incredibly important crisis in our country, and I would like to have the opportunity to compliment the gentlewoman from Ohio (Ms. KAPTUR) for her leadership and for bringing this to the floor. The increase for the animal and plant and health inspection service is absolutely critical. With trade has come an influx of many invasive species that if we do not adequately control them can literally destroy forests, as they have in my district in New York with the Asian Longhorn beetle, for which there is no known way to stop it except to chop down the tree and everything else around the vicinity.

I feel that this is an incredibly important appropriations she is talking about, and I really support it completely, and that it is important to the health and safety and well-being of Americans and of our vegetable life and our plant life and our other areas that she mentioned.

So I am here strongly in support of her amendment and strongly suggest that the rule of order not be put in place because this is so critical, really, to the concerns of this Nation.

Ms. KAPTUR. Mr. Chairman, I would like to appeal to the Chair and ask unanimous consent of the membership for an additional minute and a half, if I might, in addressing the point of order.

The CHAIRMAN. The Chair would request that the Members confine their arguments to whether or not this amendment is in order.

The Members may strike the last word at an appropriate time and debate and make comments about this particular amendment, but at this point the Chair is prepared to rule on the point of order, unless there is further arguments as to whether or not this amendment is in order.

Ms. KAPTUR. Mr. Chairman, I would ask unanimous consent for an additional minute and a half to address the point of order issue.

The CHAIRMAN. The Chair cannot entertain a unanimous consent request at this point because the point of order is pending.

Are there further arguments on whether this amendment is in order?

At this time, the Chair is prepared to rule. The Chair finds that the amendment includes an emergency designation under Section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985. The amendment therefore constitutes legislation

in violation of clause 2 of rule XXI. The point of order is sustained and the amendment is not in order.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in regard to the proposal on the amendment dealing with the Animal Plant Health Inspection Service, I just wanted to read into the RECORD a statement of policy that I think is important to be appended to this debate today, and it comes in the form of a letter from the Office of Management and Budget dated June 29, 2000, from the Executive Office of the President concerning plant pests and diseases.

It says: "The administration places a high priority on fighting plant pests and diseases, especially when there are invasive species that may be eradicated before becoming an established threat. To combat sudden outbreaks of invasive species, the administration has used emergency transfers through the Commodity Credit Corporation at a level that is much higher than the two previous administrations combined, and we continue to support the use of Commodity Credit Corporation funds in cases of unforeseen emergencies. However, where eradication efforts extend over several seasons, costs are predictable and should be incorporated into the discretionary appropriations process. Therefore, to address ongoing plant pest and disease outbreaks, the administration has proposed substantial appropriations in the 2001 budget. The Committee bill has not provided these appropriations, thereby requiring a corresponding increase in emergency spending from the CCC for activities that can no longer be considered unforeseen."

The issue of proper compensation to producers for losses due to invasive plant pests and disease has grown more complex recently as the variety and complexity of outbreaks have increased. Legislative and administrative actions to provide compensation for invasive species losses would be better guided by a policy that distinguishes between compensation as part of eradication efforts and compensation as reimbursement for natural disaster losses due to infestations rather than through event-specific supplementals.

The administration believes there should be a more systematic approach to making these decisions and will be sending to Congress a set of recommendations that it hopes can be used as a framework for discussion with Congress on this issue.

I reiterate, in the President's cover letter it says he would recommend that this bill be vetoed if it were presented to him in its current form.

Mr. GREEN of Wisconsin. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to enter into a colloquy with the gentleman from Iowa (Mr. LATHAM), a member of the committee.

As the gentleman knows, in the Taxpayer Relief Act of 1997, Congress en-

acted a 3-year income averaging provision to protect farmers and ranchers from excessive tax rates in profitable years. Unfortunately, a ruling by the Internal Revenue Service late last year could potentially cost farmers and ranchers thousands more in taxes each year and is inconsistent with the intent of Congress.

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

Mr. GREEN of Wisconsin. I yield to the gentleman from Iowa.

Mr. LATHAM. Yes, that is correct.

Mr. GREEN of Wisconsin. Last October, the IRS proposed final regulations for income averaging failed to clarify that taxable income in the income averaging formula could in fact include a negative number. Current instructions that accompany schedule J of Form 1040 require that taxable income cannot be less than zero. Earlier this year, I introduced H.R. 4381 to address this unfortunate situation. This legislation simply amends the Internal Revenue Service code of 1986 by permanently taking into account negative taxable income during the base 3-year period.

I believe this legislation, once passed, will codify Congress' original intent and ensure that farmers and ranchers receive the protection they deserve. Unfortunately, I understand that introducing H.R. 4381 as an amendment to this appropriations bill would violate House rules that prohibit legislating on an appropriations bill.

As a result, I would ask for the gentleman's assistance and the assistance of the committee in working with me to present this legislation to the Committee on Ways and Means.

Mr. Chairman, I thank the gentleman from Iowa (Mr. LATHAM) for his efforts on this subject. I know the gentleman from New Mexico (Mr. SKEEN) and I also believe the IRS's interpretation needs to be changed and regret that it cannot be done at this time.

I have also seen the rapid and dramatic price fluctuations that farmers and ranchers are so often subject to. The goal of the Taxpayer Relief Act of 1997 was to help reduce the tax effect of these large fluctuations. I agree with the gentleman that the IRS's interpretation will dramatically impair the effectiveness of this legislation. I look forward to working with the gentleman on this important matter, as does the chairman.

Mr. GREEN of Wisconsin. I thank the gentleman and the chairman for their help and their attention to this matter.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, \$5,200,000, to remain available until expended.

#### AGRICULTURAL MARKETING SERVICE

##### MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricul-

tural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed \$90,000 for employment under 5 U.S.C. 3109, \$56,326,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: *Provided further*, That, only after promulgation of a final rule on a National Organic Standards Program, \$639,000 of this amount shall be available for the Expenses and Refunds, Inspection and Grading of Farm Products fund account for the cost of the National Organic Standards Program and such funds shall remain available until expended.

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

#### LIMITATION ON ADMINISTRATIVE EXPENSES LEVEL

Not to exceed \$60,730,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Appropriations Committees.

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

##### (INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than \$13,438,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

#### PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,500,000.

#### GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$25,000 for employment under 5 U.S.C. 3109, \$27,801,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one

building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed \$42,557,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Appropriations Committees.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, \$446,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, \$673,790,000, of which no less than \$585,258,000 shall be available for Federal food inspection, and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102-237: *Provided*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: *Provided further*, That the Food Safety and Inspection Service may expend funds appropriated for, or otherwise made available during fiscal year 2001 to liquidate overobligations and overexpenditures incurred in fiscal years 1997 and 1998.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, \$572,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, \$828,385,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101-5106), \$3,000,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of: (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer; or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968 (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, \$450,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of the farmer's willful failure to follow procedures prescribed by the Federal Government: *Provided further*, That this amount shall be transferred to the Commodity Credit Corporation: *Provided further*, That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928-1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, \$1,128,000,000, of which \$1,000,000,000 shall be for guaranteed loans; operating loans, \$3,177,868,000, of which \$2,000,000,000 shall be for unsubsidized guaranteed loans and \$477,868,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$2,006,000; for emergency insured loans, \$150,064,000 to meet the needs resulting from natural disasters; and for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, \$100,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, \$18,886,000, of which \$5,100,000, shall be for guaranteed loans; operating loans, \$129,534,000, of which \$27,400,000 shall be for unsubsidized guaranteed loans and \$38,994,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$323,000; and for emergency insured loans, \$36,811,000 to meet the needs resulting from natural disasters.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$269,454,000, of which \$265,315,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs with the prior approval of the House and Senate Committees on Appropriations.

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), \$67,700,000: *Provided*, That not to exceed \$700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

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

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 2001, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be \$27,771,007,000 in the President's fiscal year 2001 Budget Request (H. Doc. 106-162)), but not to exceed \$27,771,007,000, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a-11).

OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 2001, the Commodity Credit Corporation shall not expend more than \$5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6961.

AMENDMENT OFFERED BY MR. HAYES

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

The Clerk read as follows:

Amendment offered by Mr. HAYES:

Page 31, after line 5, insert the following:

ADMINISTRATIVE PROVISION

Any limitation established in this title on funds to carry out research related to the production, processing, or marketing of tobacco or tobacco products shall not apply to research on the medical, biotechnological, food, and industrial uses of tobacco.

Mr. HAYES. Mr. Chairman, I rise to offer an amendment which is about existing benefits resulting from research. It is also about badly needed health breakthroughs which are dependent on future research using the tobacco plant.

Recently I, along with the senior Senator from North Carolina and the senior Senator from Indiana, sponsored an appropriation for \$3 million for North Carolina State University and Georgetown University Medical School to conduct cervical cancer research using the tobacco plant. There are high hopes and optimism that a preventive vaccine and ultimately a cure can soon be produced.

These institutions have written letters outlining the goal of this research, which is to develop a preventive vaccine for this terrible cancer.

In addition, other institutions, such as Virginia Tech, are conducting similar health and pharmaceutical-related research on such diseases as Parkinson's, Gaucher's disease, providing clot dissolving drugs and even preventing tooth decay, all uses from tobacco plants.

□ 1445

The potential benefits to medicine, health and industry are limitless.

Mr. Chairman, I am going to ask that letters from these institutions, as well as a letter of support from the North Carolina Farm Bureau, a press statement from the Campaign for Tobacco-Free Kids, who are supporting this type of research, be placed into the RECORD at the appropriate time.

We are on the verge of a number of critical breakthroughs which are so vital to our Nation's health. There is language in the present bill that prohibits money from being spent on tobacco research. Although possibly well-intentioned, this language prevents medical, agricultural, and industrial research that is vital to our Nation's health and the economic health of our farm families.

I want to make clear the types of research that I am speaking of are new breakthroughs. Research that can affect the lives of millions of Americans and provide life-saving vaccines and countless other medical, scientific, and economic benefits.

The tobacco plant has unique characteristics which allow it to produce large volumes of high-quality proteins which are vital to medical, pharmaceutical and scientific research.

The potential for new pharmaceuticals is unlimited. The ability to reduce the costs of new and existing drugs is also unlimited. It is this type of research I seek to preserve and expand with this amendment.

Mr. Chairman, I urge my colleagues' support.

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

Mr. HAYES. I yield to the gentleman from North Carolina.

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman from North Carolina (Mr. HAYES) for yielding to me and thank the gentleman for introducing the amendment.

I want to join in support of this and say this is an opportunity to see how we can use tobacco for something other than for recreational use. It also is an excellent opportunity for medicinal and production goods, for enhancing the protein content for feeding of livestock, and I think it has potential economic advantage for the farmers in our areas who are really trying to find a quality value for tobacco other than being challenged as they have been about the health issues.

I think this is a worthwhile issue, and I urge my colleagues not to apply

any predisposition to this and see this in a very positive way and to support the amendment.

Mr. HAYES. Reclaiming my time, Mr. Chairman, I thank the gentleman from North Carolina (Mrs. CLAYTON) for her very thoughtful comments. I also have supporting comments from the gentleman from Utah (Mr. HANSEN) and the gentleman from California (Mr. CUNNINGHAM), which I will ask them to insert in the RECORD later.

Mr. Chairman, I urge my colleagues' support.

GEORGETOWN UNIVERSITY  
MEDICAL CENTER,  
Washington, DC, June 27, 2000.

Hon. C.W. BILL YOUNG,  
House of Representatives,  
Washington, DC.

DEAR CHAIRMAN YOUNG: I am writing in support of Congressman Hayes' amendment to the agriculture appropriations bill that would allow money to be spent on research for alternative uses for tobacco. Your support of this amendment will allow funding for an alternative use of a genetically modified version of the tobacco plant capable of producing a vaccine for the potentially prevention and cure cervical cancer.

Cervical cancer is the most common cause of cancer-related death among women worldwide. Every year in the United States, approximately 15,000 women are diagnosed with cervical cancer and 5,000 women die of this disease. Worldwide, cervical cancer affects 500,000 women annually, and, after breast cancer, it is the second most common malignancy found in women.

Clinical studies have confirmed that the human papillomavirus, or HPV, is the primary cause of cervical cancer. In order to develop a vaccine, large quantities of HPV fragments are required. Unfortunately, this virus does not grow under normal laboratory conditions. The tobacco plant, however, shows tremendous promise to serve as a vessel in which an HPV fragment could be cultivated.

Recently, it has become feasible to biologically engineer tobacco to produce high-value foreign proteins, including a potential vaccine for the papillomavirus. Once developed, this detoxified version of HPV fragments can then be injected into the human body. These genetically engineered proteins would trigger our natural immunization defense system and create a resistance to the harmful strain of HPV. This treatment could also serve as a cure for existing HPV.

We greatly appreciate the recent appropriation of \$3 million funding for this study that will permit North Carolina State University (NCSU) and Georgetown to explore this promising new vaccine. While this appropriation was not included in the FY '01 agriculture appropriations, we appreciate your attention to this matter and appreciate your support. Your support is critical for finding a cure to cervical cancer. Thank you.

Sincerely,

KENNETH L. DRETCHEN, Ph.D.  
NC STATE UNIVERSITY,  
Raleigh, NC, June 29, 2000.

Hon. BILL YOUNG,  
House of Representatives,  
Washington, DC.

DEAR CHAIRMAN YOUNG, thank you for your leadership in supporting the research of scientists at North Carolina State University and Georgetown University Medical Center in their quest to develop a vaccine against cervical cancer. Working together, our researchers aim to grow the vaccine in to-

bacco. However, a critical obstacle must be overcome in order for our important work to proceed: the research project needs Congressional authorization to grow the vaccine in tobacco. To this end we urge you to support Congressman Robin Hayes' amendment to the agricultural appropriations bill to allow this valuable research to proceed.

Our researchers propose to engineer tobacco plants so that the plants produce a vaccine that can be used to immunize women against Human Papilloma Virus (HPV). We hope you agree that research using genetically engineered tobacco to produce vaccines and other valuable products is inherently different from earlier work intended to produce improved tobacco varieties for the benefit of growers. Therefore, this type of work should be exempt from any regulations that seek to limit federal support for tobacco research. Indeed, it is in the best interest of the country as a whole to foster such efforts wherever possible, both to produce valuable and desperately needed commodities, and to develop wholly new market opportunities for American farmers.

This joint North Carolina State University-Georgetown University Medical Center is an excellent example of this type of research. Genetic engineering of tobacco can result in production of the HPV vaccine. Currently there is no economical method for producing this vaccine. Tobacco was chosen for this work because it is relatively easy to engineer so that it will produce the vaccine. Further, tobacco products more green biomass per acre than any other crop, thus containing input costs and reducing the ultimate cost of the vaccine.

Developing a cost-effective means to reduce the incidence of MPV infection is critically important because this virus causes virtually all cervical cancers. Cervical cancer is the leading cause of cancer-related deaths in women worldwide. The disease typically manifests during a time of life when women are rearing their children, thus putting at risk both the women who succumb to the disease and the children they leave behind.

A peripheral goal of the research is to identify other potentially useful products that can be derived from green biomass, and develop efficient methods for their purification. Already several compounds have been identified that have potential use in formulating both medical and consumer products. Recovery of such compounds will generate additional product streams that could be derived from the same plants that are making the HPV vaccine. Each of these products represents a potential new market that could help to keep farming profitable during this difficult time of transition and competition in the global marketplace.

I strongly urge you to support this amendment to encourage these valuable research efforts.

Sincerely,

MARYE ANNE FOX,  
Chancellor.

— VIRGINIA TECH,  
Blacksburg, VA, June 29, 2000.

Hon. RICK BOUCHER,  
House of Representatives,  
Washington, DC.

DEAR RICK: Virginia Tech is a leader in the development of technology that uses tobacco plants for the purpose of producing human pharmaceutical products. Two years ago, a team of Virginia Tech scientists demonstrated the feasibility of producing human therapeutic proteins in genetically engineered "transgenic" tobacco plants. The Virginia General Assembly has provided significant funding to the University for transgenic biotech research involving the tobacco plant



and Tech's scientists are hard at work to exploit new biomedical uses of this plant.

As you know, a team of Virginia Tech scientists, working with CropTech of Blacksburg, has introduced segments of human DNA into the genes of tobacco. Those segments instruct the plant to produce human protein, which can then be extracted from the leaves and used to create drugs. Among their achievements so far are tobacco plants that produce a human protein that is part of blood clotting/anticoagulating chemistry. This protein is presently extracted from human blood plasma for testing by hospitals.

Just last month another team of our scientists announced the discovery of a compound found in the tobacco plant that inhibits the growth of an enzyme that may be a significant causative factor in Parkinson's Disease in humans.

I understand that an amendment may be offered to the Agriculture Appropriations bill (HR. 4461) that would remove existing limitations on the use of funds that restrict the use of agricultural research funding for research on medical, biotechnical, and other uses of tobacco. Such a modification in existing agricultural research policy appears to be appropriate in order to encourage the many promising uses of tobacco that are being developed at Virginia Tech and elsewhere.

I ask that you give such an amendment every appropriate consideration.

Sincerely,

CHARLES W. STEGER,  
*President.*

NORTH CAROLINA  
FARM BUREAU FEDERATION,  
*Raleigh, NC, June 29, 2000.*

Hon. BILL YOUNG,  
*House of Representatives,  
Washington, DC.*

DEAR CHAIRMAN YOUNG, the North Carolina Farm Bureau supports the effort to include legislative language in the FY 2001 Agriculture Appropriations bill providing enhanced research alternatives to produce a vaccine that could potentially prevent and cure the human papillomavirus, or HPV, a primary cause of cervical cancer.

Recently, it has become feasible to biologically engineer tobacco to produce high-value foreign proteins, including a potential vaccine for the papillomavirus. Once developed, this detoxified version of these HPV protein fragments can then be injected into the human body. These genetically engineered proteins would trigger our natural immunization defense system and create a resistance to the harmful strain of HPV. This treatment could also serve as a cure for existing HPV.

Cervical cancer is the most common cause of cancer-related death among women worldwide. Every year in the United States, approximately 15,000 women are diagnosed with cervical cancer and 5,000 women die of this disease. Worldwide, cervical cancer affects 500,000 women annually, and, after breast cancer, it is second most common malignancy found in women.

Again, we applaud your efforts in supporting the use of tobacco plants in genetic research benefiting many Americans.

Sincerely,

LARRY B. WOOTEN,  
*President.*

CAMPAIGN FOR TOBACCO-FREE KIDS  
STATEMENT OF THE CAMPAIGN FOR TOBACCO-FREE KIDS CONCERNING RESEARCH ON GENETICALLY MODIFIED TOBACCO FOR NONHARMFUL PURPOSES

In the last several years and because of advances in the area of biotechnology, some re-

searchers believe that it may be possible that the tobacco plant, long known to cause serious disease and addiction, may be genetically altered to produce medicines that may be beneficial. These developments may present new opportunities for public health as well as for tobacco producing communities.

The Campaign for Tobacco-Free Kids encourages continued research into the use of genetically modified tobacco for nonharmful and non-traditional uses, in particular uses that may help treat disease rather than causing it.

We wish to emphasize that these products like all products that contain tobacco, whether used for smoking purposes, chewing purposes, or in this case pharmaceutical purposes, should be fully regulated by the Food and Drug Administration.

[From the Virginia Tech Spectrum, June 9, 2000]

CASTAGNOLI'S DISCOVERY MAY PROTECT  
AGAINST PARKINSON'S DISEASE  
(By Sally Harris)

In a discovery that opens an important direction in the study of Parkinson's disease, Virginia Tech scientists have identified a compound in tobacco that inhibits an enzyme that breaks down key brain chemicals.

Parkinson's disease, a central-nervous-system disorder, causes the gradual deterioration of neurons in the section of the brain that controls movement. The brains of patients with Parkinson's disease typically have less of a neurotransmitter called dopamine. Studies have shown that smokers are 50 percent less likely to get Parkinson's than non-smokers, but no one has isolated a particular substance in tobacco that may be responsible for that phenomenon.

Neal Castagnoli, director, and Kay Castagnoli, senior research associate, at Virginia Tech's Harvey W. Peters Center in the chemistry department, located in the College of Arts and Sciences, conducted research that has led to the isolation of a compound in tobacco that protects against the loss of dopamine in mice and thereby may protect against the development of Parkinson's Disease.

"Joanna Fowler, a scientist at Brookhaven National Laboratory in New York, found by positron emission tomography (PET) imaging that smokers' brains have 30 to 40 percent lower levels of monoamine oxidase (MAO)," Kay Castagnoli said. MAO normally breaks down neurotransmitters such as dopamine, serotonin, and norepinephrine. Since the Castagnolis had already been conducting research involving MAO and neuroprotection, "We thought about the connection," Castagnoli said.

They decided to examine if there was a substance in tobacco that inhibits MAO. Ashraf Khalil, a post-doctoral fellow in the group, was able to separate and characterize a compound called 2,3,6-trimethyl-1,4-naphthoquinone, or TMN, which was also known to be present in tobacco smoke and proved to be an inhibitor of MAO.

Using mice, the Castagnolis first administered TMN and then a potent neurotoxin, MPTP, a contaminant that had been discovered in a street drug sold in the early 1980s. The drug was meant to mimic the effects of heroin, but addicts who took large doses of the synthetic heroin suffered severe Parkinsonian symptoms. Neal Castagnoli, then working at the University of California at San Francisco, was one of the scientists who determined what caused the brain to turn the contaminant into a toxin that caused many of its users to develop the Parkinsonian symptoms.

In the recent tobacco study, the Castagnolis discovered that TMN, found in

tobacco smoke as well as leaves, did in fact interfere with MAO and protected the rodents against the toxic effects of the synthetic-heroin contaminant.

Although this discovery opens up the possibility of new avenues of research, "No one should start smoking based on these results," Kay Castagnoli said, "and people should continue to stop smoking. There's no evidence that the benefits of smoking will ever outweigh the risks."

"The finding that smoking decreases the risk for Parkinson's disease raises the question of identifying the actual neuro-protective agent among the hundreds of compounds present in cigarette smoke," said Donato Di Monte, director of Basic Research at the Parkinson's Institute in Sunnyvale, Cal. The discovery in the Castagnolis' lab, he said, "provides a critical clue for the development of drugs that may directly reproduce the neuro-protective action of smoking without exposing people to its other harmful health effects."

The results of the Castagnolis' research, which has included a second study of mice that confirmed their initial findings, is an important step in the study of Parkinson's disease, he said. "This compound may be the one involved in neuro-protection, but there may be others that, by acting on the enzyme, may have neuro-protective effects." Also, Kay Castagnoli said, it could be possible, in pharmaceutical industries, that this basic structure could be used as a template for the development of neuro-protective compounds.

This summer, the Castagnolis, along with Ashraf Khalil, will look for other neuro-protective agents in tobacco.

CASTAGNOLIS DISCOVER COMPOUND IN TOBACCO  
MAY PROTECT AGAINST PARKINSON'S DISEASE

BLACKSBURG, MAY 15, 2000.—In a discovery that opens an important direction in the study of Parkinson's disease, Virginia Tech scientists have identified a compound in tobacco that inhibits an enzyme that breaks down key brain chemicals.

Parkinson's disease, a central nervous system disorder, causes the gradual deterioration of neurons in the section of the brain that controls movement. The brains of patients with Parkinson's disease typically have less of a neurotransmitter called dopamine. Studies have shown that smokers are 50 percent less likely to get Parkinson's than non-smokers, but no one has isolated a particular substance in tobacco that may be responsible for that phenomenon.

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They decided to examine if there was a substance in tobacco that inhibits MAO. Ashraf Khalil, a postdoctoral fellow in the group, was able to separate and characterize a compound called 2,3,6-trimethyl-1,4-naphthoquinone, or TMN, which was also

known to be present in tobacco smoke and proved to be an inhibitor of MAO.

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This summer, the Castagnolis, along with Ashraf Khalil, will look for other neuroprotective agents in tobacco.

#### COMMERCIAL SCALE CULTIVATION OF PHARMACEUTICAL-PRODUCING TOBACCO POSSIBLE, VIRGINIA TECH SCIENTISTS FIND

BLACKSBURG, NOV. 11, 1998.—The results from a summer of research show that pharmaceutical-producing tobacco can be grown on a commercial scale, according to Virginia Tech scientists.

Carole Cramer, professor of plant pathology, physiology and weed science, said additional field trials next summer are expected to confirm and extend the findings from this year.

Jim Jones, an agronomist and director of Virginia Tech's Southern Piedmont Agricultural Research and Extension Center in Blackstone, said the summer's field tests produced encouraging data as well as experience in managing tobacco grown for medical uses.

"We're not looking at growing tobacco in the way it's been grown in the past," Jones said. "In fact, what we've got is really a new crop."

Jones said the field research included increasing the population of tobacco plants from about 6,000 plants per acre in traditional tobacco growing practices to as much as 100,000 plants per acre.

The growing pattern of tobacco to produce leaf for tobacco companies is well established, he said. What Cramer is looking for, however, is the optimum cultural practices to produce protein. With that in mind, the transgenic tobacco was harvested multiple times during the summer at a point far earlier than tobacco is harvested for traditional uses.

In 1995, a team consisting of Cramer and her associates at Virginia Tech and CropTech, a biotechnology company located in Blacksburg, was the first to induce a plant to express a human protein with enzymatic activity. That achievement has opened the possibility of using plants as factories to produce human proteins that can be used in pharmaceuticals.

The tobacco planted at Virginia Tech's agricultural research and extension centers in Blackstone and in Glade Spring last summer used a "marker" gene rather than the human genes. The marker gene allowed scientists to evaluate that ability of tobacco grown in different densities to produce a target protein, Cramer said.

So successful have been the results that Cramer hopes that next summer's field trials will include limited quantities of plants with target proteins that CropTech hopes eventually to convert into pharmaceuticals on a commercial scale.

CropTech has genetically engineered tobacco plants so far grown only in greenhouses. The genes inserted into the tobacco DNA orders the production of human enzymes, which can be extracted, purified and used to develop pharmaceuticals.

The gene that produces the protein cannot be "turned on" until scientists give it a specific signal or inducer. Thus, the process can be controlled so that drugs will be made only after the leaves have been harvested and taken to a regulated manufacturing facility, Cramer said.

Some tobacco plants have been modified to produce an enzyme that can be used to treat Gaucher Diseases, a rare and often fatal condition. Other plants have been modified to produce human Protein C, which is used to prevent blood clots. Both tobacco-based products are still in development and have not undergone clinical trials.

Cramer said tobacco has the potential to serve as the host for many other pharmaceutical proteins as well. Tobacco is exceptionally suited for use in producing pharmaceuticals because it is one of the most productive crops in growing leaf biomass quickly and efficiently, she said. It is also one of the easiest plants to genetically modify. As a very prolific seed producer, it will allow production to be scaled up very rapidly.

The field trials indicated that flue-cured tobacco is the best variety for producing the target proteins in the quantities needed for commercial production. However, both burley and oriental varieties of tobacco also performed well in protein production.

"That means it looks as though we have great flexibility in regard to varieties," she said. "That, in turn, means that we won't necessarily be limited to any particular growing region in Virginia. The results have shown that we can grow this tobacco at very high densities. In fact, the higher the density the better, from the viewpoint of extracting proteins."

With the support of state Sen. William Wampler Jr. of Bristol, former Gov. George Allen and Gov. Jim Gilmore included \$554,000 in the state budget over the biennium for transgenic medicinal-tobacco research. During the 1998 legislative session Wampler sponsored an amendment which earmarked an additional \$2000,000 specifically for the field trials. That funding was in part provided to help develop a new, high-value use

to hundreds of acres of tobacco land statewide.

#### VIRGINIA TECH BEGINS FIELD TRIALS OF GENETICALLY ENGINEERED TOBACCO PLANTS PRODUCING PHARMACEUTICALS

##### GENERAL ASSEMBLY INVESTS IN NEW INDUSTRY FOR VIRGINIA

BLACKSBURG, JUNE 22, 1998.—Virginia Tech will soon begin the first phase of a \$754,000 state-funded research project that could lead to a tobacco-based industry for growing human pharmaceuticals in fields across Virginia.

A team of Virginia Tech scientists has demonstrated the feasibility of producing human therapeutic proteins in genetically engineered "transgenic" tobacco plants. Now, researchers will develop the special methods required to grow the transgenic tobacco that could bring new, high-value use to hundreds of acres of tobacco land statewide. "This investment in biotech research will help lay the foundation for a whole new tobacco-based industry for Virginia," said Carole Cramer, project director and professor of plant pathology and physiology at the Fralin Biotechnology Center of Virginia Tech.

Planning began in early May for the first phase of a multi-year field trial. Researchers will eventually plant tens of thousands of transgenic tobacco seedlings in fields at the university's agricultural research stations at Blackstone and Glade Springs. These studies will also include greenhouse experiments and laboratory analyses at the Virginia Tech campus in Blacksburg.

With the support of state Sen. William Wampler Jr. of Bristol, Governors Allen and Gilmore included \$554,000 over the biennium for transgenic medicinal tobacco research. During the recent legislative session Wampler sponsored an amendment which earmarked additional funds specifically for the field trials.

"The General Assembly was pleased to add an additional \$200,000 to assist in the expansion of research in the pharmaceutical uses of tobacco," said Wampler. "We look forward to reviewing the results of the practical application of transgenic tobacco research, and we are hopeful that this research will result in new, viable economic opportunities for growing tobacco in our region."

Cooperating in the studies are scientists at Crop Tech Corporation, a plant biotechnology company located in Blacksburg. CropTech will contribute its proprietary know-how and transgenic tobacco lines, as well as laboratory facilities and financial resources from federal and private sources.

CropTech recently won a multi-year \$8.8 million contract from the Advanced Technology Program of the U.S. Department of Commerce. That contract will allow CropTech to further develop technologies to support commercialization of transgenic tobacco for bioproduction of pharmaceuticals. A portion of the contract funds will support research at Virginia Tech and will match the support from the legislature.

Cramer pointed out that the tobacco biotechnology being developed at Virginia Tech is uniquely suited for pharmaceutical production. The plants are modified to contain a human gene—a tiny piece of human DNA with the information to build a human protein—but the gene cannot be "turned on" until the scientists give it a specific signal or inducer. Thus, the process can be controlled so that drugs will be made only after the leaves have been harvested and taken to a regulated manufacturing facility.

This summer's field tests are designed to begin designing methods farmers will eventually use to grow the transgenic pharmaceutical tobacco plants for commercial sale.



Among the issues being investigated are optimal plant density, planting and harvest methods and timing, nutritional requirements and pest protection, Cramer said. Also being studied are conditions that could help maximize pharmaceutical production and maximize the extraction of the target compounds from the leaves of the plant.

Cramer said tobacco is exceptionally suited for use in producing pharmaceuticals because it is one of the most productive crops in growing leaf biomass quickly and efficiently. It is also one of the easiest plants to genetically modify. As a very prolific seed producer, it will allow production to be scaled up very rapidly.

Although greenhouse studies during this year will include drug-producing plants, the field tests for these lines will not begin until next year, Cramer said. This year's field tests will incorporate a "reporter gene" to enable scientists to rapidly assess the performance of transgenic tobacco under various growing conditions.

The trials will also explore the potential of using floating-bed greenhouse systems for producing transgenic tobacco.

"This technology has tremendous potential as a win-win situation for both tobacco producers and drug companies," Cramer said. "People will be surprised at how fast this new industry will be growing and the impact that it will have."

[From the Richmond Times-Dispatch, Sept. 24, 1997]

#### IN THIS CASE, TOBACCO COULD BE A LIFESAVER

(By A.J. Hostetler)

WASHINGTON.—Tobacco may serve as a source of a new medicine for a rare and life-threatening genetic disease under patents being awarded this week for research at Virginia Tech.

The patents cover the processes involved in setting up a new biochemical Trojan horse: a bacterium which carries a human gene into a tobacco plant, from which scientists later extract a human enzyme. The tobacco-produced enzyme could eventually be turned into a drug.

"It's an incredibly effective delivery system," said Virginia Tech plant physiologist Carole Cramer.

She conducted the tobacco experiments at Virginia Tech and at CropTech Development Corp., a private biotech company she started with her husband, David Radin, a former Tech plant cell geneticist.

One patent for the genetic engineering was awarded yesterday and another will be awarded tomorrow, according to Radin. Both patents go to Virginia Tech and are licensed to CropTech. A third patent, which awaits federal approval, will be awarded to CropTech, with a small share of the patents, and any resulting profits, awarded to Virginia Tech, Radin said.

The research was financed by grants from the National Institutes of Health and the Department of Defense.

At a biology conference yesterday in Washington, Cramer described the research and how it could lead to a cheaper treatment for Gaucher disease.

Gaucher patients have a defective enzyme, called human glucocerebrosidase or hGC, which prevents them from processing fatting substances called complex lipids. The lipids accumulate in the body to toxic levels, causing bone deformities, liver and spleen problems and other complications that can lead to death at an early age.

Gaucher disease strikes mostly Jews, but others are also at risk. About one in every 40,000 people in the United States has the disease, according to one estimate, but that

jumps to one out of every 450 to 600 among Jews of Eastern European descent.

There are only two drugs approved in this country to treat Gaucher disease. Both attempt to replace the missing enzyme.

Patients typically take a single dose of Ceredase, or its cousin, Cerezyme, every two weeks for their entire lives. The average annual cost of either drug is about \$160,000, according to Cramer. A single dose of Ceredase is made from as many as 2,000 human placentas, Cerezyme, made from hamster ovaries, is similarly difficult and expensive to make, Cramer said. But a single tobacco plant can be genetically engineered to produce the same amount of enzyme far more cheaply and easily.

The Virginia research could offer Gaucher patients another alternative if a drug produced from transgenic tobacco works, said Rhonda Buyers, executive director of the National Gaucher Foundation.

The scientist who pioneered enzyme replacement therapy for the disease, Dr. Roscoe Brady, says he regrets the high cost of the current treatment and "fervently" hopes Cramer's work succeeds.

"I want this to happen," said Brady, now chief of the Developmental and Metabolic Neurology Branch at the National Institute of Neurological Disorders and Strokes.

"I'd like everybody who needs it to get it. Even if (hGC) comes from a tobacco plant, it's not going to be cheap."

Researchers are also developing gene therapy treatments that could "teach" the human body to make the enzyme. But that process is several years from general use. In the meantime, CropTech's work is "a good step forward" for patients with the crippling disease, Brady says.

Cramer began her research on genetically engineered tobacco in 1992 as she sought to understand how plants protect themselves from disease. After learning how to transfer genes from tomatoes into tobacco plants, she sought a more challenging—and show-stopping—project.

As the Clinton administration held hearings on health care in the early 1990s, Cramer and her team heard about Ceredase, which was being touted as one of the world's most expensive drugs.

Cramer said the researchers chose to study ways to produce the Gaucher enzyme after wondering, "What could we do that would make a big splash" in the scientific community?

"We wanted a dramatic example," she explained.

[From the Virginia Tech Edge, January 1999]

#### REMOTE SENSING CENTER ESTABLISHED

NASA will provide \$419,256 to establish the Virginia Tech Center for Environmental Applications of Remote Sensing (CEARS). The center will provide maps and spatial data at all levels—land and water, above ground and underground, including such details as soil types, watersheds, and wildlife habitats—to help place major developments with the least impact, for instance. The center will be able to offer better-detailed geographic information than currently available, as well as data on the broad landscapes and inter-relationships.

Spearheading CEARS is Randy Wynne of forestry, who specialized in applying small satellite technology to natural resources, and James Campbell of geography. "CEARS will focus on the environmental applications of remote sensing," Wynne says.

A remote sensing laboratory will be equipped with 25 networked (100 Mbs) Windows NT workstations, an NT server, printers, and image processing and associated software (e.g., compilers, spatial statistical packages, and GIS).

"We intend to augment our capability for measuring and integrating data with a Sun photometer and PAR sensor, a field spectroradiometer, and a roving GPS base station, and will build an electric, remotely piloted vehicle capable of carrying small sensor payloads."

Additional laboratories located in the geography department and the Fish and Wildlife Information Exchange will support the project.

For more information, see the entire proposal for the center or contact Dr. Wynn at 540-231-7811.

#### TOBACCO PRODUCES HUMAN PHARMACEUTICALS

Scientists at Virginia Tech and CropTech Corporation of Blacksburg, VA, are using tobacco to produce human proteins.

Carole Cramer, professor of plant pathology and physiology, and colleagues have introduced snippets of human DNA into the genes of tobacco. Those snippets instruct the plant to produce human protein, which can then be extracted from the leaves and used to create drugs.

Among their achievements so far are tobacco plants that produce:

- Human Protein C, part of blood clotting/anticoagulation chemistry. This protein is presently extracted from human blood plasma for use by hospitals. Human Protein C from tobacco has yet to be tested on humans.

- Glucocerebrosidase, a human lysosomal enzyme that may eventually be used to treat a rare, life-threatening genetic disease affecting the body's ability to break down fats. This enzyme is now purified from human placenta.

Contact: Dr. Cramer at 540-231-6757.

#### SORTING THE BUILDING BLOCKS OF LIFE

A university DNA sequencing facility has been established in the Virginia-Maryland College of Veterinary Medicine's Center for Molecular Medicine and Infectious Diseases.

Funded by Virginia Tech Research and Graduate Studies, the college, and the Fralin Biotechnology Center, the laboratory is staffed and equipped to provide reliable and prompt DNA sequencing services for researchers, according to Stephen Boyle, professor in biomedical sciences and pathobiology.

To develop genetically engineered improvements in everything from food products to medicine, scientists must first acquire an accurate profile of a substance's molecular structure. The new lab allows them to do precisely that, Boyle says. Plus, the laboratory offers cost-effective, high-throughput services.

The laboratory includes twin Pharmacia Biotech ALFexpress sequencers. A computer-based control runs each unit independently. Laboratory manager Lee Weigt has 10 years of experience managing DNA sequencing facilities for the Smithsonian's Tropical Research Institute in Panama and the Field Museum of Natural History in Chicago, and has been specially trained by Pharmacia on the equipment.

Gaucher disease results when the body's enzyme storage system goes awry. Plants have a similar storage process, and Cramer thought she could prod a tobacco plant to grow hGC.

She did it by inserting the human gene for hGC into a common tobacco bacterium and allows it to infect a piece of leaf.

When the bacterium infects the leaf, it carries along with it the human gene. It transfers the gene into the plant and then dies, felled by antibiotics given to the tobacco plant.

Cramer has dozens of these genetically altered tobacco plants in various pots and petri dishes in her laboratory. The green leaves look like any normal tobacco plant.

While the plants grow, they show no signs of the human gene. The tobacco cells know how to make the enzyme, but don't do anything about it until they are activated by the researchers in a secret process that is part of the patent application. That helps control the quality of the enzyme produced because weather conditions and the timing of the harvest can affect the amount of hGC in the plant, Cramer said.

The harvested leaves are incubated for about a day before they are ground up and the enzyme is extracted.

The tobacco-produced hGC functions just like the human enzyme, she said, giving CropTech hope that federal approval for clinical trials may come in three to five years. When CropTech wins that approval, it would work with a drug manufacturer to produce the tobacco and enzyme in mass quantities, Cramer said.

[From the New York Times, May 14, 2000]

NEW VENTURES AIM TO PUT FARMS IN VANGUARD OF DRUG PRODUCTION—ALTERING GENE STRUCTURE TO "GROW" MEDICINES IN COMMON CROPS

(By Andrew Pollack)

Joe Williams, a Virginia tobacco farmer, has been forced to cut his production nearly in half over the last three years as people have kicked the smoking habit. But he is hoping that a small experimental plot he just planted will hold the key to his staying on the farm. That tobacco has been genetically engineered to produce not cigarettes but pharmaceuticals.

Plants containing drugs could, indeed, represent a new high-priced crop. "If we can actually find a medical use for tobacco that saves lives, what a turnaround for the much-maligned tobacco plant," said Christopher Cook, chief executive of ToBio, a company recently formed by Virginia tobacco farmers like Mr. Williams to grow drugs in cooperation with the CropTech Corporation of Blacksburg, Va.

The production of drugs in genetically altered plants—called molecular farming or biopharming—seems poised to represent the next wave in agricultural biotechnology. Until now, efforts have mainly been directed at protecting crops from pests and improving the taste and nutrition of food.

But just as the production of bio-engineered foods has been controversial, molecular farming is already raising some safety and environmental concerns. Chief among them is that drugs might end up in the general food supply, either because crops or seeds are misrouted during processing or because pollen from a drug-containing crop in an open field fertilizes a nearby food crop. What if insects eat the drug-containing plants or if the drug leaks into the soil from the roots?

About 20 companies worldwide are working on producing pharmaceuticals in plants, according to the Bow-ditch Group, a Boston consulting firm. A handful of such drugs are already being tested in human clinical trials, including vaccines for hepatitis B and an antibody to prevent tooth decay.

There have been dozens of field tests like the one on Mr. Williams's farm, aimed at seeing if products ranging from hemoglobin to urokinase, a clot-dissolving drug, can be grown in crops like corn, tobacco or rice. In a closely related effort, companies are also trying to use plants to produce industrial chemicals.

Proponents say that farming for pharmaceutical proteins would be far cheaper than the current practice of producing these drugs in genetically modified mammalian cells grown in vats. That could lower the price of drugs produced by biotechnology, some of which now cost tens or even hundreds of thousands of dollars a year per patient.

In some cases, the drugs would not even have to be extracted from the plant. Scientists are testing edible vaccines in which people would be protected from diseases by eating genetically engineered foods.

As these crops get closer to market, regulators are trying to figure out how to ensure their safety. Last month, the Food and Drug Administration and the Agriculture Department held a public meeting in Ames, Iowa, to discuss the issue.

The regulators say some safeguards are already in place. To minimize environmental risks, all field tests of drug-producing plants must receive government permits, while some field tests of other modified crops require only that the government be notified, said Michael Schechtman, biotechnology coordinator for the Agriculture Department. In addition, the distance by which the drug-bearing plants must be isolated from other plants to prevent cross-pollination is double the usual distance used by seed companies to assure purity of their seeds, he said. And although genetically modified food crops are often deregulated after the product becomes commercial, he added, the planting of drug containing crops is likely to be regulated forever.

But Norman C. Ellstrand, a professor of genetics at the University of California at Riverside and an expert on pollen flow, said that long-distance pollen flow is poorly understood and that the appropriate isolation distance for drug-producing plants would depend on the particular crop and drug. "It's just not clear that setting a double distance is going to solve everything," he said.

Indeed, biopharming lies on the border of medical biotechnology, which has been largely free of controversy, and food biotechnology, which has been beset by protests.

Some executives in the fledgling industry say that because medicines clearly help people, their activity is not generating this same kind of resistance as the production of genetically modified food crops. In addition, they say, drugs are tested and regulated far more stringently than biofoods. "It's being received entirely differently," said William S. White, president of Integrated Protein Technologies, a unit of the Monsanto Company that is trying to grow drugs in corn.

But critics of agricultural biotechnology say that such companies, which underestimated the public reaction to bioengineered foods, are repeating the mistake. Michael Hansen of Consumers Union, for one, said the public had no idea about the work being done to produce drugs in plants. "Once they have an idea, the thought of putting drugs in plants, is not going to go over well," he said.

Some companies producing drugs in plants are already being hit. Axis Genetics of Britain went out of business a few months ago, saying the protests over bioengineered food had scared off investors. Groupe Limagrain, a French seed company, says it has been conducting its field tests in the United States because the dispute over modified crops is greater in Europe. And Planet Biotechnology Inc. of Mountain View, Calif., keeps the location of its greenhouses secret to prevent vandalism by protesters, as has happened to companies growing modified food products.

Companies are considering various techniques to keep drug-producing crops from accidentally entering the food supply, including the implanting of a gene to turn drug-producing crops a different color from other crops.

Techniques are also being developed to prevent cross-pollination. CropTech, for instance, said its tobacco would be harvested before sexual maturity. Some drugs needed in small quantities might be grown only in greenhouses, rather than open fields.

Just as with food, biocrops should be able to produce large quantities of drugs at low cost, advocates say. The newest factories now used to produce pharmaceutical proteins in genetically modified mammalian cells can cost \$100 million or more and can produce a few hundred kilograms a year at most. Drugs made in such factories can cost thousands of dollars per gram to produce.

For many biotechnology drugs already on the market, this is not a problem because prices are high and only minuscule amounts are needed. But some drugs under development, like an antibody-containing cream for herpes, are likely to require much larger quantities and not be able to command high prices.

"They cannot make these drugs using the old technologies," said Mr. White of Monsanto's Integrated Protein Technologies. "It's just not going to be cost effective to do so." Mr. White said his company could produce 300 kilograms of a purified drug for a \$10 million capital investment and a cost of \$200 a gram.

Planet Biotechnology is in clinical trials of an antibody, produced in genetically altered tobacco, that blocks the bacteria that cause tooth decay. Elliott L. Fineman, the chief executive, said it would be impossible to use mammalian cells to produce the 600 kilograms a year that might be needed in a cost-effective way. But the entire supply could be affordably produced on a single large tobacco farm.

Still, the companies wanting to grow drugs have found the going somewhat rough. The Large Scale Biology Corporation, formerly Bio-source Technologies, did the first field test of a drug produced by a plant in 1991 but still does not have a drug in clinical trials.

Drug companies are hesitant to depart from existing technology. And some industry experts are not convinced that plants would be cheaper when the cost of extracting the drug from the plant is considered. "With respect to purifying it and isolating it, a plant can pose challenges," said Norbert G. Riedel, president of the Baxter Healthcare Corporation's recombinant DNA business.

Moreover, the production of drugs in plants faces competition from production in the milk of genetically modified animals. This also offers potentially high volumes at low costs, and the animal milk companies are closer to bringing products to market. Some already have deals signed with major drug companies.

The plant-drug companies say their technique is safe because mammalian cells and animal milk can introduce harmful viruses into the drug, while plant viruses are not known to infect people.

There could be other problems, however, including contamination by pesticides and plant chemicals like nicotine. The F.D.A., which is preparing draft guidelines for production of such drugs, is considering such issues as assuring that the pharmaceutical protein does not change form during plant growth, harvesting and storage.

Yet another issue is that the sugars attached to proteins by plants are different from those attached by animals. This could prevent the plant-derived drug from working and could cause allergies, said Dr. Gary A. Bannon, professor of biochemistry and molecular biology at the University of Arkansas medical school.

Molecular farming might not prove to be the salvation of vast numbers of farmers since the acreage needed will probably be small. Mr. White of Monsanto said even a drug needed in large quantities could be produced on a few thousand acres of corn, a mere blip compared with the roughly 77 million acres of corn grown in the United States.

But Brandon J. Price, chief executive officer of CropTech, which is working with the Virginia farmers, said 45,000 acres would be needed to satisfy the entire worldwide demand for human serum albumin, a blood product that his company wants to produce in tobacco.

Said Mr. Williams, the Virginia farmer, "we're looking at thousands and thousands of acres it takes off and goes."

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. HAYES).

The amendment was agreed to.

AMENDMENT NO. 43 OFFERED BY MR. MILLER OF FLORIDA

Mr. MILLER of Florida. Mr. Chairman, I offer an amendment.

Mr. LATHAM. Mr. Chairman, I reserve a point of order.

The CHAIRMAN pro tempore (Mr. HEFLEY). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 43 offered by Mr. MILLER of Florida:

Page 31, after line 5, insert the following:

PURCHASES OF RAW OR REFINED SUGAR

For fiscal year 2001, the Commodity Credit Corporation shall not expend more than \$54,000,000 for purchases of raw or refined sugar from sugarcane or sugar beets.

Mr. MILLER of Florida. Mr. Chairman, this amendment is very simple. It is to say let us stop wasting taxpayers' dollars on the sugar program.

Last month, the Secretary of Agriculture bought \$54 million worth of sugar and does not know what to do with it. We have too much sugar in this country. We cannot even give it away around the world, but we bought \$54 million worth of sugar. We cannot use it for the ethynyl program. What are we going to do?

We are going to store it, and the media reports saying we are going to have another \$500 million worth of sugar in the next 90 days, and we do not now have any use for it.

This is a waste, and it is an embarrassment to this Congress that we allow this program to be authorized in the farm bill back in 1996. In fact, during the past month, national television has been making fun of us. The Fleecing of America on NBC news made fun of Congress for wasting money on this program.

It's Your Money on ABC did the same, because it is a program that makes no sense. It hurts consumers. It hurts the environment. It hurts the jobs, and it is just bad simple economics.

Let me briefly describe what the program is. We have a Federal Government program through a loan program and limits on imports to prop up the price of sugar at about three times the world price. That is right, here in the United States, we pay three times the price of sugar as they pay in Canada or Mexico or Australia. What does that mean? It means our consumers get hurt.

In fact, the General Accounting Office, which is a nonpartisan organiza-

tion that supports Congress, it is not supported by the agriculture or the business sector, it is nonpartisan, nonbias, their most recent study last month said \$1.9 billion that it costs us. The taxpayers are being hit, \$54 million last month alone and it can go as much as \$500 million.

The environment, I come from Florida, and the Florida Everglades is a real national treasure, and what are we doing is, because of the high price of sugar, we are overproducing sugar, which has all that runoff that flows into the Everglades down into Florida Bay and the Florida Keys, and it is causing environmental damage. That is the reason we get strong support from the environmental community on this issue.

And when we get to trade, it is amazing. How can we go to Seattle and talk about trade issues and say we will talk about everything but sugar, because we do not want to talk about sugar. It makes it difficult for us to be advocating free trade when we have to protect sugar.

Finally on jobs, we can go program after program, where the jobs are impacted in this country. We are losing jobs.

Let me give my colleagues an illustration. Bobs Candies in Georgia makes candy canes. They use a lot of sugar in candy canes. It is a third generation company. What is happening is in Canada where the sugar is only a third of the price or in the Caribbean where they get sugar for a third of the price, they can shift their production. Why would they want to manufacture in the United States to pay that high price for sugar?

This makes zero economic sense. It has zero economic sense, because it has all negatives. The only people supporting the program are the sugar growers, and the sugar growers love it.

In fact, they love it so much they increased the production of sugar by 25 percent in the last 3 years because they are just making a killing off of sugar. Next year, they are predicting even more sugar protection and instead of buying \$500 million worth of sugar, we can see a billion dollar a year cost.

We were told back there 1996 oh, no, it does not cost us anything. It does not cost anything. In fact, they told us back in 1996, sugar is going to pay a support program part of this, like \$40 million. Well, they got rid of that a couple of years ago. Now, we do not even make money on the sugar program, we just spend money. We just waste money.

For my colleagues, I hope they will support me as we get rid of this program. If my colleagues are conservative, this is bad big government. If my colleagues are pro consumer. If my colleagues are concerned about the lower-income people that spend so much money on their income on food, my colleagues should support this. If my colleagues are an environmentalist, this is definitely one to support, be-

cause we want to protect the Everglades.

It is just a bad big government program, and I urge my colleagues to support this amendment.

The CHAIRMAN pro tempore. Does the gentleman from Iowa (Mr. Latham) continue to reserve a point of order?

Mr. LATHAM. Mr. Chairman, I continue to reserve my point of order.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I thank the gentleman for Iowa (Mr. LATHAM) for his indulgence; and I want to express my admiration for the diligent crusade the gentleman from Florida (Mr. MILLER) has been conducting on behalf of consumers, taxpayers, and other farmers.

In support of the gentleman from Florida's amendment, I want to address its negative impact on other hard-working honest unsubsidized farmers. I agree with what the gentleman from Florida (Mr. MILLER) has said about the taxpayers and about the consumers.

I represent a large number of people who are in the cranberry business. They grow cranberries. Cranberries have been a non-program crop, that is, unsubsidized.

As my colleagues know, this Chamber is full of people who are the world's most ardent advocates of free enterprise, of standing on your own two feet, of not having the government get involved, except it turns out that in all of the great conservative economic texts, there is a footnote that is written that says, except agriculture. Members have to come from a farm State to be able to read it. It is in invisible ink and one has to apply certain substances garnered on farms to be able to bring out that footnote so we can read it, because the part of the American economy which is the most heavily subsidized, the most heavily regulated, the most anti free market is, in fact, agriculture.

I represent some people who are in agriculture without much of that. The cranberry growers do a very good job of producing a very important crop, until recently, without any kind of government entanglement. They are trying to continue that. But they find themselves in a great dilemma. Cranberries are very tart. They are nourishing. They are tasty, but they require sugar in many of the forms in which they are prepared.

If Members want to come by my office, we have some very good dried cranberries, a very healthy snack, but they have a high percentage of sugar. The problem is that because of the sugar program, American cranberry growers and processors are at a significant competitive disadvantage vis-a-vis Canada.

Thanks to NAFTA, we now have one market embracing both Canada and the United States for cranberries. Cranberries are grown in both places. American processors are significantly disadvantaged because of the price of the

sugar they must use to deal with their cranberry products is so much higher than the price that our Canadian competitors pay.

This is a case where the unsubsidized farmers and the cranberries farmers are seeking some help. They are seeking the one thing that I most support, a government purchase of surplus cranberries for use in various programs; but their dilemma has been exacerbated by the sugar program.

The cranberry growers come to the government for help, because the government has helped cause their problem; and it has helped cause their problem by putting them at a significant competitive disadvantage in some respects because of the high price of sugar they have to pay compared to the price of sugar paid by the Canadians.

I have, I guess, a very novel question, maybe it is naive on my part. If we can, in fact, rely on a free market in oil, and we are told that the oil prices go up, well, that is tough, that is the free market. If we can have a free market in the most sophisticated telecommunications equipment, if we can have a free market in automobiles, in legal services, in shoe repair, in virtually every other commodity, what is it about the growing of sugar that repels the free market ethic?

What is it about sugar growing that makes it entitled to be an exception from the free market principles to which so many of my colleagues, especially on that side of the aisle, profess allegiance? Is sugar some alien substance that repels the concepts of demand and supply?

Are the people who grow sugar somehow mutants who are not subject to the same economic incentives and disincentives as others. So the sugar program is, of course, one of the great violations of principle that many on the other side profess, but we get used to a little principle slippage particularly late in the year when election time is coming up. But it hurts consumers, and sugar is consumed by lower-income people. It hurts the taxpayer considerably, the millions that we spent on sugar could well be used for other purposes; and, in particular, thought I want to stress here, it even hurts other parts of agriculture. That is one of the things about the free market, once we begin to tinker with it in such a substantial form, the effects of that tinkering cannot be confined, and the aid that is given by the taxpayers at the expense of consumers to sugar growers redounds to the significant disadvantage of people who grow cranberries.

I would hope that we would adopt the gentleman's amendment and proceed in the earliest time frame next year to abolish the program and bring that radical subversive unknown doctrine known as free enterprise into another area of the American economy.

The CHAIRMAN. Does the gentleman from Iowa (Mr. LATHAM) continue to reserve his point of order?

Mr. LATHAM. Mr. Chairman, I continue to reserve a point of order.

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

Mr. Chairman, I think the new GAO report says it all, the GAO report is entitled "supporting sugar prices has increased users costs, while benefiting producers."

According to this new report by our Federal Government, the sugar program costs consumers \$1.9 billion each year in higher costs.

Secretary Glickman has announced that the Department of Agriculture would spend \$54 million of taxpayers' money to purchase 130,000 tons of surplus sugar to prop up domestic prices. Every time an American goes to a vending machine to buy a candy bar or goes to the supermarket to buy ice cream, it can cost more because of the sugar program. Every time he tries to buy cranberry juice, it costs more, because of this program.

The sugar program acts as nearly a \$2 billion hidden tax to our consumers, but this tax does not go to the government to pay for the national defense or for some other program. It goes into the pockets of the big sugar lobby.

The Freedom to Farm Act of 1996 began to phase out income supports for nearly every agricultural commodity, and tried to set them down the path toward free market competition, tried to set them towards free enterprise; however, the government continues to subsidize sugar producers by maintaining high sugar prices.

□ 1500

Well, this amendment will limit the Commodity Credit Corporation from extending any more than the \$54 million, the amount they have already purchased this year, on the purchase of additional sugar with taxpayers' dollars during fiscal year 2001. And to let the Commodity Credit Corporation continue to bail out sugar producers only continues the cycle of welfare to sugar producers and higher prices for consumers.

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

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

Mr. EWING. Mr. Chairman, the gentleman knows, I am sure, that sugar prices are at an all-time low; they have not been this low in years.

Mr. ROYCE. Mr. Chairman, reclaiming my time, I know that the sugar prices are low, and I also know that the Federal Government, in its GAO report, has extrapolated the costs to consumers at \$1.9 billion a year.

Mr. EWING. Mr. Chairman, if the gentleman will continue to yield, I understand that is what the GAO report said; but sugar prices are low, and I have not, and I just wonder if the gentleman has, seen any reduction in candy bars or soda pop or any other commodity that the gentleman claims will be such a windfall to American consumers. Has the gentleman seen any?

Mr. ROYCE. Mr. Chairman, again reclaiming my time, we have not repealed the laws of supply and demand, and to the extent that we have these types of programs that force higher prices on the consumer, yes, that is ultimately reflected in pricing. I believe that the market works.

Mr. EWING. Mr. Chairman, if the gentleman will again continue to yield, with all due respect to the gentleman's opinion on this, I think it is faulty, because prices are low, and nothing is happening to the cost of the products with sugar in them.

Mr. Chairman, when I look at this amendment, I recall the failed amendments that have been offered in the past on the Agricultural Appropriations bills. Regardless of how exactly the language reads, it all boils down to this: my colleague wants to eliminate the sugar program.

Each time sugar opponents have offered such an amendment on the Ag Appropriations bill, the House has rejected their efforts. This in itself says a great deal. The House has stood by its agreement made with farmers in the 1996 Farm Bill.

In the Farm Bill, Congress agreed to a sugar program that would stay intact for seven years. My colleague wishes to break this contract with farmers.

My colleague has made reference to a recently-released GAO report on the sugar program. There are a number of problems with this report, which both USDA and the sugar industry have highlighted. USDA, the agency that administers the federal sugar program, concluded: "GAO has not attempted to realistically model the U.S. sugar industry. The validity of the results are, therefore, suspect and should not be quoted authoritatively."

By agreeing to purchase sugar, USDA made an economic decision within the parameters of the program for the benefit of the taxpayer. In early June, USDA bought 132,000 short tons of refined sugar in an effort to avoid forfeitures of sugar under loan and to reduce the potential cost to the taxpayer. According to USDA, this purchase serves as a \$6 million cost savings compared to potential forfeiture costs of the same tonnage.

To kill or impede the program today, nearly a year before we begin to authorize a new farm bill, especially without review by the authorizing committee, would be very unwise. The mechanics, operations, and success of the sugar program over the past five years should be evaluated more closely and carefully before a hasty vote on an appropriations bill hinders the current operations.

Join me in supporting the taxpayer, the American farmer and the contract made in the 1996 Farm Bill. Vote No on this amendment.

Mr. MILLER of Florida. Mr. Chairman, will the gentleman yield?

Mr. ROYCE. I yield to the gentleman from Florida.

Mr. MILLER of Florida. Mr. Chairman, the gentleman from Illinois is talking about how low the prices are. The price of sugar in the United States is about three times the world price. Look in today's Wall Street Journal; look in the financial pages. We see two prices: one for the United States, one for the rest of the world. And it is three times the world price.

So what are we supposed to be feeling sorry for when we are paying three times the price that Australia pays for sugar and Canada pays for sugar. And, yes, anybody who has had economics 101 knows that cost influences prices. So yes, it does have a direct effect. That is the reason the GAO did the study. That is the reason we have a nonpartisan, unbiased source that did the study; and that is the reason we need to trust that \$1.9 billion. That is real money that costs real consumers real dollars.

Mr. LATHAM. Mr. Chairman, I continue to reserve my point of order.

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

Mr. Chairman, I rise in opposition to this amendment. We go through this debate every year, and sugar becomes the culprit for all that is bad and all that is evil.

We hear about the world's sugar price being so much less everywhere else. It is interesting that when we travel abroad, candy is very, very expensive. Maybe they access the world market, but their prices are the same. Sugar is the lowest it has been in years; candy bars are higher than ever. Some Members say it is for the big sugar lobby. Well, what about the big candy lobby? Only the bad actors are on the other side of the amendments. Yesterday, it was the big pharmaceutical lobby when we talked about prescription drugs. Today, it is the big sugar lobby.

Nobody comes down to Clewiston and sees the small family farmers. And yes, there are some big farmers; we acknowledge that. Like everywhere else in America, there are small farmers and big farmers. But once again, we kick farmers when they are down. Some of the most difficult times we are experiencing in this Nation in farming are occurring today, and people always complain about programs done by the Department of Agriculture, and then they rush off out of this Chamber and have a big meal; and they eat a lot of food, and they fill up their bellies and think how wonderful it is that I had this delectable meal. Then they rush right back, full, their appetites satiated; and they immediately begin to attack farmers and the farm programs and the Agricultural Department and this runaway program that is being sponsored by Congress.

I say, if we complain about farmers, do not do so with our mouths full. This program has been reformed; it has been changed.

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

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

Mr. EWING. Mr. Chairman, I thank the gentleman for yielding. I would just point out to my colleagues, they refer to this GAO report, which I have seen thoroughly, and there are a number of problems with this report. Both the USDA and the sugar industry have highlighted: "USDA, the agency that administers the Federal sugar pro-

gram, concluded," and this is important, "the GAO has not attempted to realistically model the U.S. sugar industry. The validity of the results are, therefore, suspect and should not be quoted authoritatively."

So the gentleman from Florida (Mr. MILLER) is using it incorrectly.

The gentleman from Florida (Mr. FOLEY) knows that they talk about the sugar price, but what is the sugar price, the world dump price?

Mr. FOLEY. Mr. Chairman, reclaiming my time, the sugar price, as the gentleman well knows, it is 125,000 metric tons, so nobody runs out to the Publix and buys 125,000 tons. In addition to that, it is left-over excess capacity. It is not first-run sugar; it is floating around there looking for a buyer. It is like the end-of-the-year car sales when people are trying to get the cars off their lots. This is sugar that is sitting, waiting, looking for a purchaser; it is not first-run sugar. So they misrepresent.

Mr. EWING. Mr. Chairman, if the gentleman would yield once again, most of that sugar comes from programs around the world that are subsidized much higher than we do in this country. They cannot use it; they cannot keep sugar. They dump it on the world market and take pennies on the dollar.

Mr. FOLEY. Mr. Chairman, reclaiming my time, the gentleman from Massachusetts made a big thing about the free market system. Well, I think we are spending about \$14 billion on the big dig in Massachusetts for a tunnel. So all I will say to the gentleman is that we are spending money on projects throughout the country, and we are trying to help the farmers in America. We are trying to keep domestic production, and I think it is vitally important.

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

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

Mr. FRANK of Massachusetts. Mr. Chairman, first, I would say that 25 years ago I was opposed to that highway construction project. I thought it was not a good use of money.

Secondly, I would say this. Even at my most critical, I have never suggested that we should have the free market build a highway. If we are going to build a highway, then the Government has to do it. But I would say that I was against building the highway.

Mr. FOLEY. Mr. Chairman, I thank the gentleman very much. Reclaiming my time, the Government, once again, did build a highway; and it is \$14 billion, probably about \$8 billion overspending.

All I can say is listen to the amendment; look at what is occurring. Defeat the amendment. I support the gentleman as he reserves his point of order against the amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of the amendment offered by the

gentlemen from Florida and California to reduce funding for the U.S. Department of Agriculture's Commodity Credit Corporation by \$54 million—the amount of money made available last year for sugar producers.

Mr. Chairman, there is virtually no disagreement that the nation's sugar programs are flawed. In fact, an article which appeared last month in the Palm Beach Post quoted two sugar growers who admitted that the program has problems, and as one said, "some new policy is going to have to be developed."

Until then, we should not continue to pour taxpayer dollars into the sugar sinkhole. The sugar market is glutted, yet producers continue to grow more sugar, and as a result, grow fat off these sweet Federal subsidies.

While sugar producers get all the treats, the taxpayers wind up picking up the tab for all these tricks. Consumers are stuck paying higher prices for foods made with sugar, after already being forced to contribute tax dollars to pay for these subsidies. That doesn't sound like a sweet deal to me!

Frankly, the USDA's sugar policies have left a bitter taste in my mouth. We should stop subsidizing sugar growers, and instead start spending that money on more deserving programs, such as child nutrition programs, WIC, and agricultural research.

Mr. Chairman, let's get the sugar industry's hands out of the Federal cookie jar, and stop subsidizing Big Sugar. Support the Miller/Miller Amendment.

Mr. HOFFEL. Mr. Chairman, I rise in support of the Miller amendment to the Agriculture Appropriations bill. This amendment limits expenditures by the Department of Agriculture for the purchase of sugar.

During consideration of my legislation, H.R. 3221, the Corporate Welfare Reform Commission Act, the Budget Committee heard testimony from members of Congress and budget experts about rooting out wasteful spending. The sugar program is high on the list of corporate welfare items that private groups and fiscal watchdogs have targeted for elimination.

The sugar program guarantees domestic cane and beet sugar producers a minimum price for sugar. It does this by offering loans to sugar processors at a rate which is written into law. This program has an unusual feature of allowing sugar processors to forfeit their sugar to the federal government instead of paying back their loans. In order to avoid the result of a direct expenditure from the federal government, the program restricts the amount of sugar that can be imported under a low tariff rate.

It's not surprising that producers are all eagerly seeking to participate in this program. The amount of sugar under government loan has nearly doubled since 1997.

It's also not surprising that there is currently a problem of sugar overproduction and now the sugar industry is not content with the government's subsidies in the form of restrictions on imports and direct payouts. They now are going directly to the Agriculture Department and selling their sugar that no one else wants to buy. The Department of Agriculture recently purchased 150 tons of sugar which cost American taxpayers more than \$60 million.

This is the height of absurdity. We encourage overproduction of sugar through subsidies and trade restrictions and then when sugar is overproduced, we buy it and then give it away to a third country for free. This amendment puts an end to these purchases.

Proponents of this subsidy argue that the program does not cost the taxpayer anything. This argument is especially hollow considering the recent government purchases. But even putting those purchases aside, GAO has estimated that the cost of this program to consumers is nearly \$2 billion a year. Every American that drinks a soda, eats a cookie or bakes a cake pays more than they should at the checkout line.

This "tax" to pay for the sugar program doesn't go toward some public purpose. It goes into the pockets of a few large corporate farmers with an average farm size of 2,800 acres. According to a Time magazine article, one family which Time dubbed "the first family of corporate welfare" received \$65 million in federally subsidized revenues from the sugar program.

Mr. Chairman it is time we put an end to this shell game which always ends with the taxpayers losing. I urge my colleagues to support Mr. MILLER's amendment.

Mr. BARCIA. Mr. Speaker, Sugar Producers have been helping pay down our deficit for many years now.

In fact the Congressional Budget Office estimates that sugar producers will have actually paid \$288 million into the federal treasury by the end of 2002.

So the recent \$54 million sugar purchase by the USDA represents only a fraction of what sugar producers have already given to the government.

As lawmakers, when we committed ourselves to helping farmers, we committed ourselves to helping all farmers.

That's why I oppose the Miller amendment—because it singles out 2,880 farmers and more than 23,000 beet-sugar related jobs in Michigan alone. But Michigan is not alone—the whole country profits from the sugar industry. Sugar related employment represents 420,000 jobs in 40 states and over \$26 billion in economic activity.

Sugar farmers and workers need our help. Please don't abandon them in their time of need. This amendment has already been struck down on a point of order, but I urge my colleagues to vote no in the future on any anti-farmer amendment like this one.

Mr. BARRETT of Nebraska. Mr. Chairman, I rise in strong opposition to this amendment.

I can understand some of the criticism of the sugar program, especially from those that are true free traders. I, too, wish we had an open market for sugar. But what I don't understand is the continual, thinly veiled attack against U.S. sugar growers.

This program protects American sugar growers, including the 23,000 growers and sugar industry employees in my district, from a truly unfair, highly subsidized, and distorted world sugar market. American sugarbeet growers are the most efficient—the best—in the world. They wouldn't need our help, except that their competitors are foreign governments trying to prop up much less than the best.

Also, please hold the arguments that the sugar program has hurt consumers. Wholesale sugar prices have fallen nearly 26 percent since 1996, while consumer prices have risen. Cereal prices are up by more than six percent. Ice cream is up more than nine percent. Candy prices have risen nearly eight percent. If producer prices are down, but consumer prices are up, who is benefiting? You know the answer.

Unilateral disarmament is not a fair or reasonable policy for American sugar growers. And an appropriations bill is not the place to even be discussing it. Reject this broadside against U.S. sugar. Oppose this amendment.

#### POINT OF ORDER

Mr. LATHAM. Mr. Chairman, while not everyone has said it yet, I think everything that needs to be said on the subject has been said. So at this point I will make a point of order against the amendment offered by the gentleman from Florida.

The amendment violates clause 2, section C of rule XXI of the House in that it proposes the inclusion of legislative or authorizing language on an appropriation bill.

Specifically, the amendment proposes to limit certain expenditures made by the Commodity Credit Corporation where no such limitation exists in current law, instead of confining the amendment's proposed limitation to the scope of funds made available under this act. Additionally, the amendment of the gentleman from Florida contains "shall not" language that, on its face, imposes a legislative directive.

The CHAIRMAN. The gentleman has stated a point of order. Does the gentleman from Florida (Mr. MILLER) wish to be heard on the point of order?

Mr. MILLER of Florida. Mr. Chairman, as a member of the Committee on Appropriations, I feel very disappointed that we are cutting off debate like this. My cosponsor of the Miller and Miller amendment is not even allowed to speak on this bill. This is not the way we should treat our colleagues, to have the cosponsor being cut off from speaking.

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

Mr. MILLER of Florida. I yield to the gentleman from Iowa.

Mr. LATHAM. Certainly, after the chairman has ruled, any Member has the opportunity to strike the last word.

Mr. MILLER of Florida. Mr. Chairman, I would encourage the Members to do so, because there are a lot of people on the floor that want to talk to this issue.

Mr. Chairman, with respect to the point of order, we were told back in 1996 when the sugar program was developed and we authorized it that it was a no net-cost program; it will not cost the Government anything. We have already spent \$54 million last month, and we are getting ready to spend \$500 million more, so we were kind of misled in 1996 to have been told that it was a no net-cost program; so because of the change is the reason I think we should not have a point of order raised.

The CHAIRMAN. Are there other Members who wish to be heard on the point of order on the question of whether or not this amendment is in order?

Mr. MILLER of California. Mr. Chairman, if I might, in response to reserving the point of order, if I could speak

through the Chair to the gentleman that made the point of order, might it not be possible, if the gentleman insists upon his point of order, and I know we have the right to strike the last word later, but might it not be possible to ask unanimous consent so that at least our written statements could appear in the RECORD at this point so it is part of this joint debate?

The CHAIRMAN. Unanimous consent has already been authorized for that purpose for all Members.

Mr. MILLER of California. To be put into the RECORD at this point in the debate?

The CHAIRMAN. That is correct, yes.

Mr. MILLER of California. I thank the Chair.

The CHAIRMAN. Are there any other Members that wish to speak on the point of order?

The Chair is prepared to rule.

The Chair finds that the amendment offered by the gentleman from Florida (Mr. MILLER) includes language limiting the Commodity Credit Corporation purchasing authority; and, therefore, the amendment constitutes legislation in violation of clause 2 of rule XXI, and the point of order is, therefore, sustained.

The amendment is not in order.

Mrs. MINK of Hawaii. Mr. Chairman, I move to strike the last word.

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

Mrs. MINK of Hawaii. Mr. Chairman, we have heard a lot of misstatements today about the sugar program, not only today, but in the discussions that have been held over the years. I think it is really unfortunate that so much of this comes from a theoretical discussion, which is purported to be a government report called the GAO Study.

I think that it is important when we look at these studies to look at the response the Department made with respect to each one of the assumptions that were propounded by the GAO report. The most significant of it is this use of the words, "world price." Any one who has studied this particular issue will know that the world price is nothing more than a dump price. There is no such thing as buying sugar at 8 cents or 9 cents a pound. It is only where the excesses, the surpluses of all of these government programs all over the world have no internal domestic source to sell, then they go out to the world market and they dump it. It is absolutely unfair to talk about our sugar program and relate it to the world dump price.

If we are talking about the cost of sugar to an ordinary family in the United States, let us look at the chart here. Let us look and see what the world price is for sugar in the developed countries. We see all of these countries here, Norway, Belgium, Denmark, Austria, Italy, Sweden, Switzerland, Ireland, France, all of these other countries, and way down at the bottom here, the United States, retail price at



43 cents. At the top here, 86 cents. That is what we are talking about when we talk about the cranberry production and the cranberry juice that we were supposed to feel sympathetic about in an earlier discussion.

Mr. Chairman, we are talking about a retail price in the United States which is significantly lower than what the price is in other countries throughout the world. Mr. Chairman, 8 cent, 9 cent sugar is unreal in terms of our own domestic market.

What are we talking about? We are talking about killing an industry. I cannot think of anybody interested in fairness and support of our farmers, in support of agriculture, wanting to kill a whole industry in order to somehow fall prey to this mythological idea that they could buy 8 cent sugar in the world dump market. It is just not happening.

I think the real way to look at this situation is what is happening to the sugar prices today. We who have sugar production in our districts know that the price has catapulted from about half of what they were perhaps 10 or 15 years ago. Our farmers are struggling. They are in despair. I have one sugar company on the island of Kauai that is about to close if we do not find a resolution to this problem.

None of the Hawaii sugar is in this commodity market. I am not here because we are in that market where we are going to benefit 1 penny from any loan. We are restricted from that program. But I am here talking about sugar as fundamental industry in this country that has a right to exist, to be a part of our economy as any other farm product in this the United States. Why kill off this industry on a myth? Prices have gone down over the last year to maybe 18 cents for the people who are producing it, but what happens to all of the other products that are using sugar, the cakes and the cookies and the Cokes? All the prices have gone up 15, 20 percent. There is no economist worth his salt or her salt that can argue that the price of sugar being low is a good thing for America because it is going to lower the prices of the commodities. It has not.

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The prices of all of these commodities have gone up. So the argument that the GAO makes that the consumers are paying through their nose because sugar is such an expensive item has absolutely no substance in terms of the rationale for their argument.

If their argument were true, then the prices for all of these commodities, cakes, cookies, and whatever, would have gone down. There is not one item that we can find on the shelf today in the grocery stores where the prices have gone down that uses sugar as a substance for their production.

So it seems to me that we have to be together in this discussion about agriculture. We cannot pick out one particular farmer. We do not have any multibillionaire sugar producers in my State. They are all small hard-working farmers who are just making a living.

So let us stand for the agricultural industry in this country and not kill sugar because somebody does not like the law that we passed in 1996 that was designed to benefit all commodities.

Mr. Chairman, we have heard a lot of misinformation today about the U.S. sugar program. I want to present a few facts.

During the 1990s, wholesale refined sugar prices fell 11 percent. During the same period, the retail price of refined sugar increased by 1 percent and the prices of manufactured food products with sugar as a major ingredient—candy, baked goods, cereal, and ice cream—rose by 23 to 32 percent. Since the start of the 1996 Farm Bill, wholesale refined sugar prices are down 26 percent, but retail sugar prices have not dropped at all and sweetened products prices are up 7 to 9 percent. It is clear that if someone is making a killing, it is not the sugar farmers.

American sugar farmers are in crisis. In my state of Hawaii, only three sugar companies are still operating. In 1986, 13 operating factories were operating and sugar was grown on all of the four major islands. Today, sugar is produced only on the islands of Maui and Kauai—and the survival of these companies and the fragile rural economies of these islands are severely threatened by historically low prices. This year, Hawaii sugar farmers are receiving the lowest prices in 18 years for their sugar.

Those who would like to kill the U.S. sugar program cite the so-called “world price” of sugar of 8¢ a pound. No one—not even countries that use child labor—produces raw sugar for 8¢ a pound. This “world price” is in fact a dump price for excess sugar that bears no relationship to the actual cost of producing sugar. The dump market represents the subsidized surpluses that countries dump on the world market for whatever price that surplus sugar will bring.

A study by LMC International estimated the weighted world average cost of producing sugar during the 11-year period of 1983/84 through 1994/95 to be 18.04¢ a pound. The actual level is almost certainly higher now because of inflation since that time. Even though U.S. sugar growers are among the most efficient in the world, they cannot survive when they receive prices on the order of 17¢ to 19¢ a pound.

Two-thirds of the world's sugar is produced at a higher cost than in the United States, even though American producers adhere to the world's highest government standards and costs for labor and environmental protections. U.S. beet sugar producers are the most efficient beet sugar producers in the world, and American cane producers rank 28th lowest cost among 62 countries—almost all of which are developing countries with deplorable labor and environmental practices.

U.S. consumers pay 20 percent less for sugar than the average for developed countries. Our average retail price for a pound of sugar—43¢—is far below the more than 80¢ paid by consumers in Norway, Japan, and Finland. The average price paid by consumers in the European Union is 52¢. Of course, U.S. prices would be even lower if the retailers and manufacturers did not absorb all of the benefit of the lower prices producers have been receiving over the past three years.

Is the price of sugar a problem for the average American family? I don't think so. Sugar is so cheap that you can pick up packages of it in restaurants and no one cares. The aver-

age American works 2.3 minutes to purchase a pound of sugar. Are the opponents of the U.S. sugar program responding to concerns of consumers? Clearly not. They are responding to pressure from big businesses that want to increase their profits further still at the expense of American farmers. The Dan Miller amendments use consumer cost as an issue to mask the primary motive, which is allow cheap foreign sugar into the U.S. market so that the mega food-conglomerates can make more money.

The U.S. sugar and corn sweetener producing industry accounts, directly and indirectly, for an estimated 420,000 American jobs in 42 states and for more than \$26 billion per year in economic activity. Defeat the Miller amendments that seek to destroy the U.S. sugar industry.

I also want to respond specifically to the contention by Mr. MILLER that the U.S. sugar program costs consumers \$1.9 billion per year. First, the deeply flawed study by the GAO has been thoroughly discredited by the USDA. Economists at the USDA have “serious concerns” about the GAO report, which “suffers in a number of regards relative to both the analytical approach and . . . the resulting conclusions.” USDA concluded: “GAO has not attempted to realistically model the U.S. sugar industry. The validity of the results are, therefore, suspect and should not be quoted authoritatively.” As with the 1993 version of this report, the GAO assumes that food retailers and manufacturers would pass every cent of savings along to consumers—we have convincing evidence that this will not happen.

Mr. MILLER is also very critical of the moves by the USDA to remove excess sugar from the domestic market in order to stabilize the price of sugar and thereby avoid very expensive forfeitures. Several factors account for the excess of sugar on the market: good yields due to favorable weather, increased imports, and schemes that undercut the foundation of the sugar import quota such as importation of stuffed molasses (a product with a high sugar content, which is made into refined sugar) and importation of dumped sugar via Mexico under the reduced NAFTA tariffs. The Miller amendments to prevent the USDA from making purchases to reduce the supply of sugar and to avoid forfeitures will cost the government money. Purchases cost less per ton and will avoid a much larger volume of forfeited sugar. Purchases instead of forfeitures for the 132,000 tons the government purchased this year will save taxpayers \$6 million in avoided forfeitures.

Sugar farmers—like other farmers—are suffering. Prices for most crops are at or near all-time lows. The government has stepped in to avert a disaster in rural America by providing over \$70 billion in payments to other farmers since 1996—but no assistance has been given to sugar farmers. Moreover, sugar farmers have contributed \$288 million in marketing assessments to reduce the deficit and, prior to the recent sugar purchase, the sugar program has operated at no cost to the U.S. Treasury.

It angers me to hear Members talk about the sugar program benefitting only a few wealthy sugar barons. I can tell you that the

small growers who supplied the now defunct Hilo Coast Processing Company were not and are not sugar barons. Now many are not even farmers—they are unemployed. And the thousands of people who work for or whose jobs depend on the remaining sugar companies in Hawaii are not rich. They work hard at their jobs and have to pay their mortgages and save to send their children to college.

In Hawaii, we have over 6,000 jobs dependent on the sugar industry. These are good jobs that pay a living wage, include health benefits, retirement and other benefits. U.S. sugar producers are providing these jobs while complying with U.S. labor and environmental law.

Mr. Chairman, U.S. consumers benefit from the U.S. sugar program. They benefit from the stability it ensures, and the access it provides to quality sugar produced by U.S. companies. A strong domestic sugar industry contributes to our economy by producing jobs.

The demise of the U.S. sugar industry would mean the loss of these jobs to sugar producers overseas that do not have labor or environmental protections and in documented cases use child labor to produce cheap sugar.

Are we willing to forsake our own sugar producers so that the international food cartels can buy cheap sugar produced by twelve year-olds in Brazil or Guatemala? I hope not.

In Hawaii, the decline in sugar prices has been ruinous. These prices threaten the survival of our remaining sugar companies and the livelihood of workers in our rural areas. Sugar production ended on the island of Hawaii several years ago. Nothing has replaced sugar as a viable agricultural crop and the former cane lands remain idle. Unemployment is high and drug problems have increased as have the social costs of dealing with these issues. The islands of Maui and Kauai—where the sugar industry is a major source of employment—will face the same devastating consequences if we do not give sugar farmers a fair price.

I urge my colleagues to reject the false consumer cost argument based on the GAO report, and vote today for a U.S. sugar industry that will continue to provide jobs here in America. Defeat the Miller amendments.

Mr. HILL of Montana. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to carry on the debate and discussion about the issue of sugar.

I made note when the gentleman from Florida (Mr. MILLER) was on the floor. He said when the agreement was reached in 1996, taxpayers were promised that this would not cost the taxpayers any money. I want to remind the people in this room that this program has not cost the taxpayers any money.

Some people will point to the recent purchase of sugar that the administration has concluded for about \$200 million. But I want to remind the Members in this Chamber that as part of this agreement in 1996, that the sugar producers agreed to pay over \$288 million towards deficit reduction during the 7-year life of this program. So the taxpayers, even with the purchase of sugar, even if that sugar is never resold, still will be beneficiaries to the extent of \$288 million.

The people who are advocating the change in the sugar program mostly come from districts where there are candy manufacturers. They come to the floor and argue that consumers have been hurt by this sugar program.

Let me tell the Members, sugar cane prices have gone down 17 percent since this program went into place, and sugar beet has gone down 26 percent. During that period of time, while the producers' share of the dollar has gone dramatically, the price of refined sugar has gone up 1.1 percent.

Guess what, the price of candy, cookies, and ice cream have gone up 27 percent. So somebody is taking money from the pockets of consumers. It is not the sugar producers that are taking it out of the pockets of consumers, it is the candy manufacturers.

If we kill this program, who will benefit? The candy manufacturers, among the wealthiest, most successful companies in the world. Who is going to get hurt? Family farmers and family ranchers who are out here struggling, trying to make a living.

I want to also address, Mr. Chairman, this issue of the world price of sugar. People suggest that U.S. consumers are paying more for sugar because they compare our domestic sugar price with the world price. But there is not a world price. There are not two prices, as it has been represented. There are multiple prices. Every country has its own price based upon its own market.

All the sugar that is on the world market is excess production. It comes from subsidized producers. What happens is our competitor nations subsidize their producers. They have quotas that they have to produce to. In order to get their subsidized price, which is way above our U.S. price, they have to overproduce. If they do not meet their quota of production, their quota gets cut back.

What do they do? They overproduce and dump that sugar on the market. If they had to give it away, they would not care. It does not come close to covering the cost of production because it is excess production. It is a relatively small market. To suggest to U.S. consumers that the price of sugar in this country would go down if we started buying sugar on the world market is a manifest misrepresentation of the situation.

Mr. Chairman, this has been a good program. It has helped in our area, given people alternative crops at a time when they very much need it. This is the first time this program has been triggered. In order for the program to be triggered, we have to have imports that exceed the quotas and we have to have a price that falls below the market price and the cost of production.

We need to keep this program. The amendment of the gentleman from Florida (Mr. MILLER) is really misguided and misdirected. I do not think that we should be further hurting our farmers, particularly at times when they are struggling so much.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to thank my colleague, the gentleman from Florida (Mr. MILLER), for introducing this amendment. I rise in support of this amendment, unfortunately, it was struck on a point of order, to limit the purchases of sugar to \$54 million.

The U.S. sugar program represents Congress at its worst. It takes precious resources held by the U.S. taxpayer and funnels them to private businessmen who are multimillionaires. The sugar program is nothing but corporate welfare that has survived solely due to the generous financial contributions from a very narrow interest groups.

My colleague knows the sugar program props up the price of sugar by restricting imports and guaranteeing the repayment of sugar loans if the price falls too low. But the sugar program is a failure. Prices keep falling. The government is spending our money in a desperate attempt to salvage its own mess. Taxpayers should not be asked to support this.

Twice taxpayers were robbed under the sugar program. First the program inflates the price of sugar. That means consumers pay more. In fact, the Government Accounting Office has been reported here as paying almost \$2 billion more than they would otherwise.

Then, because the price support actually creates an incentive to grow too much sugar, the price of sugar goes down from oversupply, and the taxpayers pay directly to buy up sugar stored in an effort to prop up the price again. I think the average American understands the program quite well and they do not like it.

My office got a call the other day from a man down in Donaldsonville, Louisiana, an area where they grow a lot of sugar. The man says he owns a small dry cleaning business. He said, "Wouldn't it be nice if the government guaranteed me a steady price during slow times? With sugar, the richest farmers in this country are getting bailed out by the government. It just isn't right."

That man in Donaldsonville, Louisiana, understands sugar. He does not need a GAO report or USDA analysis. He lives in sugar country. He sees how it works.

Who benefits from the sugar program? The GAO has said that only two industries benefit, sugar beet growers and sugar cane growers. But the benefit handsomely is tuned to \$1 billion in additional profits, \$1 billion extra, thanks to the program.

Consider some of these allegedly needy farmers. One of the largest beneficiaries is the sugar family of the Fanjuls, estimated to be worth hundreds of millions of dollars, and who own extensive properties in Florida and the Dominican Republic. They also contribute vast sums to both political parties to ensure that this program stays alive.

The Fanjul family Members and business executives alone have contributed over \$2 million in the past three election cycles, but they have figured out how this program works. They have figured out how it works twice. First, they grow sugar in Florida and sell it at inflated prices guaranteed by the government. They earn an additional \$50 to \$65 million per year from the sugar production of Florida, thanks to this program.

Next, on top of that, they also grow sugar in the Dominican Republic, one of the countries with a guaranteed contract to export sugar to the United States, because of a treaty obligation. But the import comes to the U.S. at inflated U.S. prices, not at the lower prices on the world.

Therefore, the Fanjuls, the biggest growers of Dominican Republic sugar, sell the sugar to the U.S. under the import quota and are estimated to earn an additional \$80 million than they would otherwise earn because of the inflated prices under this program.

It is very smart business for them and it could only happen because of the U.S. Government and the Congress' complacency in this program.

Mr. Chairman, the sugar program is making a number of sugar growers very rich, but it is a failure as a policy. That is why the USDA had to take an unprecedented step earlier this year for the direct purchase of 130,000 tons of sugar this spring for \$54 million, 130,000 tons of sugar they do not know what to do with. They cannot put it on the market, sell it overseas, they cannot give it away. It is just \$54 million that is sitting in a dark warehouse somewhere, taxpayer dollars, taxpayer dollars to buy sugar that nobody wants and nobody can let them put on the market, because if they put it on the market, the price would go lower and we would have to buy more sugar. If we put that on the market, the price would go lower and we would have to buy more sugar.

Do Members see why this is important? The \$54 million was just the opening bid for sugar in this country. But if we have the U.S. taxpayers' purse, if we have open access to that, we can put down another \$54 million in a couple of months, and then when the Mexicans import 250,000 tons of sugar, we can put another \$54 million.

Do Members get the idea? Do Members get the idea that maybe the U.S. taxpayer is being robbed to prop up the sugar industry that is failing? It is failing because of this support program. Refiners are going out of business, farmers are going out of business. Yet, we are keeping a very narrow band of these farmers in business.

We ought to stop this program now. My colleague, the gentleman from Florida (Mr. MILLER), is quite right in offering this amendment.

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

Mr. Chairman, as I heard this debate, I felt the need to come down to the

floor and participate because I think the amendment offered by the gentleman from Florida (Mr. MILLER) and the gentleman from California (Mr. MILLER), which unfortunately we will not be considering today, addresses an issue that we are going to have to address as part of our trade policy, whether we enjoy doing it or not.

The fact is, Mr. Chairman, the sugar program has harmed U.S. trade policy. The United States has had a goal and policy of knocking down barriers to fair and open trade, such as tariffs, quotas, and subsidies. This policy clearly benefits domestic agriculture and domestic manufacturing.

Our trade representatives have taken a message to the world that subsidies and tariffs are bad, and we need to allow free trade to work and we need to allow markets to be opened up.

The U.S. economy is essentially free of subsidies and high tariffs, yet, despite that high ground, when our trade representatives go forth and meet with their counterparts, our trade representatives are forced to passionately defend the sugar subsidy and tariff, defend the indefensible.

Sugar protectionism in America harms our efforts to open up world markets to more important U.S. commodities and sell U.S. corn, wheat, livestock, cotton, rice, and other products overseas. It also hurts the competitiveness of American food products that are made with sugar.

We have heard some speeches on the floor about candy manufacturers, but they are not given a subsidy. They are invited to compete in a free market.

Mr. Chairman, during the recent Seattle round our trade negotiator in the agriculture discussions was trying to lower foreign protections of corn, grain, and cattle. This job was made all the more difficult because other nations could point to our absurdly generous support of sugar and call us hypocritical.

We cannot allow the sugar program to continue to be a black eye on our efforts at knocking down trade barriers for our most important products. The U.S. Trade Representative's testimony to the Subcommittee on Commerce, Justice, State and Judiciary conceded the trade negotiations relating to sugar are some of the most contentious she has had to deal with, despite sugar's relatively small share of our economy.

Because of her concession, that appropriations bill contains report language for the USTR to prepare a report on how sugar complicates U.S. efforts to discuss trade policy with other countries.

I have heard the world price of sugar described as the dump price, but the fact remains, we have in place antidumping laws to provide protection for our markets against those kinds of practices. That is the appropriate remedy, not sugar protectionism. Our trade policy should be to open up markets overseas first, not defend out-

dated, environmentally unsound corporate welfare benefiting a very small segment of our economy, the domestic sugar industry.

To elaborate on this, I yield to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Chairman, let me correct a few statements made earlier. The gentleman from Montana talked about the fact that with sugar, we were told in 1996 there was going to be an assessment of about \$40 million a year for sugar, generating \$280 million over the 7 years.

Guess what? They got rid of it in an appropriation bill 2 years ago. We are not collecting that money anymore, so there is no income for deficit reduction in the sugar program.

This GAO report that everybody wants to discredit, remember, the GAO is an agency for Congress, a nonpartisan, unbiased agency. This is a very complex issue. As I met with the GAO people, they brought in four distinguished academicians who specialize in agricultural economics to review this program to come up with the best type of report.

When we talk about the world trade, the world market, he is right, we have antidumping. So if France subsidizes their sugar, they cannot come in the United States. Australia, the largest grower of sugar, does not subsidize. There are growers around the world that sell at the world price that are not subsidized.

Some talk about jobs. Look at all the jobs we are losing in this country. The gentleman from Massachusetts (Mr. FRANK) talked about the cranberry growers. They cannot compete with Canadian cranberry growers. There are jobs in this country in the candy business that are moving offshore because they cannot buy candy cheaper, in Canada or the Caribbean. That is unfair competition and it is destroying jobs.

So I think this report is fully justifiable to defend the full \$1.9 billion cost of the program.

□ 1530

I know the Agriculture Department and the sugar people will hire their own economists and try to dispute that, but that is the reason we have a GAO, nonpartisan, unbiased.

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

Mr. Chairman, I find it somewhat ironic that the gentleman from Pennsylvania (Mr. ENGLISH) would stand up and say there is something wrong about supporting domestic production and that the cheapest foreign price is the thing that we should pay attention to. I have heard the same individual speak eloquently in an exactly opposite way when it comes to steel. When it comes to steel, he is all about protecting domestic capacity and resisting dumped steel subsidized by foreign governments.

Mr. Chairman, I think he is right on steel, but he is dead wrong on sugar. He ought to be a little consistent. The

same problem with exposing our domestic production to dumped subsidized exports apply in sugar just like they do in steel.

Let us just talk for a moment about what is happening in the farm economy. We all know that our farmers are facing very serious distress. In North Dakota, the value of wheat has dropped 33 percent, 33 percent. Barley, 30 percent. Sugar prices are at a 20-year low. So it is a bit depressing to have to come and fight for the area where our farmers have at least some price protection, when everything else about family farming is so under stress.

Some have suggested that this is about Big Sugar lobbyists and Big Sugar refineries. In the situation in North Dakota, it is about family farmers struggling to hang on.

Here is the deal with sugar: it is one product where domestic consumption exceeds production. For the most part, we grow more than we possibly could eat, and we have to fight for exports and the competition has driven down prices. Sugar, we actually consume more than we produce.

Now, much of the world wants access to this market and the governments are prepared to subsidize their exports to get it. And if it was allowed just to go without any restriction, without protection of the sugar program, we would not have a domestic sugar industry in this country. We would not have any significant domestic sugar capacity in this country. It would all be foreign sugar.

Sugar is linked directly to the pricing of food. If we would be completely dependent on foreign sugar, our food prices, grocery store prices in this country would swing very dramatically depending on where the world price for sugar has been. So we have had a sugar program for many years now and have struck a bargain. Farmers have a price that gives them some reasonable return; consumers have food price stability and some of the lowest-priced sugar in the industrialized world.

The result is stable food pricing. The consequence of this amendment would be great volatility in grocery store prices. We have seen what has happened with gasoline just over the last year, the howls we are hearing from consumers at the gas pump this year. Last year, there was an unbelievable bargain at the pump. Unfortunately, what we have come to realize is the greatest disservice to the consuming price is volatility. Very low prices one day; extraordinarily high prices the next day, destroying household budgets, never leaving anyone knowing where they are at.

We want the price of groceries for American families to have price stability, and that is what the sugar program is all about.

Now, let us not think for a moment that the only Federal resources expended in this country is to help support sugar. Just weeks ago, my colleagues joined me in passing about \$7.5

billion in economic relief to farmers because prices have collapsed, and under Freedom to Farm there is no price support protecting our farmers in these times of price collapse. Compared to commodity support, the support offered for sugar, with the much-maligned sugar purchase discussed on the floor, is very modest and, in fact, very modest indeed.

Let me give a couple of reasons why our domestic farmers growing sugar beets or sugar cane are under such threat. Number one, Canada is cheating. Canada is stuffing molasses super-saturated, full of sugar, and shipping it into our market for manufacturers who are pulling the sugar out of the molasses and getting around the ban on Canadian sugar imports in that fashion. In an absolutely ludicrous court ruling, the judge held that that was okay. It is under appeal, and I believe it is a flat violation of the Canadian trade commitments to us.

We are about to see, thanks to NAFTA, something I voted against, a very significant increase in Mexican sugar as well. It is vital to our farmers we keep the sugar program in place.

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

Mr. Chairman, I rise in support of this amendment because I think it makes a whole lot of common sense. I would say that for a couple of different reasons. I would say this amendment is important first and primarily because I think that this present program in its present configuration is just plain evil. I would go so far as to say that I think this program is the equivalent of a crack cocaine of corporate welfare, because we have been talking about family farms. What we do not see with this program are family farms.

Mr. Chairman, 42 percent of all the benefits that come as a result of this program go to 150 sugar producers in the United States. That is to say if we take about these two sets of chairs over there, and every person in each of those chairs would get about \$6 million per chair. That is not a family farm.

Then we look at some of the egregious examples: the Fanjul family living down in Palm Beach are not exactly family farmers. Are they a family farm if they have a Gulfstream jet, which is a \$35 million jet? Are they a family farmer if they have a yacht, which they happen to have? Are they a family farmer if they own their own resort in the Dominican Republic called Casa de Campo? Are they a family farmer if they have a mansion in Palm Beach? I don't think so.

Mr. Chairman, I do not think this debate is about family farmers, which is to a degree what we have been talking about.

I would say secondly, that this amendment is about simply the idea of watching out for the taxpayer, as the author of this amendment has pointed out. Mr. Chairman, \$54 million of taxpayer money will go to buy sugar that will be used for nothing. Does that

make common sense? In fact, if we look at the overall cost to the consumer based on the GAO reports, based on a number of different studies, \$1.9 billion is the aggregate cost to American consumers in this program. That comes to about \$15 per family in America that go to the likes of the Fanjul family who lives the lifestyle of the rich and famous down in Palm Beach. That, too, does not make common sense to me.

Thirdly, I would mention that this amendment makes sense because we have to ask a larger philosophical question. This is especially the case for Republicans. That is: Why are we here? I heard conversations about "dump price." We do not want to see the dump price. Every time I turn on the television back home there is talk about we are moving to 2001 models with Ford or Chevrolet or other cars and we are dumping them down at the local car lot. "Come on and get yourself a bargain." Nobody complains about those ads.

So I look at other products out there, whether we are talking about cars, whether we are talking about homes, whether we are talking about computers or shoe repair or dry cleaning. The dump price is the market price, and so it seems to me that none of that is complicated about.

Mr. Chairman, all we are talking about is the market price. I live on the coast of South Carolina; and if we look at the, quote, "dump price" with watermelons, with cucumbers, with tomatoes, all of those are similar. Whatever the market will bear, that is what the consumer pays for. That, to me, seems to be a very Republican idea of standing on one's own two feet and working through markets.

So I think that this amendment makes a whole lot of sense for a number of different reasons.

Mr. Chairman, I yield the balance of my time to the gentleman from Florida (Mr. MILLER), the author of the amendment.

Mr. MILLER of Florida. Mr. Chairman, I thank the gentleman from South Carolina (Mr. SANFORD) for yielding me this time. He was here in 1996, as most of the people who are participating in this debate, where we debated the issue under the authorization bill. We were told back then by Member after Member, no net cost. It will not cost the taxpayers a penny.

Last month, the reason we have this amendment, \$54 million worth of sugar was purchased by the Department of Agriculture. \$54 million worth of sugar, and there is no use for it. We cannot give it away around the world. Nobody wants it. They will not let us use it for ethanol. What are we going to do with it? We will find a warehouse and the Federal Government will pay money to the warehouse to store it.

Mr. Chairman, this is just the tip of the iceberg. We are on a slippery slope, because we have had the price of sugar so high. More and more people are

growing sugar. Production is up 20 percent and will be higher next year, and we will buy more and more sugar. Media reports say it could have been as much as \$500 million worth of sugar in the next 90 days alone. There is going to be a problem finding enough warehouses in this country to store all the sugar from the overproduction.

We have created ourselves a mess in 1996; and we need to get a handle on it, because it is taxpayers' dollars. The \$54 million, plus all of that storage, plus hundreds of millions more worth of sugar that we are stuck into buying and again having to store. This is real dollars for real consumers, and I hope we can get rid of this program in a hurry.

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

Mr. Chairman, we are having a rather bizarre debate this afternoon. It is on a subject which has already been ruled out of order; and as a consequence, it is hard to understand why we need to continue to consume time here on the floor.

But I think in terms of trying to bring closure to this, it is probably useful to observe that the U.S. Trade Representative has not done a good job by the American sugar farmers in the sense that we have stuffed molasses coming into this country. I looked in my cupboard at home at the molasses and wondered how do you stuff this stuff? I learned that there are tremendous quantities of foreign sugar coming in in the form of molasses, and it is refined and the sucrose is extracted and there it is as granular sugar. This product is then sent back up to Canada.

Mr. Chairman, we had a hearing this morning in the Committee on Agriculture, and we had the chemical companies explaining to us why they charge less in Canada and Australia for farm chemicals than they do in the United States and saying that we ought to feel blessed that we can purchase these chemicals at a higher price.

We talk about fair trade. We talk about international markets and open markets. The fact of the matter is that we do not have fair trade in this world. We have all different types of devices that exist out there to protect discrete sectors of the economy. I looked at the appropriation bill this afternoon. I noticed that we have a humble amount in there for GIPSA, the Grain Inspectors, Packers and Stockyards Administration, to try to ensure America's farmers raising livestock that we indeed have a competitive marketplace when it comes to the sale of their livestock. They are very suspicious that we do not and, as a consequence, they would like to see stronger enforcement. We learned that we just have a very small staff for a national program.

We are not devoting our resources to ensure competition in the American marketplace. Far more, we are limiting the resources that would assure us of that. And then we sit on the floor,

and we talk about whether America's farmers, who are being forced out of business, many of them, including those raising sugar beets and sugar cane, ought to receive even less.

The American consumers are paying billions of dollars for petroleum products this spring and summer. We have seen the world price of oil, the per-barrel price, go from \$8 to \$33, \$34 a barrel. We have a world market in oil and look at the consequences. Tremendous volatility. Tremendous dislocation. Look at sugar, and we have a stable price in the United States. We do not have this tremendous volatility.

The claim that the American consumer is being fleeced, it is certainly not by the sugar producer. The prices of refined sugar have gone up 1.1 percent during the period of time since 1996, in the last 4 years. Compare that to the price of crude oil. During the period of time in the 1990s, the price of products made out of sugar have gone up 27 percent. The problems that we are experiencing I think are very unfairly being laid at the feet of the farmers and a program which has, at least over the years, usually worked for the farmers.

□ 1545

It is not appropriate.

I submit that the time has come to move on with our deliberations on this bill. Hopefully we could have put more money into GIPSA to assure that we had adequate enforcement of that program.

Mr. Chairman, I yield to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. Mr. Chairman, I would just like to give my colleagues an example of what will happen if we get rid of this program. The truth of the matter is this world market is a dump market. The Europeans are the biggest people that dump into the world market.

I had a chance to go to Romania last year where they had a huge sugar beet industry, 12,000 farmers, 36 plants. What happened, they needed some money from the World Bank, so they forced them to give up their tariffs, which they did. The Europeans came in and destroyed their industry by dumping into their market. They now have no sugar beet farmers left in Romania. They only have 11 of the 36 plants that are operating, and they are owned by the West Europeans.

If we get rid of this sugar program under the current way that we are operating in the world, we will have the West Europeans owning the United States sugar industry in this country exactly as they have done in Romania, because we are not on a fair playing field. We have got this dump market.

We are there subsidizing higher than my colleagues claim that we are, and then they are taking their excess production, using their \$10 billion of export subsidies, and dumping it into the world market. This is not a free mar-

ket. It is not a fair market. My colleagues that are trying to take this apart really do not understand how this works.

Mr. MILLER of Florida. Mr. Chairman, if the gentleman from Minnesota (Mr. MINGE) will yield, I agree, we should not have a dump price.

Mr. MINGE. Mr. Chairman, I reclaim my time. In summary, I urge that we move on to other portions of this bill and recognize that the sugar program has been authorized by Congress. It is a program that is scheduled to continue to the year 2003.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike the last word.

Mr. Chairman, We are going to start rewriting the farm bill next year, and we have already started hearings. Sugar review is going to be part of that effort.

Some of the gentlemen that favor this amendment make a point about a lot of the money and benefits going to a few producers. Maybe we should restructure to assure that the distribution of benefits is equitable. I will research the possibility of an allocation that benefits individual producers, with possible payment limits, like we do on other commodity producers.

It would be possible for the non-recourse loan benefits to go to all producers. It may be possible to prorate the loan and limit the payments.

But here is the situation that we are faced with, not only in sugar, but in almost all farm commodities. We have other countries, for example Europe, that are subsidizing five times as much as we subsidize in this country. Again they are subsidizing their farmers up to five times the amount we subsidize in this country, and then, as has been suggested, they overproduce and their extra production, is dumped into what otherwise might be our markets or the world market.

Consumers and this body have to face a decision of whether we want parts of our agricultural industry to diminish or if we want to establish the kind of farm policy with support and help that will allow producers in this country to survive. Produced in this country where we can examine how they are grown, and assure the safety of those products.

If we don't support agriculture, here is what is going to happen. If we ruin some of our farm industries, we are going to be more dependent on imports. Eventually those imports and those people selling that product, like OPEC, will start charging whatever price they think they can get and we will be forced to accept the quality available.

I think it is in our long-term interest, for our and our farmers that we maintain our agricultural production, including sugar. As we start rewriting our 5-year farm bill next year, we do not dismantle current programs with these kinds of amendments in an appropriation.

Mr. FARR of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, obviously there have not been enough words stricken on this issue, and we need to continue talking about it.

This debate comes up every year. It is really a debate between those who support the candy industry and the soft drink industry who would like to have lower sugar prices, they buy a lot of sugar, and those of us that support agriculture. We hear, well, there is a different policy here for sugar than there is for anything else, which is not true. This is not part of the AMTA payments. We do not pay the farmers directly.

What we do in America is we limit the number of imports, and we give preference to countries that we are trying to help, particularly in the Caribbean Basin and Central America, allow their sugar products to come in, mostly cane sugar. What do we do? We pay the price that we get for sugar in America, which is a better price than they get on the world market. So it is really part of our foreign policy, this program.

Also my colleagues make it sound like we do not do anything for any other agriculture. In the last year, we have had the largest wheat purchase ever in the United States. We made another wheat purchase last April right after that for another \$93 million. Then we assisted, went and purchased small hog operators, we helped them out. We assisted dairy farmers who were suffering low prices. Then in May of last year, we did the disaster assistance funds for farmers.

In June, we put \$70 million into livestock assistance. In July, we put another \$100 to hog farmers. In December, we assisted tobacco farmers. In January, we assisted sheep and lamb farmers. In January, we also assisted other dairy farmers; in February, the cotton farmers; also in February, the oil seed farmers; in March, the livestock production; in March, the cheese production; in March of this year, another \$231 million for drought relief. Then we have done crop disaster payments totally \$1.9 billion.

So America does help its farmer, and we ought to. We ought to make sure that they have a market that they can sell their product. For after all, if this all goes away, we all come here talking about what happens with urban sprawl and what is happening to rural America, I mean, rural America is our history, our culture. What we are really about is a people and where still our number one industry in this country is agriculture.

We have got to be here as representatives of districts of agriculture, supporting agriculture. This program does it without spending taxpayer dollars. I urge that we continue to support the sugar program in the United States.

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

Mr. Chairman, I think it is inappropriate to suggest that this is a debate between soft drink manufacturers and

even sugar growers for that matter. This is a question of taxpayer interests. I think there is no question, this program just does not serve the interests of the taxpayer and the interests of the consumer.

I have heard two particular points made in the recent debate that I would like to address. One is the argument that, well, this is really about fair trade and that somehow, because other countries are penalizing their consumers or subsidizing their farmers to the disadvantage of taxpayers, that it is all right for us to do the same. I do not think that argument ever holds water.

Just because another country is engaged in a policy that makes no economic sense or that penalizes consumers or that distorts markets does not mean that the United States should engage in that same foolhardy policy.

Fair trade is about lowering barriers to imports and exports. We do that in order to benefit our own consumers, American consumers that should have every right and opportunity to purchase products on the world market that improve their quality of life, that enable them to be healthy, to be successful and to live the kind of existence they want for themselves and their families.

The second argument that was made suggests that this is somehow protecting one class versus another. I think that that is wrong as well.

There was a suggestion that this is about price volatility. The importance of the program is to maintain price stability. How is it ever in the interests of any American to maintain prices at an artificially high level and to then go back to the consumer and say, you see, we are protecting you from changes in price by keeping it really high so that you are penalized every time you go to the supermarket, every time you buy a product, but you are penalized at a very consistent level. I think that is a foolish argument to make and one that most Americans are going to see through.

We accept the fact that prices are going to go up at times; they are going to go down at times. But the key to true economic productivity is a fair and open competitive market, and that is what America is known for. That is at the heart and soul of the strength of our economy.

\$1.9 billion in overpayments that consumers are being forced to handle every year, that is bad for the consumer. \$100 million or more in direct taxpayer subsidies this year alone.

The gentleman from Florida (Mr. MILLER) has suggested that may go as high as \$500 million in direct taxpayer payments, the bulk of which are going to very large, very successful, very profitable agricultural concerns.

I do not think the sponsors of this amendment bear those concerns any ill will. This is not about penalizing an industry. It is about being fair to taxpayers and consumers.

Last, but certainly not least, our environment. Do we really want to perpetuate a program that does such tremendous damage to the environment? Whether it is the Everglades in Florida or sensitive environmental lands in Hawaii or anywhere else in this country, we certainly should not engage in policies that damage the environment all the while distorting markets and taking money from both consumers and taxpayers.

I applaud the work of the gentleman from Florida (Mr. MILLER).

Mr. Chairman, I am pleased to yield to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Chairman, I thank the gentleman from New Hampshire for speaking in opposition to the sugar program.

One of the strange things of the sugar program is the way they control the prices. They control imports. What they have is a quota to different countries.

People talk about this world price. Well, I agree we should have anti-dumping laws. I think it is wrong if France subsidizes their sugar, they should not be allowed to sell their sugar in the United States. We have laws to protect that. I fully support those.

But places like Australia have a free market. They do not get subsidized. New Zealand does not get subsidized. They sell their sugar on the world market every day at about a third of the price of the United States. So there is a world price for sugar.

One of the other strange things about this corporate welfare issue is this foreign aid corporate welfare. Now, Australia sells their sugar around the world for 9 cents a pound, whatever the world price is. But what do we do in the United States when we buy sugar from Australia. We do not pay the same world price, we pay the high U.S. price of 27-some cents a pound. That is amazing.

Australia, New Zealand, Jamaica, you name the country, the Dominican Republic, they sell it around the world for the world price; but the United States pays this high price to these countries. Now justify that one.

Mr. SUNUNU. Mr. Chairman, reclaiming my time just to be clear, that is a direct transfer of money from the American consumers to foreign corporations.

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

Mr. Chairman, I intend to say things that have not been said to this point. I think it is very important, we hear all the crocodile tears for consumers. I am speaking as someone from Hawaii associated in people's minds, people who are listening to us and people back in their offices, associated in people's minds with sugar.

Well, the policies that we have pursued in this country supposedly about fair and impartial and open trade have destroyed sugar in Hawaii. My colleagues will not have to worry about it.



The gentlewoman from Hawaii (Mrs. MINK) has already come down here and said that we are not going to be affected by this. I am here to say the same thing.

Sugar is effectively destroyed in Hawaii. I hope everybody is happy with that. Because what we have all around the world is wage slavery and child labor producing the sugar. Now, if that is determined to be and defined as free and open markets and free markets seeking their profit level as well as their price, then one can define it that way, but I do not.

If one wants to define it as having other countries environment be degraded while ours is somehow upraised in the process and call that fair, one can do that.

The fact of the matter is that child labor, what amounts in my mind to slavery, is used all over the world to produce its sugar. Yes, there are subsidies and oligarchy existing in the rest of the world where sugar is concerned that ought to make us weep with shame to think that we would import that sugar and say that that is some net advantage to the consumer.

It has been said already, and I want to emphasize that, that none of this imported sugar, where there are no health standards, where there are no environmental standards, where there are no labor standards, none of that sugar that is imported at that price is going to be reflected in any product that is sold in this country that will be taken as profit.

□ 1600

Maybe people will applaud that. If my colleagues feel that it is a good idea to make a lot of money off of other people's pain and suffering, then I suppose that that is something that my colleagues would welcome. I do not. I think we set standards.

The great irony, Mr. Chairman, for me, coming from Hawaii, is that the people who would lose their jobs, not these rich people in Florida, if my colleagues do not like these rich people in Florida or they disapprove of the way they live, then find a way to tax them or put them out of business or do whatever; but do not tell me that somebody working on a plantation in Kauai with his or her hands, working in the fields all their lives by the sweat of their brow, is on the same plane and should be treated the same as someone who my colleagues think is getting undeserved riches from what happens with a program that we passed.

Fix the program. Do not attack the people who are the victims of my colleagues' self-righteousness. If my colleagues want to come down on this floor and attack sugar, then they are attacking people who are working for a living and who came from countries who are now being subsidized, who are dumping sugar into this country, whose ancestors came here looking for just an opportunity for justice, looking for just an opportunity for equity,

looking for just an opportunity to earn a decent and fair living. Those people are being put out of business. Those people are losing their jobs because of the programs that my colleagues support to import wage slave sugar in this country.

As long as I am on this floor, and as long as I am in this country, and I am in this Congress, believe me, I am going to be standing up for working people against those who would take advantage of them.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair will remind all persons in the gallery that they are here as the guests of the House and that any manifestation of approval or disapproval of the proceedings and other audible conversation is in violation of the rules.

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

I will not be as passionate as the previous speaker. I was just sitting here listening to that speech and the other speeches thinking about what a wonderful place this is, because last night, I should not even say last night, earlier this morning the gentleman from Florida and I were here on this floor, and we were on the same side of an issue.

We do not grow a single sugar beet in my district in Minnesota, but we do grow a lot of sugar beets in Minnesota. In fact, in Minnesota it is a \$2 billion industry. It is a very important industry, and particularly in northwestern Minnesota, again, very nonpartisan areas represented on both sides of the Red River by Democrats.

I want to talk about the sugar program just briefly, if I can, both from the perspective of agriculture policy and for budget policy, because I think it is interesting how people of good will, people who may agree or disagree on different issues, can look at the same set of facts and come to such incredibly different conclusions on them. Let me just share with my colleagues my conclusion.

If we look at the sugar title in the farm bill, it does not cost the American taxpayer a penny. We make money on the sugar title. I would invite any of my colleagues to come to my office, and we will go through that with them.

Another thing that has been said is that American consumers are paying more. In the first 3 years of the 1996 farm bill, and I have a small chart here which we did not have time to make into a big chart, but if we look at these red bars here, the price paid to the farmers for raw cane sugar and wholesale refined sugar dropped by 23 percent. But what happened for the consumer? Well, the retail price of sugar did go up, 1.2 percent; the price of candy went up 4.6 percent; and the price of cereal went up 5.8 percent. So a lot of the things we are talking about here today, the farmer is getting less for his sugar; but we are paying more for candy and some of the things sugar goes into.

Let me just say that this really gets at the very core of why we have farm

policy at all. Why do we have a farm policy at the Federal level? I think the reason we have a farm policy is to ensure that Americans have an adequate supply of safe food, and we have a farm policy to act as a shock absorber for some of the ups and downs in the market and some of the things that happen in terms of Mother Nature and floods and pestilence, and all the other things that can affect agriculture and farmers.

And if we look at the sugar title, I think it really is the example we ought to use for all of our farm programs, because we do not subsidize sugar, although it is supply management to a certain degree; but at the end of the day what we have done is guaranteed an adequate supply of a very basic commodity for American consumers at very reasonable prices.

I do not think that is too much to ask. I think it is a good program. And, frankly, I respect the gentlemen who are bringing this; but again I have to say that we look at the same set of facts and come to completely different conclusions.

Mr. MILLER of Florida. Mr. Chairman, will the gentleman yield?

Mr. GUTKNECHT. I yield to the gentleman from Florida.

Mr. MILLER of Florida. There has been a change since the program was approved back in 1996. In 1996, we were told no net cost, and there was going to be this assessment of about \$40 million a year that would flow into the Government.

First of all, that assessment has been done away with in an appropriation bill, I think, 2 years ago. The other thing is that because we are trying to keep that price high enough, we are having to buy sugar. Last month, in May, for the very first time since 1985, we bought \$54 million worth of sugar in order to prop up the price, and we have no use for that sugar. And according to media reports, between now and the end of September, we could buy another \$500 million worth of sugar.

That is where it is going to start costing us money. We have \$54 million worth of sugar now, and we have nothing to do but to put it in storage. No one will take it around the world. So things have changed in the past 45 days.

Mr. GUTKNECHT. Reclaiming my time, I think the gentleman is generally correct in that. Right now no one would buy it. But when is the best time to buy a commodity? When the price is low. We should be buying sugar right now, and we should sell it when the price starts to go back up. That makes sense. That is supply management.

At the end of the day, this program will cost the taxpayers nothing. It will save future taxpayers and consumers a great deal. We need a strong sugar industry in this country, and they are forced to compete every day against heavily subsidized sugar from around the rest of the world. I support open

and free trade. We had that debate last night. But we do not have free trade, we do not have fair trade in the sugar industry, and, frankly, I think I would have to rise in opposition to the motion that the gentleman is trying to propose.

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

Mr. GUTKNECHT. I yield to the gentleman from New Hampshire.

Mr. SUNUNU. I want to address the point that somehow the new farm policy is to buy and sell to manipulate the price of the commodity sugar in the market. I think that is a very dangerous precedent to set.

We should not be manipulating prices in the sugar market or candy or grain or beef or oil for that matter. Price controls do not work.

Mr. HASTINGS of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is about this time of year that I think about my colleague from Florida, who I am certain, along with a lot of Members of this House, find former President Reagan to be one of their heroes. Now, most of my colleagues know that I was not the biggest fan of the former President; but he sure did know how to turn a phrase, and one that keeps coming to my mind, and that we use often here on the floor is, "There you go again."

It is summertime and we are debating the agriculture appropriations bill and the opponents of this Nation's hard-working sugar farmers are at it again. It seems each year at about this same time, we have to have this vote. It is a waste of time and of this body's attention. Let me explain why, Mr. Chairman, in a very simple way.

Let us look at the real issue here. The price of sugar in the United States is at a 20-year low, 30 percent lower than when we passed the farm bill. Yet all the things that have sugar in them in the supermarket have increased in price. Why is it, Mr. Chairman, sugar prices are down for growers and up for consumers?

What we really should be doing here is taking a hard look at the big food companies who, in the final analysis, cause this amendment to come before us. The real truth is they just want sugar cheaper so they can pad their already fat pockets.

Now, I ask the Members of this House if they have, in the last week, received in their offices e-mails and calls regarding the price of oil? My bet is that they have. As yesterday and on into the night last night we discussed the price of medicine, have my colleagues received e-mails and calls from their constituents around this great country of ours regarding that? I am certain that every man and woman in this House has received such a call. I ask any of my colleagues to tell me if they have received a call because sugar prices are too high.

Now then, I would like to address specifically my colleague, my good friend, the gentleman from the west

coast of Florida (Mr. MILLER), who earlier in his comments made the statement that the price of sugar elsewhere around the world is cheaper. Well, I just want to use two countries, and I got this price today before coming to the floor, in Winn-Dixie and Publix, major supermarkets in my district and the district of my colleague in the State of Florida, the cost of a pound of sugar today is 32 cents. In England, it is 50 cents. In Germany, it is 50 cents. I have difficulty understanding how it is that we are going to gain this particular cheapness that I hear the proponents of this amendment offer.

Now, I would like to say something else for purposes of the edification of the body. The United States Agriculture Department, USDA, has denounced the GAO report that has been continuously paraded here. I have also heard talk about who these farmers are. Let me say proudly that I represent many of the sugar farmers, along with my colleague across the aisle, the gentleman from Florida (Mr. FOLEY). We represent in this country 75 percent of all the sugar cane grown in the United States of America. And that includes the much-maligned Fanjul family, who have done a considerable amount of good that has not been paid attention to in that area, and that includes United States sugar industry representatives as well.

What I believe my colleague does know is that there is a United States cooperative that has 54 family farmers involved in the production and farming of sugar. Those farmers help in our State alone to produce good jobs. I am not talking about jobs for the average kind of wage that we think of when we think of the stoop labor that used to be directly involved in cane sugar growing. I am talking about jobs for machinists that start at \$60,000 a year, I am talking about jobs for people who drive trucks, black and white people, that make \$40,000 and \$50,000 and \$60,000 a year. We are talking about good jobs.

So when we put a human face on this thing, if my colleagues come with me to Clewiston and to Belle Glade, and to Pahokee, they would see people who are working in this industry. And while it was one thing for my colleagues to offer \$50 billion phased in for estate taxes, somehow or another they find it difficult to find \$54 million for growth in jobs.

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

Mr. Chairman, I have listened to the debate over the course of the last hour with great interest. I think it is an example of how we have a tremendous capacity on the floor of this Chamber to talk past one another. It is an example here of one of many items where people get involved in a vicious cycle of subsidization that ends up savaging the markets, disadvantaging consumers, and posing great risks to the environment.

We could have had this same conversation about what happens with

products in the fisheries industry. Estimates have been made that it costs about \$1.33 in total cost and government subsidies to deliver \$1 of product that is harvested from our oceans.

There is no doubt in my mind that the sugar industry around the world is subsidized in many areas and produces distorting effects. But I do not think that the answer here is for us to step back and try to somehow imagine away the distorting effects in our country.

We have heard on this floor that there is a disproportionately few number of people who benefit from this. If people want to step back and provide benefits for small family farms, I will be the first to look at ways that we can, in fact, do that in a cooperative fashion. But this program does not do that. It is not targeted. And, sadly, that is the case with many of our other agricultural subsidies that we spend billions of dollars on. Precious little gets to the small family farm, and they continue to go out of business each and every year.

□ 1615

I think we have had people back away from the myth that somehow this is paid for by magic, that there is no risk to the consumer or to the taxpayer. And I thank my colleague the gentleman from Florida (Mr. MILLER) for talking about that; and, if time permits, I would like to discuss it further with him.

The notion somehow that prices here are too low, well, what is happening in the face of prices being too low and a worldwide glut, the evidence is that every year since 1996 production has increased in terms of the acreage in the United States, every year since 1996; and the estimation for the year 2000, with the terrible prices, the threat of world dumping, all of the things that we have heard, the estimates are that we are going to plant at least as much as we did last year.

But my particular interest has to do with the vicious cycle we are in in terms of the environment. We heard our colleague the gentleman from California (Mr. GEORGE MILLER) talk about the cycle that we are in in terms of subsidization, more imports at lower prices, having to subsidize and purchase more, stockpiling sugar, at least at this point that we do not need and we have no market for.

But I am concerned with the cycle that we are involved with in terms of the Everglades this Congress is involved with, and I commend the effort to try and repair decades of damage to that fragile ecosystem. It is a situation in south Florida where people are going to end up having to desalinate water in the foreseeable future, a product that is going to cost them more than petroleum and that is going to taste about as good.

Yet, what are we doing in this Congress to deal with the serious problems that are associated with it? The sugar program is clearly harmful to the environment in south Florida. The subsidized production of sugar in Florida

results in this phosphorus-laden agricultural runoff flowing into the Everglades, contributing to the destruction of the ecosystem. And we do not have enough money to fix that.

But, amazingly, the Government continues to support the sugar program in south Florida even as we are asking to put up more money to repair the destruction. And, in fact, according to the information I have received, the production in Florida for cane sugar has gone up every year since 1996 and this last year was an estimated 10,000 more acres, compounding the problem.

Mr. Chairman, I yield to my colleague, the gentleman from Florida (Mr. MILLER), to see if I understand correctly the dilemma that we are facing in this Congress.

Mr. MILLER of Florida. Mr. Chairman, I thank the gentleman for yielding, and I thank the gentleman for his support for the Everglades.

The Everglades is a national treasure, just like the Grand Canyon is, the Everglades National Park down there. My colleague has been to the Everglades, I know, and is very supportive.

The Senate recently passed a bill that is going to cost \$8 billion to restore the Everglades. Because of Government problems, we lost land in the Everglades. Half the Everglades is gone, and sugar is causing even more destruction.

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

Mr. Chairman, I want to speak about sugar beet farmers in Michigan and Minnesota and North Dakota in the area of the country that I come from. And the question that they must be asking now is, why on Earth, when we are providing billions and billions in emergency support for family farmers, would we want say to the SDA that they cannot buy surplus sugar from a group of growers who have been among the hardest hit in the country?

The message that we send these families and these farmers is that their sweat and their toil and their hard work is not worth a dime, that their labor is not valued, and that their product should just be thrown to the wind.

This amendment, if offered, would have driven a number of beet and cane growers out of the business, ensuring that sugar loan forfeitures actually occur at great cost to the U.S. taxpayer.

Let me put some perspective on this issue. We heard this debate rage on now for a while on the floor. And as the gentleman from Oregon (Mr. BLUMENAUER) has just said, other nations provide huge subsidies to their sugar growers and then they try to flood our market with cheap foreign sugar.

Yet, how do some people in this institution respond to that? They want the USDA to turn their backs on our growers and even purchase the excess sugar for the established food programs that we already have.

Now, that is not a level playing field. It is a slippery slope toward eliminating that part of the agricultural sector of our economy.

On top of all of this, to make matters worse, when we passed the North American Free Trade Agreement back in 1993, it had a provision in there, and we warned people about this, and it said that Mexico will be able to increase their export sugar to the United States from 25,000 metric tons to 250,000 metric tons later this year, a ten-fold increase.

So now we are having not only domestic problems, we are going to have a surge coming in as a result of this treaty from Mexico. We are not to be surprised by this because, of course, when we did that very same treaty, we, basically, put those people in our country who produced tomatoes out of business.

If my colleagues go to south Florida, the State of the gentleman from Florida (Mr. MILLER) that had just spoken, or if they go to the Eastern Shore of Maryland today, they do not grow the tomatoes anymore. The reason they do not grow them is because that treaty provided provisions where a child of 10, 11, and 12 could pick the tomatoes, they could have pesticides sprayed on those tomatoes that are not allowed here, and they are undercut and forced those workers and those farms out of business.

So, in an era of budget surpluses, Mr. Chairman, one can only conclude that this is a concerted attempt to drive these farmers out of business. And it needs to be stopped, because they are not only the backbone of their communities, but they provide a valuable commodity to the people of this country.

I hope that this amendment will indeed not be offered and that the people that toil on our Earth to provide us with the food at such a reasonable cost will be provided with the opportunity to provide a living for themselves and their families.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### TITLE II

##### CONSERVATION PROGRAMS

##### OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, \$693,000.

##### AMENDMENT OFFERED BY MR. BERRY

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

The Clerk read as follows:

Amendment offered by Mr. BERRY:

On page 31, line 14, strike "693,000" and insert \$0; and on page 36, line 13, strike "41,015,000" and replace with "41,708,000".

Mr. BERRY. Mr. Chairman, my amendment cuts \$693,000 out of the salaries and expenses of the office of the Undersecretary for Natural Resources and the Environment at the Depart-

ment of Agriculture. It puts this money in the Resource Conservation and Development Account.

My intent is to point out that farmers are tired of being abused by the bureaucracy. This money would be much better used to assist our producers in the field.

Enough is enough. It is time to draw the line.

Just yesterday, in the Committee on Agriculture, we had a hearing on EPA's proposed rules on total maximum daily load. This rule would devastate farmers by requiring permits for normal, everyday farming practices.

Sadly enough, it was quite clear by the performance of the gentleman from EPA and USDA that their interest is in regulating, let us just regulate.

EPA has overstepped its bounds with this rule and many other rules that they have proposed. We might as well not have an Undersecretary for Natural Resources and the Environment. This money would be better spent, as I have said, in technical assistance for our farmers in the field.

We can no longer stand by and allow more and more regulations to be placed on America's farmers that benefit no one or nothing.

One concrete example is a survey that I have here with me that is proposed by the Administrator of EPA which would go to every aquaculture producer in this country. This survey would require farmers, under penalty of law, to turn over their income statements and balance sheets.

What does confidential financial information have to do with water quality? Nothing.

The USDA should stand up for America's farmers and prevent such misdirected Government regulation from going forward. This has not happened. This is part of the job of the Undersecretary for Natural Resources and the Environment.

In the past 9 months, the administration has proposed at least 10 new regulations to be imposed on agriculture. Most of these regulations have come from EPA. With each regulation, EPA has failed to follow a transparent process and use good science in an effort to show the need for what they are trying to do.

This problem has not been the goal to clean the environment. The problem has been with the process and principles used to make regulatory decisions and the collusion between the Natural Resources and Environment Agency and EPA.

The USDA must stand up to these bureaucratic, unscientific, and impractical efforts of EPA. Our farmers are faced daily with overwhelming bureaucratic rules that they can no longer tolerate. The USDA should be representing this viewpoint. They have not, as I have said. This includes the regulations on total maximum daily load proposals.

Let me be clear. Farmers need an advocate in the decision-making process.

We must have an advocate at USDA, and they should be fulfilling this role. I hope that in the future the USDA will stand up for agriculture in this process.

My amendment is intended to highlight the need for an advocate. Producers must be represented as these decisions are being made. I would hope that this amendment would bring attention not only from USDA and EPA, the Fish and Wildlife Services and all the other Federal agencies that seem determined to tell every farmer and landowner in this country exactly what they can do and how they can do it.

Agriculture deserves to have a voice and especially when regulations are being developed.

Mr. Chairman, I urge the Congress to stand up for America's farmers and approve this amendment.

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

Mr. Chairman, I rise in strong support of this amendment and commend my colleague, the gentleman from Arkansas (Mr. BERRY), for offering this.

On the Subcommittee on Appropriations, as well, we have had great difficulty in dealing with the specific item that the gentleman from Arkansas (Mr. BERRY) has mentioned.

This office is, quite frankly, a loose cannon. It is not standing up for the rights of farmers. The USDA is supposed to look after the interests of American agriculture; and in this particular case, with this particular office, it is not.

The issue of the total daily maximum load that would impose onerous regulations on American agriculture is out there, and this office is supposed to be looking after the interests of agriculture and rejecting these costly, onerous regulations that are pending out there for American farmers.

Also, this office has been audited by the Inspector General, who discovered that \$21 million in this budget that is overseen by this office was not used appropriately. These are dollars that could go to American farmers and ranchers who are interested in conservation programs. And instead, throughout the years, it has spent money, misappropriated money, misspent money on crazy ideas like wall murals and civil lawsuits and are working on an agenda that is out there that no one even knows for sure what they are doing.

This is the United States Department of Agriculture. Again, it is supposed to be looking after the interests of our farmers and ranchers. Money contributed directly to the Sierra Club. It does not matter what interest group is out there advocating or fighting for whatever the cause that they are interested in, this office should not be giving this money away when farmers and ranchers are in desperate need of it, and for field trips for some of these groups for goodness sake. That is not what the American taxpayers should be spending.

I questioned the head of this office, as well as the gentleman from Arkansas (Mr. BERRY) did in the authorizing committee yesterday, questioned him extensively on why is all of this going on. What is this, a rogue operation out there, a mission that no one is authorizing or interested in pushing? And somehow someone has given this office the authority to work on these interests that, again, have nothing to do with the well-being of American agriculture.

□ 1630

So I commend the gentleman from Arkansas (Mr. BERRY) for offering this amendment, will strongly support it. We have to put a stop and rein this loose cannon in.

Mr. STENHOLM. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I must say that it saddens me somewhat to have to rise in support of the amendment of the gentleman from Arkansas (Mr. BERRY). However, I have been tremendously disappointed with the leadership shown, or lack of leadership shown, by the U.S. Department of Agriculture during the entire process that has led up to the publishing of the TMDL rule, the Total Maximum Daily Load.

During the entire process, there has been much, much to be faulted. There are serious questions about the science and financial analysis underlying these new water quality regulations proposed by EPA. Recent reports by the General Accounting Office, the Society of American Foresters, and other respected experts have questioned the wisdom of EPA's proposed rules.

Our colleagues on the Committee on Transportation and Infrastructure have called on the EPA to withdraw this rule, as have a number of agricultural and environmental groups.

Even USDA, in their own testimony before the Committee on Appropriations, took strong exception to some of what EPA proposed in their TMDL rule, although they seem to have tempered that concern somewhat.

This House has already spoken on this issue with a provision passed by the House in the VA-HUD appropriation bill that does not allow EPA to implement the proposed rule in FY 2001.

Now, USDA has the technical and scientific expertise to review the actions of EPA and help guide them toward a reasonable solution that might actually work in the field, and that is why the gentleman from Arkansas (Mr. BERRY) offers this amendment today and why it is very pertinent to the discussion today.

If the Department of Agriculture is not willing to use their resources to stand up to EPA for the benefit of farmers and ranchers and the environment, then we should spend their money helping those same landowners that are already trying to preserve their soil and protect water quality. That is the simplistics of this amendment.

Now I find it very frustrating, because I happen to have been chairman of the Subcommittee on Department Operations, Oversight, Nutrition, and Forestry when we reorganized USDA in 1992 and one of the things we agreed to in this Congress and with the administration was that we wanted to improve the ability of USDA to be a coequal with other branches of government when it comes to dealing with environmental and food safety issues.

The problem is that we do not have a coequal when one part of the coequal does not stand up for that which is in their own testimony and also in which they have said we agree. So the purpose of this amendment today is pretty simple. It is delivering what we hope will be a very strong message to both EPA and to USDA that common sense must apply, and to all of those groups that keep pounding on EPA to do things that do not make common sense, to require our farmers and ranchers to spend unlimited amounts of money fixing a problem that may not be fixable with any amount of money.

If we could just come back, just come back to a common sense approach in which we recognize that farmers and ranchers want to solve the TMDL problem, I certainly in my district have some very serious problems in which all farmers and ranchers are willing to work with reasonable people to come up with a reasonable solution that will solve the problem.

Therefore, I am not here today saying we should do nothing, but many times doing something is very, very detrimental to the very cause in which we are talking and today it is clean water.

When there is someone within a bureaucracy that so believes they are right, that they are completely, completely willing to ignore all common sense and forge ahead with requiring paperwork burdens and things that absolutely will not solve the problem in the opinion of everybody but them, there is a problem.

So this amendment is very serious. Let us put the money where there is an indication that we will have a willingness to solve the problem. Hopefully, though, we will have the kind of common sense approach to this question that will lead us to a solution that can be embraced by all. Certainly that is the desire of farmers and ranchers that I represent in my district, in my State and the other 49 States.

To those out there in EPA land, listen carefully. We want to work with them. We do not agree with those of them who believe that the only solution is theirs and they want to do it in the quiet of the night. We want to work with them. Let us work with them. Quit demanding that it be done only their way.

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

Mr. Chairman, I rise in strong support of the amendment of the gentleman from Arkansas (Mr. BERRY), and I recognize and understand the frustration that has driven the gentleman to this fairly serious amendment.

As I am sure it is in the district of the gentleman and all of the districts of the other Members, it is not the common sense regulation approach of the Federal Government that concerns people. It is the approach and the regulations that simply do not pass the logic of the stupid test. This subject is one that has gained the attention of agriculture all across this country, and it has gained their attention in a very negative way.

As the gentleman from Texas, my colleague, mentioned, we felt somewhat excited about the fact that the U.S. Department of Agriculture, the agency that we look to to speak in behalf of the American farmers, not as a rubber stamp but those who understand the problems of agriculture, as well as any other agency of government, was going to have a more equal role in making the decisions that were going to affect farmers, with other agencies of government.

When the total maximum daily load issue arose sometime back, we felt that USDA would be there to explain what the benefits or what the costs would be to agriculture, in fact, felt quite heartened by a letter that was written that talked about the hundreds of millions, even possibly billions of dollars of expense that this was going to impose upon agriculture, and without having the scientific basis on which to base these regulations that are proposed, whether or not it would even accomplish the good that EPA was trying to accomplish.

Well, subsequent to that time, I will describe the actions of USDA as we would back in Texas. They have basically tucked tail and run and now have become almost a rubber stamp for the EPA. Well, this concerns us a great deal because this is moving forward in an area that we do not believe is scientifically based. It is moving forward in an area that we believe is going to be extremely detrimental, and it is moving forward in an area that we do not believe is going to do the most good.

The gentleman from Texas (Mr. STENHOLM) and I and 92 of our colleagues have introduced a bill that would stop the implementation of the regulations. There are several other bills in both the House and the Senate, and totally there is almost half of the Congress that is supporting at least one or a variety of these bills.

I think that if nothing else that this should send a strong signal to USDA and hopefully to EPA as well that they have in the past run roughshod over the American farmer. We do not intend to let them run roughshod over the U.S. Congress.

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

Mr. Chairman, I rise in strong support of this amendment. Agriculture is the number one industry in our great country, always has been and it always will be, because our folks depend on a good quality supply of food to feed themselves and their family, and we are very blessed and we are very lucky here.

Agriculture all across the United States today is in some very, very difficult times. Particularly from a commodity price standpoint and from a weather standpoint, we have been through some tough years; but we have survived, and we have survived in part because we have had some policies in part that have been adopted here and some policies that have been carried out of USDA that have been beneficial to agriculture.

There is a current mindset at USDA that in my opinion is anti-agriculture, and that mindset has been no more appropriately displayed than has been the case with the issuance of the TMDL ruling and the failure on the part of the United States Department of Agriculture to stand up for farmers and forestry landowners in opposition to this unfair, capricious, and arbitrary rule that was promulgated by EPA.

This amendment strikes at the heart of establishing common sense at USDA because what it does is remove some people at USDA who very honestly do not have common sense. I do not care whether one talks to them in a hearing setting that we had yesterday or whether one talks to them just standing on the side of the road discussing agriculture with them. This amendment, in my opinion, is a very important amendment; and it does more than send a message. This amendment helps to establish the fact that we in Congress are going to continue to work to establish common sense in this town, and the folks in the various agencies around better get the message because we are going to do it.

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

Mr. Chairman, I also want to acknowledge that this is a real issue in my part of the country because indeed those people who are affected feel that the system has not worked simply because the bureaucracy has not understood nor taken the time to find all the information based on science.

I just feel that they have not been fair in listening to both sides of the issue. I for one stand as a person who believes in the environment, so I do not take shortcuts. I embrace this issue as an issue that we should wait imprudently for economic development. I take as a part of my faith that actually the environment is God's creation and we should do everything to preserve it and certainly, as we move into this area of trying to balance and have clean water, it is equally important that we are fair in that.

The tree farmers and those affected, they also honor the land not only because that is where they get their livelihood, but they love the land. To find that they are put in this kind of situation of having to determine that they are not polluters or they are not doing all they want to do to preserve the land is grossly unfair, and it is not based on science.

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

Mrs. CLAYTON. I yield to the gentleman from Texas.

Mr. STENHOLM. Mr. Chairman, I thank the gentlewoman from North Carolina (Mrs. CLAYTON) for yielding to me.

Just to make sure that our colleagues understand this amendment, what we are saying is there is a process in which most folks in USDA and EPA have agreed to from time to time, and that is to allow the participation of all interests in this case, those groups concerned solely with conservation, but also not only those individual groups but also producers. There is a mistaken belief among some that farmers and ranchers are always on the opposite or other side of conservation, clean water and clean air; and nothing could be further from the truth.

What we are saying and have been trying to say and have been almost totally ignored thus far by EPA is that we want to be included. We want to have them decide and discuss sound science and the rationale behind their proposal in this rulemaking and do it in the sunshine so everyone can see their rationale and can hear those who disagree, and then reasonable people can come together and can come up with a solution that accomplishes what we all want to accomplish.

That has not been followed. That is the frustration that we have had not only on this issue but also on the Food Quality Protection Act. We are simply saying very strongly, as we know how, USDA, if they choose not to exercise their authority, as they stated to the Committee on Appropriations when they said in a letter that they take strong exception to what EPA is doing, if they took strong exception to what USDA is doing, why have they now decided to go along with what EPA is doing?

□ 1645

That is the message today, and I urge my colleagues to support the Berry amendment.

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

Mr. Chairman, I just want to make a couple of points. I guess, first of all, as a farmer myself and someone who grew up on a family farm now and in the fifth generation over 110 years, the idea that somehow farmers are not concerned about the environment, about maintaining the land and the quality of their environment is simply outrageous, and to me is very, very offensive.

We are the ones who, in my family, drink out of the well where the water, where the runoff is going to go. We are the ones who have to live in this environment, and it is the most important. It is our biggest asset as farmers to maintain the quality and the land itself and the clean environment.

It is very personal and very real to anyone who lives on a farm like I do. I will also tell my colleagues as someone who strongly believes in trying to preserve the family farm that these new regulations are not going to harm the big mega hog lot producers, the big mega cattle producers, chicken producers, those folks are already in compliance with every new regulation that is being proposed. It is not going to cost them one more dime to comply with these regulations.

What it is going to do, Mr. Chairman, is bust the small family farmer out there who cannot afford to comply with these regulations. We talk about concentration in agriculture, about doing away with the family farm, then we have bureaucrats here in Washington who want to put regulations who are only going to hurt the little guy.

Let us not forget about what this is about. The big mega hog lots are already in compliance with these regulations. It is not going to hurt them a bit, but it is going to kill the family farmer out there. That is what is so outrageous about this whole idea and about the USDA basically backing off and saying okay, you go ahead, put mandates on small family farmers, let the other folks go as they are.

Mr. SMITH of Michigan. Mr. Chairman, in light of the June 27, 2000 hearing on water pollution and the impact of EPA's proposed Total Maximum Daily Load (TMDL) rules on agriculture and silviculture, I would like to express my disappointment with the EPA approach to this problem and voice my support for Representative BERRY's amendment to cut funding from the office of the Undersecretary for Natural Resources and the Environment. In recent years, public concerns about surface water contamination by nutrients, in particular nitrogen and phosphorus, has intensified as agricultural practices have been identified as a significant contributor to non-point source pollution. While we have made great progress in the past 30 years at cleaning up our waterways through addressing both point and non-point source pollution, much room for improvement still remains. The EPA idea of Total Maximum Daily Loading was introduced to address these problems directly, but unfortunately calls for unreasonable and unrealistic changes in our current pollution prevention programs.

Though I have long recognized the importance of managing agricultural nutrients in a manner that both sustains agricultural profitability while protecting the environment, I am strongly opposed to EPA's TMDL plan, and equally disappointed with the extreme lack of communication, consistency, and straightforwardness by the Department of Agriculture on behalf of American farmers. It has become evident that the EPA overstepped their bounds in the development of their TMDL proposal,

avoiding communication with farm groups and Congress, picking and choosing data to support their own regulatory agenda, and underestimating the cost of this program to our states and farmers. Though I am thoroughly disappointed by the EPA's actions, I am even more disappointed that our own Department of Agriculture has stood behind this questionable proposal and turned its back on our farmers. For these reasons I applaud Mr. BERRY for his amendment transferring \$693,000 to the Department of Resource Conservation and Development so farmers can be assured that the USDA is in fact working for them, not against them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. BERRY).

So the amendment was agreed to.

The Clerk will read.

The Clerk read as follows:

NATURAL RESOURCES CONSERVATION SERVICE  
CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$676,812,000, to remain available until expended (7 U.S.C. 2209b), of which not less than \$5,990,000 is for snow survey and water forecasting and not less than \$9,125,000 is for operation and establishment of the plant materials centers: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed \$250,000: *Provided further*, That none of the funds appropriated or otherwise made available by this Act shall be used to carry out any activity related to urban resources partnership or the American heritage rivers initiative: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$25,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e-2).

AMENDMENT NO. 8 OFFERED BY MRS. KELLY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mrs. KELLY:  
Page 32, line 20, strike "or" through "the American heritage rivers initiative" on line 21.

Mrs. KELLY. Mr. Chairman, I offer today an amendment to strike language from this bill which prohibits funding from being used for the American Heritage Rivers Initiative. I feel this prohibition is inappropriate, as it imposes a serious detriment to river communities in 25 States, which have chosen to be a part of this initiative.

American Heritage Rivers Initiative began in 1997, the purpose behind it being to refocus and improve our efforts to preserve the cultural, economic and historic values of rivers throughout the country. Since then, the initiative has served as an effective tool in supporting voluntary community efforts to restore rivers and revitalize river fronts.

Despite the potential it holds for some of our Nation's treasured resources, the communities which have accepted designations under this initiative have been subjected to repeated efforts to undermine their intentions, primarily through the placement of funding restrictions on various agencies involved in this enterprise.

The bill being considered today continues this effort by prohibiting funding for the National Resource Conservation Service from being used for purposes under the initiative.

I realize that these restrictions have been spawned in part by an undercurrent of concern among those who feel the initiative represents some sort of Federal intrusion into local matters.

To this point, let me say this is simply not the case. Throughout the process, proponents of the initiative have gone to great lengths to ensure that local control is not circumvented. In fact, it should be argued that local control is not only preserved, but enhanced by an increased awareness of the options that are available through already existing programs.

It should be made clear that the American Heritage Rivers Initiative involves no new mandates. It involves no new money, and it is entirely voluntary. Those communities which are on designated rivers but choose not to be involved are under no obligation to do so. Those which do choose to be involved are subject to no new regulations.

I further understand that some object to this initiative because of its origins, and because of the way in which the administration has worked with and responded to Congress in their effort to implement it. When it comes to reports of opposite-minded and uncooperative officials in the administration, I am not without sympathy for my colleagues.

Nevertheless, I rise today with this proposal for the simple fact that the restriction in this bill affects stubborn actions not nearly so much as it does



the river communities in 25 States across the country which made a conscious choice to be a part of the initiative. I should emphasize that I am not on the floor today with some proposal to force this initiative on communities that do not wish to be a part of it. Nor do I come here today with a proposal to take away a Member's right to preclude communities in their district from being eligible for the initiative.

I am here because I object to the practice of placing these restrictions on communities which have made a choice to be a part of the initiative. Members representing those communities should not be forced to go from bill to bill to bill to ferret out these kinds of restrictions simply so they can try to protect their constituents from being penalized for their decision to be a part of this initiative.

If there are objections to the American Heritage Rivers Initiatives, I believe there are more appropriate and reasonable approaches than to simply tack restrictions onto a spending bill.

I believe that Members of this House who represent communities which have chosen to benefit from the American Heritage Rivers Initiative and Members who believe that these communities should not be penalized for making this decision ought not to sit idly by to watch its gradual deconstruction through appropriations processes.

Mr. Chairman, I encourage my colleagues to support this amendment.

Mr. KANJORSKI. Mr. Chairman, I rise in support of the amendment of the gentlewoman from New York (Mrs. KELLY), which would eliminate language in the Agriculture Appropriations bill that would prohibit funds in the bill from being used on activities related to the American Heritage River Initiative.

The language currently in the bill would bar most USDA funds from being used to support and coordinate the American Heritage River Initiative. This broad language could be interpreted to prohibit most USDA agencies from undertaking community-oriented service or environmental projects related to the American Heritage Rivers. This could selectively put at a disadvantage 25 States that contain all or portions of the current 14 American Heritage Rivers.

I would like to compliment my colleague from New York (Mr. HINCHEY) who at the full committee was successful in having language inserted in the bill. The bill language would not affect the Hudson River, which the gentlewoman from New York (Mrs. KELLY) represents, and the Susquehanna River which I represent, but it would still not remove the bar and the effect on the other 12 Heritage Rivers in the country.

The fact of the matter is that this initiative, although sometimes attacked, sometimes understood and sometimes misunderstood by some of our colleagues is not a threat of the American government to the American

people. It is, in fact, reinventing government at its best. It says basically that each community along the river or groups of communities have and are encouraged to put together comprehensive programs to celebrate the historical significance of their community to protect that, to add and think about the economic development elements that their river affects in their community and to provide for historical preservation.

Mr. Chairman, the essence of the success of this program was really set out when the initial applications were made when 126 rivers across America competed for designation as an American Heritage River in the first round, and that competition was some of the stiffest competition I have seen since I am a Member of Congress.

There were 14 that won the initial round, 14 rivers. I think to use the appropriation process to bar Federal funds to move to this program would be wrong from this standpoint. This is a creature of reinventing government.

Some of the very basic problems in our governmental structure is that funds flow down through the departments and agencies of government in a very narrow focused way. What this initiative calls for across government is to come together in an agreement and agencies and departments and bureaus of the Federal Government to cooperate with those communities that have set out a comprehensive plan, that plan has been reviewed and thought to have great merit and then these agencies to cooperate in this comprehensive effort to be more efficient and effective in expending Federal funds to further the plans of those local communities.

Mr. Chairman, I cannot think of anything that is more American, more supportive of community activity and that should not be inhibited, either in the appropriation processes here or by the nature in which this program was originally established.

I want to compliment my colleagues, the gentleman from New York (Mr. HINCHEY) for the process itself, protecting the Hudson and Susquehanna Rivers, but I want to compliment the gentlewoman from New York (Mrs. KELLY) to carry that protection to all 14 rivers of the American Heritage River Designation and Initiative.

With that, Mr. Chairman, I wish to urge all my colleagues on the Democratic side, together with my colleagues on the Republican side, that this is indeed good policy. It is something that is starting to show areas of success, and we should not prohibit or inhibit the American communities from participating in honoring and preserving and forwarding the success and effort of the American Heritage Initiative.

Mr. NEAL of Massachusetts. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to begin by congratulating the gentlewoman from

New York (Mrs. KELLY). I was very lucky when this competition began, because I have two of those 14 rivers designated in my congressional district as American Heritage Rivers. I think it is important to recall what the objectives were as we began down this course. First, natural resource and environmental protection, something we certainly can all rally to. Second, the question of tasteful growth and economic revitalization. Third, and perhaps the most important, historic and culture preservation.

This initiative involves the coordination of a number of agencies, as well as the cooperation of local leaders, but the main initiative here is to help people who live near these rivers effectively coordinate their efforts to preserve, protect and revitalize the watershed areas.

What is significant about the Blackstone River, where much of our industrial heritage grew from or certainly the Connecticut River, which is New England's mightiest river, is that virtually everything that occurred in the Pioneer Valley began because of the Connecticut River.

There are few words in American history or, for that matter, world history, that are more powerful than the word river. The success of these initiatives not only are underway but the navigators have been put in place. The catalyst that these rivers offer I think for further tasteful growth and development are very important to all of us.

Let me, if I can, take one moment to congratulate the late Senator John Chafee, who was a great champion of this initiative and, indeed, much of the growth in the Blackstone Valley and the success that we have had with that proposal stems from the commitment of former Senator Chafee, the navigators have been entrusted with the revitalization of these two rivers and they have done a tremendous job in a very, very short period of time.

These proposals represent no threat to local property owners, indeed, if anything, they have enhanced the property values of those who live along these waterways. Let us not deny the hard-working residents and business leaders of the river valleys of the Connecticut and Blackstone our support.

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

Mr. NEAL of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. KANJORSKI. Mr. Chairman, I know that we have had a lot of time spent on this, so that we can proceed, I urge a vote on the amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, the American Heritage Rivers Initiative is a popular, effective and completely voluntary program.

Claims that the program somehow violates property rights have been rejected by this Congress, the courts and the communities who participate in the Initiative.

Having failed to abolish this program outright, the anti-river forces are now attempting to starve the program to death through a series of small funding cuts.

These attacks are unwarranted, unwise and should be defeated.

#### BACKGROUND

The American Heritage Rivers Initiative (AHRI) was first proposed during President Clinton's 1997 State of the Union Address.

The program was actually established in September, 1997 through Executive Order, after an extensive notice and comment period. The notice and comment period included a series of public meetings held around the country.

One hundred and twenty-six rivers in 46 states were nominated for designation and, in 1998, President Clinton selected 14 of those rivers, running through portions of 25 states, for designation.

The rivers selected in the first round include some of the most vital waterways in America including the Hudson, Mississippi, Rio Grande, and Potomac Rivers.

Contrary to the claims of opponents of the program, AHRI remains extremely popular. Nearly 200 Members of Congress, more than 500 mayors, and 21 Governors have expressed support for the AHRI. CEQ receives new nominations, in addition to the 126 received in the first round, regularly.

#### WHAT AHRI DOES

The program allows local communities to voluntarily nominate a river in their area for designation as an American Heritage River.

For those rivers selected, a "River Navigator" is appointed to help coordinate federal, state and local efforts to protect the qualities which made the river eligible for designation in the first place.

Anyone who has attempted to navigate the sea of federal, state and local grant and technical assistance programs understands why a river navigator working on behalf of each of these rivers is necessary.

AHRI is designed to identify some of the most important waterways in this nation and make certain that any and all efforts to protect those rivers are as targeted and well coordinated as possible.

The program is about achieving managerial efficiency and using federal resources to leverage private funds.

#### WHAT AHRI DOES NOT DO

The American Heritage Rivers Program is in no way a federal "land grab." The program involves no land acquisition or condemnation authority.

AHRI is not an attempt to limit the use of private property. The program involves no new regulatory authority of any kind.

The AHRI does not waste a single tax dollar. The program does not involve the expenditure of any new funds. Rather, the program takes money that likely would have been spent on general water quality programs or other environmental protection efforts and attempts to focus and leverage those funds more effectively.

The program has no international component. Claims that this initiative is somehow part of a U.N. conspiracy to control America, a claim which has been made regarding this program, simply have no basis in fact.

#### EFFECTS OF THE LIMITATION IN THE BASE BILL

Language inserted in the base bill would prohibit any funds in the bill from being used to carry out the American Heritage Rivers Initiative.

Specifically, this would prohibit the Natural Resources Conservation Service (NRCS) with-

in the Department of Agriculture from participating in the program.

The effect would be two-fold. First, the NRCS is the conservation assistance arm of the Agriculture Department. This limitation would prohibit NRCS experts from working with local communities, which have requested assistance, to improve water quality, prevent soil erosion, re-vegetate eroded areas, restore habitat and wetlands and help create economic development opportunities.

The limitation leaves the AHRI program standing but robs the program, and the 14 rivers and 25 states included in the program, of expertise critical to achieving the goals of the program.

A second effect is even more devastating. A representative of the NRCS happens to be co-chair of the Interagency Task Force which coordinates the AHRI. If the language stays in the bill, it would cripple the entire initiative by removing one of its current leaders.

Rather than address the program on its merits, this funding limitation, another like it in at least we other appropriations bills, seeks to weaken the program by robbing it of crucial know-how and manpower.

#### CONCLUSION

Attempts to abolish the American Heritage Rivers Initiative are based on misunderstanding of the program and, in some cases, purposeful mischaracterizations.

Legislation to end the program never made it to the floor and a lawsuit challenging the program failed.

AHRI is fiscally and environmentally responsible, which is why it is so popular. This attempt to strip the program of the tools it needs to continue succeeding should be defeated.

Mr. BLUMENAUER. Mr. Chairman, my community has been working hard to restore the water quality in the Willamette River. We recognized that the American Heritage River program would make the federal government a better partner in this effort and spent years working to get the Willamette River so designated.

The Heritage River program has funded a river navigator who works full-time on behalf of our local governments and watershed groups. The River Navigator provides an important link between the river communities and the appropriate federal agencies and programs to clean the river. The local Heritage river communities have already dedicated an enormous amount of time and effort to this program without any additional funding, and we are committed to seeing this program develop to its full potential.

I am concerned, however, that the bill as written undermines our efforts. The bill's restrictions on heritage funding do not represent the type of support that was promised when the Willamette River and her sister rivers were designated. Since current federal participation in water resource management is poorly coordinated, we should not be stepping back from this commitment. I urge my colleagues to join with me in supporting the Kelly/Kanjorski amendment.

Mr. KIND. Mr. Chairman, I rise in support of the Kelly-Kanjorski amendment and ask that the House support its adoption. This amendment recognizes that inclusion of language to prohibit funding for the American Rivers Heritage Initiative into the Agriculture Appropriations Act is short-sighted and ignores the tremendous benefits of this important program.

Since its inception, the American Heritage Rivers Initiative has been extremely popular with communities and local government officials. Currently, there are over 50 communities that are included in the Upper Mississippi River American Heritage River Initiative. Four (4) river communities within my district participate in this program.

"River towns" are some of our nation's oldest and have rich cultural, social and natural histories. In the past, many of these towns were forced to turn their backs on the river because the costs associated with redevelopment were too large and the planning process too cumbersome. Today, however, as a result of this initiative, people are returning to the river and seeking to integrate it into their daily lives. The communities in my district are working to invest in riverfront development projects that share the story of their communities' pasts while also stimulating much-needed economic development.

With help from the "River Navigator," these communities are better able to identify and utilize Federal programs and services that assist them in meeting the objectives of natural resources and environmental protection, economic revitalization, and historic and cultural preservation.

Mr. Chairman, the American Heritage Rivers Initiative is a successful program and should not be eliminated as a result of the shortsightedness, misinformation, and false allegations by those who seek the initiative's demise.

I urge adoption of this amendment.

Mr. HOEFFEL. Mr. Chairman, I rise in support of the Kelly/Kanjorski amendment to strike language in the Agriculture Appropriations bill which prohibits conservation funds included in the bill from being used for purposes related to the American Heritage Rivers Initiative.

The Initiative was created to insure that all local efforts to protect rivers were coordinated and targeted. No new federal funds were obligated, no new regulatory authority was created, and there was no provision for federal land acquisition. When President Clinton created this Initiative, forty-six states voluntarily took part by submitting applications for 126 rivers to be designated as a Heritage River. Fourteen were selected including the Upper Susquehanna-Lackawanna River in PA.

Even though the Initiative is completely voluntary, there have been detractors which continue to attack it. Efforts to abolish it have failed and a lawsuit designed to eliminate it has been dismissed. In this legislation there is another effort to disable this very successful program.

The Agriculture Appropriations bill contains an anti-environmental rider which prohibits any conservation funds under the bill from being used for the Heritage Rivers Initiative. This would prevent the USDA from sharing information with other agencies to benefit all river communities. While there is a partial exemption for the Upper Susquehanna, other river communities are denied the benefits of this initiative.

Today, the Schuylkill River is a key focal point for Southeastern Pennsylvania. A major community and economic development project is underway in Montgomery County bringing new attention and energy to the river and its surrounding communities.

There will be hiking, biking, and equestrian trails as well as other recreational paths in a

linear park along the riverbank. There will be a water trail for canoe paddlers, kayakers, fisherman and other boaters. There will be a fish ladder constructed at flat Rock Dam to make the river passable for fish with the hope of restoring the once plentiful American Shad to the waters upstream.

While the Schuylkill River is not a designated Heritage River, the river has benefited from this initiative. The Council on Environmental Quality disseminates information to local communities like those in Southeastern Pennsylvania on how to coordinate efforts and where to look for federal resources.

There are the benefits that the America Heritage River program can offer to all communities across the country not just the fourteen designated rivers. The American River Heritage Initiative is a program that deserves our support. Vote to strike this unfortunate anti-environmental rider by supporting the Kelly/Kanjorski amendment.

Mr. BOEHLERT. Mr. Chairman, I rise in strong support of this amendment, which would remove an unnecessary and counterproductive spending limitation from the bill.

The spending limitation is an attempt to cripple the American Heritage Rivers program. Yet the benefits of this program are visible and real, the alleged problems are unproven and imaginary.

The American Heritage Rivers program is voluntary, communities apply to win the designation. And the competition for the program is intense. Communities of all sizes from all regions of the country have been applying to the program. So unless all these communities are delusional, there must be a real benefit to the program.

And there is. The program helps communities to focus on economic development programs along the rivers and gives them greater access to a wider and better coordinate assortment of federal agencies for help. Sounds like a good idea to me.

What this program does not do is impose any additional regulatory burdens or coerce anyone into participating.

So why would we shut down a program that localities want, that improves the targeting and coordination of federal programs, and that comes with no federal mandates? I can't think of any reason. And indeed there is no reason unless one believes that paranoia should prevail over common sense and that imaginary fears should triumph over proven, practical benefits.

Let's show that common sense can prevail. Vote for the Kelly amendment and help communities around the country redevelop their riverfronts.

Mr. GEJDENSON. Mr. Chairman, I rise in strong support of this amendment which would strike the restrictive language in the Agriculture Appropriations bill that prevents any funds from being used for the American Heritage Rivers Initiative (AHR).

This initiative has received and continues to receive unprecedented support from the residents in my district; including residents of the Connecticut River Valley, business owners, Chambers of Commerce, environmental leaders and local-elected officials. This initiative is not being forced on the American people by their government. It is and has always been a voluntary initiative. The community involvement is voluntary and they can terminate their participation at anytime.

The people who live along the Connecticut Rivers and other Heritage Rivers realize the value of these great natural resources. They have come together with a deep resolve to not only clean up their rivers, but to promote economic revitalization in their communities. The partnership created by the residents, environmentalists and business owners will create a clean, healthy environment while boosting a thriving tourism industry.

There has also been tremendous bipartisan support for this initiative within Congress. Over 200 Senators and Representatives wrote letters of support for one or more Heritage River applications. There should be no opposition to this program simply because it does not create any new rules or regulations for state and local governments. Furthermore, it does not create additional costs because funding comes from programs authorized for river restoration.

The detestable language used to prevent the use of funds on any of the 14 Heritage Rivers is just another attack on the environment. It is another effort by so-called private property advocates to derail local initiatives.

I urge my colleagues to join me in voting in support of the Kelly/Kanjorski amendment to the Agriculture Appropriations bill (H.R. 4661).

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mrs. KELLY).

The amendment was agreed to.

The Clerk will read.

The Clerk read as follows:

#### WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001-1009), \$10,868,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$110,000 shall be available for employment under 5 U.S.C. 3109.

□ 1700

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

I want to say a word with regard to the amendment that just passed.

The American Heritage Rivers program is one of the proud initiatives of the Clinton administration. I think that as the years go by, it will be increasingly recognized as such. A decade from now, indeed, 100 years from now, people will recognize that the American Heritage Rivers initiative coming from the Clinton administration was one of the important environmental initiatives, among many, that the Clinton administration has been responsible for. I am very proud to be a supporter of that initiative, and I am also very proud that New York contains two of the rivers that have been designated in this initiative, the Hudson River and the Upper Susquehanna, Lackawanna Rivers.

I want to say also with regard to the amendment that just passed, although it is an amendment that does absolutely no harm, it is also an amendment that was, in fact, unnecessary,

because as a result of the cooperation of the gentleman from New Mexico (Mr. SKEEN), the chairman of the Subcommittee on Agriculture of the Committee on Appropriations, we were able to place language in the bill which removed any ambiguity whatsoever with regard to the Department of Agriculture's ability to fund the Upper Susquehanna and Lackawanna River and the Hudson River American Heritage Rivers. It is a fact that these are the only two rivers that are funded in any way by the Department of Agriculture. The other American Heritage Rivers are funded through other appropriations bills and are under the auspices of other agencies.

So with the cooperation of our chairman, the gentleman from New Mexico (Mr. SKEEN), we were able to take care of any problem that may have been foreseen to have existed with regard to these heritage rivers; and the language in the bill makes it clear that the Department of Agriculture may, in fact, and will, in fact, continue to fund the Hudson River navigators and the Susquehanna, Upper Susquehanna/Lackawanna Rivers and other aspects that relate to the American Heritage Rivers program of these two rivers, these two rivers being the only two rivers that, in the American Heritage Rivers initiative, are funded through the Department of Agriculture and, therefore, under the jurisdiction of this bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### WATERSHED AND FLOOD PREVENTION OPERATIONS

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001-1005 and 1007-1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), and in accordance with the provisions of laws relating to the activities of the Department, \$83,423,000, to remain available until expended (7 U.S.C. 2209b) (of which up to \$12,000,000 may be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701 and 16 U.S.C. 1006a)): *Provided*, That not to exceed \$44,423,000 of this appropriation shall be available for technical assistance: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$200,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That not to exceed \$1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93-205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction: *Provided further*, That notwithstanding any other provision of law, of the funds available for Emergency Watershed Protection activities, \$1,045,000 shall be available for DuPage County, Illinois for financial and technical assistance: *Provided further*, That up to \$4,170,000 is

for the costs of loans, as authorized by the Watershed Protection and Flood Prevention Act (16 U.S.C. 1006a), for rehabilitation of small, upstream dams built under the Watershed Protection and Flood Prevention Act (16 U.S.C. et seq.), section 13 of the Act of December 22, 1944 (Public Law 78-534, 58 Stat. 905), and the pilot watershed program authorized under the heading "Flood Prevention" of the Department of Agriculture Appropriations Act, 1954 (Public Law 83-156, 67 Stat. 214): *Provided further*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That none of the costs for such rehabilitation activities (including any technical assistance costs such as planning, design, and engineering costs) shall be borne by the Department of Agriculture: *Provided further*, That the Department may provide technical assistance for such rehabilitation projects to the extent that the costs of such assistance shall be reimbursed by the borrower, and such reimbursements shall be deposited into the accounts that incurred such costs and shall be available until expended without further appropriation. In addition, for expenses necessary to administer the loans, such sums as may be necessary shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

#### RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010-1011; 76 Stat. 607), the Act of April 27, 1935 (16 U.S.C. 590a-f), and the Agriculture and Food Act of 1981 (16 U.S.C. 3451-3461), \$41,015,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$50,000 shall be available for employment under 5 U.S.C. 3109.

#### TITLE III

##### RURAL DEVELOPMENT PROGRAMS

##### OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, \$588,000.

##### RURAL COMMUNITY ADVANCEMENT PROGRAM

##### (INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E-H, 381N, and 381O of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f), \$775,837,000, to remain available until expended, of which \$33,150,000, shall be for rural community programs described in section 381E(d)(1) of such Act; of which \$668,988,000, shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act; and of which \$73,699,000, shall be for the rural business and cooperative development programs described in sections 381E(d)(3) and 310B(f) of such Act: *Provided*, That of the total amount appropriated in this account, \$12,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes: *Provided further*, That of the total amount appropriated for Federally Recognized Native American Tribes, \$250,000

shall be set aside and made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development for federally recognized tribes: *Provided further*, That of the total amount appropriated in the Rural Community Advancement Program account, \$2,000,000 shall be for an agri-tourism program: *Provided further*, That of the amount appropriated for rural community programs, \$6,000,000 shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, and low-income rural communities to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private and public (including tribal) intermediary organizations proposing to carry out a program of technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources in an amount not less than funds provided: *Provided further*, That of the amount appropriated for rural community programs not to exceed \$5,000,000 shall be for hazardous weather early warning systems: *Provided further*, That of the amount appropriated for the rural business and cooperative development programs, not to exceed \$500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; \$5,000,000 shall be for rural partnership technical assistance grants; \$2,000,000 shall be for grants to Mississippi Delta Region counties; and not to exceed \$2,000,000 may be for loans to firms that market and process biobased products: *Provided further*, That of the amount appropriated for rural utilities programs, not to exceed \$20,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico borders, including grants pursuant to section 306C of such Act; not to exceed \$20,000,000 shall be for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such Act, of which one percent may be transferred to and merged with "Rural Development, Salaries and Expenses" to administer the program; not to exceed \$18,515,000 shall be for technical assistance grants for rural waste systems pursuant to section 306(a)(14) of such Act; and not to exceed \$9,500,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That of the total amount appropriated, not to exceed \$42,574,650 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which \$30,000,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act; and of which \$8,435,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act.

#### AMENDMENT NO. 2 OFFERED BY MR. HEFLEY

Mr. HEFLEY. 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. HEFLEY:

Page 37, line 10, insert "(reduced by \$2,000,000)" before "to remain available".

Page 37, line 11, insert "(reduced by \$2,000,000)" before "shall be for".

Page 38, line 3, insert "(reduced by \$2,000,000)" before "shall".

Mr. HEFLEY. Mr. Chairman, this amendment cuts what I think is questionable government spending by \$2 million. The money was dedicated to agritourism in the Rural Community Advancement Program.

Now, on the television program "20/20" John Stossel has a segment at the end every time that is called "Give Me a Break." I guess I would say to this program, give me a break. Agritourism. This program just does not meet the laugh test, it seems to me.

Congress should provide real solutions for America's embattled farmers instead of creating wasteful spending programs. The number of small farms in America has fallen from over 300,000 in 1978 to 170,000 today. Last year, 260,000 American farmers were hit by natural disasters, claiming \$1.3 billion in damages. The number of farmers has dropped from 6 million in 1933 to less than 2 million today. We all know of the terrible drought conditions being faced this year by farmers in the Southeast.

Agritourism is not a bad idea, because look what some of the examples are: cut your own Christmas tree, pick a pumpkin out of a pumpkin patch, roadside produce stands where people can meet the farmers who grow their food, pick and process grapes in a vineyard. All of these programs are a great way for American farmers to raise money. But all of these programs are for profit. Farmers make money on these programs. Why should the Federal Government subsidize them?

Congress should not create wasteful programs that will only benefit a few. We need real solutions, real progress, real programs in Congress to help our farmers. This amendment is a good way for Congressmen to stand up against government waste in the agriculture appropriation bill, which is often known as a vehicle for pork barrel spending.

Mr. Chairman, I would encourage support of this agritourism amendment.

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

Mr. Chairman, on behalf of the committee, I think we can all agree that people in rural America are going through some very hard times. The purpose of the agritourism program is to offer our rural communities another way of developing their economic potential. This bill supports a number of economic development programs in rural America. It offers loans and grants for cooperatives and small businesses, and it supports basic infrastructure that rural communities need to survive. The money for agritourism is just one more part of that effort.

Mr. Chairman, this program has strong bipartisan support on the committee. It does not earmark the money

for any particular State or community. All rural areas are eligible for the funding.

I ask my colleagues for their support for economic opportunity for rural America and to vote no on this amendment.

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

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

Mr. BOEHLERT. Mr. Chairman, I want to identify with the remarks of the gentleman from Iowa (Mr. LATHAM), because this is a very modest amount to invest in some hope and some opportunity in an area of the country where people are really hurting, rural America. Family farms are struggling to make ends meet; and constantly, we in Washington say, do not come to Washington and expect us to write a blank check for all sorts of subsidies and everything, we are reducing those. We want you to diversify and come up with new opportunities so you can stay on the farm and yet make a decent, livable income.

So a lot of farms are just trying to do something like this, and I think it makes so much sense. It is an innovative program, and I want to compliment the committee for addressing this program in such a prudent, responsible manner.

Mr. LATHAM. Mr. Chairman, reclaiming my time, I thank the gentleman from New York. I would really like to associate myself with his remarks and remember that we are trying to encourage our farmers to diversify, to find new crops, new ways of generating income in rural America; and also, I will tell my colleagues as a member of the Commerce-Justice-State subcommittee, I find it interesting that we give microloans all over the world; and yet we will not help our local rural communities to develop small businesses just like we do all across the world.

So I would hope that while I understand the gentleman's concern from Colorado, I would certainly hope that this very small program, which I think does some good and will do some good, would be able to continue. I urge a no vote.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to this amendment and support the Vermont agritourism initiative. I do so because first of all, the committee and the House have approved this initiative. I want to commend the gentleman from Vermont (Mr. SANDERS) for his leadership on this. We all know what is happening to farms, especially small and medium-sized farms across our country.

The name of this subcommittee is Agriculture and Rural Development, and this is one of those activities that falls in the area of rural development. For all of the other Members here who have supported this in the past, it is very interesting to think about some of

the articles we read in the newspapers today, about people getting shot on the freeways in California. Just the stress of being on those roads every day and to have to commute hours a day. People are looking for relief from the stress of modern society. Then we read other articles about a place like Lancaster, Pennsylvania, which is known to have a number of people of Amish heritage and which also has benefited from agritourism over the years. There are so many visitors to Lancaster county, 7 million visitors. It is one of the most key destinations in Pennsylvania for tourists. They cannot even handle it.

The American people and visitors from abroad are looking for the experience that rural America can provide. We do not really have a very well-coordinated set of initiatives across this country to help people move through the rural countryside. I remember when I was traveling in Europe years ago and they had a whole system of bed and breakfasts, one could go to the main tourist bureau in the town and they would give you a list of where to stay. America is beginning to catch up. But we are far from where other countries in the world are in this regard. There are a few tour books. I know in Michigan I picked up one in a bookstore about some of the places one could visit in the State of Michigan.

Mr. Chairman, as rural incomes decline and prices decline in terms of commodities, and we are going through this extremely difficult period in rural America right now, people in rural America are looking for ways to enhance their income. They are not asking for a handout, they are asking to use the assets they have, which include their farmland, their barns, their communities, their community activities, in order to bring in people from the outside who have extra dollars to spend and invest.

So I really think agritourism is a vital element for economic growth. It is one of the answers for us in terms of restoring vitality to rural America. Really, we need to celebrate the natural wonders and educational opportunities that rural areas and the people there offer to all of us.

Perhaps the gentleman has a good intention of trying to be fiscally responsible; but I think that this is not a forward-looking amendment, because many parts of the country, including Vermont which does not have the highest income in the country, that is for sure, sagging incomes and a very precarious rural situation, this is really part of the answer for the future for Vermont as well as many other places.

Mr. Chairman, I would just like to commend the gentleman from Vermont (Mr. SANDERS). I apologize if I have not listed all of the cosponsors of this proposal. I would be pleased to yield to the gentleman any remaining time that I might have in order to further discuss the gentleman's opposition to this amendment.

Mr. SANDERS. I thank the gentlewoman.

Let me just associate myself with the remarks of the gentleman from Iowa and thank him for his support, and I thank the gentleman from New York and the gentlewoman from Ohio. I also want to thank the gentleman from New Mexico (Mr. SKEEN) for his support of the concept of agritourism.

The gentleman is aware that agritourism has worked very, very well in New Mexico and in many other parts of this country; and we should all be clear that what we are talking about now is a national program. Vermont is experimenting, getting into it, New Mexico is in it, Ohio is in it, Massachusetts, New York. But this is a national program which will accept competitive applications from people all over this country.

I should say that as the gentlewoman from Ohio (Ms. KAPTUR) has already indicated, there is strong bipartisan support for the concept of agritourism and an understanding that it would really be very unfair to family farmers all over this country who, as the gentleman from Iowa pointed out, are looking for alternative sources of revenue.

The CHAIRMAN. The time of the gentlewoman from Ohio (Ms. KAPTUR) has expired.

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

The point here is that as commodity prices decline, and that is true for dairy, it is true for many other commodities, family farmers are looking for alternative sources of revenue. One of the sources of alternative revenue that they are looking at is agritourism. What we are looking at here is a \$2 million program that would help family farmers all across this country.

□ 1715

The key issue here, which is an interesting concept, is that, as the gentlewoman from Ohio (Ms. KAPTUR) just said, people from cities all over the country go to rural areas in order to enjoy the peace and beauty that exists in rural areas.

One of the reasons that the rural landscape is beautiful is because our family farmers keep that land open. It seems to me what we have to try to do is make sure that family farmers get a fair shake, get a fair return in terms of the agritourism money that is spent in their States; that it is not just the ski areas, that it is not just the fancy hotels, but that some of that money goes out into the rural countryside and helps the family farmers who need it the most.

Let me just give a few examples of what farmers in Vermont and throughout this country are doing, and why we need additional help for family farmers to get involved in what is a growing national concept.

Family farmers throughout this country are converting their guest

rooms into small bed and breakfast operations. That means that on the weekend and maybe a few days a week they have a room available for a tourist to stay in.

But in order to do that, in many instances, they might need a loan to convert the guest room into a bed and breakfast. They might need some help in learning how they can market what they are developing. It is not so easy for farmers suddenly to get on the Internet and to know how to bring guests into their home.

Farmers are now encouraging tour buses to stop by and learn what family agriculture is about. But in order to be successful, they might need a loan or a small grant to build a restroom. If you are going to have a busload of people coming by, you might need a restroom there, improved parking facilities.

Farmers might want to build snowmobile trails through their fields and woods so people can come and use the snowmobiles. It might cost a little money in order to maintain those trails and in order to advertise what they have available.

In some instances, people who own apple orchards might want to do some value-added work. I know of an instance where somebody, instead of just doing apple picking in the fall, what they are doing is baking apple pies, selling them to tourists. They might need a few bucks to build or buy a new oven, a commercial-sized oven, and to deal with the health regulations in order to do it.

The list goes on and on and on. And the gentleman from Iowa made a good point about we give out these microloans all over the world, and they are good loans, they are successful, but a few thousand, a few hundred dollars to a family farmer could literally make the difference, if that money is converted into \$5,000 in additional revenue stream. It is the difference between whether that farm stays up or goes under.

I happen to think that we are going to see is that agritourism is going to be spreading all over. It is good for the urban folks who want to get out and have the kids see what farming is about.

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

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

Mr. BOEHLERT. Mr. Chairman, I thank my colleague for his remarks.

Mr. Chairman, there is an environmental aspect to this because urban sprawl is a concept that concerns us all. One of the reasons we have urban sprawl is that so many family farms are so hard-pressed that they have no choice but to sell their land for development. That is not good for them, that is not good for us. It just adds to urban sprawl.

If we have something like this, the microenterprise, small assistance package, we can help them and help increase the family farm income. That is

an objective worthy of our best effort. I thank my colleague for yielding.

Mr. SANDERS. Just in conclusion, Mr. Chairman, there is no argument that family farmers all over the country are losing their farms. This is a national tragedy.

I do not claim that this \$2 million is going to save the world, but I think what it will do is add energy to a growing concept by which farmers can gain the greater share of the tourist dollar that they deserve. Tourists come to their areas because they keep the land open.

I would urge strong opposition to the Hefley amendment.

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

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

Mrs. EMERSON. I yield to the gentleman from Colorado.

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

Most of the things that have been said I agree with. It is great to have farms there. That is good for the environment, there is no question about that. It is a matter of whether this program makes any difference or makes any sense. The gentleman from Vermont (Mr. SANDERS) said this program is doing well. Great, let it do well, but why does the Federal government have to participate in it?

When we talk about building bed and breakfasts, people build small businesses every single day without a special program like this. If they need help for it, if they need small business loans, we have a Small Business Administration. We have a small business loan program for that. If they need guidance in how to make a small business thrive, then they have small business guidance programs to train them in how to make a small business thrive.

If they need to build a restroom, by gosh, the lumberyard on the corner that gets started, it does not have a farm loan to build its restroom. It figures out how to build a restroom as part of its small business.

To me, Mr. Chairman, this seems to me to be the perfect example of the classic farming of the Federal government, rather than farming of the land. It just makes no sense to me at all. If people want to go watch people milk cows, watch corn grow, I think that is great. I think it is great. You have a tourism industry to do that. I do not know why the taxpayers of the whole Nation need to subsidize that.

Mrs. EMERSON. Mr. Chairman, let me close by commenting on the remarks of our colleague, the gentleman from Colorado.

As the cochairman of the Rural Caucus with my very dear friend, the gentlewoman from North Carolina (Mrs. CLAYTON), I am a little taken aback. It strikes me as something that is very important to say, because everywhere I go in rural America, it does not mat-

ter, in my district, which is 26 counties of very, very rural and somewhat remote areas, the economic prosperity that seems to be pervasive in the suburbs and in some of the cities is nowhere to be found.

The Federal government reimburses our hospitals for Medicare at a fraction of what the cities get. We have hospitals closing right and left. We have folks in my district who cannot get local TV, who cannot get cable TV, who have no means by which to find out what happens in an emergency. Education funds are lacking, infrastructure funds are lacking.

Everything that we want to do to preserve our heritage, to preserve the very heart and soul of the country, is what my colleagues are all talking about.

I would ask our colleagues to please make sure that we defeat the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

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

Mr. Chairman, I wanted to say a word about the amendment offered by the gentleman from Colorado, because I think that it is important that the full dimensions of the effect of his amendment be more clearly understood by the Members of the House.

One of the strengths of American agriculture is its diversity. We grow enormous amounts of food and fiber in this country. We do it in very diverse ways under very diverse circumstances. I suppose that some people living on the edge of the Great Plains may not have an appreciation for the small farms that exist in other parts of the country.

The gentleman from Vermont (Mr. SANDERS) told us quite a bit about the circumstances of family farming in Vermont. Those circumstances are very similar to those that exist in New York and other places in New England and in the central States, as well; I think on the West Coast, in many instances, also, as well as many parts of the South. As we have heard from some of our colleagues, that occurs in the Midwest, also.

In many areas, particularly in areas where farmers are trying to survive on the edge of metropolitan centers, there is great pressure coming out of those metropolitan centers for the land on which agriculture now is carried out.

We have a great interest in this country, I think, in keeping that land in agriculture and supporting those farmers who live near metropolitan centers and doing everything we can to help them continue in agriculture. That is, first of all, because the products that they produce are important to us. The food and fiber that comes out of those farms is important to those metropolitan areas and to other places all across the country. So we have an interest in keeping those farms viable, successful, economically strong, allowing those family farms to make a living and helping them to do so.



We perform in a variety of ways here in this Congress to support agriculture. Just earlier this year we provided \$5.5 billion, \$5.5 billion in supplemental crop payments for farmers who needed assistance in the Great Plains and elsewhere.

I live far away from the Great Plains, but I understand the problems of agriculture in the Great Plains. I supported that \$5.5 billion of supplemental payments and crop insurance in that bill. I did so because I have an appreciation for the problems that those farmers are facing out in the Great Plains and elsewhere who would benefit from that kind of support from the Federal government.

The Federal government has a strong and long history of providing support for agriculture here in the United States. That I think is appropriate, and we should continue to do so.

What we are asking for here today, the gentleman from Vermont (Mr. SANDERS) and myself and the others who sponsor this small amount of money in the agriculture appropriations bill, is simply this, a recognition of the kind of circumstances under which agriculture on small farms, in orchards, in vegetable farms, in vineyards and other similar circumstances around the country, have to operate in order to survive.

Agricultural tourism is increasingly becoming a very important part of that, a very important part of their economics, the economics that allows them to continue operating their farms, feeding their families, providing the produce from those farms that are so highly valued by the other Americans who consume them.

This is an important program. Yes, it is relatively new, but it is very important. I hope that the vast majority of the Members of this House will join all of the rest of us who have spoken on this bill this afternoon in showing that we appreciate agriculture in its great diversity. We appreciate the small vegetable farms, we appreciate the orchards that grow apples and other fruits. We appreciate the vineyards that grow vines for the production of wine and other agricultural products from those vines.

We want to do what we can to sustain those farmers in agriculture; keep that land out of other less appropriate, less environmentally sound, less ecologically healthy development, keep it in agriculture.

The way to do that in large measure, Mr. Chairman, is by supporting agricultural tourism and this small amount of money that is asked for in this appropriations bill.

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

Mr. Chairman, I rise in support of the concept of the gentleman from Vermont (Mr. SANDERS) in the bill. I think the idea of agritourism is essential to a changing agricultural landscape in my State.

When people think of New York State, they do not necessarily think of agriculture. I remember when I first came down here as a candidate, I went to see Frank Horton, who was then the dean of the New York delegation. I sat down and we talked. He said, if you get elected, what committee do you want to be on? I said, I want to be on Agriculture. He said, Well, we will do the best we can, but it is a very competitive situation. The first thing you have to do is get elected. So I was elected. Little did I know that he was just dying to get somebody from New York on Agriculture.

Again, New York State's number one industry is agriculture, but it is a changing scene. The dairy farms that are spread across New York, as they are across most of the northern tier of the country, are relatively small: a lot of woodlots and streams and rivers and gullies. A lot of it is not suitable to large-scale agriculture, so dairy farms are what have been what populates it.

But what the farmers are doing, because the prices are difficult in dairy, they are trying to diversify. They want to stay on the land. They want their children to stay on the land, so they try to find other ideas.

There is one farmer in my district in upstate New York near Syracuse who turned a corn lot into a maze; planted the corn according to a map and planted it in the form of a maze, and advertised. He made ten times as much money on that small plot, several acres, ten times as much money on that acreage as he did prior when he was just planting corn.

□ 1730

There are vegetable farms and truck farms, fruit farms all around central New York that encourage the city dwellers to come out from Syracuse, Albany, even the folks who come from New York City. And you can always tell them. They have a dress shirt on opened at the top with a T-shirt, black pants and black shoes. We love to see them come; they usually have lots of money in their wallet. And they love to come upstate and see us rubes, and we like to take their money.

One of the ways we can do that is by supporting agritourism. It is an opportunity for our small family farmers to stay on the land, to make some money, and improve their lot. And nobody husbands that land better than those farmers; nobody takes care of that land better than those farmers. They are protecting the environment. They are keeping the streams clean. They are rotating their crops properly. They are working the wood lots. But they need this extra incentive to provide them the ability, the cash income. Think of it as a new cash crop to sustain their livelihood.

So I strongly support the gentleman's idea. I hope we would reject the amendment offered by the gentleman from Colorado (Mr. HEFLEY). I know he feels strongly about rural development,

but I would say to the gentleman we have a lot of rural areas in upstate New York. But this is true rural development for us.

Mr. KIND. Mr. Chairman, I rise in opposition to the Hefley amendment that eliminates the bill's funding for USDA's Agri-Tourism program.

In the last twenty years, my state of Wisconsin has lost over one half of its dairy farms—decreasing from 46,000 in 1980 to less than 21,000 today. At the same time, the average age of the Wisconsin dairy farm has increased to 58 years. The family dairy farm is struggling with many pressures; unstable commodity pricing, unpredictable trade policies, and the growing pressures of sprawl.

Adapting to change and taking advantage of emerging traveler interests in agriculture and rural places is a wonderful opportunity for Wisconsin's farms and rural communities. Wisconsin's natural scenery of rolling hills, bluffs, coulees, valleys, lakes, and rivers are tourist destinations for many outside visitors. In addition, it is often times important to families that they are able see cows, pigs, goats, and sheep in their natural settings instead of in picture books and on television. Many visitors have never been on a farm and seek bed and breakfasts that are in rural farming communities. Unfortunately, there currently is little effort to link our family farmers with tourists.

For these reason, programs such as USDA's Agri-Tourism provide important steps in linking tourists with farming communities. In addition to providing important recreational opportunities for tourists, agri-tourism can provide needed financial assistance to our farm families. It would be short-sighted for Congress to eliminate this important program.

I urge my opponents to oppose this misguided amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

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

Mr. HEFLEY. Mr. Speaker, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 538 further proceedings on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) will be postponed.

The point of no quorum is considered withdrawn.

The Clerk will read.

The Clerk read as follows:

RURAL HOUSING SERVICE  
RURAL HOUSING INSURANCE FUND PROGRAM  
ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$4,800,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which \$3,700,000,000 shall be for unsubsidized guaranteed loans; \$32,396,000 for section 504 housing repair loans; \$100,000,000 for section 538 guaranteed multi-family housing loans; \$114,321,000 for section 515 rental housing; \$5,000,000 for section 524 site loans; \$16,780,000 for credit sales of acquired property, of

which up to \$1,780,000 may be for multi-family credit sales; and \$5,000,000 for section 523 self-help housing land development loans.

AMENDMENT OFFERED BY MRS. CLAYTON

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

The Clerk read as follows:

Amendment offered by Mrs. CLAYTON:

Page 40, line 23, before the period insert the following:

: *Provided*, That of the total amount made available for loans to section 502 borrowers, up to \$5,400,000 shall be available for use under a demonstration program to be carried out by the Secretary of Agriculture in North Carolina to determine the timeliness, quality, suitability, efficiency, and cost of utilizing modular housing to re-house low- and very low-income elderly families who (1) have lost their housing because of a major disaster (as so declared by the President pursuant to The Robert T. Stafford Disaster Relief and Emergency Assistance Act), and (2)(A) do not have homeowner's insurance, or (B) can not repay a direct loan that is provided under section 502 of the Housing Act of 1949 with the maximum subsidy allowed for such loans: *Provided further*, That, of the amounts made available for such demonstration program, \$5,000,000 shall be for grants and \$400,000 shall be for the cost (as defined in section 502 of the Congressional Budget Act of 1974) of loans, for such families to acquire modular housing.

Mrs. CLAYTON. Mr. Chairman, this amendment will not require any new spending, but it can provide new hope. More than 8 months ago, Hurricane Floyd struck eastern North Carolina and left a path of death and destruction that was unprecedented in the history of our State. Millions of our citizens were affected; 60,000 homes were left in disrepair; 11,000 homes were completely destroyed.

Since that time, thousands have been left in a state of virtual homelessness. Many have moved in with their relatives and friends; others have been placed in temporary housing.

Mr. Chairman, my colleagues may recall The Washington Post article which described the typical day of these families who have found themselves without a home. They may recall that there was a young girl living in a trailer park near Tarboro, North Carolina, who was forced to do her homework outside in the snow because a trailer housing six family members was too crowded and stuffy.

Many of those families are still in trailers, trailers that did not provide sufficient warmth in the winter, trailers that must be unbearable as we face drought-producing heat this summer.

Imagine, Mr. Chairman, having to do without those things that we take for granted: the ease of transportation, the pleasure of recreation, the convenience of communication. For many of the flood victims in North Carolina, those things are incidental to us, but they are a luxury to them. That is because they have no permanent place to live; no expectation of a permanent place to live in the future.

This amendment will not require any new spending, but it will provide new hope. It does not require any new spending because it makes use of the

funds already available through the Department of Agriculture for housing. It provides new hope because, through a pilot demonstration program, it will provide the use of modular housing to rehouse low- and very low-income elderly families who have lost their homes because of a major disaster.

Mr. Chairman, what is modular housing? Modular housing is no different from site-built housing. Modular housing is highly engineered; however, it is built offsite and then moved on-site. In the end, a modular house looks no different than a site-built home. Modular housing can be constructed very quickly and affordably. Modular housing can be constructed in less than a month in some times. Site-built homes take at least 3 months.

The reasonable cost of a modular house is as low as \$45,000. On the other hand, a reasonable cost for a comparable site-built house would be at least \$100,000 or more. Modular housing is of equal and sometimes even better quality than site-built housing.

At the end of this demonstration project, we will be able to determine the timeliness, the quality, the suitability, the efficiency, and the cost of utilizing modular housing in disaster-affected areas.

In April, this House passed H.R. 1776 by a vote of 417 to 8. Title XI of that bill contains the Manufactured Housing Improvement Act. Under that act, every State is required to have a comprehensive installation program within 5 years.

Mr. Chairman, modular housing is the wave of the future. But for the flood victims in eastern North Carolina, it is a hope for the present. Eastern North Carolina is in crisis. The destruction has been enormous. The needs are great. The situation is urgent.

This amendment will not solve every problem for all in North Carolina as a result of the flooding, but it will help to normalize the housing situation for some of our elderly citizens. More importantly, it provides hope and it will indeed provide the housing that thousands of our citizens need. I urge the acceptance of this amendment.

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

Mr. Chairman, I thank the gentlewoman from North Carolina for her interest in rural housing and her continued strong support for rural development programs. And on behalf of the gentleman from New Mexico (Chairman SKEEN), our side will accept this amendment.

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

First of all, I would like to thank the gentleman from Iowa (Mr. LATHAM) and the majority, along with the gentleman from New Mexico (Mr. SKEEN), chairman of the subcommittee, for accepting this very worthy amendment offered by the gentlewoman from North Carolina (Mrs. CLAYTON).

I cannot think of another Member who comes up to me as much as the gentlewoman from North Carolina does to carry the plight of those from North Carolina who have been suffering from this hurricane, from floods, from low prices. We need more Members like the gentlewoman in this Congress.

Mr. Chairman, I want to say to the people of North Carolina who sent her here, they have really gotten their money's worth. This woman works every day, 24 hours a day for her constituents and for this country. And this particular initiative to try to provide modular housing to people who have been very damaged by disasters in North Carolina is but another example of the kind of work that she does here.

So my compliments to the gentlewoman for her leadership and her absolute devotion to her State and to her people. And I think that this amendment offers an innovative way to help people who have lost their homes through no fault of their own. And without question, it is the responsibility of the people of the United States to help our fellow brothers and sisters around this country who are trying to live under the weight of natural disasters over which they have had no control.

Mr. Chairman, I commend the gentlewoman for her real leadership coming to this committee, both sides of the aisle, and crafting a very worthy amendment like this. She obviously has the support of both sides of the aisle. I extend to her my congratulations.

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

Mr. Chairman, I rise in support of this amendment because, as my colleagues are probably aware, last fall Hurricane Floyd left a devastating path of destruction in my State of North Carolina. In the days and the months afterwards, thousands of families spent endless nights in temporary shelters.

The sad reality is that many of these families are still living in those same temporary shelters, and they have no reason to believe that they are ever going to get a permanent home. Unfortunately, the elderly are more likely to never leave these temporary homes which tend to be dirty, overcrowded and insufficient. These unbearable conditions harm seniors' well-being and health, and there is very little they can do to change their situation.

But, Mr. Chairman, this amendment could change all of that. It is aimed at helping those low-income elderly families in North Carolina who are facing this crisis; and it will allow, through this pilot program, the use of modular housing for these low-income seniors who lost their homes and their livelihoods during Hurricane Floyd.

The good news is the modular homes can be assembled quickly and they are extremely low cost, compared to building a regular site-built home. And further, the amendment requires no new

spending, but will go extremely far in helping these victims of this natural disaster.

This amendment is going to be a good first step toward the goal of helping all low-income seniors nationwide who are left homeless after any major natural disaster. I urge support of this amendment in order to help this urgent situation.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from North Carolina (Mrs. CLAYTON).

The amendment was agreed to.

Ms. HOOLEY of Oregon. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to enter into a colloquy with the gentlewoman from Ohio (Ms. KAPTUR), my good friend and a friend of rural America who does a wonderful job.

The Rural Development section of this bill includes language concerning a region of importance not only to the State, but certainly to the county of Tillamook County. In 1996, floods wiped out the rail link from Tillamook County to the largest population center in Portland, which is 75 miles away.

Last year, Congress provided \$5 million from Rural Development to reimburse the port for money that they already spent for the 1996 floods, as well as to make improvements to the rail right-of-way that also serves as Alaska's fiber optic corridor to the lower 48 States.

I am currently working with USDA to ensure that the entire \$5 million is released to the port. Next year, a diverse route will be constructed from Nedonna Beach terminal along 20 miles of railroad right-of-way south of Tillamook, and then east along Highway 6 to Portland.

This section of rail bed was not included in the portion repaired following the 1996 floods and needs immediate upgrades to reduce the risk of service interruption for all users.

The Port of Tillamook Bay needs \$3 million from Rural Development to upgrade the railroad infrastructure and protect the fiber optic telecommunication network. Now, not only does this corridor serve Alaska, but it also serves as a landing for MCI WorldCom's Southern Cross that crosses the Pacific from Australia. There will be two more cable landings next year. Within a short time, Tillamook's communication corridor has become a strategic location for the telecommunication world.

Mr. Chairman, we need to create a diverse route, a redundant loop, to make sure that we guarantee connectivity; and I ask for the committee's assistance in securing this badly needed funding from USDA.

Ms. KAPTUR. Mr. Chairman, will the gentlewoman yield?

Ms. HOOLEY of Oregon. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I thank the gentlewoman for bringing this important economic project to our atten-

tion. The committee in our report identified this project as one that should be given special consideration by the Department, and I am certainly willing and prepared to work with the gentlewoman to be certain the Department is supportive of this very worthy project.

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Ms. HOOLEY of Oregon. Mr. Chairman, I thank the gentlewoman for her leadership and her commitment to Tillamook County.

Ms. BROWN of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to commend the committee for accepting the amendment pertaining to the American Heritage River Initiative. I want to add my support because it is very important initiative. It is an initiative that put decision making in the hands of local officials. It is an initiative that requires no new funding and no new mandate. This is the kind of partnership that we should encourage, not discourage.

The St. Johns River is an American Heritage River because of the grassroots efforts of Republican and Democratic mayors, city council people, and other people throughout the river community. From Jacksonville to Orlando, there is overwhelming support for this designation. This initiative is a great example of how government should work.

We should encourage our Federal agencies to work together and target the kinds of resources available to these river communities.

Florida's St. Johns River runs through the middle of Jacksonville and spans 325 miles of the third district. Republican Mayors John Delaney of Jacksonville and Glenda Hood of Orlando supported this designation and have formed advisory committees to set priorities for the river.

Later today I plan to submit a newspaper article to the RECORD that ran in the Daytona Beach News-Journal last week. In this article, the reporter talks about how the local officials in Volusia County want the politicians in Washington to stop interfering with their plans.

"This is a real grassroots, community-driven program that is working to bring awareness to the designated rivers," said Pat Northey, Volusia Council member and chair of the river task force for Orange, Seminole, and Volusia County.

She says that the river has already benefited from this designation by giving a small grant to mark the historical elements. This is just one of the many benefits. In Jacksonville, the community has come together behind a plan called the Preservation Project, which would help preserve the sensitive ecosystem in north Florida.

In a letter from Jacksonville Mayor John Delaney, he says "This program has enabled cities and counties in the St. Johns River Basin to identify priority projects and align the projects

with existing Federal funding sources. Because of this designation, local governments along the river have worked cooperatively toward the goal of restoring the river and improving their communities."

Mayor Delaney said that, with restricted language, the City of Jacksonville may be limited from obtaining these funds on a competitive basis because Federal agencies would be reluctant to fund any project, regardless of the merit, that could be associated with the Heritage River designation.

He goes on to say that the effect of these riders would punish areas like north Florida for trying to improve the river and surrounding communities.

Mr. Chairman, this amendment was supported by all of the local mayors, city council members, and I am very happy that this committee uses common sense in supporting this amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$184,160,000 of which \$7,400,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, \$11,481,000; section 538 multi-family housing guaranteed loans, \$1,520,000; section 515 rental housing, \$56,326,000; multi-family credit sales of acquired property, \$874,000; and section 523 self-help housing land development loans, \$279,000: *Provided*, That of the total amount appropriated in this paragraph, \$11,180,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$375,879,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

#### RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, \$655,900,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount, not more than \$5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed \$10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further*, That agreements entered into or renewed during the current fiscal year shall be funded for a 5-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

#### MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$28,000,000, to remain available until expended (7 U.S.C. 2209b) of which

\$1,000,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

#### RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1490e, and 1490m, \$39,000,000, to remain available until expended: *Provided*, That of the total amount appropriated, \$1,200,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

#### FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, \$27,000,000, to remain available until expended for direct farm labor housing loans and domestic farm labor housing grants and contracts. In addition, for grants to assist low-income migrant and seasonal farmworkers, as authorized by 42 U.S.C. 5177a, \$3,000,000, to remain available until expended.

#### RURAL DEVELOPMENT

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of administering Rural Development programs authorized by the Rural Electrification Act of 1936; the Consolidated Farm and Rural Development Act; title V of the Housing Act of 1949; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926; for activities related to marketing aspects of cooperatives, including economic research findings, authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives: \$120,270,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000 may be used for employment under 5 U.S.C. 3109: *Provided further*, That not more than \$10,000 may be expended to provide modest nonmonetary awards to non-USA employees: *Provided further*, That any balances available for the Rural Utilities Service, the Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this account.

#### RURAL BUSINESS-COOPERATIVE SERVICE

##### RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

##### (INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, \$19,476,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans of \$38,256,000: *Provided further*, That of the total amount appropriated, \$3,216,000 shall be available through June 30, 2001, for the cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, \$3,337,000 shall be transferred to and merged with the

appropriation for "Rural Development, Salaries and Expenses".

#### RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

##### (INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$15,000,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, \$3,911,000.

Of the funds derived from interest on the cushion of credit payments in fiscal year 2001, as authorized by section 313 of the Rural Electrification Act of 1936, \$3,911,000 shall not be obligated and \$3,911,000 are rescinded.

#### RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), \$6,500,000, of which \$2,000,000 shall be available for cooperative agreements for the appropriate technology transfer for rural areas program.

#### NATIONAL SHEEP INDUSTRY IMPROVEMENT CENTER REVOLVING FUND

For the National Sheep Industry Improvement Center Revolving Fund authorized under section 375 of the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 2008j), \$5,000,000, to remain available until expended.

#### RURAL UTILITIES SERVICE

##### RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

##### (INCLUDING TRANSFERS OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, \$50,000,000; 5 percent rural telecommunications loans, \$75,000,000; cost of money rural telecommunications loans, \$300,000,000; municipal rate rural electric loans, \$295,000,000; and loans made pursuant to section 306 of that Act, rural electric, \$1,200,000,000 and rural telecommunications, \$120,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of rural electric loans, \$25,500,000, and the cost of telecommunications loans, \$7,770,000: *Provided*, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$31,046,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

#### RURAL TELEPHONE BANK PROGRAM ACCOUNT

##### (INCLUDING TRANSFERS OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out its authorized programs. During fiscal year 2001 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be \$175,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, includ-

ing the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), \$2,590,000.

In addition, for administrative expenses, including audits, necessary to carry out the loan programs, \$3,000,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

#### DISTANCE LEARNING AND TELEMEDICINE PROGRAM

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., \$18,100,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas; in addition, for the cost of direct loans and grants, for a pilot program to finance broadband transmission and local dial-up Internet service \$1,400,000, to remain available until expended: *Provided*, That the definition of "rural area" contained in section 203(b) of the Rural Electrification Act (7 U.S.C. 924(b)) shall be applicable in carrying out this pilot program: *Provided further*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

#### TITLE IV

##### DOMESTIC FOOD PROGRAMS

##### OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, \$554,000.

##### FOOD AND NUTRITION SERVICE

##### CHILD NUTRITION PROGRAMS

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$9,535,039,000, to remain available through September 30, 2002, of which \$4,407,460,000 is hereby appropriated and \$5,127,579,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided*, That, except as specifically provided under this heading, none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That of any funds made available under this heading by transfer from the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), up to \$6,000,000 shall be for school breakfast pilot projects, including the evaluation required under section 18(e) of the National School Lunch Act: *Provided further*, That up to \$4,511,000 shall be available for independent verification of school food service claims.

##### SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$4,067,000,000, to remain available through September 30, 2001: *Provided*, That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That of the total amount available, the Secretary shall obligate \$10,000,000 for the farmers' market nutrition program within 45 days of the enactment of this Act, and an additional \$5,000,000 for the farmers' market nutrition program from any funds not needed to maintain current caseload levels: *Provided further*, That notwithstanding section 17(h)(10)(A) of such Act, up to \$14,000,000 shall

be available for the purposes specified in section 17(h)(10)(B), no less than \$6,000,000 of which shall be used for the development of electronic benefit transfer systems: *Provided further*, That once the amount for fiscal year 2000 carryover funds has been determined by the Secretary, any funds in excess of \$100,000,000 may be transferred and made available as follows: \$6,000,000 to programs under the heading "CHILD NUTRITION PROGRAMS", \$5,000,000 to programs under the heading "COMMODITY ASSISTANCE PROGRAM", and \$10,000,000 to programs under the heading "FOOD DONATIONS PROGRAM": *Provided further*, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

#### FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), \$21,231,993,000, of which \$100,000,000 shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That not more than \$194,000,000 may be reserved by the Secretary, notwithstanding section 16(h)(1)(A)(vi) of the Food Stamp Act of 1977 (7 U.S.C. 2025(h)(1)(A)(vi)), for allocation to State agencies under section 16(h)(1) of such Act to carry out Employment and Training programs: *Provided further*, That funds made available for Employment and Training under this heading shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act.

#### COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) and the Emergency Food Assistance Act of 1983, \$138,300,000, to remain available through September 30, 2002: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding section 5(a)(2) of the Agriculture and Consumer Protection Act of 1973 (Public Law 93-86; 7 U.S.C. 612c note), \$20,781,000 of this amount shall be available for administrative expenses of the commodity supplemental food program.

#### FOOD DONATIONS PROGRAMS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973; special assistance for the nuclear affected islands as authorized by section 103(h)(2) of the Compacts of Free Association Act of 1985, as amended; and section 311 of the Older Americans Act of 1965, \$141,081,000, to remain available through September 30, 2002.

#### AMENDMENT NO. 21 OFFERED BY MR. STUPAK

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. STUPAK: Page 53, line 9, insert "(increased by \$20,000,000)" after the dollar amount.

Page 56, line 13, insert "(reduced by \$30,000,000)" after the dollar amount.

Mr. STUPAK. Mr. Chairman, I am pleased to offer this important bipartisan amendment with the gentleman from New York (Mr. BOEHLERT). Our amendment adds \$20 million to the USDA's nutrition programs for the elderly meal reimbursement programs; in other words, senior center meals and Meals on Wheels, and offsets this additional spending by reducing international commodity aid. I wish there were some other offset that we could look to, but this was the most logical offset.

Our amendment has the support of the Meals on Wheels Association of America, the National Association of Nutrition and Aging Services Programs, the TREAS Senior Citizens League, the National Council of Senior Citizens, and the National Association of State Units on Aging.

I am sure that all the Members have met and spoken with seniors in their districts, and they have told my colleagues how much they depend on the senior meal assistance that they receive, be it Meals on Wheels or meals at the senior centers.

Senior meal providers receive funding for the meals through three avenues, private donations, Department of Health and Human Services, and USDA meal reimbursements.

Let me explain why the funding increase to the USDA reimbursements is so necessary. Unlike funding from HHS, which is channeled to the States and local providers based on certain formulas, our amendment here through the USDA reimbursements go directly to every senior meal provider for every meal that they prepare.

This amendment is the best way and it is the only way to ensure that there is direct and immediate aid to senior meal providers and the seniors they serve.

Every senior, every meal provider in every district in every city, in every town will get their money, whether they are up in Calumet in the Keewauw Peninsula or in Traverse City or Alpena in the Lower Peninsula, which makes up my district.

Why do we need this money? Why does this amendment go above the President's request.

The funding for USDA reimbursements has remained fairly constant since 1992. But look at what has happened since 1992 as this chart demonstrates. The amounts, when translated into today's dollars, have steadily been dropping due to inflation. For example, in fiscal year 2000, we allo-

cated \$140 million. In fiscal year 1992, we allocated \$151 million. But in real dollars, what has happened since 1992, it has gone down. We have lost \$40 million from this program in real dollars. It used to be 62 cents they would get for every meal. It is now down to 54 cents. Funding has stayed constant, but the rate of inflation and everything else to prepare those meals have gone up. I do not know how they can do it, but they manage to get by right now at 54 cents per meal.

It is for this reason that the senior meals across the country are suffering, from 62 cents to 54 cents. Pennies per meal but, nationwide, it has effects of millions of millions of meals. If we pass the Stupak-Boehlert amendment, we will go from 54 cents up to 57 cents. We can stop this downhill spiral that we have been on.

Our amendment will allow reimbursements to finally increase. It may only be 3 cents, but it means a lot to our seniors. I offer this amendment because, like all of my colleagues, I go to senior centers, I talk to my seniors, I talk to my senior meal providers.

Bill Dubord and Sally Kidd of the Community Action Agency in Excanaba, Michigan, they told me their agency is having a tougher and tougher time just trying to keep their head above water to provide their seniors meals. I am sure many of my colleagues have heard the same stories and hardships when they go home.

The bottom line is this, our senior meal providers need more money to provide senior meals. An increase in USDA reimbursements will give them more money, from 54 cents to 57 cents. They will be able to provide more meals. More meals mean more help for the seniors. It is really that simple.

Now, again, to pay for this amendment, we have taken less than 3 percent from an \$800 million program, the international commodity aid. I fully recognize the legitimate need for these funds by people of other nations, but before we provide to needy persons in other countries, let us ensure that our own seniors are provided for and protected.

When my colleagues are casting their vote, I hope all the Members will think of the seniors they have met back home, the senior meal providers they have spoken with. Cast a vote for them and support the Stupak-Boehlert amendment.

Mr. SKEEN. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Michigan (Mr. STUPAK).

I am sure that the amendment was offered with good intentions, but, Mr. Chairman, if this amendment passes, not a single additional meal would be served to anyone. Allow me to explain why.

The USDA role in this program is to supplement the Department of Health and Human Services with cash and commodities on a per-meal basis for each meal served to an elderly person.

The amount reimbursed at the current year level is about 54 cents per meal for 259 million meals. There was an increase of \$10 million in the budget request for an additional 20 million meals to be served.

This bill contains language that allows the Department of Agriculture to transfer \$10 million out of excess WIC carryover funds, that is money that the WIC program cannot spend, and to allow the reimbursement of 54 cents to be maintained in fiscal year 2001. If we add \$20 million to this account, as this amendment seeks to do, all we will be doing is increasing the reimbursement per meal from 54 cents to about 57 cents. But HHS will still serve the same number of meals. Furthermore, the corresponding budget request from HHS did not request an increase in their budget.

Now, the gentleman's amendment seeks to cut \$30 million out of the P.L. 480, Title II program. Some may take this amendment to mean that the choice we are being asked to make is between a domestic feeding program versus an international feeding program. Just for the information of my colleagues, the commodities shipped abroad through the P.L. 480 program are grown all across America, such as wheat from Kansas, Nebraska, Montana, Washington, Iowa, and Texas; rice from Missouri, Arkansas, Mississippi and California; dried beans and peas and lentils from Michigan, Montana, and Idaho; and other commodities like feed grains, vegetable oil and corn and soy meal. This amendment would cut funds to purchase these commodities and would hurt farmers who are already financially strapped.

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In addition, this cut would reduce the amount of funds to private voluntary organizations that help to oversee this program to ensure that food gets to where it is needed most, and this amendment would also cut funds to shipping companies that transport these commodities.

Mr. Chairman, I understand what the gentleman's intent is, but this amendment does not do what the gentleman intends, and I oppose the amendment.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in very reluctant opposition to this amendment, mainly because of the offset and not because of the worthiness of the gentleman's objective here in trying to lessen the burden on seniors who participate in our elderly feeding programs.

I have to say to the gentleman from Michigan (Mr. STUPAK) that I have the highest regard for him and for his trying to be a voice here so ably for all the seniors of our country and their nutrition needs. But for the record I do want to point out that our subcommittee, under great strain, was able to meet the administration's request for all feeding programs, including the elderly feeding program. And, in fact, because

we were able to transfer funds, \$10 million from other accounts, we were able to increase the amount of funds available in this account from \$141 million that is being spent this year to \$151 million next year. So that is an increase, and that would help tick up the amount of funds available across our country.

Since 1993, the program that the gentleman wants to take the money from, the PL-480 program, has been cut by nearly half, and for this coming fiscal year, even in the bill we are presenting today, we are \$37 million below the administration's request in an account that has been reduced by 42 percent over the decade of the 1990s. So I would beg of the gentleman to find another offset.

I think I sort of feel he is doing half right and half wrong here. Because with the crisis we have in rural America, one of the ways that we are able to help is to use the PL-480 program, as underfunded as it is, to move these commodities around the world. We are certainly moving commodities around our country to our feeding kitchens, to our pantries around the Nation, and through our humanitarian programs; but to take the money from this account really is almost like taking the money from programs that feed starving people and putting it into programs for those who are participating in nutrition programs here in our country that will be funded at the administration's request.

So I am very torn by the gentleman's amendment. I would only encourage him to, as we move toward conference, to work with us on the subcommittee to see if we cannot find other offsets for the gentleman's very worthy request. I would also mention that his amendment might result in increasing the reimbursement rates for senior meals from 54 cents to 57 cents. While local program operators might have legitimate expenses, I guess one could question the real value of this amendment in terms of actual dollars that would be available at the various feeding sites.

So, please, recognize our objection to this is stated very reluctantly only because of the account that it is being taken from, which is not only underfunded for this next year, and does not meet the administration request, but which has been cut by 42 percent since 1993. I would just encourage the author to seriously look at other offsets.

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

Mr. Chairman, I have the greatest respect for the gentleman from Michigan, and like the gentleman was talking about, I, too, visit a lot of senior citizen centers. And also one complicating factor is that my mother attends these on a regular basis, so it becomes quite personal. But I would really like to associate myself with the words of the gentlewoman from Ohio, and her point is exactly right.

In the bill this year we do have the flexibility to increase funding for this program by \$10 million, which fully funds the President's request for this program. And I think everyone in the House is in full agreement that we need to fund the seniors' feeding programs to the full amount. I think we have done that in the bill. And like the gentlewoman from Ohio, my big problem is that we are taking funds out of an account that is already reduced by \$37 million this year. So to cut another \$30 million out of this would be extremely harmful, I believe.

When we look at PL-480 and the benefits it gives around the world to people who are starving to death, I think it is very, very important. And I think if we talked to most senior citizens, if it meant the difference between 2 or 3 cents a meal, they would also say that people who are dying of starvation probably need as much help as possible, and they would be willing to possibly even forfeit the 2 or 3 cents a meal to make sure that does not happen.

Also, I think it is very important that the Members are aware of the people who stand in opposition to this amendment, like The Coalition for Food Aid, and groups such as Catholic Relief Services, Save the Children, World Vision, and CARE. All very much oppose this amendment because of the devastating effect it would have as far as their feeding programs around the world.

So, Mr. Chairman, while I have great empathy and concern for the seniors' feeding programs, I think with the facts as they are, that we are fully funding the feeding program at the request of the administration for this program, and the detrimental effect this amendment will have as far as our PL-480 programs, food for peace around the world, I must strongly oppose this amendment.

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

Mr. Chairman, I rise in strong support of the Stupak-Boehlert amendment to increase funding for the USDA's nutrition program for the elderly by \$20 million. This vital program helps provide over 3 million senior citizens with nutritionally-sound meals in their homes through the Meals-on-Wheels program, or the senior centers, churches, and fire halls, through the congregate meals program. These programs are facing financial hardships, and a smaller percentage of needy seniors are being fed.

Quite frankly, the President's request is not adequate. This program has been flat funded since 1997. With the number of seniors growing, the demand for Meals-on-Wheels funding has continued to increase. The National Association of Nutrition and Aging Service programs recently testified before the subcommittee that 34 percent of their member programs indicate they have a waiting list for home-delivered meals. It is only sensible that if



they have more money, they are going to be able to serve more seniors.

The increase provided by this amendment is long overdue, and the need for this program is quite real. Participants in this program are disproportionately poor. Thirty-three percent of congregate meal participants and 50 percent of home-delivered meal participants have incomes below the poverty level. A majority of Meals-on-Wheels participants live alone and have twice as many physical impairments as the average elderly person.

The nutrition program not only feeds seniors in need, but also allows these seniors to remain connected to their communities. Congregate meal sites give participating seniors the opportunity to socialize with members of the community, and Meals-on-Wheels volunteers deliver meals to frail and sick and home-bound seniors who are in greatest need of assistance.

This amendment offsets the urgently needed seniors meal program by reducing funding for a foreign assistance program. I do not doubt the need for these funds by people of other countries, but I want to ensure that our seniors are given the highest priority. The fact of the matter is that the foreign assistance program would still receive \$770 million after our amendment passes.

But I have a deal. I agree with the distinguished gentlewoman from Ohio, who was rather eloquent in stating that she likes this program, the congregate meals program, the Meals-on-Wheels program, but she also likes the foreign assistance program. We have great confidence in the good judgment of our distinguished chairman and our ranking minority member. There is flexibility as they go into conference. So I would suggest that we pass this amendment, give them the flexibility, and they know better than we do, so maybe they can find some other offset.

The Stupak-Boehlert amendment is endorsed by the National Council of Senior Citizens, the Meals-on-Wheels Association of America, the Senior Citizens League, the National Association of Nutrition and Aging Services Programs, and the National Association of State Units on Aging. This amendment represents a small investment in a program that helps to fight the malnutrition and isolation far too many of our seniors face.

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

Mr. BOEHLERT. I yield to the gentleman from Michigan.

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

With regard to some of the concerns about our amendment, and I have the utmost respect for the gentleman from New Mexico (Mr. SKEEN) and the gentlewoman from Ohio (Ms. KAPTUR), but this program here, after being flat for so many years and actually losing money in real dollar amounts, we cannot just turn our backs and continue to pretend it is not happening.

To put the issue in proper perspective, the Meals-on-Wheels Association has endorsed our legislation, the Stupak-Boehlert amendment, and they have said, "Because America's elderly population continues to be the fastest growing segment of the population, demands on nutrition programs for the elderly are increasing." So what are we doing? Our funding is staying flat and actually losing in real dollar amounts every year.

The most comprehensive national studies to be conducted in recent years found that 41 percent of home-delivered meals had waiting lists. The relatively small investment, and as they said, what would three pennies mean, three pennies in meal programs that our amendment would provide would pay substantial dividends in helping to target malnutrition and isolation in the elderly, improving their nutritional and health status, and enabling many seniors to be able to stay in their home because they got a good meal.

While I appreciate the increase of \$10 million that the administration has put in, that only puts us even with last year. Throw in inflation, and we are behind the 8-ball again. Let us pass the Boehlert-Stupak amendment.

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

Mr. Chairman, I want to thank the gentleman from Michigan and the gentleman from New York for this amendment, and I rise in support of the Meals-on-Wheels amendment to counter skyrocketing gas prices.

The gentleman from Michigan (Mr. STUPAK) is right, when we look at this chart, at how our senior citizens really are beginning to suffer from the gradual decrease in constant dollars that are spent for this important program. Currently, Meals-on-Wheels reimbursements have been steadily dwindling to the current rate of about 50 cents per meal. Consequently, Meals-on-Wheels is suffering from a severe loss of food purchasing power and funds to cover mileage reimbursements.

Our Nation's elderly are lifetime taxpayers, and it is our duty to provide our elderly citizens the basic human services which they are entitled to. However, high gasoline prices are straining the budgets of the Meals-on-Wheels program and destroying the volunteer delivery networks the program depends on.

People in the Midwest are very familiar with this, because last week we had gas prices over \$2 a gallon and now it is over \$1.80 a gallon. We are now in a condition where many people who would deliver the Meals-on-Wheels are finding that they cannot afford to do it. Now, think about what that means. We have this great program, and yet people are finding they cannot participate in it.

In light of the recent increases in gas prices, volunteers cannot afford to provide their services and meals cannot be delivered. The Meals-on-Wheels pro-

gram is in danger of losing both its volunteer and paid labor base.

Now, this is not a hypothetical situation. Again, back to the Cleveland area and a city called Westlake, which is in my district. I received a letter from the director for the Department of Senior and Community Services for the City of Westlake. Here is what she has told me in part.

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"As you know, many of the volunteers for Meals on Wheels are themselves older adults on fixed incomes. One such couple travels almost 100 miles in a rural area to deliver meals. They are considering resigning because they cannot afford to volunteer."

Think of what that means. People who want to help their fellow human beings who get a good feeling out of delivering meals to the elderly and suddenly, because of these high costs of fuel, gasoline, they are suddenly in danger of not being able to afford to do it.

Now, this amendment offered by the gentleman from Michigan (Mr. STUPAK) would offset, under Title III of the Older Americans Act, monetary donations made to the program to cover increasingly high fuel costs by providing more food purchasing power and mileage reimbursement funds.

In increasing the program's reimbursements, the amendment will alleviate the enormous burden faced by many volunteers who are increasingly unavailable to aid in the delivery of meals to millions of senior citizens through the high fuel cost.

If funding through the USDA adequately covers the Meals on Wheels program, then their food purchasing power will be strengthened and their labor base will be secured.

Mr. Chairman, if the gentleman from Michigan (Mr. STUPAK) would like to comment in the time that remains, I would be happy to yield to him because I know the work that he is doing on this is so important. I know the elderly in my district are very concerned about what is going to happen to the Meals on Wheels program.

Mr. Chairman, I yield to my good friend, the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Chairman, I thank the gentleman from Ohio for yielding.

Mr. Chairman, again, this is a good discussion we are having because we have got valuable programs here that we are trying to save. But as the chart clearly shows, in real dollars we keep going backwards; and while we may have put \$10 million in, that just made us even with last year.

Throw in the rate of inflation. Throw in the point that my colleague made about the increase of gas for Meals on Wheels just to deliver and we are going further and further behind.

With the largest increasing part of our population being senior citizens, they cannot stay even, they cannot regress. We have to move forward with this funding.

Again, we are taking 3 percent from a \$800 million program. There is still \$770 million left in that program, and we are at \$140 million for senior meals. We are saying just give us a little extra.

Now, they say bring up all their off-sets. The gentleman from Ohio (Mr. KUCINICH), the gentleman from New York (Mr. BOEHLERT), myself, the authors of this amendment, we will sit on the Committee on Appropriations. If they want to turn over the power to us and make the offsets, we will be happy to. We would love to.

But, in all seriousness, we tried to work on this one. And amongst friends there has to be disagreements. We feel we have to take care of our senior citizens here at home first and make sure that their nutrition needs are met so there is not the malnutrition we see with senior citizens, especially in rural areas, the inner city areas, and the isolation of seniors, bring them to the senior centers and bring that meal in to them.

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

Mr. Chairman, I rise in strong support of the Stupak-Boehlert amendment to H.R. 4461, because I believe the Congregate and Meals on Wheels programs are in need of additional funds.

There are few communities within the country where a senior nutrition program does not exist, and the demands on nutrition programs for the elderly is increasing.

Few programs can boast the importance to the elderly and overwhelming success as the senior nutrition programs.

I became deeply involved in this issue last November, when I became aware that the Agency on Aging in my district began cutting back the Congregate Meals program after having exhausted their reserve funds.

In the face of a potential crisis, the State of Connecticut and local governments agreed to make up the financial shortfall for this year. The additional State and local funds are allowing the Agency to temporarily overcome the financial shortfall and enabling providers to serve the same number of meals this year as were served in 1999.

While this financial contribution is significant and speaks volumes about the importance of the Congregate Meal program to seniors in Connecticut, it does nothing to prevent similar funding shortfall from occurring next year and the year after that.

This body has an obligation to ensure that senior nutrition programs are adequately funded. I hope we can all recognize that Congregate and home delivered meals programs need assistance, and that this House has the good sense to act favorably on this amendment.

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

Mr. Chairman, I rise in strong support of the Stupak-Boehlert bill to add \$20 million to the Meals on Wheels Program.

This amendment adds much needed funds to a program that truly plays such a vital role in communities across this country. Meals on Wheels improves the physical and the mental health of seniors in our communities. It provides them with a balanced, nutritious, and appealing diet.

Last year the program brought over 1.9 million meals to almost 10,000 seniors and the disabled in Connecticut alone.

The West Haven center in my district distributed 1,000 meals a day to homebound citizens of 15 towns throughout south central Connecticut, 200,000 per year.

I might add that Mayor Borer, the mayor of West Haven, Connecticut, and myself last year went on the Meals on Wheels truck, went place by place and helped to deliver the meals. And it was amazing. This program is a lifeline for people. It is one of the most remarkable experiences that I have had in being a Member of this House.

Meals on Wheels helps those elderly who find themselves homebound, unable to go out and shop for their own food. It allows seniors who would have been forced into a nursing home to stay in their home and maintain their dignity and their independence. It helps to lower health care costs while allowing seniors to retain that independence.

It also fills an important need in the community for the preservation of ties with our elders. By providing seniors with essential food every day of the week, sometimes, I might add, the only hot meal an elderly citizen receives, it builds important links and relationships between the men and women who deliver the meals and the seniors who take advantage of the program. In some cases, these people are the only visitors that seniors get all day.

Meals on Wheels is truly an example of neighbors helping neighbors.

I call on my colleagues, support the Stupak-Boehlert amendment, support a program that provides an essential safety net to millions of seniors and strengthens the community ties between generations.

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

The CHAIRMAN. Is there objection to the gentlewoman speaking for an additional 5 minutes?

There was no objection.

Ms. KAPTUR. Mr. Chairman, I probably will not take the full 5 minutes. But I did want to commend our colleagues, the gentleman from Michigan (Mr. STUPAK) and the gentleman from New York (Mr. BOEHLERT) for bringing that chart to the floor that shows the discretionary cuts that have affected all programs, including elderly feeding programs, across this country.

As we look at the revenues that the Government of the United States is receiving now and the work of all of our committees, without question, every single American sacrificed in order to

put the accounts of this Nation in order. These programs got hurt just as much as many other programs in our country. So these decisions to move us toward a surplus position have not been easy decisions.

We are now at the point where we can more openly look at ways to expand worthy programs. And this certainly is one that has gotten the attention of the subcommittee. And believe me, I give my word to the gentleman from Michigan (Mr. STUPAK) and to the gentleman from New York (Mr. BOEHLERT), who have worked so diligently to bring this to the attention of the membership, that, but for the offset, I certainly would be one Member who would be working 150 percent of my energy in trying to help them find a way to expand these worthy programs for feeding our senior citizens.

I thank the gentlemen for their respective leadership on this.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. STUPAK).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, \$116,392,000, of which \$5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp benefit delivery, and assisting in the prevention, identification, and prosecution of fraud and other violations of law and of which not less than \$3,000,000 shall be available to improve integrity in the Food Stamp and Child Nutrition programs: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$150,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That none of the funds appropriated or otherwise made available by this Act or any other Act shall be available to carry out a Colonias initiative without the prior approval of the Committee on Appropriations.

#### AMENDMENT NO. 62 OFFERED BY MR. REYES

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

#### Amendment No. 62 offered by Mr. REYES:

Page 53, beginning line 25, strike “: *Provided further*, That none of the funds appropriated or otherwise made available by this Act or any other Act shall be available to carry out a Colonias initiative without the prior approval of the Committee on Appropriations”.

Mr. REYES. Mr. Chairman, I offer an amendment to bring much needed assistance to some of the poorest communities in our Nation. My amendment will strike the provision in the bill that prohibits funding in the bill or any other bill from being available to carry out a colonias initiative without prior approval of the Committee on Appropriations.

“Colonias” is a Spanish term for “community.” Along our Southwest

border, it is the name for U.S. communities that lack basic water and sewer systems, power, paved roads, safe and sanitary housing, health care, and adequate educational, recreational, and employment opportunities.

There are more than 1,500 of these third-world-like communities in our Nation, with more than half a million people in California, Texas, New Mexico, and Arizona. These communities sprung up because of a lack of affordable housing, unscrupulous land development, and neglect of our border region.

Because of a lack of basic service, poverty is extreme in our colonias. Fifty percent of the residents are below the poverty level, with average family income of about \$12,675. Moreover, 40 percent of colonia residents have less than a ninth grade education and unemployment exceeds 40 percent.

The health of these citizens is terrible due to contaminated wells, poorly constructed septic tanks, and the difficulty in buying water from private vendors.

This situation is a tragedy that has never been properly addressed. Eighty-five percent of colonia residents, Mr. Chairman, are United States citizens, and 40 percent of those residing in our colonias are children. Devastating diseases are prevalent in the colonias, with hepatitis and tuberculosis at rates of between 30 and 50 percent.

Colonia residents are part of our Nation, and we have a moral obligation to give them the basic essentials we expect for all of America's children.

The need to allow USDA to implement programs and initiatives to help address the severe problems of colonia residents is very critical.

One such program is the Partnership for Change-Colonias Initiative, which was a pilot program which began in Texas bringing together Federal, State and local governmental entities and nonprofit groups to create a unified colonia strategy.

This strategy called "Partnership for Change" addresses the multitude of colonias issues including housing, health, nutrition, and employment issues. The "Partnership for Change" uses innovative approaches to ensure that food and nutrition services reach colonia residents. Because colonias are remotely located without proper roads, colonia residents are simply unable to retain these kinds of services.

In response, the "Partnership for Change" built an additional seven WIC clinics directly in the colonias serving an additional 5,200 residents. It has also purchased vans to transport clients to assistance centers and coordinated traveling food pantries.

My amendment will allow strategies such as this to go forward without the continuous need to obtain committee approval.

If the committee has problems with the way programs like this are administered, the proper approach is to have the committee discuss the various as-

pects with the USDA rather than continually require this prohibitive requirement before colonia initiatives can go forward.

Every American family, regardless of where they live, should have the basic essentials of water, roads, housing, and a health environment. Otherwise, we allow a cycle of poverty and disease to continue despite having the resources to make an enormous difference.

While the rest of our Nation is reaping the benefits of a booming economy and budget surpluses, colonia residents are struggling barely to survive. This is unacceptable, and we can do much better as Americans.

I, therefore, ask all Members to support my amendment and to show their commitment to our fellow Americans who are having to overcome unbelievable obstacles and to give the USDA flexibility to use innovative approaches to provide additional outreach and coordinated efforts to colonia residents.

I ask all Members to vote yes on my amendment.

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

Mr. Chairman, I accept the gentleman's amendment. I have always enjoyed working with the gentleman from Texas (Mr. REYES), my compadre, and will continue to do so on this important issue.

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

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

Mr. REYES. Mr. Chairman, I just want to say that I appreciate the hard work. We have always worked together, and I appreciate the opportunity to work through this very critical issue. I thank the gentleman, as well as the rest of us who understand the necessities that Colonias have, and I really appreciate the gentleman working with us on this.

Mr. SKEEN. We have done a whole lot of hard work on it, particularly under the leadership of the gentleman from Texas (Mr. REYES), and I am glad to work with him.

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

Mr. Chairman, I am not going to take 5 minutes. I just want to thank the gentleman from Texas (Mr. REYES) on his efforts and all the congressmen, the representatives from California, New Mexico, Arizona, and Texas. I want to just emphasize the importance of the amendment that the gentleman from Texas (Mr. REYES) had, and I want to put it in perspective in terms of an analogy.

The particular language that it would prohibit the Colonias initiatives unless the appropriations funded it, I want the gentlemen to think about the way it was, and I am real pleased that it has been eliminated because if that same kind of language was there, say,

that was in the Department of Commerce, and a chamber of commerce or a particular corporation was prohibited, it would be said that it was discriminatory. If that same kind of language was in the Committee on Veterans' Affairs, and it would be said that funding would be prohibited from the veterans to go to specific veterans, it would be said that that was discriminatory.

If that same kind of language was in the Department of Transportation and it said that particular resources would not be able to be spent in a specific community, it would be said that that was discriminatory.

So I want to thank the gentleman for agreeing and being able to remove that language from there because there is no doubt that the Colonias need a lot of help, and I know everyone on the border recognizes the importance of providing resources and access just like anyone would have those opportunities.

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

Mr. Chairman, I wanted to thank the chairman of the subcommittee, the gentleman from New Mexico (Mr. SKEEN), for his sympathy to this proposal in support of the Colonias initiative. I wanted to also thank very deeply the members of the Hispanic Caucus, and Shirley Watkins at Food and Nutrition Service at the U.S. Department of Agriculture for really helping us to begin to carve out a new initiative that would reach some of the most forgotten people in America.

I want to commend the gentleman from Texas (Mr. REYES), the gentleman from Texas (Mr. ORTIZ), and the gentleman from Texas (Mr. RODRIGUEZ) for their strong leadership on this proposal and to say that we look forward to working with them as we move toward conference to really make sure that this Colonias initiative is not forgotten.

Some of the aspects of this proposal involve such initiatives as piloting breakfast and after-school snack programs right on the bus, as children are being driven to and from school because it is so difficult sometimes to reach many of the children who live in these areas, and also taking a look at how we could use traveling food pantries to reach some of the more isolated individuals of all ages who live in the Colonias.

The proposals also take a look at organizing farmers markets, which is a real strong interest of my own, to make sure that good, fresh produce and farm-grown products from the State of Texas or New Mexico or wherever the Colonias are located are organized near where the people live; and to make sure that locally grown produce, some of it perhaps raised by local farmers, would be able to be used in the school programs in those areas responding to some of the ethnic preferences for food that may differ in different parts of the

country, depending on people's preferences; and working with USDA to look at an interactive Web site to link various partners and Colonias advocates and others to share success stories and communicate accomplishments of the existing projects in Texas.

So there are so many aspects to this, and we are at the very beginning of it; but I think it is such a wonderful proposal and one that we are going to take step by step and really try to reach among some of the lowest-income people in America. I never like to say poorest because there is a richness of heritage there and a richness of hope in every community in America, but if we can help people have better nutrition for their children, where their children can learn and they can have a better way of life, food is one of the most basic needs, and certainly contribute to better health.

This is such an exceptional opportunity to reach many of these families. The proposals for refrigerated trucks, for example, even finding trucks that have been used perhaps in business and are not brand new but even used trucks, almost like we put book mobiles in some of the underserved rural areas of America before, to do this in the Colonias is just so practical and so achievable.

We want to thank Shirley Watkins from the Department of Agriculture for working with our Hispanic Caucus, with the Congressmen and women who have supported this here.

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

Mr. Chairman, I am pleased to be here joining my good friend in support of the second amendment of the gentleman from Texas (Mr. REYES) on Colonias, and delighted to see that our good friend, the gentleman from New Mexico (Mr. SKEEN), has been so supportive of the work that we are all trying to do to improve life in Las Colonias.

Mr. Chairman, I rise today to bring awareness to a very important issue to my district in south Texas and all along the United States-Mexico border. The continuing plight of Colonias is what I wish to speak on. As my good friend, the gentleman from Texas (Mr. REYES), noted, Colonias are substandard housing developments in America, with many homes which have no water, sewer or utility hook-ups. United States citizens are forced to buy property without these essential services because of chronic housing shortages in high-poverty areas.

For example, in the fifteenth district of Texas, my own district, we have the third fastest growing metropolitan statistical area in the Nation. We also have the third highest rate of poverty.

This unique situation creates a hardship on the children and families that live in Colonias.

A group in Texas called the Las Colonias Project has worked to bring national awareness to this vital issue

but more, much, much more must be done.

If we will look at this chart, we will see the numbers that are staggering. There are more than 1,500 Colonias along the United States border with Mexico with more than 400,000 residents. All these facts is the type of national awareness that we are trying to bring to the House floor today and in a bipartisan way be able to bring resources to be able to correct the deficiencies that exist in these Colonias.

While I cannot support getting money for this program at the expense of the USDA Wildlife Services program, an absolutely worthwhile program, I do urge Members to support funding for the serious problem of Colonias.

I know we can find both a way and the money to do this.

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

Mr. Chairman, I just want to compliment the gentleman from Texas (Mr. REYES) for bringing this issue not only to the floor today but before, when he was able to bring some young children from Colonias to testify before Members of Congress. I would like to also thank my good friend, the gentleman from New Mexico (Mr. SKEEN), for doing a great job, him and his staff; the gentlewoman from Ohio (Ms. KAPTUR), from our class of 1983; and the staff, thank them for being able to understand the seriousness of the problem that we have.

I do not want to continue to belabor the issue, but it is a very, very serious issue along the border.

These children have tremendous potential. With all the obstacles and pitfalls that they face on a daily basis, some of them make the national honor roll. They make the Boy Scout troops, with all these obstacles.

So we do have tremendous potential if we can help them by providing all these services so that they will never lose sight of the fact that they can become productive citizens. Again, I would like to thank my colleagues, the gentleman from New Mexico (Mr. SKEEN), members of his staff, my good friend, the gentlewoman from Ohio (Ms. KAPTUR), for all they have done in bringing this issue to the floor.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. REYES).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### TITLE V

#### FOREIGN ASSISTANCE AND RELATED PROGRAMS

##### FOREIGN AGRICULTURAL SERVICE

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$150,000 for representation allowances and for expenses pursuant to section 8 of the Act ap-

proved August 3, 1956 (7 U.S.C. 1766), \$109,186,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development.

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

#### PUBLIC LAW 480 PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For the cost as defined in section 502 of the Congressional Budget Act of 1974, of agreements under the Agricultural Trade Development and Assistance Act of 1954, as amended, and the Food for Progress Act of 1985, as amended, including the cost of modifying credit arrangements under said Acts, \$114,186,000, to remain available until expended.

In addition, for administrative expenses to carry out the credit program of title I, Public Law 83-480, and the Food for Progress Act of 1985, as amended, to the extent funds appropriated for Public Law 83-480 are utilized, \$1,850,000, of which not to exceed \$1,035,000 may be transferred to and merged with "Salaries and Expenses", Foreign Agricultural Service, and of which not to exceed \$815,000 may be transferred to and merged with "Salaries and Expenses", Farm Service Agency.

#### PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended, \$20,322,000, to remain available until expended, for ocean freight differential costs for the shipment of agricultural commodities under title I of said Act: *Provided*, That funds made available for the cost of title I agreements and for title I ocean freight differential may be used interchangeably between the two accounts.

#### PUBLIC LAW 480 GRANTS—TITLES II AND III

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended, \$800,000,000, to remain available until expended, for commodities supplied in connection with dispositions abroad under title II of said Act, of which up to 15 percent may be used for commodities supplied in connection with dispositions abroad under title III of said Act.

#### AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. KAPTUR:

Page 56, line 17, insert before the period the following: ", and of which \$1,850,000 may be used for administrative expenses of the United States Agency for International Development, including expenses incurred to employ personal services contractors, to carry out title II of such Act (and this amount is in addition to amounts otherwise available for such purposes)".

Ms. KAPTUR. Mr. Chairman, I rise to offer this amendment which has to do with the way in which our Food for Peace commodities are delivered in other countries. Essentially, what this does is it allows the U.S. Agency for

International Development, which is a part of the Department of State, to hire contractors in-country for this work on PL-480, title II commodities, just as the U.S. Department of Agriculture does.

During hearings on these important humanitarian programs, it became very clear to us on the committee that the U.S. Agency for International Development does not have the same ability to hire contractors in-country to work on the Food for Peace program that USDA has.

I know this sounds like kind of a technical bureaucratic problem but, in fact, it is; and we worked with AID and the chairman to identify the best way to correct this problem.

I want to thank the chairman deeply for his support. We want to make sure that when wheat or soy meal or any product is delivered to a very needy country that the private voluntary organizations that are there and AID contractors are able to find the most efficient way to get food into the villages, to the people, maybe refugees, living very far from the point where the food actually comes to port.

AID is having particular problems with this, we think simply because the legislation was written in a way that AID and USDA are under different committees here in the House.

Truly, with many of the private voluntary organizations doing this work in-country, which is one of the most risky jobs in the world, because they go into areas sometimes that are war torn, deep in-country. It is not easy work. We have had plane crashes around the world where many of these volunteers are going. All we are trying to do is to find a more efficient way to help them do the job that all of us want to do and that is to bring food to hungry people.

□ 1845

No bureaucratic snafu should prevent that kind of person-to-person assistance from occurring. We still want to find a way to allow greater authority for the Department of Agriculture, to use administrative funds in countries to provide and monitor food assistance in needy areas of the world. Essentially, this would provide additional contracting latitude to the U.S. Agency for International Development, so it parallels what USDA is able to do in moving these commodities to people that truly need them.

Mr. Chairman, I want to thank the gentleman from New Mexico (Mr. SKEEN) very, very much for his cooperation and participation in this.

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

Mr. Chairman, this amendment will help provide more effective and more efficient administration of our food aid programs overseas. I thank the gentleman for taking this initiative and recommend to the House that it be accepted.

Ms. KAPTUR. Mr. Chairman, if the gentleman from New Mexico (Mr.

SKEEN) will yield, I thank him truly on behalf of all the people that this will help.

Mr. SKEEN. Mr. Chairman, it is a pleasure doing business with the gentleman from Ohio.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Ms. KAPTUR).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

COMMODITY CREDIT CORPORATION EXPORT  
LOANS PROGRAM ACCOUNT  
(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, \$3,820,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which \$3,231,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service" and \$589,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

TITLE VI

FOOD AND DRUG ADMINISTRATION AND  
RELATED AGENCIES

DEPARTMENT OF HEALTH AND HUMAN  
SERVICES

FOOD AND DRUG ADMINISTRATION  
SALARIES AND EXPENSES  
(INCLUDING RESCISSION)

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; \$1,267,178,000, of which not to exceed \$149,273,000 in prescription drug user fees authorized by 21 U.S.C. 379(h) may be credited to this appropriation and remain available until expended: *Provided*, That no more than \$104,954,000 shall be for payments to the General Services Administration for rent and related costs: *Provided further*, That of the funds appropriated for "Food and Drug Administration Salaries and Expenses" under Public Law 106-78, \$27,000,000 is hereby rescinded upon enactment of this Act.

AMENDMENT NO. 42 OFFERED BY MR. KUCINICH

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

Mr. SKEEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 42 offered by Mr. KUCINICH: Page 58, line 4, insert after the colon the following: "*Provided further*, That \$500,000 is available for the purpose of drafting guidance for industry on how to assess genetically engineered food products for allergenicity until a predictive testing methodology is developed, and reporting to the Congress on the status of the guidance by September 1, 2001; for the purpose of making it a high agency priority to develop a pre-

dictive testing methodology for potential food allergens in genetically engineered foods; and for the purpose of reporting to the Congress by April 30, 2001, on research being conducted by the Food and Drug Administration and other Federal agencies concerning both the basic science of food allergy and testing methodology for food allergens, including a prioritized description of research needed to develop a predictive testing methodology for the allergenicity of proteins added to foods via genetic engineering and what steps the Food and Drug Administration is taking or plans to take to address these needs:".

Mr. KUCINICH. Mr. Chairman, food allergies are a serious health concern, 2.5 to 5 million Americans have food allergies. Common food allergies include milk, eggs, fish, seafood, tree nuts, wheat, peanuts, soybeans.

The health impacts of a food allergy range from itching to potentially fatal anaphylactic shock. We all know people who have food allergies. People learn about their food allergies by way of the trial and error method. If they eat a food a few times and react to it, each time they know they are allergic to it.

Now, with respect to genetically-engineered foods and known allergens, things get much trickier with foods that have been genetically engineered.

Scientists at the University of Nebraska inserted a Brazilian nut gene into a soybean. The study showed that people allergic to Brazil nuts, which is a common allergy, are also allergic to soybeans that have been modified by the Brazilian nut gene.

The scientists concluded that allergens from one food can pass to another and harm anyone with that allergy who unsuspectingly eats genetically-engineered foods.

Genetically-engineered foods have this problem with unknown allergens. The problem is very complicated. Most biotech crops on the market today were inserted with genes from things we have never digested before. Now, here is a picture of bacteria.

Most crops engineered today are engineered with genes from bacteria. Are we allergic to this? Scientists do not know. Are we allergic to these new foods? The huge genetic pool of possibilities to engineer in the world have not been tested for allergies.

As a matter of fact, it may surprise my colleagues to know that over a 100 million acres of crops last year in the United States were genetically engineered.

There are huge challenges with allergy testing. Allergy testing for unknown allergens is difficult if not impossible. Here is a report from the National Academy of Sciences.

The National Academy of Sciences states in this report, allergenicity is difficult to test. They go on to say that tests for possible allergenicity either are indirect, do not involve adverse effects, or are otherwise problematic for testing of novel proteins that have not previously been components of the food supply.

Researchers from the Clinical Immunology and Allergy Section of Tulane University Medical Center state, and I quote, "The most difficult issue regarding transgenic food allergenicity is the effect of transfer of proteins of unknown allergenicity."

In other words, if we are allergic to Brazil nuts, the Brazil nuts gene is in soybeans, we respond to the soybean; and we do not even know that it has a Brazil gene in it. The challenge is to determine whether these proteins are allergenic as there is no generally accepted, established, definitive procedure to define or predict a protein's allergenicity.

We all know that old saying, what you do not know cannot hurt you. We have all heard that. What we do not know cannot hurt you. But in this case, what you do not know can, what you do not know can hurt you.

The FDA is unfortunately failing to protect Americans. Unfortunately, the Food and Drug Administration admittedly having taken a pro-biotech position have completely dropped the ball on the serious issue of unknown and untestable allergens.

In my hand, this is a 700-page transcript of an FDA conference on this very topic from 1994. The document clearly acknowledges that unknown allergens are difficult to test for. My amendment instructs the FDA to continue the scientific research on this topic and draft guidance from the industry on how to assess genetically engineered food products for allergenicity until a predictive testing methodology is developed and report to Congress on the status of this issue.

The CHAIRMAN. Does the gentleman from New Mexico reserve his point of order?

Mr. SKEEN. Yes, I do, Mr. Chairman.

Mr. SMITH of Michigan. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Ohio (Mr. KUCINICH).

Mr. Chairman, I would just like to call to the body's attention and to the attention of the gentleman from Ohio (Mr. KUCINICH) that the Brazil nut gene within that soybean and its potential danger was discovered through pre-market testing meeting the requirements of FDA and USDA. The product never got to market.

I rise in strong opposition to the amendment, because the mandate of food labeling which is part of the sponsor's goal, would send dangerous signals. Let me review a little bit of what we did in our Subcommittee on Basic Research.

On April 13, I issued a chairman's report on plant genomics and agricultural biotechnology. This report was a culmination of three hearings that we held in Washington and meetings throughout the United States with scientists.

The Subcommittee on Basic Research had some of the Nation's leading scientists testify, one of the issues that we dealt with in some detail in the re-

port was the mandatory labeling provision. What we found is that there is no scientific justification for labeling food based on the method by which they are produced. Labeling of agricultural biotechnology products would, as suggested by the industry and by some of the scientists, confuse, not inform, consumers and send a misleading message on safety.

The Food and Drug Administration has more than 15 years of experience in evaluating food-based products of biotechnology, more than 20 years of experience with medical products of biotechnology. FDA's decision not to require labeling is consistent both with the law and with FDA's "statement of policy." More to the point, consumers have a lifetime of direct personal experience with foods genetically modified through hybridization and cross breeding should have the same regulations scrutiny as those modified by the new technology.

FDA bases labeling decisions on whether there are material differences between the new plant-based food and its traditional counterpart. These material differences include changes in the new plant that are significant enough that the common or usual name of the plant no longer applies or if the safety or use at issue exists that warrants consumer notification.

Despite this sensible policy, biotechnology's critics including the sponsor of this amendment, continue to argue that foods created using recombinant DNA techniques should bear a label revealing that fact. This view is based, in large part, on the faulty supposition that the potential for unintended and undetected differences between these foods and those produced through conventional means is cause for a label based solely on the method of production of the plant.

I would urge our three regulatory agencies that are overlooking, not only the biotech, but all products produced through traditional cross breeding, to thoroughly evaluate, all plants and seeds regardless of the process of development.

Mr. Chairman, I mean we have had products developed through cross breeding that ended up poisonous. So the regulatory bodies that we have with USDA, Food and Drug, as well as EPA is the best in the world right now. They are doing a good job.

What I am concerned with, I say to the gentleman from Ohio (Mr. KUCINICH), because of emotion, and miss information, labeling is going to be like putting a skull and cross bones on the food product. If we were to define a biotech-produced food the way Food and Drug defines a biotech-produced food, then it would require labeling of everything except a few brands of fish. Essentially all food today has been genetically modified.

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

Mr. SMITH of Michigan. I yield to the gentleman from Ohio.

Mr. KUCINICH. Mr. Chairman, although this specific amendment does not speak to our labeling bill directly, I would like to say that the labeling bill that the gentleman is speaking of serves to give the public the right to know what is in the food they are eating, that is really the basic concept.

Mr. SMITH of Michigan. Mr. Chairman, this amendment, as well as the sponsors goal of mandatory labels would be extremely confusing, and of little relevance, or service to consumers. FDA's current policy on labeling has been scientifically and legally sound and should be maintained. I urge my colleagues to oppose this amendment.

Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Ohio, which would mandate labeling of foods derived from biotechnology.

Mr. Chairman, the risks for potentially unintended effects of agricultural biotechnology on the safety of new plant-based foods are conceptually no different than the risks for those plants derived from conventional breeding. As described in FDA's Statement of Policy, "The agency is not aware of any information showing that foods derived by these new methods differ from other food in any meaningful or uniform way, or that, as a class, foods developed by the new techniques present any different or greater safety concern than foods developed by traditional plant breeding." This view was echoed by the research scientists who testified before the Subcommittee on the subject.

Indeed, there is a genuine fear that labeling biotech foods based on their method of production would be the equivalent of a "skull and crossbones"—that the very presence of a label would indicate to the average consumer that safety risks exist, when the scientific evidence shows that they do not. Labeling advocates who argue otherwise are being disingenuous. The United Kingdom's new mandatory labeling law, for example, was put forward ostensibly to enhance consumer choice. Instead, it has prompted British food producers and retailers to remove all recombinant DNA constituents from the products they sell to avoid labeling.

Mrs. JONES of Ohio. Mr. Chairman, I move to strike the last word and rise in support of the Kucinich amendment, and I believe it is a forward thinking measure that deserves this Chamber's full support. If passed, the amendment would earmark \$500,000 in the FDA portion of the budget to study guidelines for industry on how to assess genetically-engineered food products for allergenicity or for the potential food allergens and report back to Congress by the end of fiscal year 2001. If all that the prior speaker, the gentleman from Michigan (Mr. SMITH), says is true, it seems the gentleman would be supportive of the Kucinich amendment because everything that FDA has done in support of these issues would be met by a study.

As was previously stated, it is estimated that 2.5 million to 5 million Americans are allergic to foods such as milk, eggs, fish, seafood, tree nuts, wheat, peanut and soybean, and of all the millions already diagnosed, there



are still countless others who do not know they are allergic to foods until they have a reaction which sometimes can be deadly.

□ 1900

We must act now to ensure that we understand not only what we eat, but what effect the food we eat has upon us.

Again, I rise in support of my colleague's amendment.

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

Mrs. JONES of Ohio. I yield to the gentleman from Ohio.

Mr. KUCINICH. Mr. Chairman, I thank the gentlewoman from Ohio (Mrs. JONES), my colleague. The gentlewoman and I both represent the people of the Cleveland area.

Mr. Chairman, we have to remember what this amendment is about: it is to get \$500,000 for the purpose of drafting guidance for the industry on how to assess genetically engineered food products for allergenicity. We are not voting on a labeling bill here. Some day we hope to bring such a bill to the floor so that the people of America will have a right to know what is in the food they are eating.

But with respect to this and the comments of the previous speaker, the gentleman from Michigan (Mr. SMITH), Brazil nuts are a known allergen. What we are speaking about here is testing for unknown allergens. I want everyone here to know that I am pleased to report that the FDA just informed me that they support the concepts within this amendment. I have pledged to work with them to find a compromise that all the parties can support.

So I want to let the chairman and the ranking member know that I am going to withdraw this amendment with an understanding that the chairman, the ranking member, the Food and Drug Administration, the gentlewoman from Ohio (Mrs. JONES), and other Members of the Congress who are working on this, that we could all work together to include acceptable language in a conference report.

Mr. Chairman, I would like to ask the gentleman from New Mexico (Mr. SKEEN) if that would be acceptable if the gentleman, that is, if I withdraw this amendment, could the gentleman give me some help with the FDA in encouraging them to go ahead and work to find a compromise so that the concepts in this amendment could be supported.

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

Mrs. JONES of Ohio. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I am sure I will do my best to give the gentleman from Ohio (Mr. KUCINICH) that kind of help.

Mrs. JONES of Ohio. Mr. Chairman, I again yield to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I thank the gentlewoman, and I want to

thank the gentleman from New Mexico (Mr. SKEEN) for his indulgence, and I also want to say that this issue of genetically engineered food is an issue all over this world. People in Europe are demanding labeling all throughout the European Union. People in Japan, people in Australia, people in New Zealand, demanding labeling. Why? Because people want to know what is in the food they eat. People have a right to know that. That is why years ago the Food and Drug Administration passed a regime so people could learn the ingredients on the food that they buy.

Imagine today if we did not even know the ingredients on the food that we were eating. Suppose someone did not want too much fat content or one was concerned about their protein intake. That is why Americans have become more sophisticated on dietary matters because of that law.

Americans are going to have the opportunity in the future, hopefully, to be able to know what is in the food they are eating. If it is genetically engineered, it will have to be labeled.

Mr. SMITH of Michigan. Mr. Chairman, will the gentlewoman yield?

Mrs. JONES of Ohio. I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. Mr. Chairman, it is very important that we move ahead, that we give the assurance of safety. It has to be done. We cannot go ahead like Europe has gone ahead, based on unscientific evidence.

Mr. METCALF. Mr. Chairman, I rise in support of Mr. KUCINICH's efforts to secure funding for more study on the allergenic effects of genetically modified foods. I believe that bioengineered foods hold the potential for great benefit to the consumer. However, studies indicate that allergens from one food may pass to another through genetic engineering, and more research is required before families can be comfortable buying them at the grocery store.

Americans need to be able to make informed decisions about the food they buy. I understand that funding for an FDA study is not included in the bill we are debating today, but I hope that it can be inserted in conference.

Mr. KUCINICH. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

#### SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 538, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 18 by Mr. NEY of Ohio; amendment No. 1 by Mr. HEFLEY of Colorado; and amendment No. 2 by Mr. HEFLEY of Colorado.

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

#### AMENDMENT NO. 18 OFFERED BY MR. NEY

The CHAIRMAN. The pending business is the demand for a recorded vote

on amendment No. 18 offered by the gentleman from Ohio (Mr. Ney) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 94, noes 326, not voting 14, as follows:

[Roll No. 359]

#### AYES—94

Aderholt	Gilchrest	Ney
Armey	Gillmor	Oxley
Bachus	Hall (OH)	Peterson (PA)
Ballenger	Hastings (WA)	Portman
Barr	Hayworth	Pryce (OH)
Bartlett	Hilleary	Quinn
Biggert	Hobson	Rahall
Billbray	Hoekstra	Regula
Bilirakis	Horn	Riley
Bliley	Hostettler	Ros-Lehtinen
Blunt	Houghton	Sawyer
Boehner	Hunter	Scarborough
Bryant	Isakson	Sensenbrenner
Burr	Jackson (IL)	Shaw
Buyer	Johnson (CT)	Shimkus
Campbell	Kasich	Shuster
Chabot	Kelly	Stearns
Collins	King (NY)	Strickland
Crane	Kingston	Sununu
DeLay	Kucinich	Sweeney
DeMint	Kuykendall	Tauzin
Duncan	LaTourette	Taylor (MS)
Ehlers	Manzullo	Thomas
Ehrlich	Martinez	Traficant
English	McCrery	Upton
Fattah	McHugh	Vitter
Foley	McInnis	Wamp
Ford	McKeon	Weller
Fossella	Metcalf	Whitfield
Fowler	Miller (FL)	Wise
Franks (NJ)	Mollohan	
Gallegly	Nethercutt	

#### NOES—326

Abercrombie	Cannon	Dooley
Ackerman	Capps	Doolittle
Allen	Capuano	Doyle
Andrews	Cardin	Dreier
Archer	Carson	Dunn
Baca	Castle	Edwards
Baird	Chambliss	Emerson
Baker	Chenoweth-Hage	Engel
Baldacci	Clayton	Eshoo
Baldwin	Clement	Etheridge
Barcia	Clyburn	Evans
Barrett (NE)	Coble	Everett
Barrett (WI)	Coburn	Ewing
Barton	Combest	Farr
Bass	Condit	Fletcher
Bateman	Conyers	Forbes
Becerra	Cooksey	Frank (MA)
Bentsen	Costello	Frelinghuysen
Bereuter	Cox	Frost
Berkley	Coyne	Ganske
Berman	Cramer	Gejdenson
Berry	Crowley	Gekas
Blagojevich	Cubin	Gephardt
Blumenauer	Cummings	Gibbons
Boehlert	Cunningham	Gilman
Bonilla	Danner	Gonzalez
Bonior	Davis (FL)	Goode
Bono	Davis (IL)	Goodlatte
Borski	Davis (VA)	Gordon
Boswell	Deal	Goss
Boucher	DeFazio	Graham
Boyd	DeGette	Granger
Brady (PA)	Delahunt	Green (TX)
Brady (TX)	DeLauro	Green (WI)
Brown (FL)	Deutsch	Greenwood
Brown (OH)	Diaz-Balart	Gutierrez
Burton	Dickey	Gutknecht
Callahan	Dicks	Hall (TX)
Calvert	Dingell	Hansen
Camp	Dixon	Hastings (FL)
Canady	Doggett	Hayes

Hefley	Menendez	Saxton
Herger	Mica	Schaffer
Hill (IN)	Millender-	Schakowsky
Hill (MT)	McDonald	Scott
Hilliard	Miller, Gary	Serrano
Hinchey	Miller, George	Sessions
Hinojosa	Minge	Shadegg
Hoefel	Mink	Shays
Holden	Moakley	Sherman
Holt	Moore	Sherwood
Hooley	Moran (KS)	Shows
Hoyer	Moran (VA)	Simpson
Hulshof	Morella	Sisisky
Hutchinson	Murtha	Skeen
Hyde	Myrick	Skelton
Inslee	Nadler	Slaughter
Istook	Napolitano	Smith (MI)
Jackson-Lee	Neal	Smith (NJ)
(TX)	Northup	Smith (TX)
Jefferson	Norwood	Smith (WA)
Jenkins	Nussle	Snyder
John	Oberstar	Souder
Johnson, E. B.	Obey	Spence
Johnson, Sam	Olver	Spratt
Jones (NC)	Ortiz	Stabenow
Jones (OH)	Ose	Stark
Kanjorski	Owens	Stenholm
Kaptur	Packard	Stump
Kennedy	Pallone	Stupak
Kildee	Pascrell	Talent
Kilpatrick	Pastor	Tancred
Kind (WI)	Paul	Tanner
Klecza	Payne	Tauscher
Knollenberg	Pease	Taylor (NC)
Kolbe	Pelosi	Terry
LaFalce	Peterson (MN)	Thompson (CA)
LaHood	Petri	Thompson (MS)
Lampson	Phelps	Thornberry
Lantos	Pickering	Thune
Largent	Pickett	Thurman
Larson	Pitts	Tiahrt
Latham	Pombo	Tierney
Leach	Pomeroy	Toomey
Lee	Porter	Towns
Levin	Price (NC)	Turner
Lewis (CA)	Radanovich	Udall (CO)
Lewis (GA)	Ramstad	Udall (NM)
Lewis (KY)	Rangel	Velazquez
Linder	Reyes	Visclosky
Lipinski	Reynolds	Walden
LoBiondo	Rivers	Walsh
Lowey	Rodriguez	Waters
Lucas (KY)	Roemer	Watkins
Lucas (OK)	Rogan	Watt (NC)
Luther	Rogers	Watts (OK)
Maloney (CT)	Rohrabacher	Waxman
Maloney (NY)	Rothman	Weiner
Mascara	Roukema	Weldon (FL)
Matsui	Roybal-Allard	Weldon (PA)
McCarthy (MO)	Royce	Wexler
McCarthy (NY)	Rush	Weygand
McCollum	Ryan (WI)	Wicker
McDermott	Ryun (KS)	Wilson
McGovern	Sabo	Wolf
McIntyre	Salmon	Woolsey
McKinney	Sanchez	Wu
Meehan	Sanders	Young (FL)
Meek (FL)	Sandlin	
Meeks (NY)	Sanford	

## NOT VOTING—14

Bishop	Klink	McNulty
Clay	Lazio	Vento
Cook	Lofgren	Wynn
Filner	Markey	Young (AK)
Goodling	McIntosh	

□ 1925

Messrs. ROTHMAN, RADANOVICH, SHAYS, BATEMAN, RYAN of Wisconsin, CUNNINGHAM, and CONYERS changed their vote from "aye" to "no."

Messrs. STRICKLAND, SHAW, HILLEARY, ADERHOLT, and SAWYER changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

## ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 538, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will

be taken on each amendment on which the Chair has postponed further proceedings.

## AMENDMENT NO. 1 OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment No. 1 offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 132, noes 287, not voting 15, as follows:

[Roll No. 360]

## AYES—132

Archer	Franks (NJ)	Myrick
Armey	Frelinghuysen	Oxley
Bachus	Ganske	Pascrell
Baker	Gejdenson	Paul
Ballenger	Gilchrest	Pickering
Barr	Goode	Porter
Barrett (NE)	Goodlatte	Portman
Barrett (WI)	Goss	Ramstad
Bartlett	Graham	Rogan
Barton	Green (WI)	Ros-Lehtinen
Bass	Greenwood	Roukema
Bateman	Hall (TX)	Royce
Bereuter	Hayworth	Ryan (WI)
Berkley	Hefley	Ryun (KS)
Bilirakis	Hilleary	Salmon
Biiley	Hobson	Sanford
Blunt	Horn	Scarborough
Brady (TX)	Hostettler	Schaffer
Bryant	Hutchinson	Sensenbrenner
Burr	Inslee	Sessions
Callahan	Johnson (CT)	Shadegg
Campbell	Johnson, Sam	Shaw
Cannon	Jones (NC)	Shays
Chabot	Kasich	Shows
Coble	Kelly	Sisisky
Coburn	Kind (WI)	Smith (NJ)
Costello	Kingston	Spence
Cox	Largent	Stearns
Crane	Leach	Stump
Davis (VA)	Linder	Sununu
DeGette	LoBiondo	Sweeney
DeMint	Luther	Tancred
Diaz-Balart	Manzullo	Taylor (MS)
Dickey	Martinez	Taylor (NC)
Doggett	McCarthy (NY)	Terry
Dreier	McCollum	Tiahrt
Duncan	McInnis	Toomey
Edwards	Meehan	Udall (CO)
Ehrlich	Mica	Udall (NM)
English	Miller (FL)	Vitter
Ewing	Miller, Gary	Wamp
Forbes	Minge	Weldon (PA)
Fossella	Moore	Weller
Frank (MA)	Morella	Wilson

## NOES—287

Abercrombie	Boehlt	Capuano
Ackerman	Boehner	Cardin
Aderholt	Bonilla	Carson
Allen	Bonior	Castle
Andrews	Bono	Chambliss
Baca	Borski	Chenoweth-Hage
Baird	Boswell	Clayton
Baldacci	Boucher	Clement
Baldwin	Boyd	Clyburn
Barcia	Brady (PA)	Collins
Becerra	Brown (FL)	Combest
Bentsen	Brown (OH)	Condit
Berman	Burton	Conyers
Berry	Buyer	Cooksey
Biggett	Calvert	Coyne
Bilbray	Camp	Cramer
Blagojevich	Canady	Crowley
Blumenauer	Capps	Cummings

Cunningham	King (NY)	Rahall
Danner	Klecza	Rangel
Davis (FL)	Knollenberg	Regula
Davis (IL)	Kolbe	Reyes
Deal	Kucinich	Reynolds
DeFazio	Kuykendall	Riley
Delahunt	LaFalce	Rivers
DeLauro	LaHood	Rodriguez
DeLay	Lampson	Roemer
Deutsch	Lantos	Rogers
Dicks	Larson	Rohrabacher
Dingell	Latham	Rothman
Dixon	LaTourette	Roybal-Allard
Dooley	Lee	Rush
Doolittle	Levin	Sabo
Doyle	Lewis (CA)	Sanchez
Dunn	Lewis (GA)	Sanders
Ehlers	Lewis (KY)	Sandlin
Emerson	Lipinski	Sawyer
Engel	Lowey	Saxton
Eshoo	Lucas (KY)	Schakowsky
Etheridge	Lucas (OK)	Scott
Evans	Maloney (CT)	Serrano
Everett	Maloney (NY)	Sherman
Farr	Mascara	Sherwood
Fattah	Matsui	Shimkus
Fletcher	McCarthy (MO)	Shuster
Foley	McCrery	Simpson
Ford	McDermott	Skeen
Fowler	McGovern	Skelton
Frost	McHugh	Slaughter
Gallegly	McIntyre	Smith (MI)
Gekas	McKeon	Smith (TX)
Gephardt	McKinney	Smith (WA)
Gibbons	Meek (FL)	Snyder
Gillmor	Meeks (NY)	Souder
Gilman	Menendez	Spratt
Gonzalez	Metcalfe	Stabenow
Gordon	Millender-	Stark
Granger	McDonald	Stenholm
Green (TX)	Miller, George	Strickland
Gutierrez	Mink	Stupak
Gutknecht	Moakley	Talent
Hall (OH)	Mollohan	Tanner
Hansen	Moran (KS)	Tauscher
Hastings (FL)	Moran (VA)	Tauzin
Hastings (WA)	Murtha	Thomas
Hayes	Nadler	Thompson (CA)
Herger	Napolitano	Thompson (MS)
Hill (IN)	Neal	Thornberry
Hill (MT)	Nethercutt	Thune
Hilliard	Ney	Thurman
Hinchey	Northup	Tierney
Hinojosa	Norwood	Towns
Hoefel	Nussle	Traficant
Hoekstra	Oberstar	Turner
Holden	Obey	Upton
Holt	Olver	Velazquez
Hooley	Ortiz	Visclosky
Houghton	Ose	Walden
Hoyer	Owens	Walsh
Hulshof	Packard	Waters
Hunter	Pallone	Watkins
Hyde	Pastor	Watt (NC)
Isakson	Payne	Watts (OK)
Istook	Pease	Waxman
Jackson (IL)	Pelosi	Weiner
Jackson-Lee	Peterson (MN)	Weldon (FL)
(TX)	Peterson (PA)	Wexler
Jefferson	Petri	Weygand
Jenkins	Phelps	Whitfield
John	Pickett	Wicker
Johnson, E. B.	Pitts	Wise
Jones (OH)	Pombo	Wolf
Kanjorski	Pomeroy	Woolsey
Kaptur	Price (NC)	Wu
Kennedy	Pryce (OH)	Young (FL)
Kildee	Quinn	
Kilpatrick	Radanovich	

## NOT VOTING—15

Bishop	Goodling	McIntosh
Clay	Klink	McNulty
Cook	Lazio	Vento
Cubin	Lofgren	Wynn
Filner	Markey	Young (AK)

□ 1934

Mr. WISE changed his vote from "aye" to "no."

Mrs. ROUKEMA and Messrs. INSLEE, COX and MINGE changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment No. 2 offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

# RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 94, noes 319, not voting 21, as follows:

[Roll No. 361]

# AYES—94

Archer	Ganske	Portman
Armey	Gibbons	Ramstad
Baker	Goss	Rohrabacher
Ballenger	Hansen	Ros-Lehtinen
Barr	Hayworth	Roukema
Barton	Hefley	Royce
Berkley	Hilleary	Salmon
Bilbray	Hobson	Sanford
Brady (TX)	Hoekstra	Scarborough
Bryant	Horn	Schaffer
Burr	Hostettler	Sensenbrenner
Campbell	Inslee	Sessions
Cannon	Johnson, Sam	Shadegg
Chabot	Jones (NC)	Shaw
Coburn	Kasich	Shays
Cox	Kelly	Shows
Crane	Kingston	Smith (WA)
Davis (VA)	Largent	Souder
DeLay	Leach	Stearns
DeMint	Linder	Stump
Diaz-Balart	LoBiondo	Sununu
Dickey	McInnis	Taylor (MS)
Dreier	Meehan	Taylor (NC)
Duncan	Menendez	Terry
Ehlers	Mica	Tierney
Ehrlich	Miller (FL)	Toomey
Ewing	Miller, Gary	Traficant
Fossella	Moran (KS)	Udall (NM)
Fowler	Myrick	Vitter
Frank (MA)	Paul	Wamp
Franks (NJ)	Petri	
Frelinghuysen	Pickering	

# NOES—319

Abercrombie	Brady (PA)	DeFazio
Ackerman	Brown (FL)	DeGette
Aderholt	Brown (OH)	Delahunt
Allen	Burton	DeLauro
Andrews	Buyer	Deutsch
Baca	Callahan	Dicks
Bachus	Calvert	Dingell
Baird	Camp	Dixon
Baldacci	Canady	Doggett
Baldwin	Capps	Dooley
Barcia	Capuano	Doolittle
Barrett (NE)	Cardin	Doyle
Barrett (WI)	Carson	Dunn
Bartlett	Castle	Edwards
Bass	Chambliss	Emerson
Bateman	Chenoweth-Hage	Engel
Becerra	Clayton	English
Bentsen	Clement	Eshoo
Bereuter	Clyburn	Etheridge
Berman	Coble	Evans
Berry	Collins	Everett
Biggert	Combest	Farr
Billakis	Condit	Fattah
Blagojevich	Conyers	Fletcher
Bliley	Cooksey	Foley
Blumenauer	Costello	Forbes
Blunt	Cramer	Ford
Boehlert	Crowley	Frost
Boehner	Cubin	Gallegly
Bonior	Cummings	Gejdenson
Bono	Cunningham	Gekas
Borski	Danner	Gephardt
Boswell	Davis (FL)	Gilchrest
Boucher	Davis (IL)	Gillmor
Boyd	Deal	Gilman

Gonzalez	Martinez	Roybal-Allard
Goode	Mascara	Rush
Goodlatte	McCarthy (MO)	Ryan (WI)
Gordon	McCarthy (NY)	Ryun (KS)
Graham	McCollum	Sabo
Granger	McCrery	Sanchez
Green (TX)	McDermott	Sanders
Green (WI)	McGovern	Sandlin
Greenwood	McHugh	Sawyer
Gutierrez	McIntyre	Saxton
Gutknecht	McKeon	Schakowsky
Hall (OH)	McKinney	Scott
Hall (TX)	Meek (FL)	Serrano
Hastings (FL)	Meeks (NY)	Sherman
Hayes	Metcalf	Sherwood
Herger	Millender-McDonald	Shimkus
Hill (IN)	Miller, George	Shuster
Hill (MT)	Minge	Simpson
Hilliard	Mink	Sisisky
Hinchey	Moakley	Skeen
Hinojosa	Mollohan	Skelton
Hoeffel	Moore	Slaughter
Holden	Moran (VA)	Smith (MI)
Holt	Morella	Smith (NJ)
Hooley	Murtha	Smith (TX)
Houghton	Nadler	Snyder
Hoyer	Napolitano	Spence
Hulshof	Neal	Spratt
Hunter	Nethercutt	Stabenow
Hutchinson	Ney	Stark
Hyde	Northup	Stenholm
Isakson	Norwood	Strickland
Istook	Nussle	Stupak
Jackson (IL)	Oberstar	Sweeney
Jackson-Lee (TX)	Obey	Talent
Jefferson	Olver	Tancredo
Jenkins	Ortiz	Tanner
John	Ose	Tauscher
Johnson (CT)	Owens	Tauzin
Johnson, E. B.	Oxley	Thomas
Jones (OH)	Packard	Thompson (CA)
Kanjorski	Pallone	Thompson (MS)
Kaptur	Pascarella	Thornberry
Kennedy	Pastor	Thune
Kildee	Payne	Thurman
Kinpatrick	Pease	Tiahrt
Kind (WI)	Pelosi	Towns
King (NY)	Peterson (MN)	Turner
Kleczka	Peterson (PA)	Udall (CO)
Knollenberg	Phelps	Upton
Kolbe	Pickett	Velazquez
Kucinich	Pitts	Visclosky
Kuykendall	Pombo	Walden
LaFalce	Pomeroy	Walsh
LaHood	Porter	Walters
Lampson	Price (NC)	Watkins
Lantos	Pryce (OH)	Watt (NC)
Larson	Quinn	Watts (OK)
Latham	Radanovich	Waxman
LaTourette	Rahall	Weiner
Lee	Rangel	Weldon (FL)
Levin	Regula	Weldon (PA)
Lewis (CA)	Reyes	Weller
Lewis (GA)	Reynolds	Wexler
Lewis (KY)	Riley	Whitfield
Lowe	Rivers	Wicker
Lucas (KY)	Rodriguez	Wilson
Lucas (OK)	Roemer	Wise
Luther	Rogan	Wolf
Maloney (CT)	Rogers	Woolsey
Maloney (NY)	Rothman	Wu
		Young (FL)

# NOT VOTING—21

Bishop	Hastings (WA)	Matsui
Bonilla	Klink	McIntosh
Clay	Lazio	McNulty
Cook	Lipinski	Vento
Coyne	Lofgren	Weygand
Filner	Manzullo	Wynn
Goodling	Markey	Young (AK)

# □ 1942

Mr. ENGLISH changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. MANZULLO. Mr. Chairman, on rollcall No. 361, I was inadvertently detained. Had I been present, I would have voted "aye."

# □ 1945

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

Mr. Chairman, I yield to the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Chairman, I want to thank the gentleman for yielding.

Mr. Chairman, I just would like to wish the gentleman from New Mexico (Chairman SKEEN), a happy birthday. Tomorrow is his birthday, and I wish him a happy birthday.

Mr. SKEEN. Mr. Chairman, reclaiming my time, my colleagues make me feel a lot younger, and I thank all of my colleagues.

Mr. Speaker, I yield to the gentleman from Texas (Mr. REYES).

Mr. REYES. Happy birthday.

Mr. Speaker, I also want to tell my colleagues, Mr. Speaker, I had intended to offer an amendment that would have added \$5 million to the Food and Nutrition Service for a program that would target outreach to expand the feeding programs in the colonia areas of the Southwest.

I will not offer the amendment, but I would like to request a commitment from the chairman that, as the agriculture bill moves to conference committee, that he will do what he can to secure the funds for this much-needed targeted assistance in the colonias.

Mr. SKEEN. Mr. Speaker, reclaiming my time, I thank the gentleman from Texas for his involvement in this issue. The plight of the people living in the colonias is serious. The USDA spends about \$350 million per year on this type of outreach. I commit to the gentleman that I will work in conference to direct that adequate funds be targeted to this program in the southwest.

Mr. REYES. Mr. Speaker, if the gentleman will yield, I want to thank the chairman. I also want to thank the staff for helping us work out this commitment. I look forward to working with him.

Mr. SKEEN. Mr. Speaker, 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. NUSSLE, 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. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes, had come to no resolution thereon.

# LEGISLATIVE PROGRAM

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

Mr. ARMEY. Mr. Speaker, I would like to discuss the evening's schedule.

Mr. Speaker, we have just risen from the Agricultural Appropriations bill. We will come back to that at a later time.

I should tell the Members we have kind of got good news and bad news for